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Democratic Services White Cliffs Business Park Dover Kent CT16 3PJ

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24 August 2023

Dear Councillor

NOTICE IS HEREBY GIVEN THAT a meeting of the **CABINET** will be held at these offices (Council Chamber) on Monday 4 September 2023 at 6.00 pm when the following business will be transacted.

Members of the public who require further information are asked to contact Democratic Services on (01304) 872303 or by e-mail at <u>democraticservices@dover.gov.uk</u>.

Yours sincerely

Chief Executive

| Cabinet Membership: |  |
|---------------------|--|
| K Mills             | Leader of the Council  |
| J L Pout            | Deputy Leader of the Council and Portfolio Holder for<br>Transport, Licensing and Environmental Services |
| S H Beer            | Portfolio Holder for Finance, Governance, Climate Change and Environment                                 |
| E A Biggs           | Portfolio Holder for Planning and Built Environment  |
| P M Brivio          | Portfolio Holder for Housing, Skills and Education   |
| C D Zosseder        | Portfolio Holder for Community and Corporate Property  |

#### <u>AGENDA</u>

#### 1 APOLOGIES

To receive any apologies for absence.

#### 2 **DECLARATIONS OF INTEREST** (Page 5)

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

#### 3 **RECORD OF DECISIONS** (Pages 6-15)

The decisions of the meeting of the Cabinet held on 3 July 2023, numbered

CAB 11 to CAB 20 (inclusive), are attached.

#### ISSUES ARISING FROM OVERVIEW AND SCRUTINY OR OTHER COMMITTEES

To consider any issues arising from Overview and Scrutiny or other Committees not specifically detailed elsewhere on the agenda.

# **EXECUTIVE - KEY DECISIONS**

#### 4 **PUBLIC SPACES PROTECTION ORDER CONSULTATION** (Pages 16-124)

To consider the attached report of the Head of Transformation and the Port Health & Public Protection Manager.

Responsibility: Portfolio Holders for Community & Corporate Property and Transport, Licensing & Environmental Services

#### 5 ADOPTION OF DOUR STREET, DOVER CONSERVATION AREA CHARACTER APPRAISAL (Pages 125-148)

To consider the attached report of the Principal Heritage Officer.

Responsibility: Portfolio Holder for Planning and Built Environment

#### 6 PROVISION OF INTERIM HOUSING FOR UKRAINIAN REFUGEES VIA LOCAL AUTHORITY HOUSING FUND (Pages 149-170)

To consider the attached report of the Head of Finance and Investment.

Responsibility: Portfolio Holder for Housing, Skills and Education

# EXECUTIVE - NON-KEY DECISIONS

### 7 ANNUAL GOVERNANCE ASSURANCE STATEMENT 2022/23 (Pages 171-189)

To consider the attached report of the Strategic Director (Corporate and Regulatory).

Portfolio Holder for Finance, Governance, Climate Change and Environment

# 8 **STRATEGIC PERFORMANCE DASHBOARD - QUARTER ONE 2023/24** (Pages 190-240)

To consider the attached report of the Head of Corporate Services and Democracy.

Responsibility: Portfolio Holder for Finance, Governance, Climate Change and Environment

#### 9 <u>DOVER DISTRICT COUNCIL COMMUNITY GRANTS SCHEME</u> <u>ARRANGEMENTS FOR 2023/24</u> (Pages 241-245)

To consider the attached report of the Head of Transformation.

Responsibility: Portfolio Holder for Community and Corporate Property

### 10 **FULL STRUCTURAL SURVEY TO DEAL PIER** (Pages 246-249)

To consider the attached report of the Corporate Estate and Coastal Engineer.

Responsibility: Portfolio Holder for Community and Corporate Property

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#### 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.



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Contact: Kate Batty-Smith Direct line: (01304) 872303 e-mail: katebatty-smith@dover.gov.uk Our ref: KBS/CABRCD Your ref: Date: 5 July 2023

### TO: ALL MEMBERS OF THE COUNCIL

**Dear Councillor** 

### CABINET: RECORD OF DECISIONS

Please find attached the Record of Decisions of the Cabinet meeting held on Monday, 3 July 2023. Unless otherwise indicated within the schedule, these decisions may be called in for scrutiny, provided notice is given to me in writing by **10.00am on Tuesday**, **11 July 2023**.

The call-in procedures are set out at paragraph 18 of the Overview and Scrutiny Procedure Rules. Call-in may be activated by the Chairman of the Overview and Scrutiny Committee, the Controlling Group Spokesperson of the Overview and Scrutiny Committee or any three non-executive Members. The reasons for calling in an item must be given.

Yours sincerely

Kare Brety - Smith

Kate Batty-Smith Democratic Services Officer

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Record of the decisions of the meeting of the **CABINET** held at the Council Offices, Whitfield on Monday, 3 July 2023 at 6.00 pm.

Present:

| Chairman:     | Councillor K Mills  |
|---------------|---|
| Councillors:  | J L Pout<br>S H Beer<br>P M Brivio<br>C D Zosseder  |
| Also Present: | Councillor D R Friend<br>Councillor N S Kenton<br>Councillor O C de R Richardson<br>Councillor C A Vinson   |
| Officers:     | Strategic Director (Corporate and Regulatory)<br>Strategic Director (Finance and Housing)<br>Head of Place, Growth, Investment and Creative Services<br>Head of Property Assets<br>Major Projects and Programme Manager<br>Procurement Manager<br>Principal Design Services Officer<br>Principal Planned Works Officer<br>Democratic Services Officer |

The formal decisions of the executive are detailed in the following schedule.

# **Record of Decisions: Executive Functions**

| Decision Status                | Record of Decision  | Alternative options<br>considered and<br>rejected (if any) | Reasons for Decision | Conflicts of interest<br>(if any) declared by<br>decision maker(s) or<br>consultees (if any) |
|--------------------------------|---|--|----------------------|--|
| CAB 11                         | APOLOGIES   | None.  | To note any          |  |
| 3.7.23                         |   |  | apologies for        |  |
| Open                           | It was noted that an apology for absence had been received from Councillor E A Biggs. |  | absence.             |  |
| Key Decisions                  |   |  |                      |  |
| No                             |   |  |                      |  |
| <b>Call-in to apply</b><br>Yes |   |  |                      |  |
| Implementation                 |   |  |                      |  |
| Date<br>11 July 2023           |   |  |                      |  |

| Decision Status                | Record of Decision  | Alternative options<br>considered and<br>rejected (if any) | Reasons for Decision                  | Conflicts of interest<br>(if any) declared by<br>decision maker(s) or<br>consultees (if any) |
|--------------------------------|---|--|---------------------------------------|--|
| CAB 12<br>3.7.23<br>Open       | DECLARATIONS OF INTEREST<br>There were no declarations of interest. | None.  | To note any declarations of interest. |  |
| Key Decisions<br>No            |   |  |                                       |  |
| <b>Call-in to apply</b><br>Yes |   |  |                                       |  |
| Implementation<br>Date         |   |  |                                       |  |

| 11 July 2023 |  |  |
|--------------|--|--|

| Decision Status                | Record of Decision  | Alternative options<br>considered and<br>rejected (if any) | Reasons for Decision    | Conflicts of interest<br>(if any) declared by<br>decision maker(s) or<br>consultees (if any) |
|--------------------------------|---|--|-------------------------|--|
| CAB 13                         | RECORD OF DECISIONS   | None.  | Cabinet is required     |  |
| 3.7.23                         |   |  | to approve the          |  |
| Open                           | It was agreed that the decisions of the meeting held on 5 June 2023, as |  | Record of               |  |
|                                | detailed in decision numbers CAB 1 to CAB 10, be approved as a correct  |  | Decisions of the        |  |
| Key Decisions                  | record and signed by the Chairman.                                      |  | Cabinet meeting         |  |
| No                             |   |  | held on 5 June<br>2023. |  |
| <b>Call-in to apply</b><br>Yes |   |  |                         |  |
| Implementation                 |   |  |                         |  |
| Date                           |   |  |                         |  |
| 11 July 2023                   |   |  |                         |  |

| Decision Status  | Record of Decision  | Alternative options<br>considered and<br>rejected (if any) | Reasons for Decision | Conflicts of interest<br>(if any) declared by<br>decision maker(s) or<br>consultees (if any) |
|------------------|---|--|----------------------|--|
| CAB 14           | UPDATE TO CORPORATE COMPLAINTS POLICY                                   | None.  | An update to the     |  |
| 3.7.23           |   |  | Council's            |  |
| Open             | (a) It was agreed that the amended Complaints Policy in respect of      |  | Corporate            |  |
|                  | Executive functions be adopted.   |  | Complaints Policy    |  |
| Key Decisions    |   |  | is required in order |  |
| No               | (b) It was agreed to recommend to Council that the Complaints Policy in |  | to reflect changes   |  |
|                  | respect of Council functions be adopted.                                |  | brought in by The    |  |
| Call-in to apply |   |  | Building Safety Act  |  |
| (a) Yes          |   |  | 2022. The            |  |
| (b) No           |   |  | opportunity has      |  |
|                  |   |  | also been taken to   |  |
| Implementation   |   |  | amend the Policy     |  |

| Date<br>(a) 11 July 2023<br>(b) 20 July 2023 | to align it with the<br>Housing<br>Ombudsman's<br>recommended<br>practice guidelines. |
|--|---|
|  |   |

| Decision Status   | Record of Decision   | Alternative options<br>considered and<br>rejected (if any) | Reasons for Decision  | Conflicts of interest<br>(if any) declared by<br>decision maker(s) or<br>consultees (if any) |
|---|--|--|---|--|
| CAB 15<br>3.7.23<br>Open<br>Key Decisions<br>Yes<br>Call-in to apply<br>Yes<br>Implementation<br>Date<br>11 July 2023 | ADOPTION OF PROCUREMENT STRATEGY 2023-2026<br>It was agreed that the Procurement Strategy 2023-2026, as set out at<br>Appendix 1 of the report, be approved and adopted. | None.  | The Council's<br>Procurement<br>Strategy sets out<br>how the Council<br>will conduct its<br>procurement<br>activity in an<br>ethical, efficient<br>and economic<br>manner,<br>recognising<br>Government<br>procurement<br>legislation and the<br>Council's priorities,<br>aims and<br>objectives. |  |

| Decision Status  | Record of Decision                 | Alternative options<br>considered and<br>rejected (if any) | Reasons for Decision                  | Conflicts of interest<br>(if any) declared by<br>decision maker(s) or<br>consultees (if any) |
|------------------|------------------------------------|--|---------------------------------------|--|
| CAB 16<br>3.7.23 | DOVER BEACON/BENCH STREET PROJECTS | None.  | The Dover Beacon<br>project comprises |  |

| Key Decisions (a) That the Strategic Director (Place and Environment) be  |   |
|---|---|
| Noauthorised, in consultation with the Leader of the Council, to take<br>all decisions and actions necessary to progress the project to the<br>point where the construction contract(s) tender sums have been<br>evaluated, subject to all actions being in accordance with the<br>memorandums of understanding with the Department of Levelling<br>Up, Housing and Communities and the agreed budget and, where<br>appropriate, subject to the oversight of the Dover Beacon and<br>Dover Town Regeneration Project Advisory Group.(b)That the combining of the Levelling Up Fund Round 2-funded<br>project with the Future High Streets Fund project be approved in<br>all respects, except for the monitoring and evaluation<br>requirements of the funders. | including the<br>provision of a<br>creative centre and<br>underpass<br>improvements<br>(funded by a Future<br>High Streets Fund<br>grant), and the<br>provision of a<br>further education<br>campus building,<br>business centre<br>and outside public<br>space (funded by a<br>Levelling Up Fund<br>grant).<br>Cabinet approval is<br>sought to progress<br>the project to the<br>construction<br>contract(s) stage. |

| Decision Status                                 | Record of Decision  | Alternative options<br>considered and<br>rejected (if any) | Reasons for Decision   | Conflicts of interest<br>(if any) declared by<br>decision maker(s) or<br>consultees (if any) |
|---|---|--|--|--|
| CAB 17<br>3.7.23<br>Open<br>Key Decisions<br>No | STRATEGIC PERFORMANCE DASHBOARD - FOURTH QUARTER<br>2022/23<br>It was agreed that the Council's Strategic Performance Dashboard for<br>Quarter Four 2022/23 be noted. | None.  | The Strategic<br>Performance<br>Dashboard<br>provides an<br>overview of how<br>the Council and<br>East Kent Services |  |

| Call-in to apply<br>YesImplementation<br>Date<br>11 July 2023 | are performing<br>against a number<br>of key performance<br>indicators as a<br>means of<br>measuring whether<br>the Council is<br>achieving its aims |
|---|--|
|   | and objectives.<br>The Strategic<br>Performance<br>Dashboard –<br>Fourth Quarter<br>2022/23 covers the<br>period from<br>January to March<br>2023.   |

| Decision Status  | Record of Decision  | Alternative options<br>considered and<br>rejected (if any) | Reasons for Decision | Conflicts of interest<br>(if any) declared by<br>decision maker(s) or<br>consultees (if any) |
|------------------|---|--|----------------------|--|
| CAB 18           | LOCAL PLAN PROJECT ADVISORY GROUP - CONSERVATIVE                          | None.  | Cabinet is required  |  |
| 3.7.23           | GROUP NOMINATION  |  | to appoint an        |  |
| Open             |   |  | additional member    |  |
|                  | It was agreed that Councillor Martin Bates be appointed to the Local Plan |  | to the Local Plan    |  |
| Key Decisions    | Project Advisory Group for the Council Year 2023/24.                      |  | Project Advisory     |  |
| No               |   |  | Group who has        |  |
|                  |   |  | been nominated by    |  |
| Call-in to apply |   |  | the Conservative     |  |
| Yes              |   |  | Group.               |  |
| Implementation   |   |  |                      |  |
| Date             |   |  |                      |  |

|              |  | · · · · · · · · · · · · · · · · · · · |  |
|--------------|--|---------------------------------------|--|
| 11 July 2023 |  |                                       |  |

| Decision Status  | Record of Decision   | Alternative options<br>considered and<br>rejected (if any) | Reasons for Decision | Conflicts of interest<br>(if any) declared by<br>decision maker(s) or<br>consultees (if any) |
|------------------|--|--|----------------------|--|
| CAB 19           | EXCLUSION OF THE PRESS AND PUBLIC  | None.  |                      |  |
| 3.7.23           |  |  |                      |  |
| Open             | That, in accordance with the provisions of the Local Authorities   |  |                      |  |
|                  | (Executive Arrangements) (Access to Information) (England) Regulations   |  |                      |  |
| Key Decisions    | 2000, the press and the public be excluded during consideration of the   |  |                      |  |
| No               | following item of business on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 3 of Schedule |  |                      |  |
| Call-in to apply | 12A of the Local Government Act 1972.  |  |                      |  |
| Yes              |  |  |                      |  |
| Implementation   |  |  |                      |  |
| Date             |  |  |                      |  |
| Immediate        |  |  |                      |  |

| Decision Status         | Record of Decision  | Alternative options<br>considered and<br>rejected (if any) | Reasons for Decision                     | Conflicts of interest<br>(if any) declared by<br>decision maker(s) or<br>consultees (if any) |
|-------------------------|---|--|--|--|
| CAB 20                  | RESPONSIVE REPAIRS, VOIDS AND ASSOCIATED SERVICES   | None.  | The Council has a                        |  |
| 3.7.23                  | CONTRACT 2011-2025  |  | housing stock of                         |  |
| Exempt                  |   |  | 4,385 units of                           |  |
|                         | It was agreed:  |  | accommodation                            |  |
| Key Decisions           |   |  | which require                            |  |
| Yes                     | (a) That the variation to the responsive repairs, voids and associated services contract, removing the Consumer Price Index (CPI) cap |  | repairs and other<br>works to be carried |  |
| Call-in to apply<br>Yes | of 2.5% from April 2023 for actual CPI percentage, be approved.   |  | out.                                     |  |
|                         | (b) That the recommendations regarding tendering a new responsive   |  | Cabinet is                               |  |
| Implementation          | repairs, voids and associated services contract ready for March   |  | requested to agree                       |  |
| Date                    | 2025 be approved.   |  | a variation to the                       |  |

| 11 July 2023 | current responsive<br>repairs contract,<br>and to note<br>proposals for the<br>new contract which<br>must be in place by<br>March 2025. |
|--------------|---|
|              |   |

The meeting ended at 6.27 pm.

| Subject:               | PUBLIC SPACES PROTECTION ORDER CONSULTATION   |
|------------------------|---|
| Meeting and Date:      | Cabinet – 4 September 2023  |
| Report of:             | Brinley Hill, Head of Transformation and Paul Neagle, Port<br>Health and Public Protection Manager  |
| Portfolio Holder:      | Councillor Charlotte Zosseder, Portfolio Holder for<br>Community and Corporate Property and Councillor Jamie<br>Pout, Portfolio Holder for Transport, Licensing and<br>Environmental Services   |
| Decision Type:         | Кеу   |
| Classification:        | Unrestricted  |
| Purpose of the report: | To seek Cabinet authorisation to conduct a consultation process<br>on the existing Public Space Protection Order for the variations<br>proposed and detailed within this report, in accordance with the<br>Anti-Social Behaviour, Crime and Policing Act 2014.  |
| Recommendation:        | That, having regard to the conditions within sections 61 and 72<br>of the Anti-Social Behaviour, Crime and Policing Act 2014,<br>Cabinet authorises the Council to conduct an effective<br>consultation process to seek comments and views from a range<br>of stakeholders and members of the public on the proposed<br>variations to the existing Public Space Protection Order as<br>detailed within this report. |

#### 1. Summary

- 1.1 On 26 July 2022 the Public Spaces Protection Order (PSPO) came into force for a period of 3 years which covers issues surrounding anti-social behaviour and dog control in public spaces.
- 1.2 Where a PSPO is in force, the local authority that made the order may vary it by increasing or reducing the restricted area or by altering, removing or adding a prohibition or requirement.
- 1.3 A local authority must carry out the necessary consultation (and the necessary publicity, and the necessary notification (if any)) before varying a PSPO. It is requested that authority be provided for a public consultation to vary the existing order.

#### 2. Introduction and Background

- 2.1 The Anti-Social Behaviour, Crime and Policing Act 2014 (the 2014 Act) provides local authorities with powers to make PSPOs. These orders are intended to address activities carried out in public spaces which have a detrimental effect on the quality of life of those in the locality.
- 2.2 A local authority can make a PSPO if reasonably satisfied that two conditions are met:
  - that activities carried on in a public place within the authority's area have had a detrimental effect on the quality of life of those in the locality or that it is likely that activities carried on will have such an effect; and

- the effect or likely effect of the activities is or is likely to be of a persistent or continuing nature; is or is likely to be such as to make the activities unreasonable and justifies the restrictions imposed by the order.
- 2.3 The current PSPO controls 6 activities:
  - Dog fouling (covering the whole district)
  - Dogs on lead by order (covering the whole district)
  - Dogs on lead (in specified places)
  - Dog exclusion (in specified places)
  - Consumption of alcohol in public places
  - Unauthorised camping (covering the whole district)
- 2.4 Following the introduction of this PSPO, implementing its requirements and consulting with the Environmental Crime team, it has been identified that a variation is required in the following areas:
  - Rewording of Part 5 "Consumption of Alcohol in Public Places" to clarify where the restrictions apply.
  - Removal of children's play area at Children's Playing Field, Cowdray Square, Deal, Kent from Schedule 2 and extensions of area where dogs on lead restrictions apply at Children's Playing Field, Cowdray Square, Deal, Kent in Schedule 1 to mirror approach of unfenced children's play areas such as Russell Gardens in Temple Ewell.
  - Addition of a dog exclusion area within the enclosed children's play area to schedule 2 at Woodnesborough Village Hall Green, Elmwood Park, Woodnesborough, Kent
- 2.5 These amendments are requested to eliminate issues with effective enforcement of the PSPO and insert an enclosed children's play area previously omitted from the order.
- 2.6 By virtue of section 72 of the Act, before varying a PSPO the Council is obliged to carry out consultation with the Chief Officer of Police, the local policing body, community representatives and owners/occupiers of land covered within the order.
- 2.7 If Cabinet is minded to authorise the Council to conduct a consultation process on the variations requested and listed within this report, we would aim to carry out a public consultation for a period not exceeding 6 weeks.
- 2.8 The consultation will be publicised widely through the Council's website, Twitter, Facebook, via press releases to local media, e-mailing parish, town councils and community groups and leaving copies for public perusal in libraries and Council offices. Notices will also be put up in areas the order relates to, where appropriate.
- 2.9 Once the findings have been obtained from stakeholders and through feedback from members of the public, it is proposed that they are returned to a later Cabinet meeting to seek approval for the final variations proposed, along with feedback from the consultation phase taking into account the responses.

#### 3. Identification of Options

3.1 Option 1 - Authorise the consultation process to seek views from stakeholders and members of the public on variations proposed.

3.2 Option 2 - Reject the proposal to go to consultation on the variations and maintain the PSPO until its expiry in July 2025.

#### 4. **Evaluation of Options**

- 4.1 Option 1 The recommended option. The aim of consulting is to vary the PSPO. It also aids in
  - Providing clarity to where part 5 of the PSPO applies and ensuring enforcement can take place where appropriate.
  - Maintaining a consistent approach to dog restrictions across the Dover District.

A period of public consultation ensures the views of those affected by these proposed variations are considered.

- 4.2 Option 2 To not approve a consultation process and therefore make no changes to the PSPO which came into force on 26 July 2022.
  - Legal challenge to enforcement activities taken under Part 5 of the PSPO as it does not make it clear that the order refers to the entire Dover District Area.
  - Leave an inconsistency in the Council's approach to dog restrictions across the district.

#### 5. **Resource Implications**

5.1 There are minimal costs associated with going out to consultation other than officer time. There will be a cost for signage relating to changes once a PSPO is made. This is already budgeted for.

#### 6. **Corporate Implications**

- 6.1 Comment from the Section 151 Officer: Section 151 Officer has been consulted MD
- 6.2 Comment from the Solicitor to the Council: The Principal Lawyer Litigation & Regulatory has been consulted during the preparation of this report and has no further comments to make.
- 6.3 Comment from the Equalities Officer: 'This report regarding the authorisation to conduct a consultation process on the existing Public Space Protection Order for variations proposed within, 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 <a href="http://www.legislation.gov.uk/ukpga/2010/15/section/149">http://www.legislation.gov.uk/ukpga/2010/15/section/149</a>'

#### 7. Appendices

Appendix 1 – The Proposed Public Spaces Protection Order (Dover District Council) 2022

Appendix 2 – Summary of proposed changes to existing PSPO

#### 8. Background Papers

Public Spaces Protection Orders – Guidance for Councils – LGA Paper



# The Anti-social Behaviour, Crime and Policing Act 2014 The Public Spaces Protection Order - (Dover District Council) 2022

Dover District Council ("the Authority") makes this Public Spaces Protection Order (the "Order") in exercise of its powers under Section 59 of the Anti-Social Behaviour, Crime and Policing Act 2014 (the "Act"). This Order may be cited as The Public Spaces Protection Order (Dover District Council) 2022 'Variation No.1 [DATE TO BE ADDED)'

The Council is satisfied on reasonable grounds that the activities described below (the "Activities") carried out in a public place within its area have had, or are likely to have, a detrimental effect on the quality of life of those in the locality and that the effect of the Activities-

- a) is, or is likely to be, of a persistent or continuing nature.
- b) is, or is likely to be, such as to make the activities unreasonable, and
- c) justifies the restrictions imposed by the Order.

This Order comes into force on the 26<sup>th</sup> July 2022 for a period of 3 years.

#### Activities which are prohibited or required by this Order are:

1. Dog Fouling

If within the administrative area of the Authority a dog defecates at any time on land to which the public or any section of the public has access, on payment or otherwise, as of right or by virtue of express or implied permission and a person who is in charge of the dog at the time fails to remove the faeces from the land forthwith, that person shall be guilty of an offence unless

(a) he has reasonable excuse for failing to do so.

or

(b) the owner, occupier or other person or authority having control of the land has consented (generally or specifically) to his failing to do so.

#### 2. Dogs on leads by order

A person in charge of a dog shall be guilty of an offence if, at any time, within the administrative area of the Authority he does not comply with a direction given to him by an authorised officer of the authority to put and keep the dog on a lead unless

(a) he has reasonable excuse for failing to do so.

or

(b) the owner, occupier or other person or authority having control of the land has consented (generally or specifically) to his failing to do so.

An authorised officer may only give a direction under this order if such restraint is reasonably necessary to prevent a nuisance or behaviour by the dog that is likely to cause annoyance or disturbance to any other person, or to a bird or another animal.

#### 3. Dogs on leads

A person in charge of a dog shall be guilty of an offence if, at any time, (during the period specified in the schedule if stated), on land detailed in Schedule 1 below he does not keep the dog on a lead unless

(a) he has reasonable excuse for failing to do so.

or (b) the owner, occupier or other person or authority having control of the land has consented (generally or specifically) to his failing to do so.

#### Doa exclusion 4.

A person in charge of a dog shall be guilty of an offence if, at any time, he takes the dog onto, or permits the dog to enter or to remain on, any land detailed in Schedule 2 below unless

(a) he has reasonable excuse for failing to do so.

(b) done so with the consent (generally or specifically) of the owner, occupier or other person having control of the land.

or

#### 5. Consumption of alcohol in public places

Within the administrative area of the Authority namely the Dover District Council area, the consumption of alcohol or anything which a constable or authorised person reasonably believes to be alcohol having been required by a constable or authorised person not to consume it.

#### Consumption of alcohol in breach of this order

Section 63 of the Act provides where a constable or an authorised person reasonably believes that a person (P): -

is or has been consuming alcohol in breach of a prohibition in a public spaces (a) protection order, or

(b) intends to consume alcohol in circumstances in which doing so would be a breach of such a prohibition.

The constable or authorised person may require P-

(a) not to consume, in breach of the order, alcohol or anything which the constable or authorised person reasonably believes to be alcohol.

(b) to surrender anything in P's possession which is, or which the constable or authorised person reasonably believes to be, alcohol or a container for alcohol.

A constable or an authorised person who imposes a requirement as set out above must tell P that failing without reasonable excuse to comply with the requirement is an offence.

#### 6. Unauthorised camping

No person shall position any vehicle, caravan, tent or other temporary structures that are designed or intended to provide shelter or accommodation for the purpose of an overnight stay or stays, within any public space within the Dover District Council Area without prior express consent of the owner or person in lawful control of the land, proof of which shall lie with the person remaining in any such vehicle, caravan or other temporary structure.

If instructed to do so by an Authorised Person, a person with responsibility for or utilising any vehicle or temporary structure shall remove the same and / or any associated equipment, animals or paraphernalia from the land as previously described without delay.

#### 7. Exemptions

Nothing in Parts 1, 2, 3 and 4 of this order shall apply to a person who -

- (a) is registered as a blind person in a register compiled under section 29 of the National Assistance Act 1948; or
- (b) is deaf, in respect of a dog trained by Hearing Dogs for Deaf People (registered charity number 293358) and upon which he relies for assistance; or
- (c) has a disability which affects his mobility, manual dexterity, physical coordination, or ability to lift, carry or otherwise move everyday objects, in respect of a dog trained by a prescribed charity and upon which he relies for assistance.

For the purpose of this order -

- A person who habitually has a dog in his possession shall be taken to be in charge of the dog at any time unless at that time some other person is in charge of the dog.
- Placing the faeces in a receptacle on the land, which is provided for the purpose, or for the disposal of waste, shall be sufficient removal from the land.
- Being unaware of the defecation (whether by reason of not being in the vicinity or otherwise), or not having a device for or other suitable means of removing the faeces shall not be a reasonable excuse for failing to remove the faeces.
- "An authorised officer of the Authority" means an employee, partnership agency or contractor of Dover District Council who is authorised in writing by Dover District Council for the purposes of giving directions under the Order.
- Each of the following is a "prescribed charity"
  - Dogs for the Disabled (registered charily number 700454)
  - > Support Dogs Limited (registered charity number 1088281)
  - > Canine Partners for Independence (registered charity number (803680)

Nothing in Part 5 of this order shall apply to

- (a) premises authorised by a premises license to be used for the supply of alcohol.
- (b) premises authorised by a club premises certificate to be used by the club for the supply of alcohol.
- (c) a place within the curtilage of premises within (a) or (b).
- (d) premises which by virtue of Part 5 of the Licensing Act 2003 may at the relevant time be used for the supply of alcohol or which, by virtue of that Part, could have been so used within the 30 minutes before that time.
- (e) a place where facilities or activities relating to the sale or consumption of alcohol are at the relevant time permitted by virtue of a permission granted under section 115E of the Highways Act 1980 (highway-related uses).

#### 8. Penalty

- (a) A person who fails without reasonable excuse to comply with a requirement or a prohibition imposed under Parts 1, 2, 3, 4, and 6 of this order is guilty of an offence and liable on summary conviction to a fine not exceeding level 3 on the standard scale.
- (b) A person who fails without reasonable excuse to comply with a requirement imposed under Part 5 of this order is guilty of an offence and liable on summary conviction to a fine not exceeding level 2 on the standard scale.

#### The Common Seal of the

**District Council Dover District Council** 

was Affixed in the presence of:

Authorised Signatory:

Date: .....

Seal Number: .....



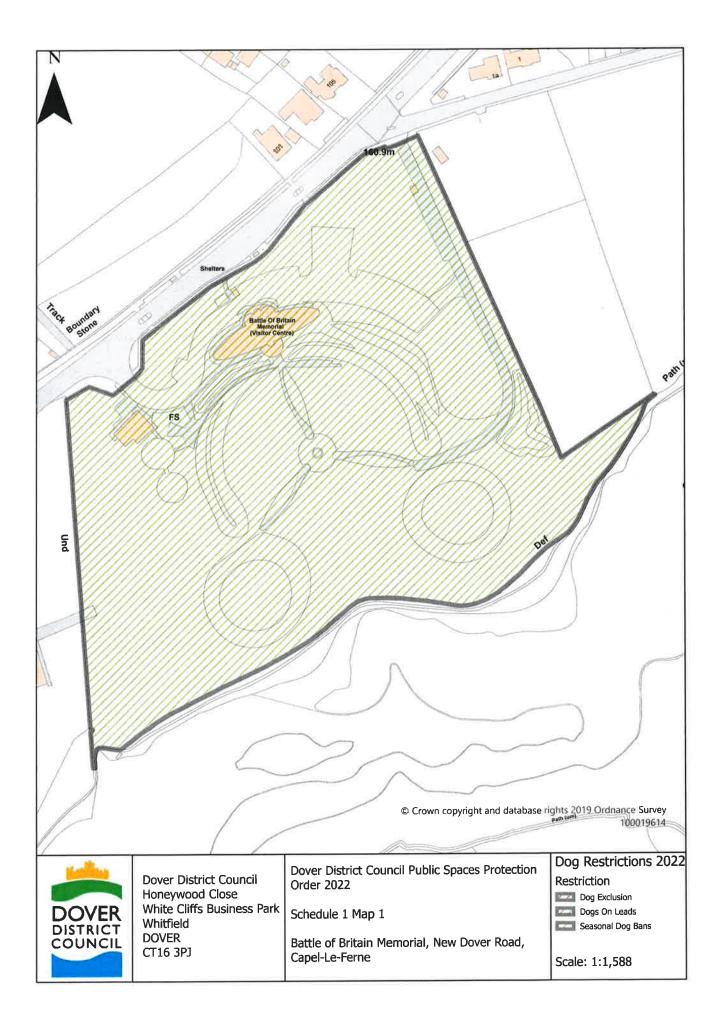
# Schedule One The Keeping of Dogs on Lead

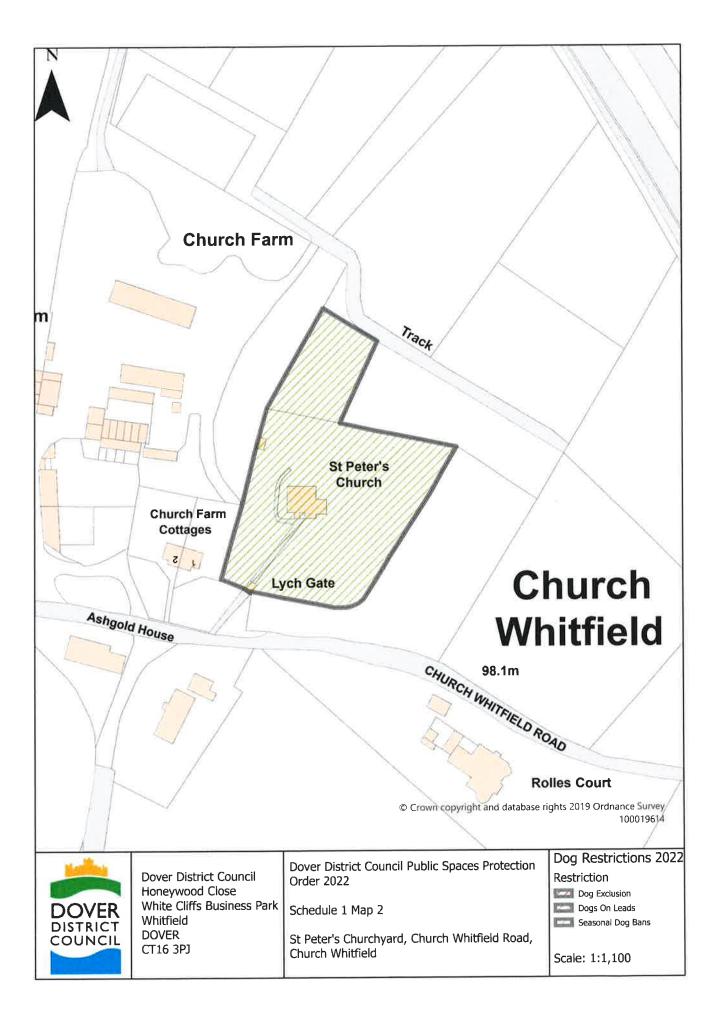
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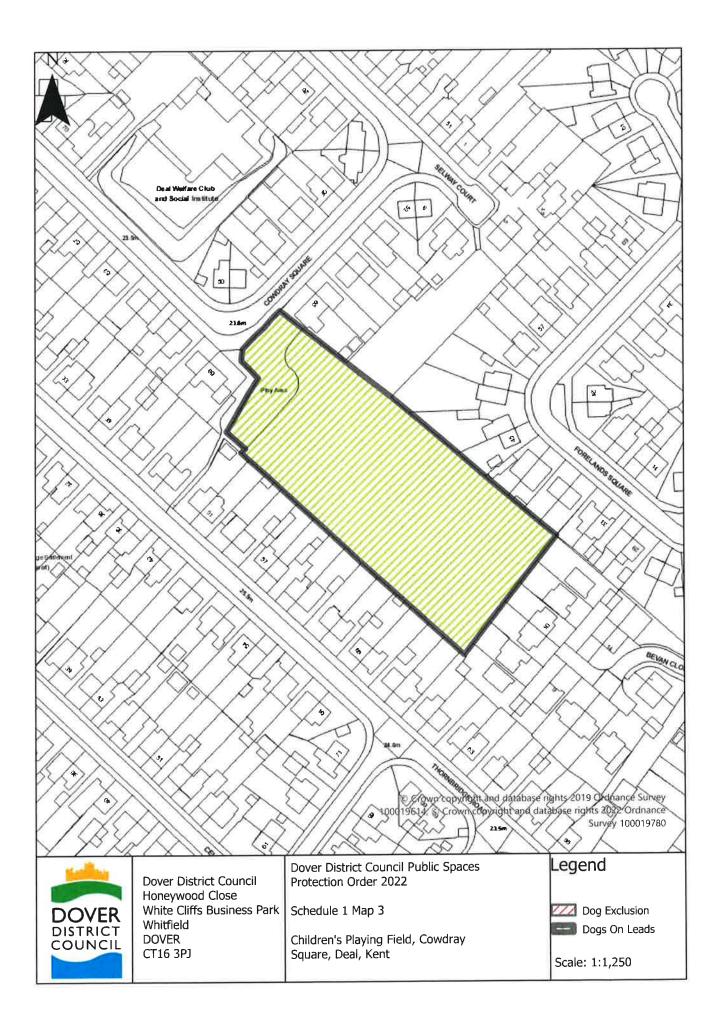
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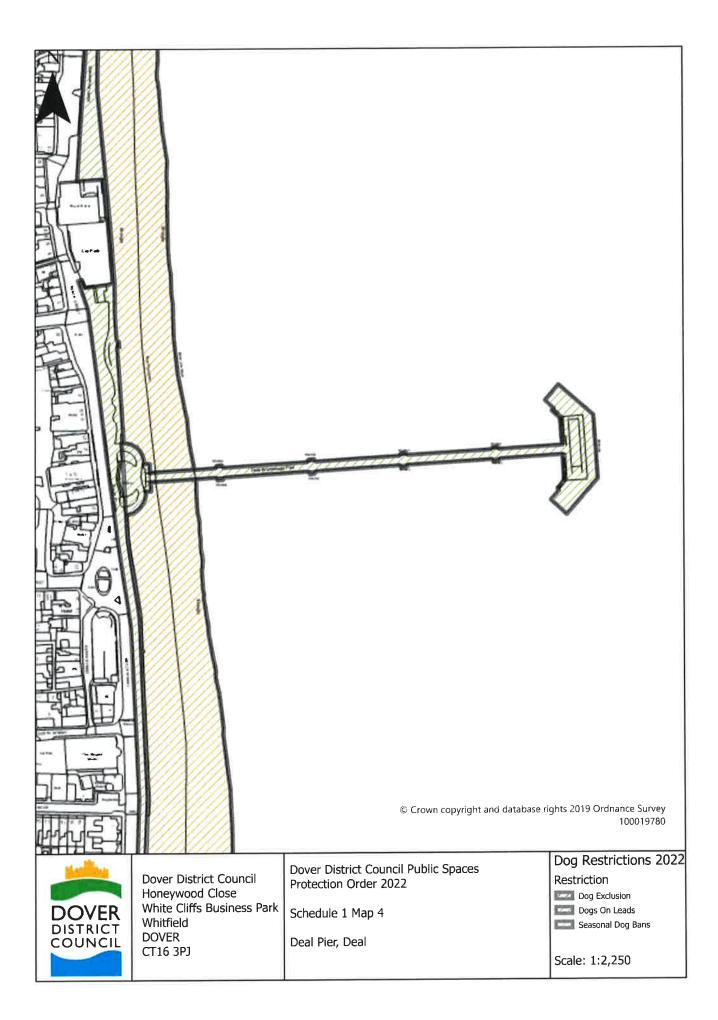
| Map no. | Location   | Geographical Area | Ward/Parish               |
|---------|--|-------------------|---------------------------|
| 1       | Battle of Britain Memorial, New Dover Road   | Capel-Le-Ferne    | Capel-Le-Ferne            |
| 2       | St Peter's Churchyard, Church<br>Whitfield Road  | Church Whitfield  | Whitfield                 |
| 3       | Children's Playing Field,<br>Cowdray Square, Deal, Kent  | Deal              | Mill Hill                 |
| 4       | Deal Pier  | Deal              | North Deal                |
| 5       | Hamilton Road Cemetery   | Deal              | Middle Deal & Sholden     |
| 6       | Sandown Castle Gardens and the Seafront Promenade from Sandown Castle to Deal Castle                                     | Deal              | North Deal                |
| 7       | Barton Foot Path   | Dover             | St Radigunds              |
| 8       | Charlton Cemetery, Old<br>Charlton Road  | Dover             | Castle                    |
| 9       | Dover Pier   | Dover             | Town & Pier               |
| 10      | Pencester Gardens, Pencester<br>Road   | Dover             | Castle                    |
| 11      | St Andrew's Churchyard,<br>Crabble Meadows   | Dover             | St Radigunds              |
| 12      | St James's Cemetery, Old<br>Charlton Road  | Dover             | Castle                    |
| 13      | St Mary's Cemetery, Old<br>Charlton Road   | Dover             | Castle                    |
| 14      | The Marina Curve, Seafront<br>Promenade and Grassed<br>Areas Including Granville<br>Gardens and Marine Parade<br>Gardens | Dover             | Town & Pier and<br>Castle |
| 15      | St Augustine's Churchyard,<br>The Street   | East Langdon      | St Margaret's             |
| 16      | St Mary's Churchyard, Church<br>Street   | Eastry            | Eastry                    |
| 17      | St Martin's Churchyard,<br>Mongeham Church Close   | Great Mongeham    | Eastry                    |
| 18      | St Martin of Tours Churchyard,<br>East Langdon Road  | Guston            | St Margaret's             |
| 19      | Nonington Village Pond and Recreation Ground, Holt Street  | Nonington         | Aylesham                  |
| 20      | St Mary's Graveyard, Old Court<br>Hill   | Nonington         | Aylesham                  |

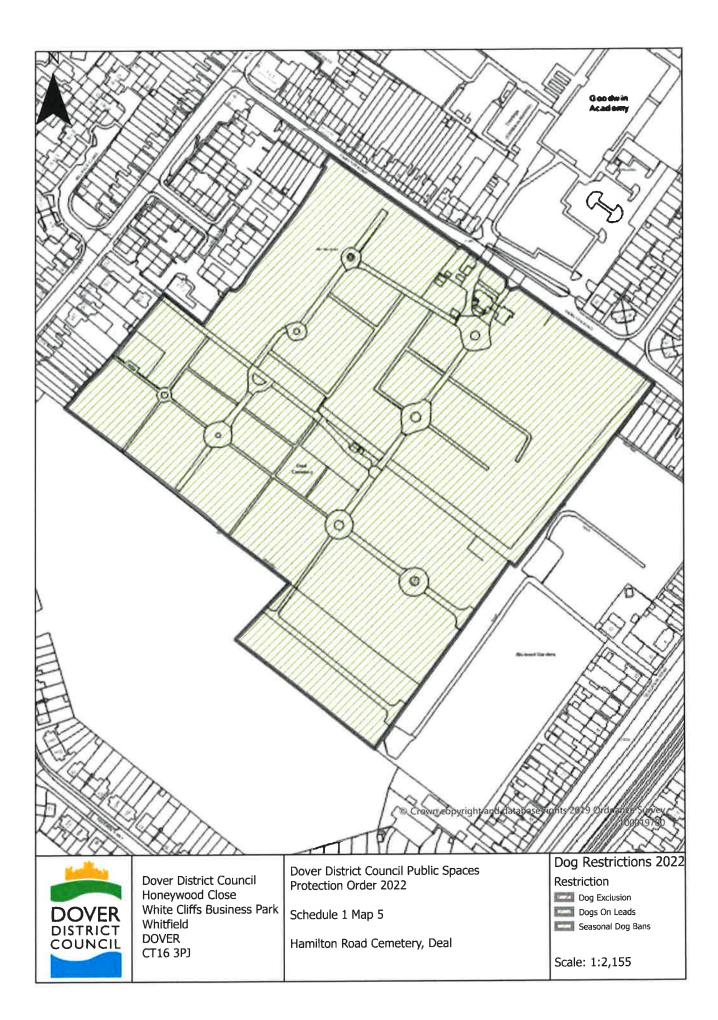
| 21 | Kearsney Abbey Park, (Café side), Alkham Road and   | River             | River                      |
|----|---|-------------------|----------------------------|
|    |   |                   |                            |
|    | walkway adjacent Abbey Lake<br>accessed from Minnis Lane  |                   |                            |
| 22 | Russell Gardens, Alkham Road  | River             | Lydden & Temple<br>Ewell   |
| 23 | Boatman's Hill Cemetery,<br>Woodnesborough Road   | Sandwich          | Sandwich                   |
| 24 | Princes Golf Course Dunes<br>Path, Sandwich Bay   | Sandwich Bay      | Sandwich                   |
| 25 | St Clement's Churchyard,<br>Knightrider Street  | Sandwich          | Sandwich                   |
| 26 | St Margaret's Civic Cemetery<br>and the Dare Garden of<br>Remembrance, Dover Road                                       | St Margaret's Bay | St Margaret's at<br>Cliffe |
| 27 | St Margaret's Church, High<br>Street  | St Margaret's     | St Margaret's at<br>Cliffe |
| 28 | St Margaret's Bay promenade,<br>car park and grassed amenity<br>Area.   | St Margaret's Bay | St Margaret's at<br>Cliffe |
| 29 | Walmer Green, The Strand<br>1 <sup>st</sup> of May to 30 <sup>th</sup> September<br>between the hours of 9am and<br>6pm | Walmer            | Walmer                     |
| 30 | St Peter and St Paul's<br>Churchyard, Jubilee Road, The<br>Street   | Worth             | Sandwich                   |

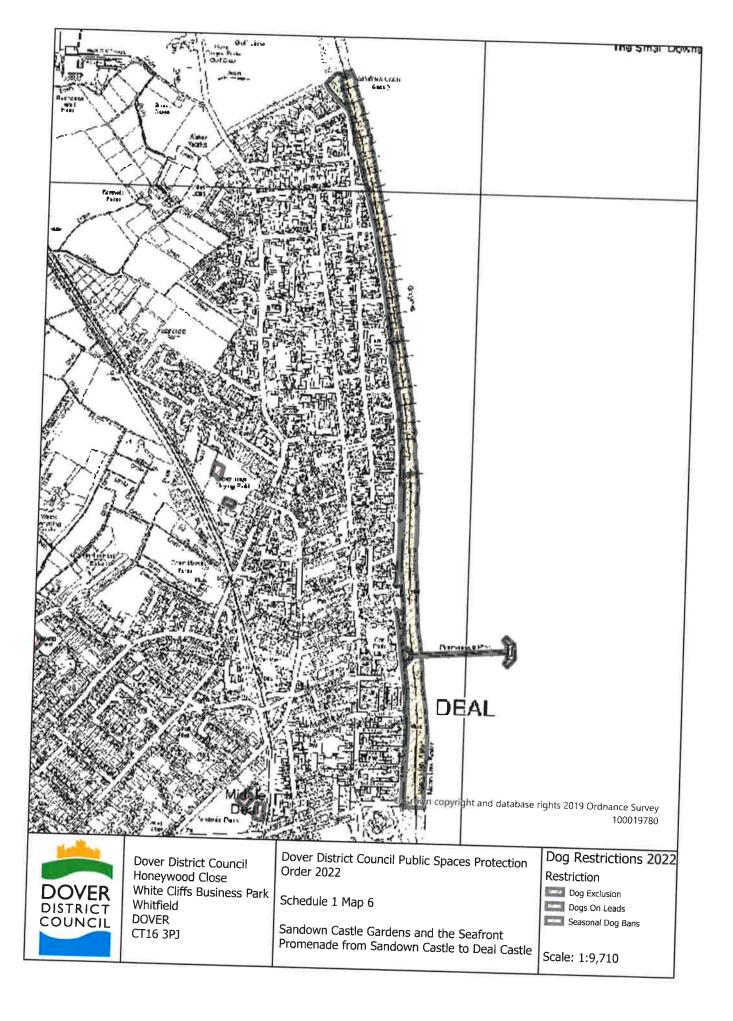


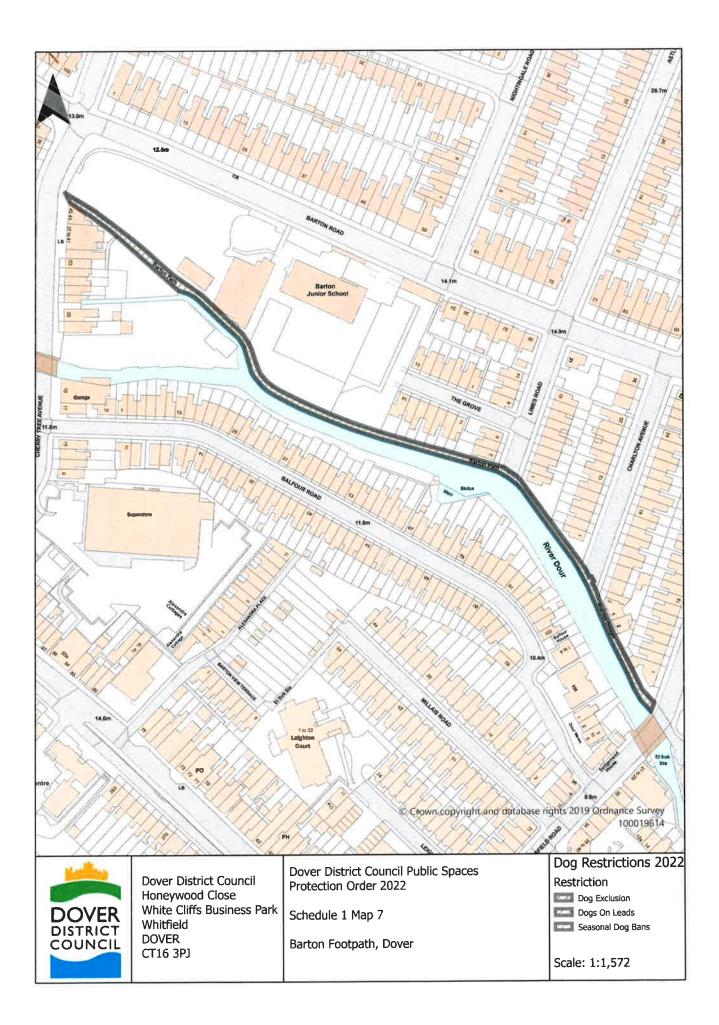


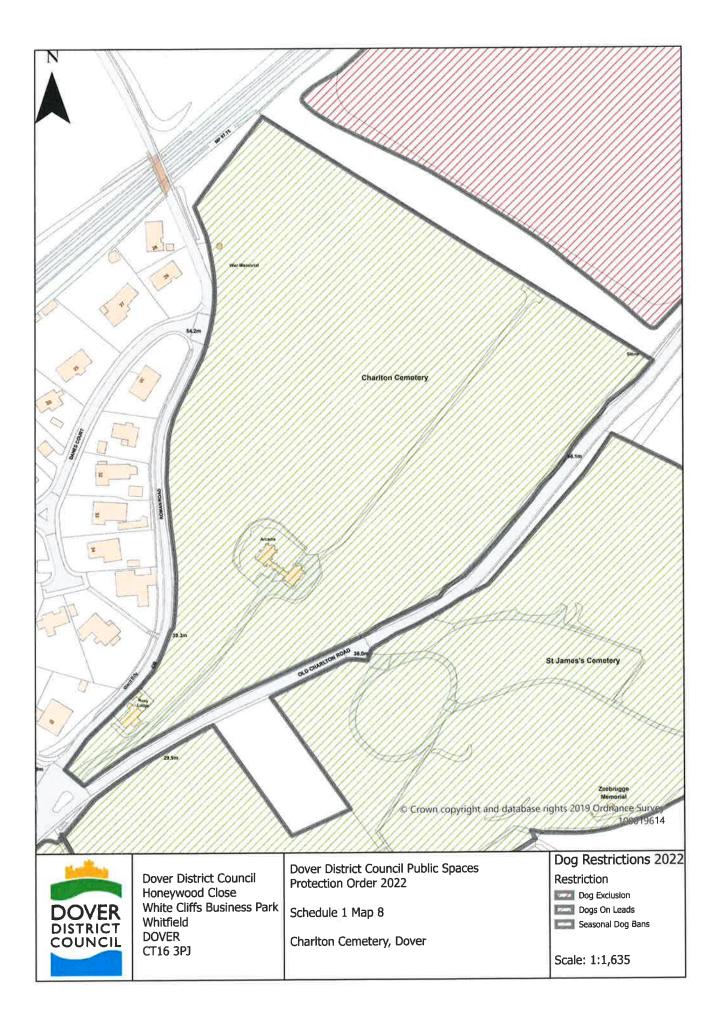


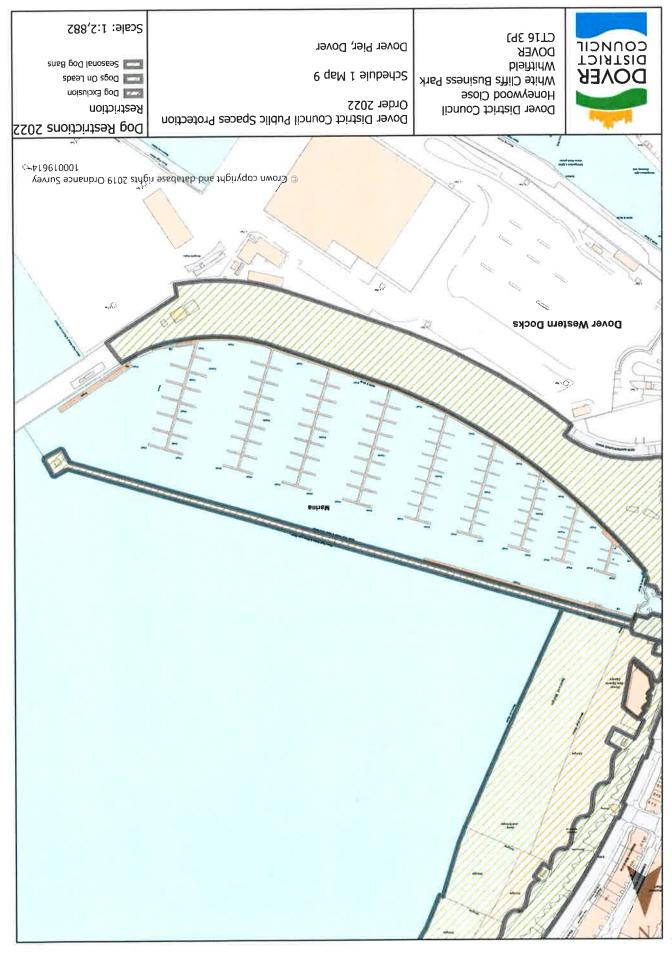


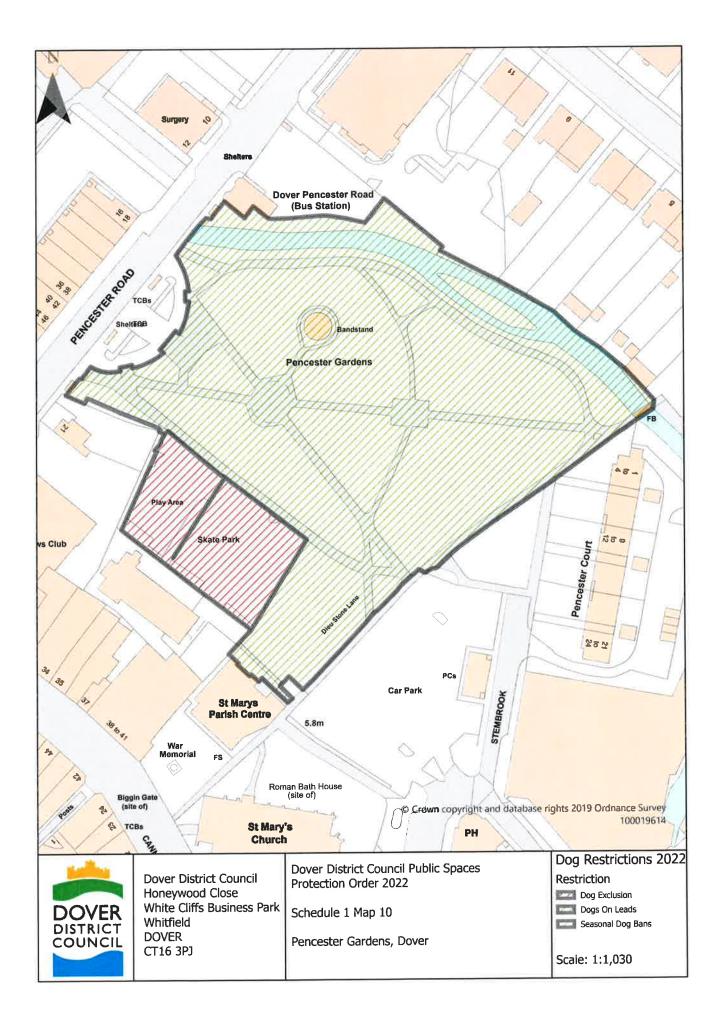


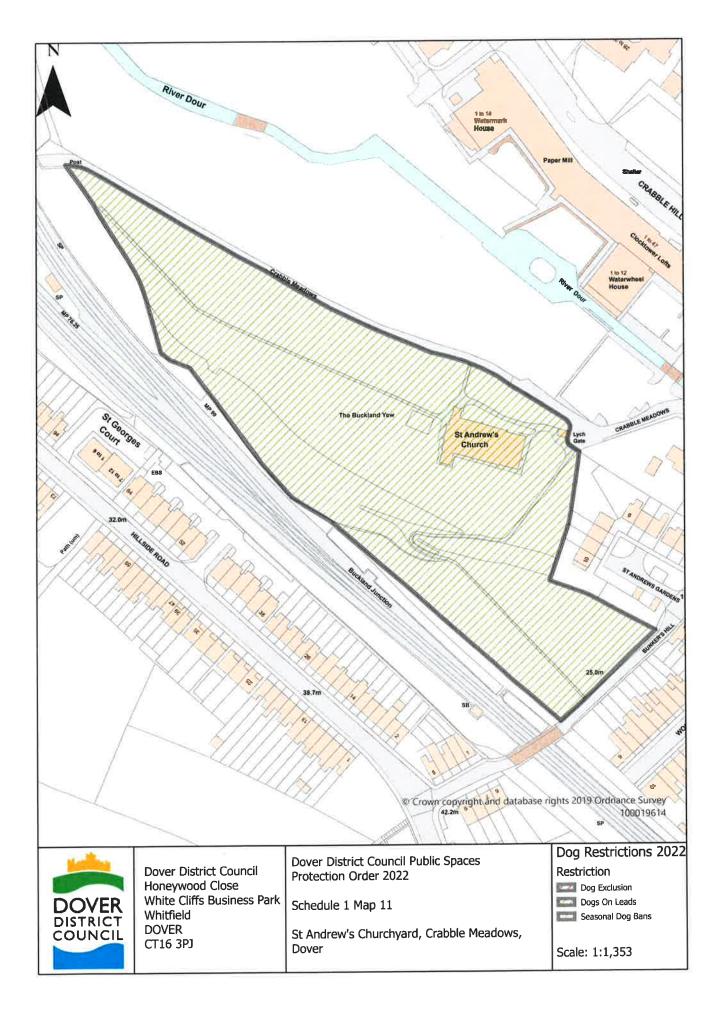


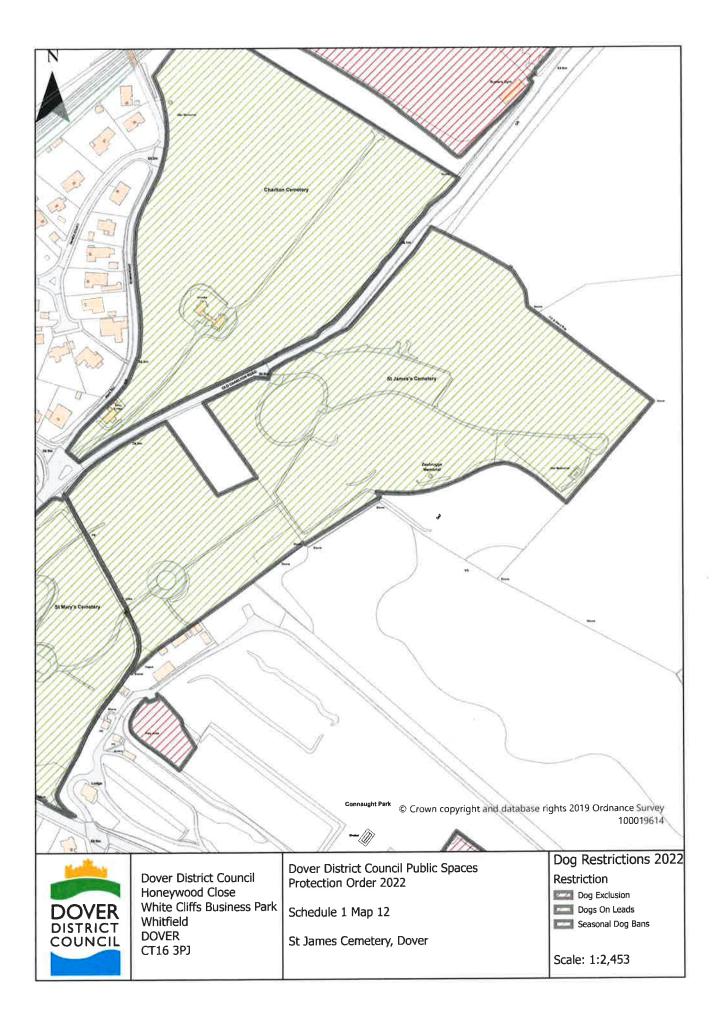


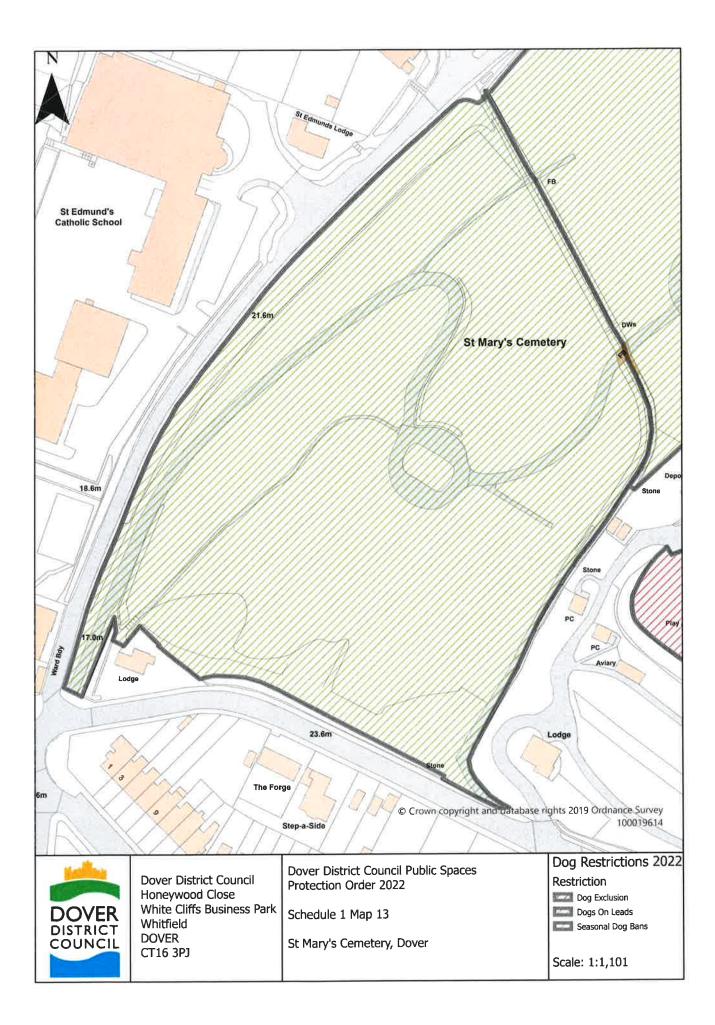


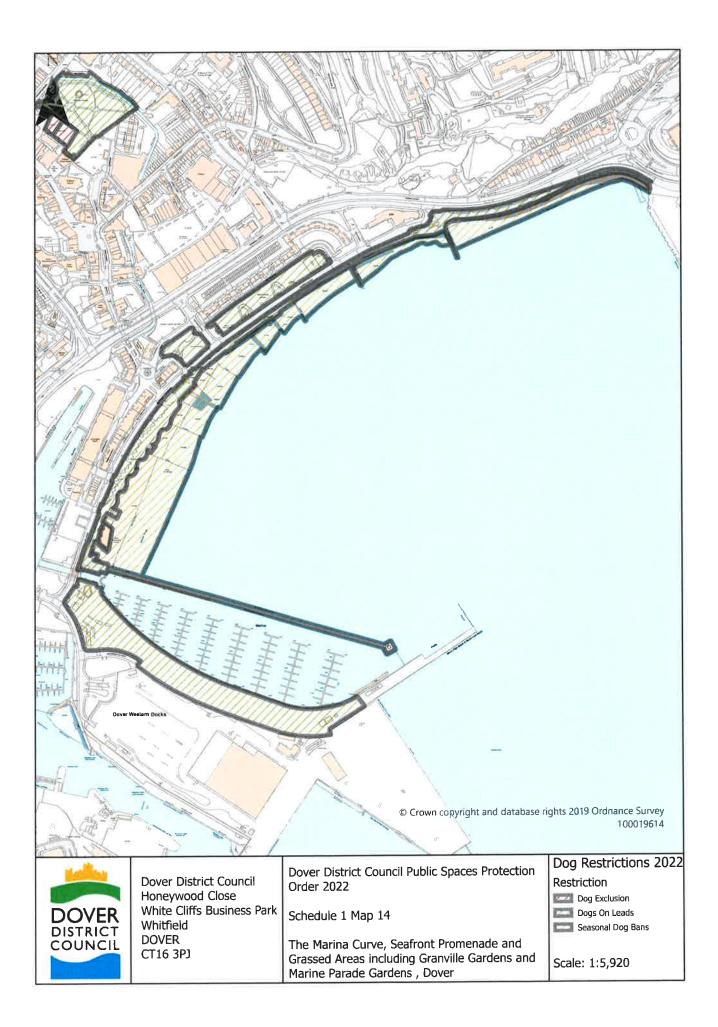


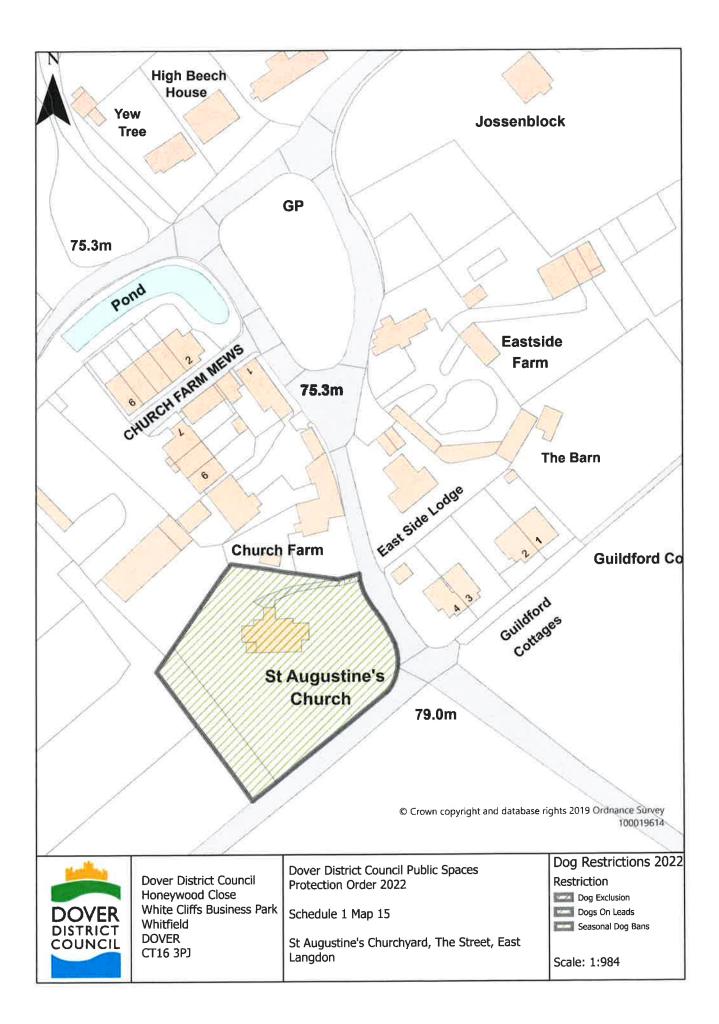


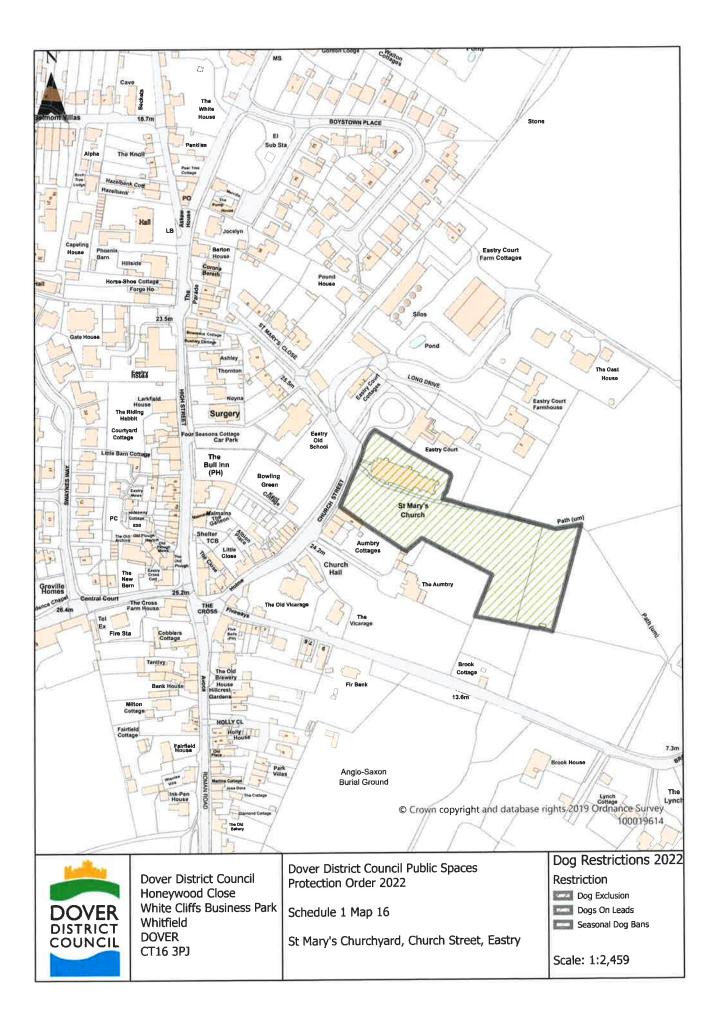


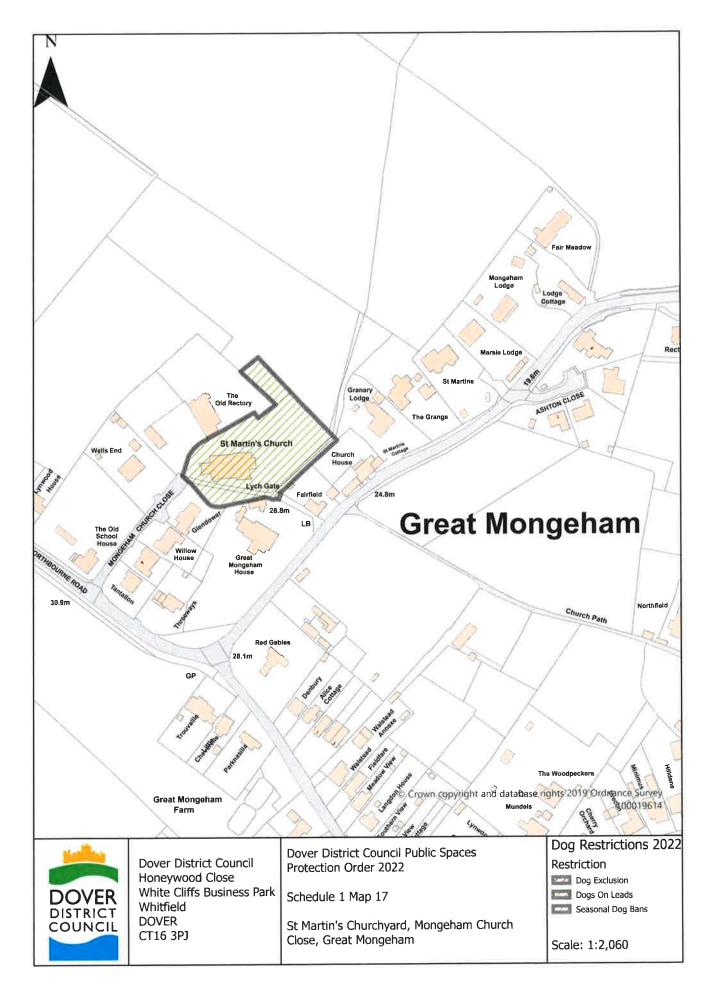


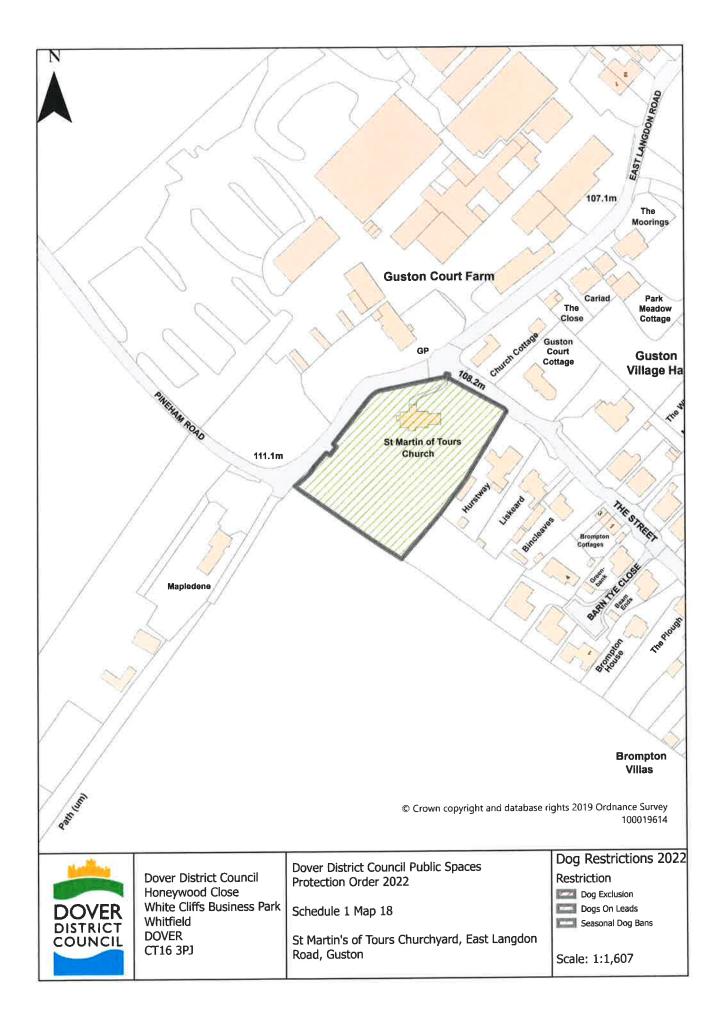


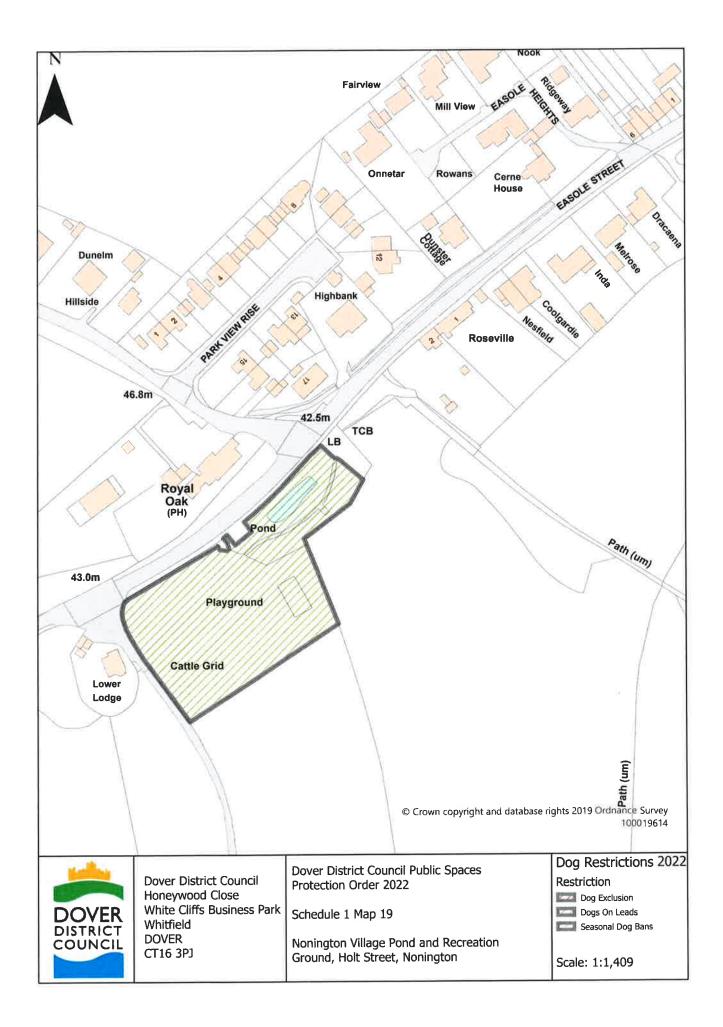


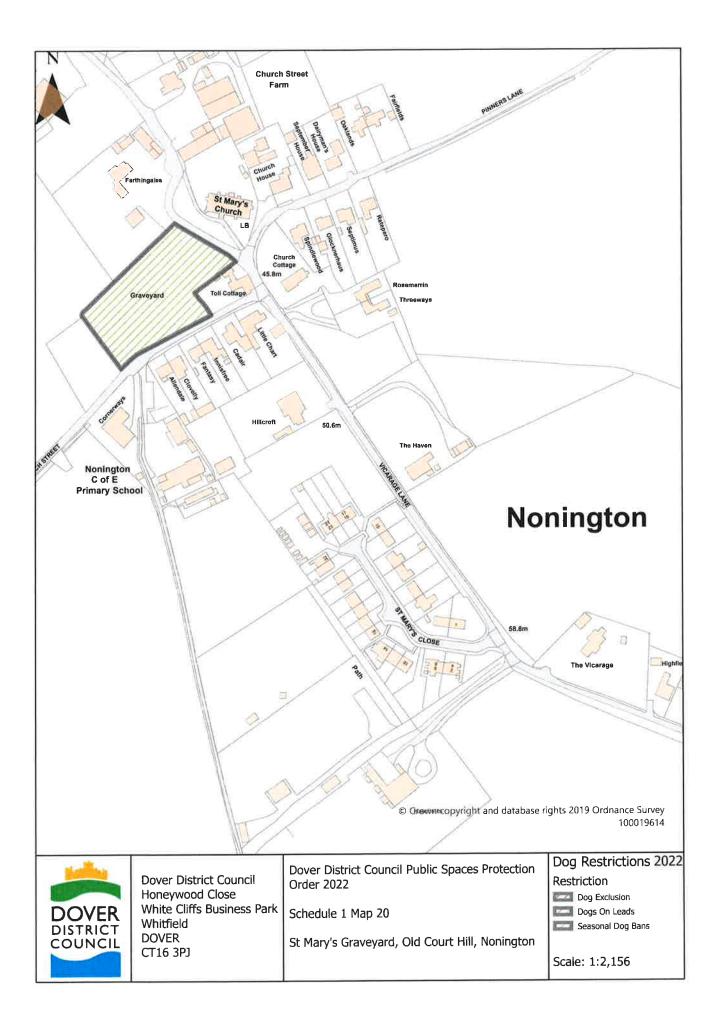


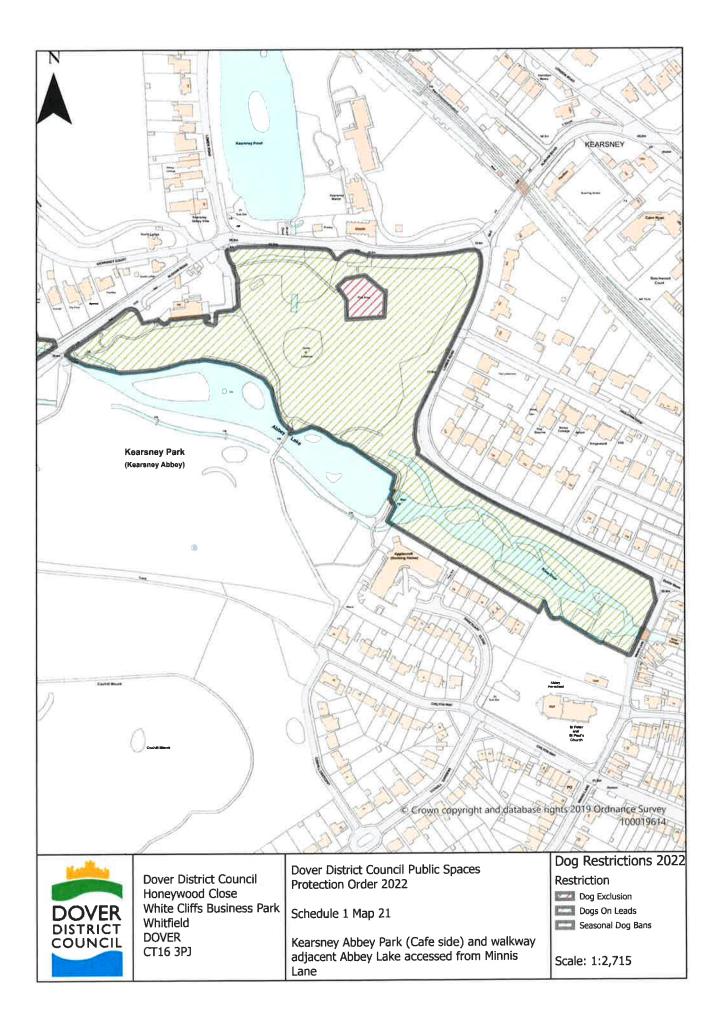


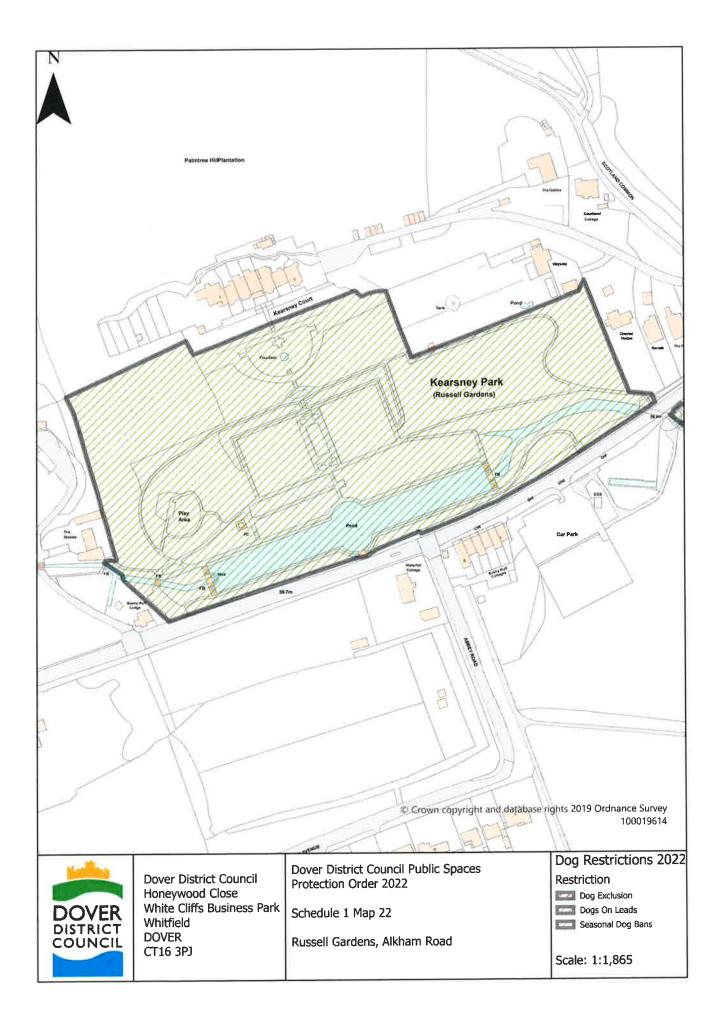


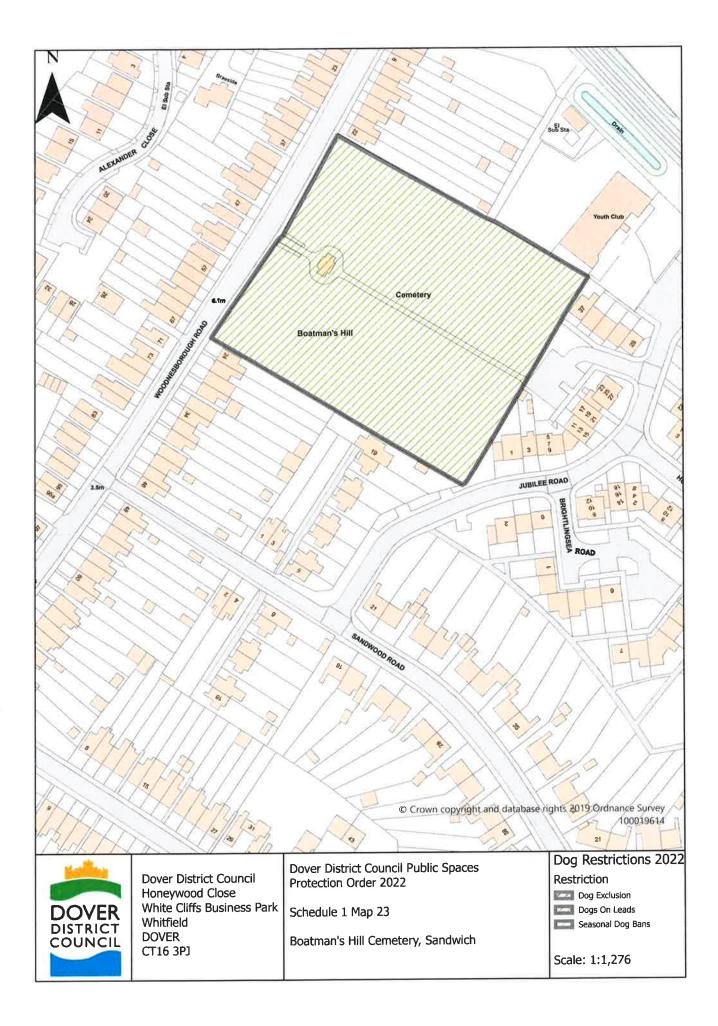


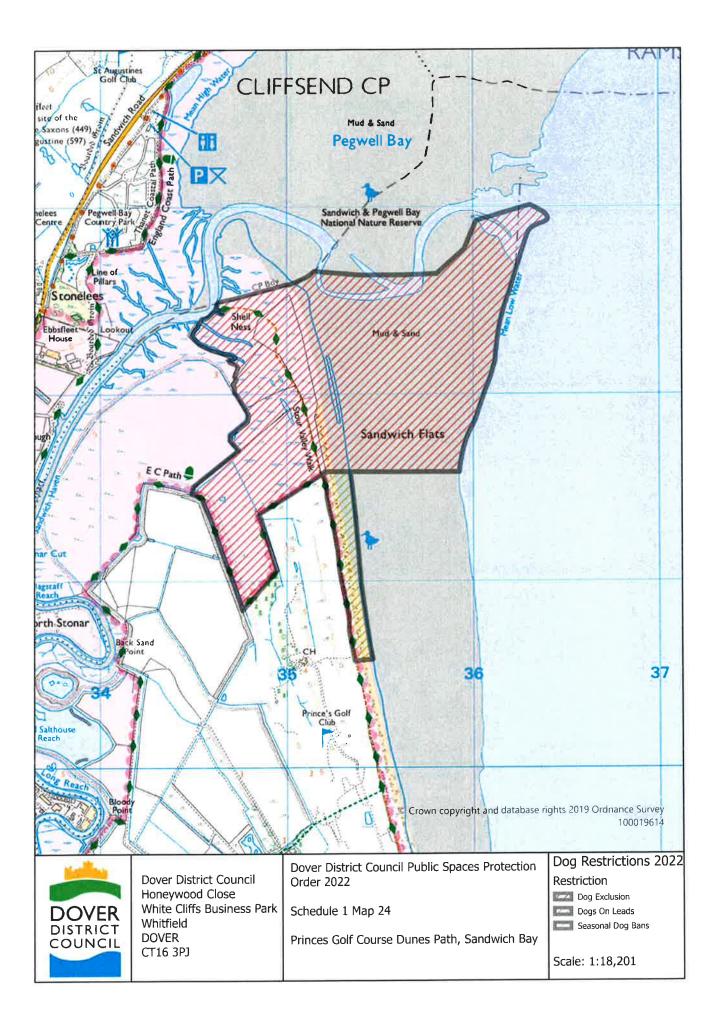


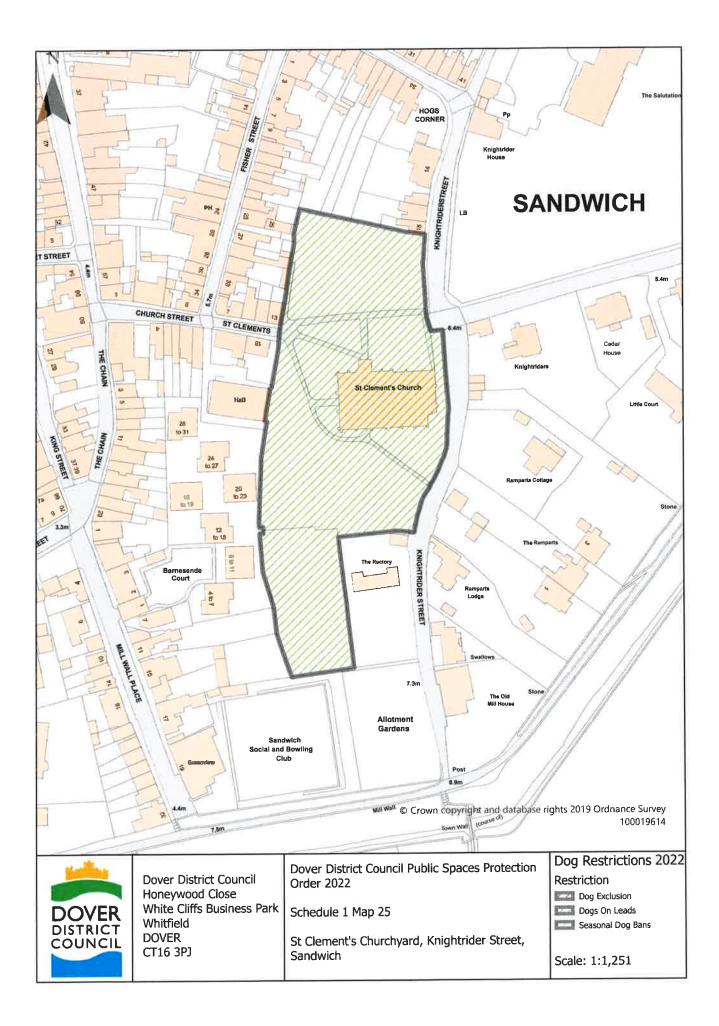


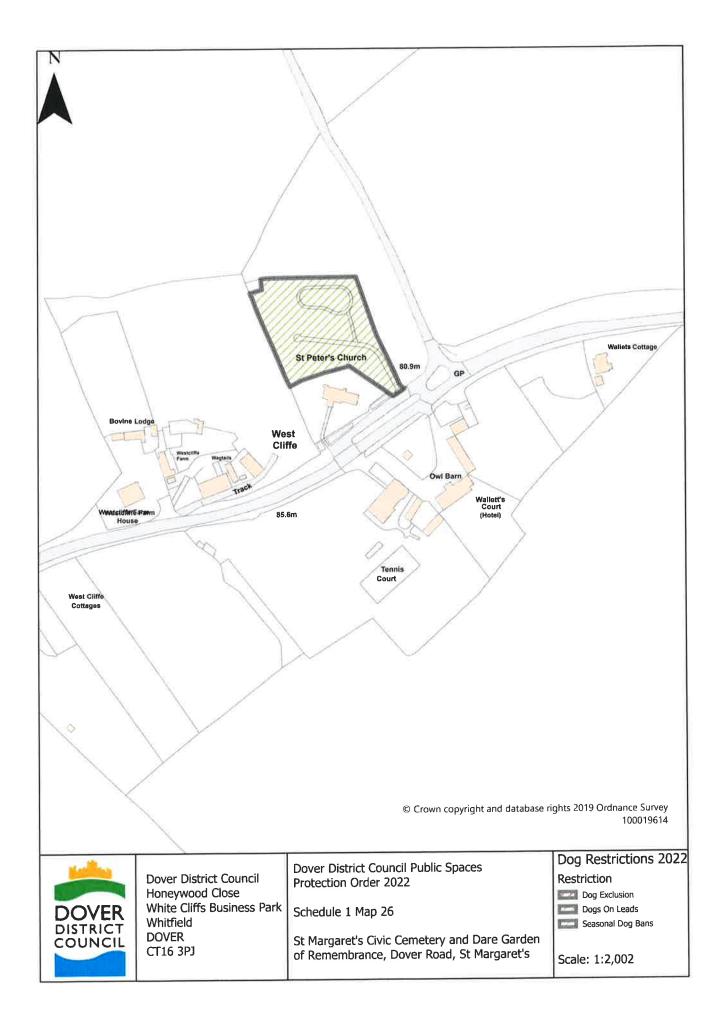


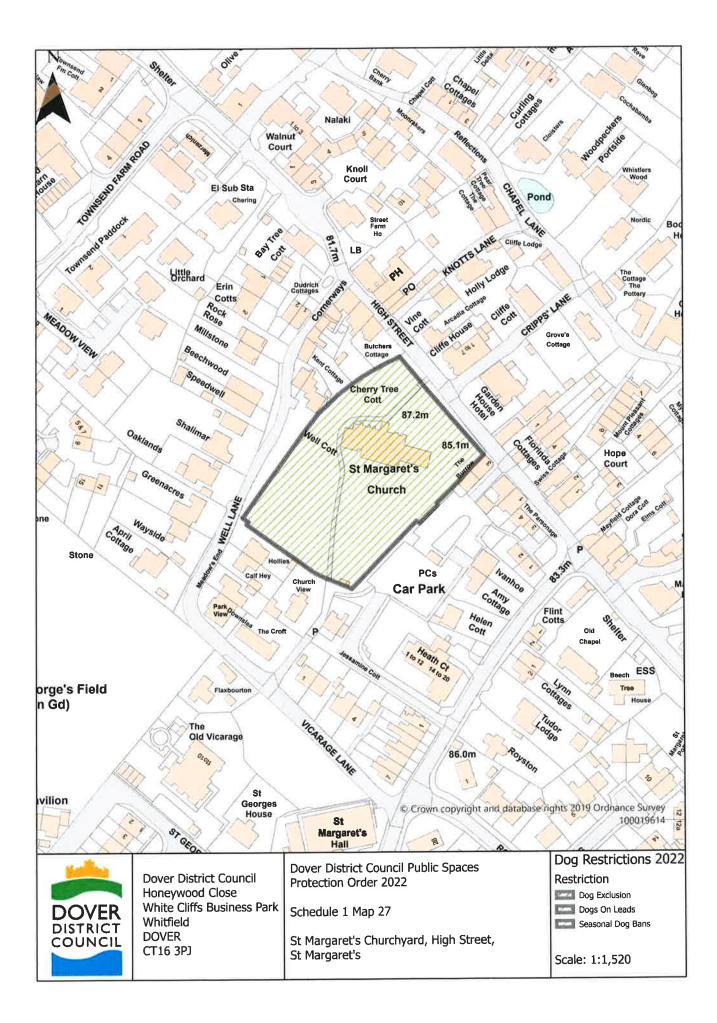


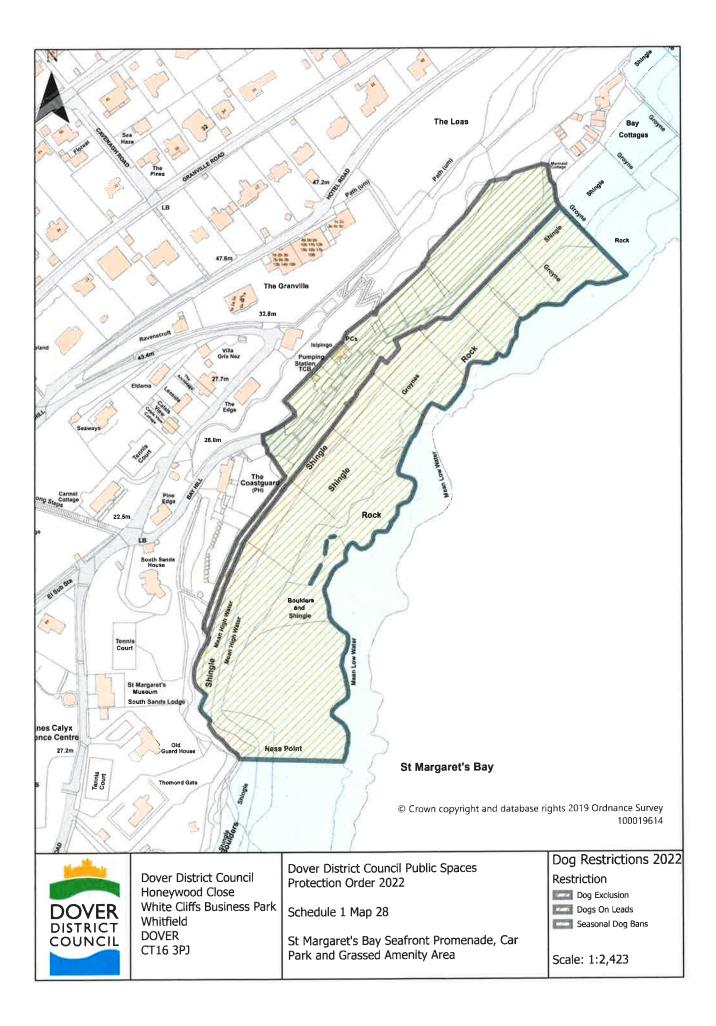


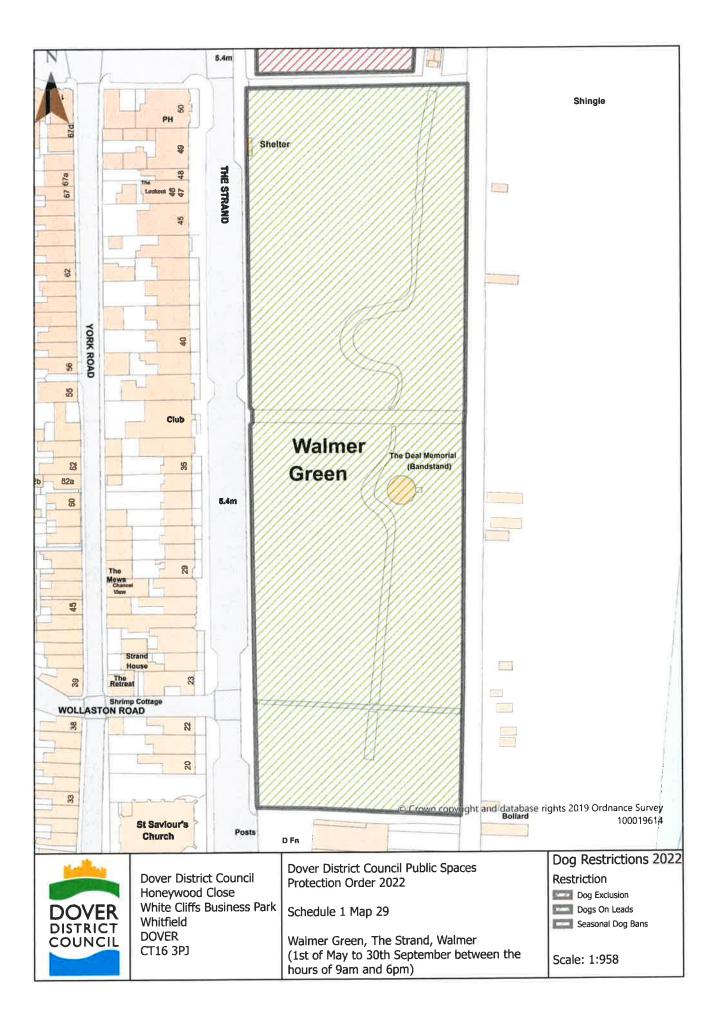


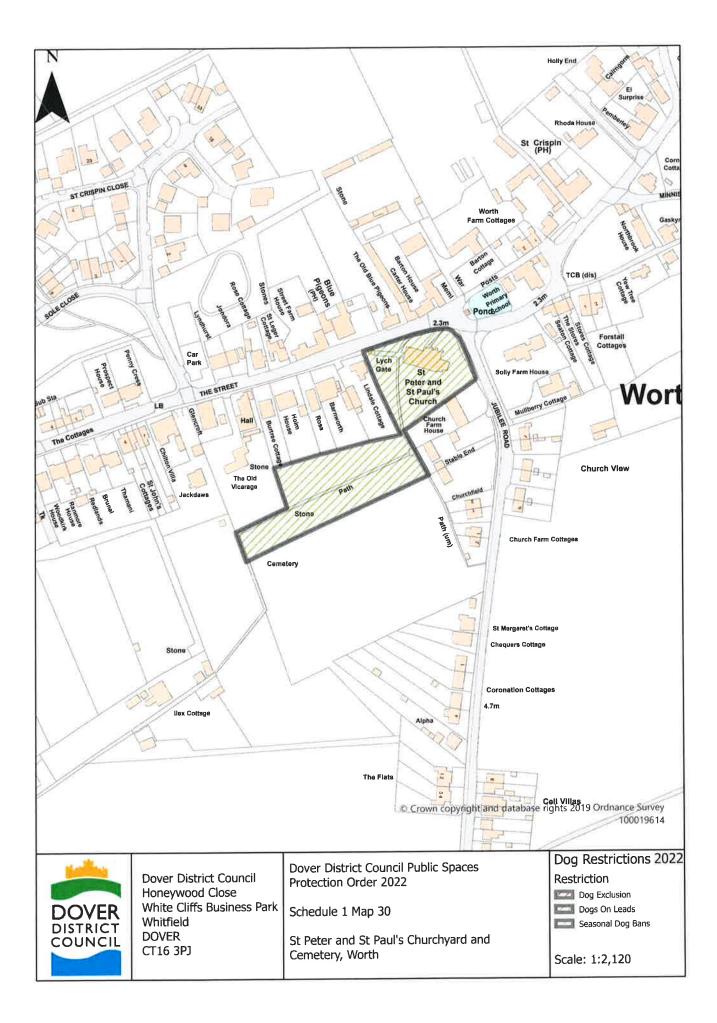














## Schedule Two Dog Exclusion Areas

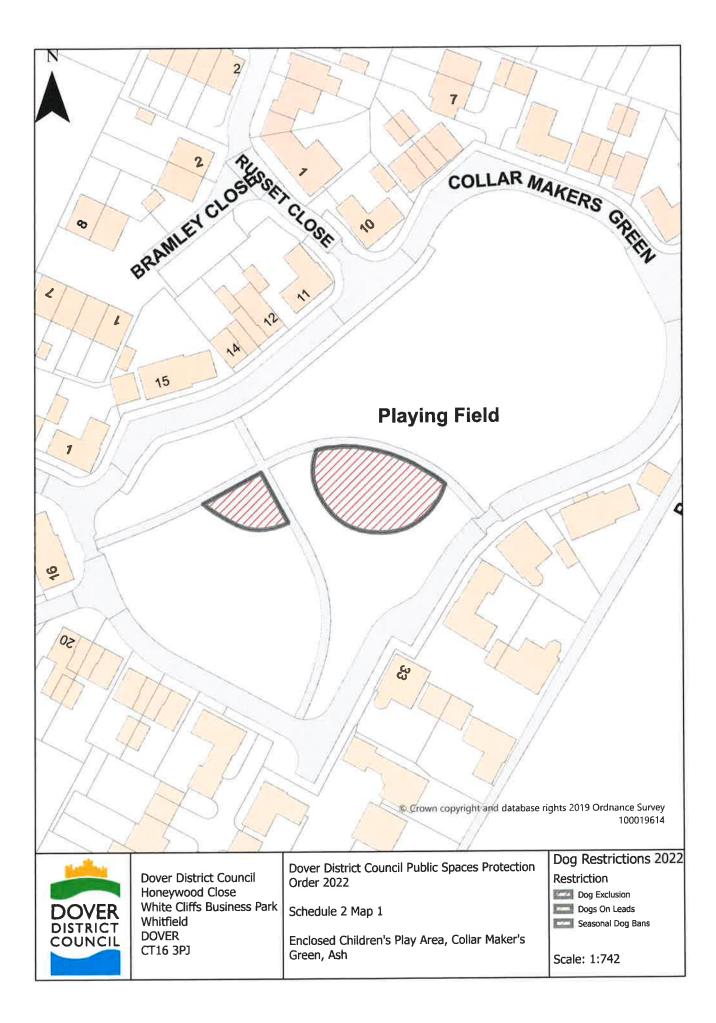
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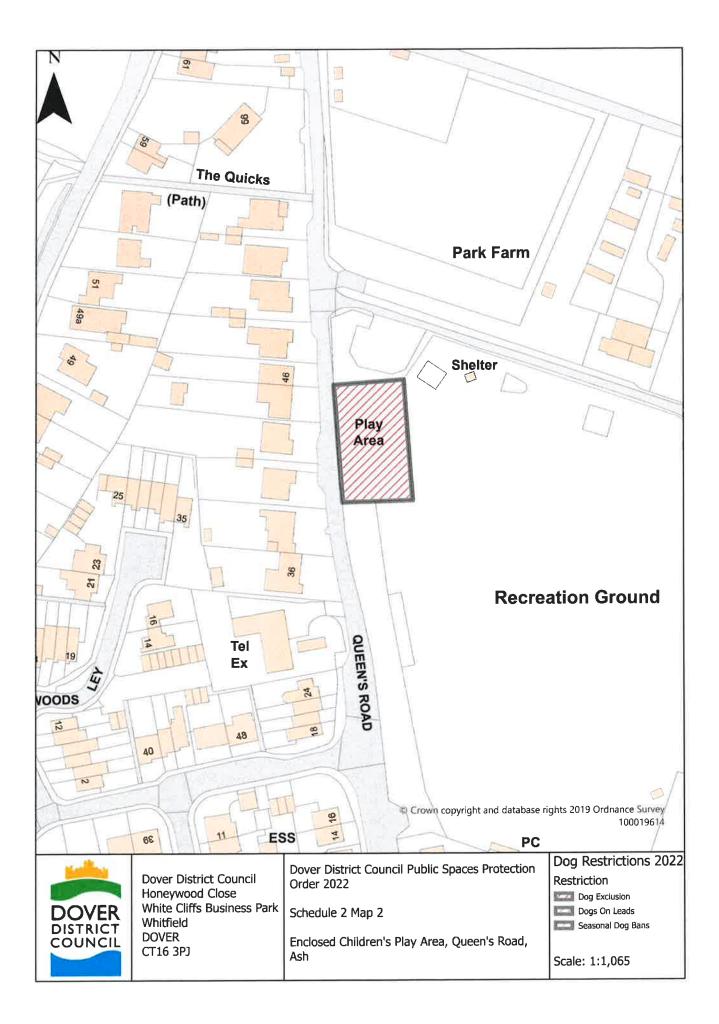
| Map no. | Location  | Агеа           | Ward/Parish                |
|---------|---|----------------|----------------------------|
| 1       | Enclosed children's play area,<br>Collar Maker's Green  | Ash            | Little Stour & Ashstone    |
| 2       | Enclosed children's play areas, Queen's Road  | Ash            | Little Stour &<br>Ashstone |
| 3       | Aylesham & Snowdown Sport<br>and Welfare Club sporting<br>pitches and MUGA  | Aylesham       | Aylesham                   |
| 4       | Enclosed children's play area,<br>Hobnail Path  | Aylesham       | Aylesham                   |
| 5       | Enclosed children's play area,<br>Market Square   | Aylesham       | Aylesham                   |
| 6       | Skate Park , Green Space<br>Rear of Burgess Road and<br>Bell Grove  | Aylesham       | Aylesham                   |
| 7       | Enclosed children's play area<br>pentaque plage and skate-<br>park, Lancaster Avenue  | Capel-Le-Ferne | Capel-Le-Ferne             |
| 8       | The beach from Sandown<br>Castle to Deal Castle<br>1 <sup>st</sup> of May to 30 <sup>th</sup> of September<br>between the hours of 9am and<br>6pm | Deal           | North Deal                 |
| 9       | Enclosed children's play area,<br>Hyton Drive   | Deal           | North Deal                 |
| 10      | Enclosed play area and multi-<br>use games area (MUGA),<br>North Deal Playing Field),<br>Western Road,  | Deal           | North Deal                 |
| 11      | Enclosed children's play areas<br>Travers Road  | Deal           | Middle Deal &<br>Sholden   |
| 12      | Enclosed children's play<br>areas, tennis courts, skate<br>park & MUGA, Victoria Park   | Deal           | Middle Deal &<br>Sholden   |
| 13      | Enclosed children's play area,<br>William Pitt Avenue   | Deal           | Middle Deal &<br>Sholden   |
| 14      | Enclosed children's play area,<br>Wilson Avenue   | Deal           | Mill Hill                  |
| 15      | MUGA and enclosed children's<br>play area at the end of St<br>David's Avenue, Aycliffe  | Dover          | Town & Pier                |
| 16      | Enclosed children's play area,<br>Bunkers Hill Avenue   | Dover          | St Radigunds               |

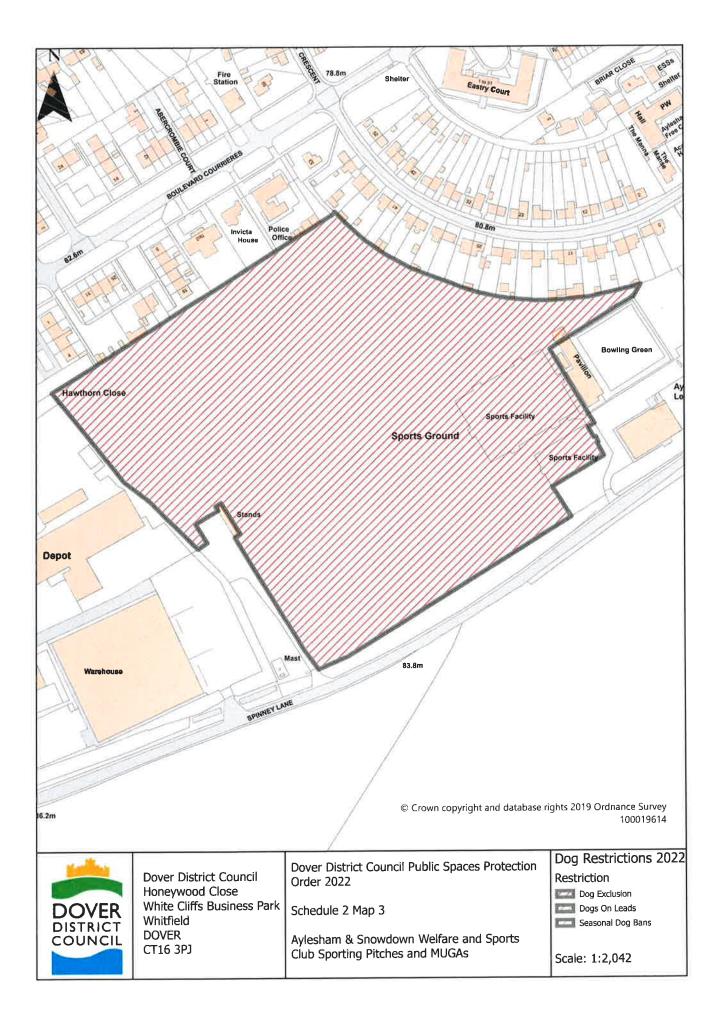
| 17 | Enclosed children's play area,<br>Bunkers Hill Road junction<br>with Bunkers Hill Avenue   | Dover        | St Radigunds                  |
|----|--|--------------|-------------------------------|
| 18 | Enclosed tennis courts &<br>enclosed children's play area,<br>Connaught Park   | Dover        | Castle                        |
| 19 | MUGA & enclosed children's<br>play area, Elms Vale<br>Recreation Ground  | Dover        | Maxton, Elms Vale<br>& Priory |
| 20 | Enclosed children's play area,<br>Evison Close   | Dover        | Buckland                      |
| 21 | The beach at Dover Seafront,<br>Waterloo Crescent & Marine<br>Parade<br>1 <sup>st</sup> of May to 30 <sup>th</sup> of September<br>between the hours of 9am and<br>6pm | Dover        | Town & Pier and<br>Castle     |
| 22 | Enclosed children's play area,<br>Northbourne Avenue, Tower<br>Hamlets   | Dover        | Tower Hamlets                 |
| 23 | Enclosed children's play area,<br>Ottawa Crescent  | Dover        | Buckland                      |
| 24 | Enclosed children's play areas<br>and skate-park Pencester<br>Gardens  | Dover        | Castle                        |
| 25 | Enclosed children's play area<br>& MUGA, Sheridan Road<br>(Buckland Estate)  | Dover        | Buckland                      |
| 26 | Enclosed children's play area,<br>Barwick Road   | Dover        | St Radigunds                  |
| 27 | The Danes Recreation Ground (football pitches)   | Dover        | Castle                        |
| 28 | Enclosed children's play area,<br>East Langdon Road,   | East Langdon | St Margaret's at<br>Cliffe    |
| 29 | Enclosed children's play area,<br>Centenary Gardens  | Eastry       | Eastry                        |
| 30 | Enclosed children's play areas<br>& skate-park, Gun Park<br>Recreation Ground  | Eastry       | Eastry                        |
| 31 | Enclosed children's play area<br>and MUGA, Elvington<br>Recreation Ground St John's<br>Road  | Elvington    | Eythorne &<br>Shepherdswell   |
| 32 | Enclosed children's play area,<br>Eythorne playing field, Willow<br>Waye   | Eythorne     | Eythorne &<br>Shepherswell    |
| 33 | Enclosed children's play area,<br>Chance Meadow  | Guston       | St Margaret's At<br>Cliffe    |
| 34 | Guston Green, The Lane   | Guston       | St Margaret's At<br>Cliffe    |
| 35 | Enclosed children's play area,<br>The Drove,   | Northbourne  | Eastry                        |
| 36 | Enclosed children's play areas, Queens Rise  | Ringwould    | Ringwould &<br>Kingsdown      |
| 37 | Crabble Athletic Football and<br>Rugby Ground  | River        | St Radigunds                  |

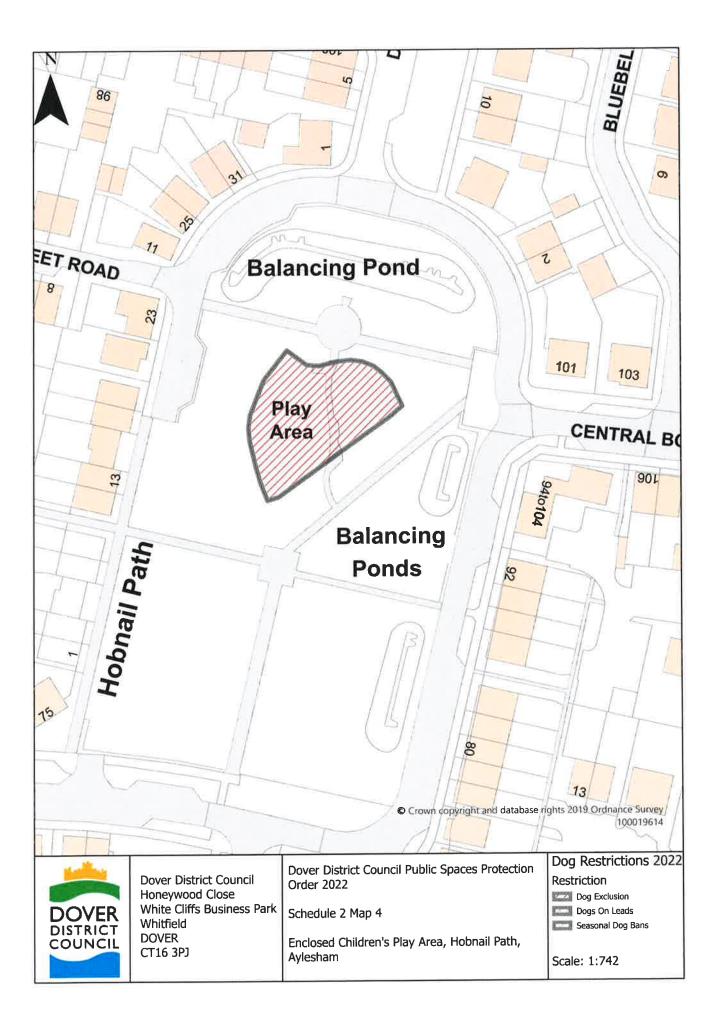
| 38 | Enclosed children's play area,<br>Kearsney Abbey Park, Alkham<br>Road  | River         | River                       |
|----|--|---------------|-----------------------------|
| 39 | Enclosed children's play<br>areas, tennis courts & sports<br>pitches, River Recreation<br>Ground, Lewisham Road          | River         | River                       |
| 40 | Enclosed children's play area,<br>Poulders Gardens   | Sandwich      | Sandwich                    |
| 41 | Enclosed children's play areas<br>The Bulwarks   | Sandwich      | Sandwich                    |
| 42 | Enclosed children's play area, skate-park & MUGA The Butts,  | Sandwich      | Sandwich                    |
| 43 | Monks Wall Nature Reserve  | Sandwich      | Sandwich                    |
| 44 | Sandwich Nature Reserve, Off<br>Gazen Salts  | Sandwich      | Sandwich                    |
| 45 | Sandwich Bay Mudflats and Salt Marshes   | Sandwich      | Sandwich                    |
| 46 | Enclosed children's play area,<br>Shepherdswell Recreation<br>Ground ,Approach Road,                                     | Shepherdswell | Eythorne &<br>Shepherdswell |
| 47 | Beach at St Margaret's<br>1 <sup>st</sup> of May to 30 <sup>th</sup> of September<br>between the hours of 9am and<br>6pm | St Margaret's | St Margaret's at<br>Cliffe  |
| 48 | Enclosed children's play area<br>& tennis courts, King Georges<br>field, Well Lane                                       | St Margaret's | St Margaret's at<br>Cliffe  |
| 49 | Enclosed Children's Play Area,<br>(site next to village hall)<br>Chapel Road   | Tilmanstone   | Eastry                      |
| 50 | The Drill Field, Cornwall Road   | Walmer        | Walmer                      |
| 51 | Enclosed children's play areas<br>& tennis courts, Marke Wood,<br>Dover Road   | Walmer        | Walmer                      |
| 52 | Paddling Pool, Walmer Green,<br>The Strand   | Walmer        | Walmer                      |
| 53 | Putting Green, The Strand,<br>Walmer Green   | Walmer        | Walmer                      |
| 54 | Enclosed children's play area,<br>Aspen Drive off Kinson Way   | Whitfield     | Whitfield                   |
| 55 | Enclosed children's play area,<br>Peverell Road off Hirst Close,   | Whitfield     | Buckland                    |
| 56 | Enclosed children's play area,<br>Green Close off Aspen Drive  | Whitfield     | Whitfield                   |
| 57 | Enclosed children's play area<br>& MUGA, Whitfield Recreation<br>Ground, off Cranleigh Drive                             | Whitfield     | Whitfield                   |
| 58 | Enclosed children's play area,<br>Galahad Way  | Whitfield     | Whitfield                   |
| 59 | Enclosed children's play area,<br>Whyte Close off Aspen Drive  | Whitfield     | Whitfield                   |
| 60 | Enclosed children's play area,<br>Willingdon Road  | Whitfield     | Whitfield                   |
| 61 | Wingham Recreation Ground<br>enclosed children's play areas<br>and MUGA  | Wingham       | Little Stour &<br>Ashstone  |

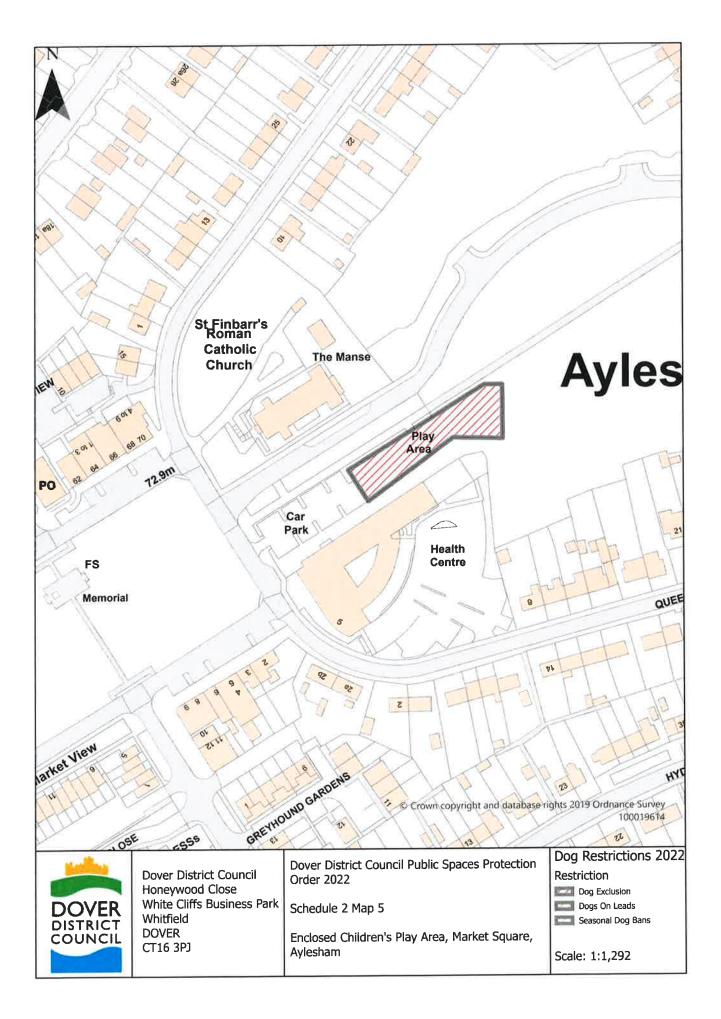
| 62 | Enclosed children's play area, | Woodnesborough | Sandwich |
|----|--------------------------------|----------------|----------|
|    | Elmwood Park                   |                |          |

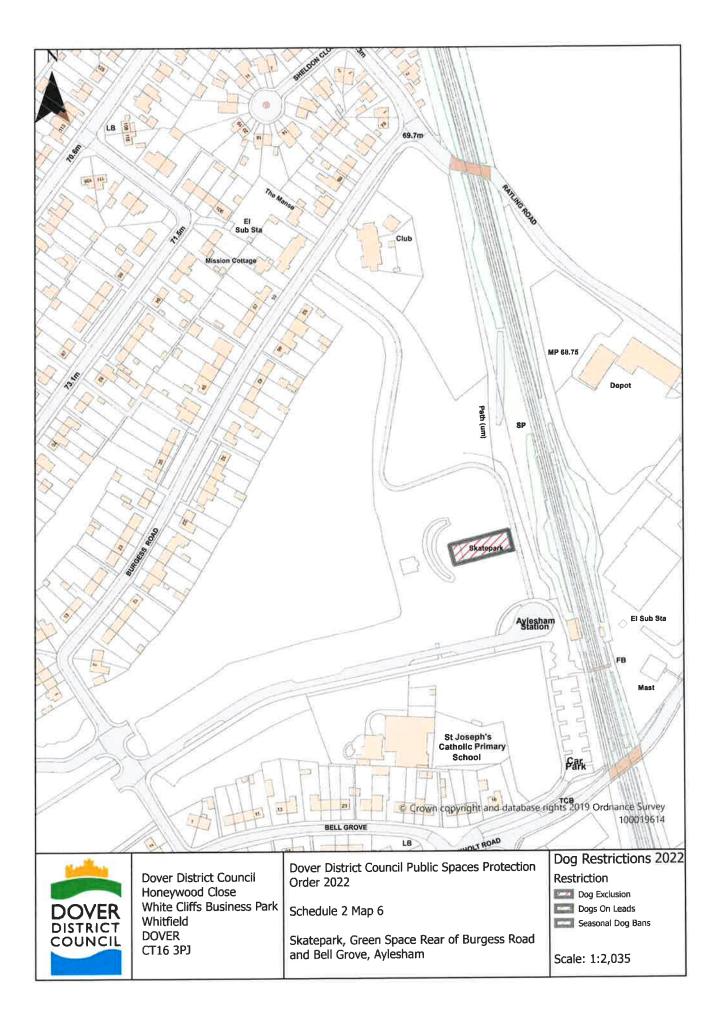


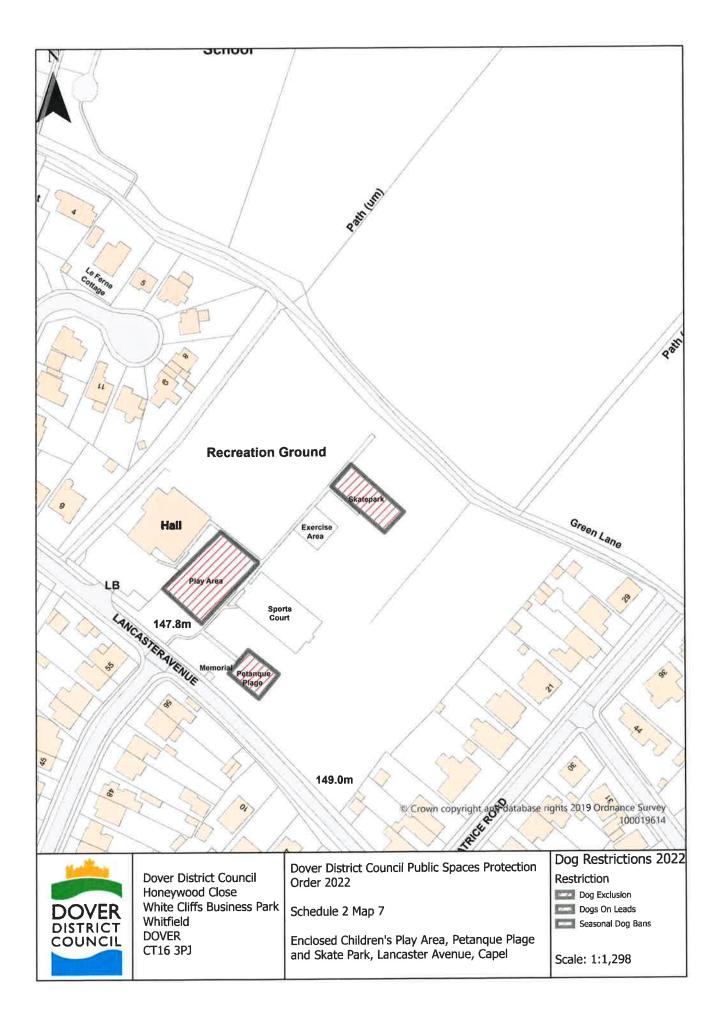


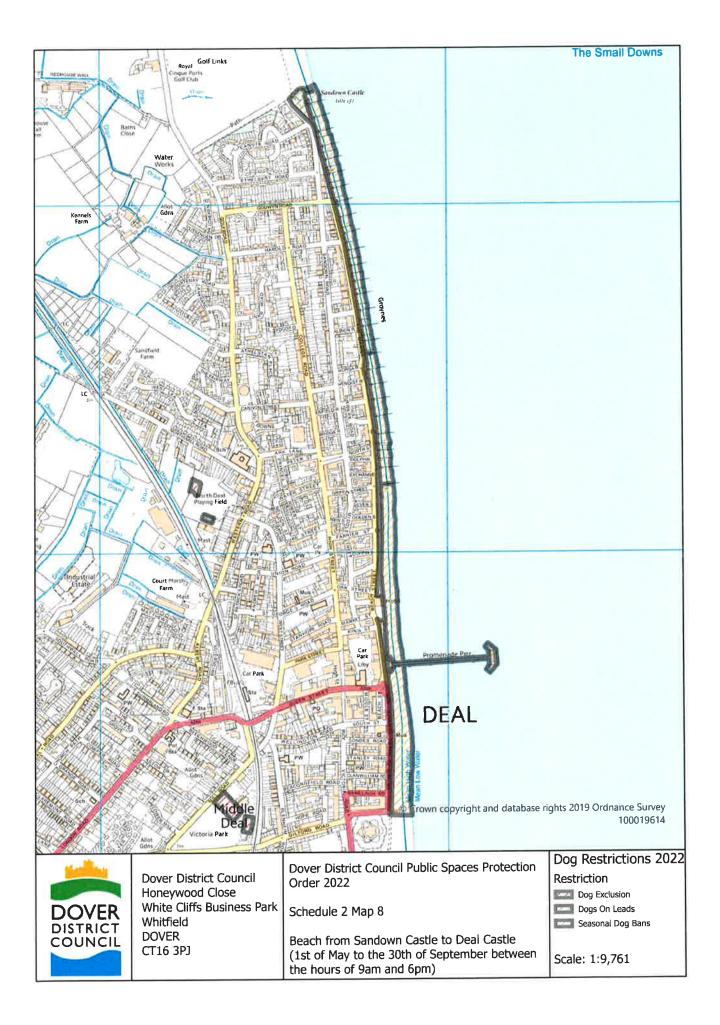


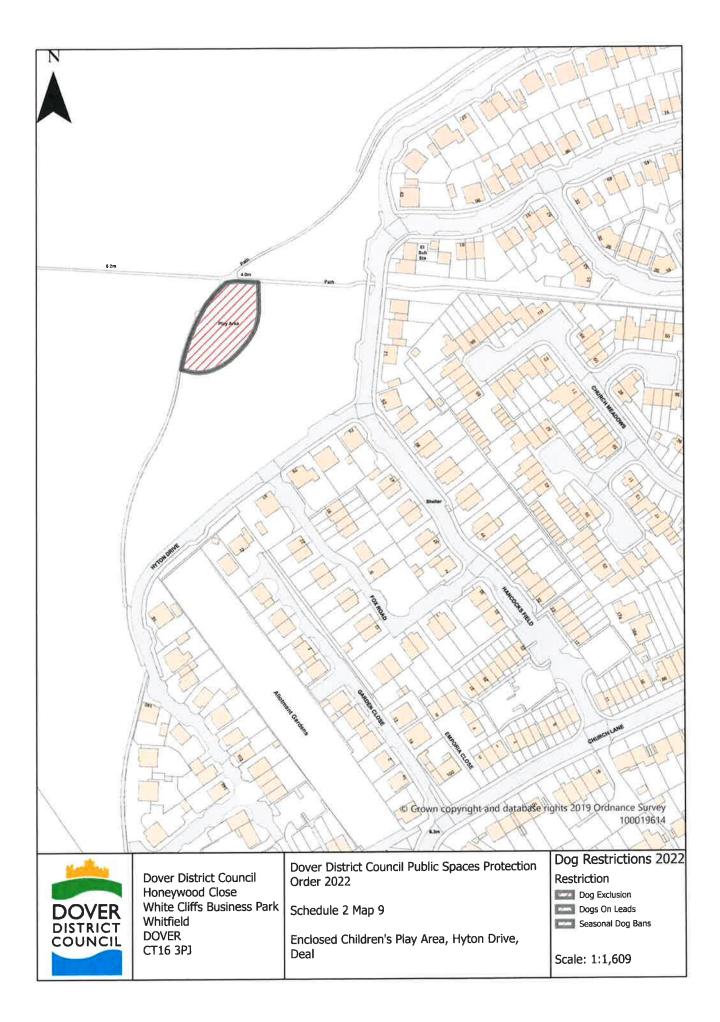


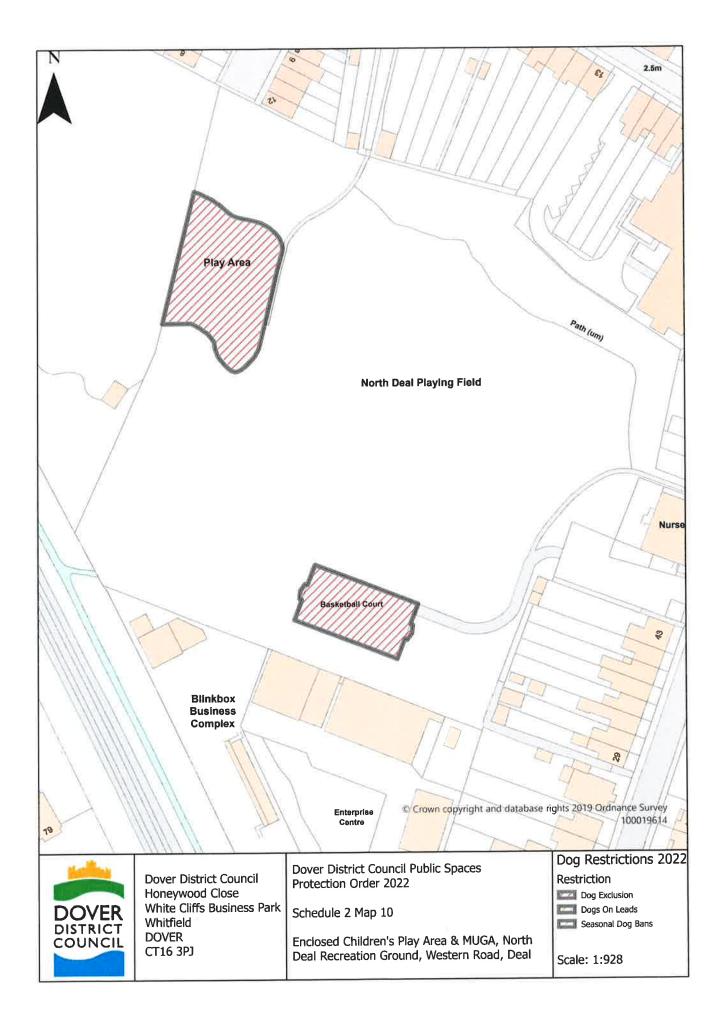


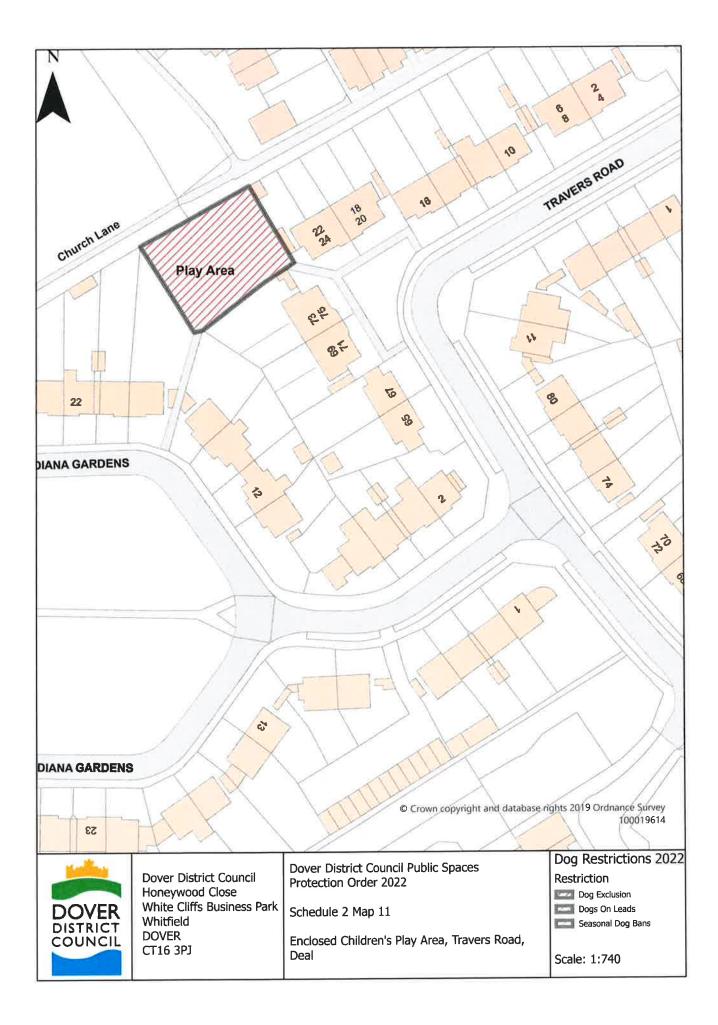


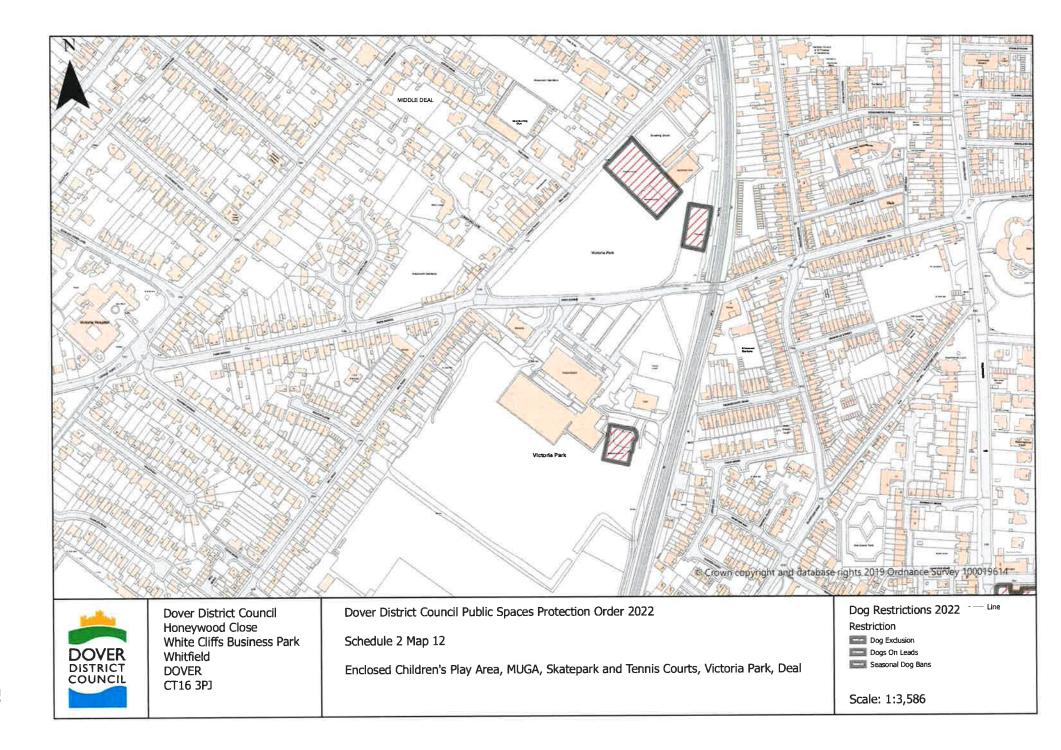


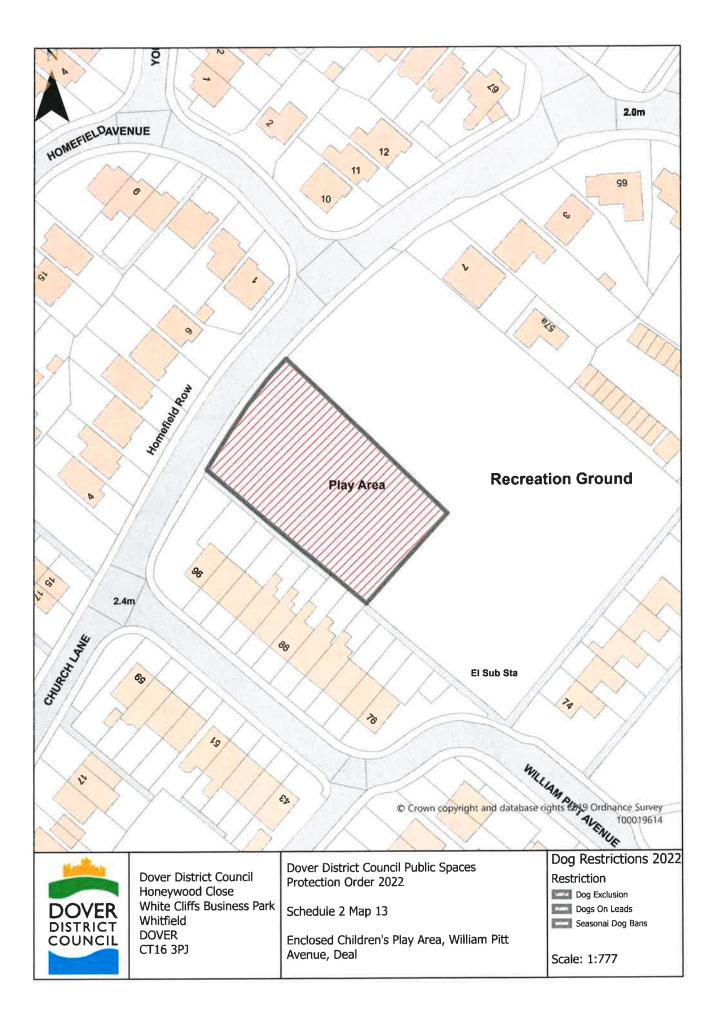


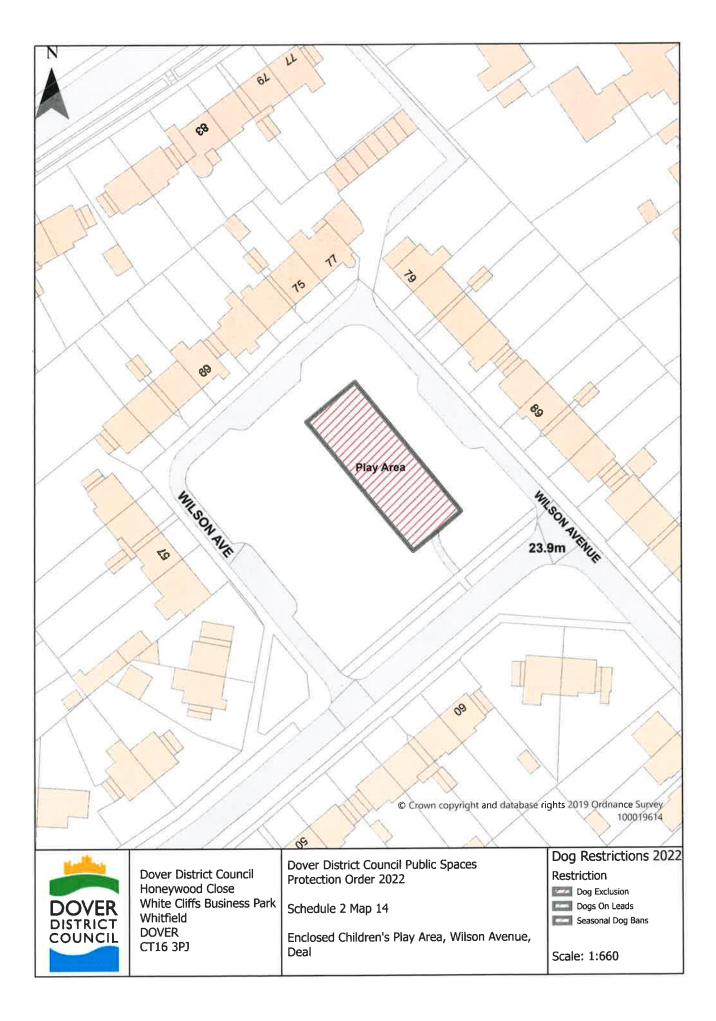


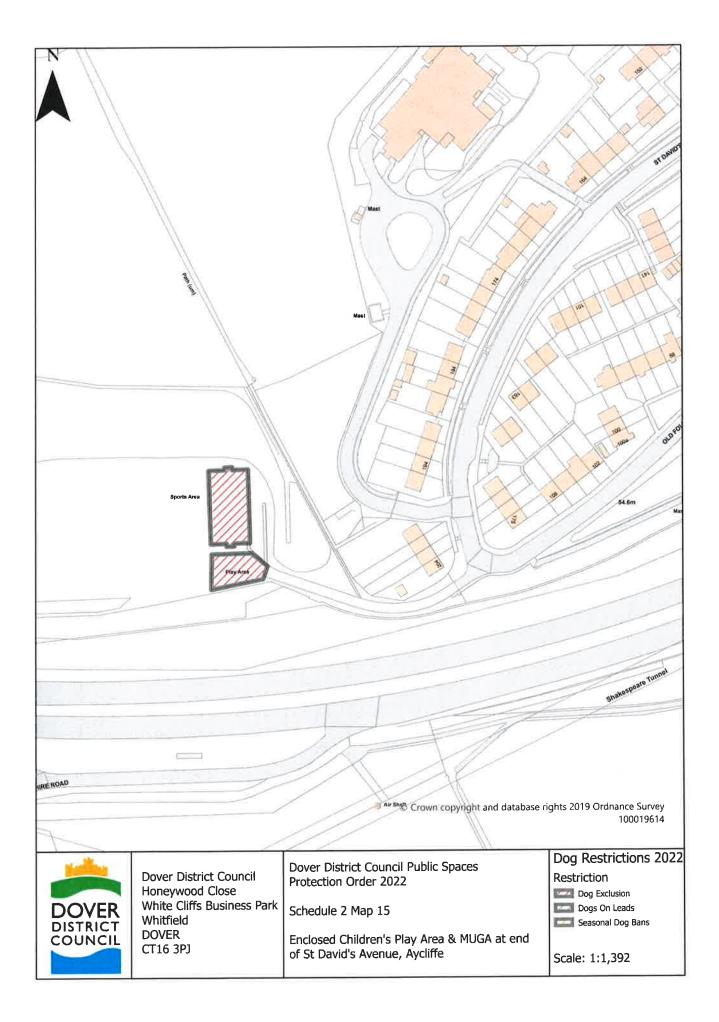


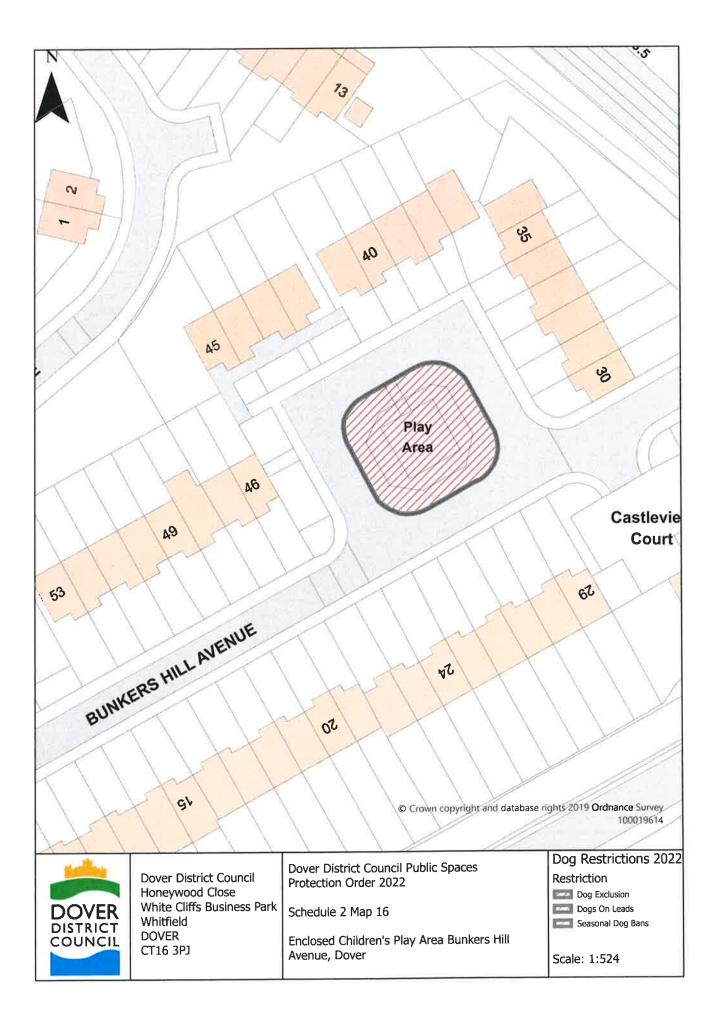


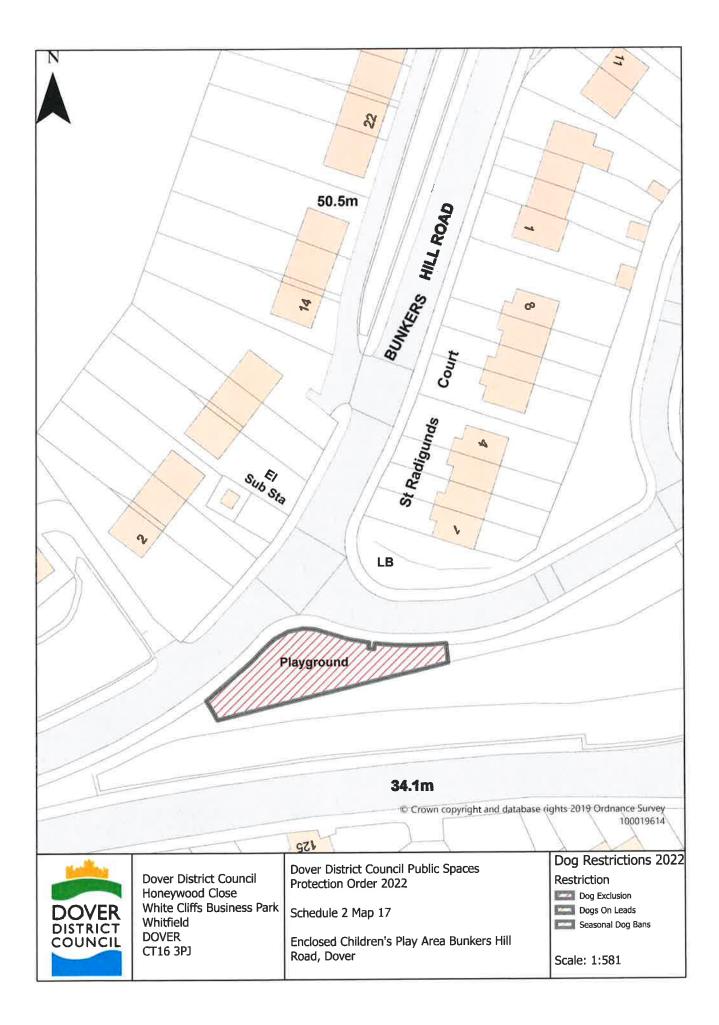


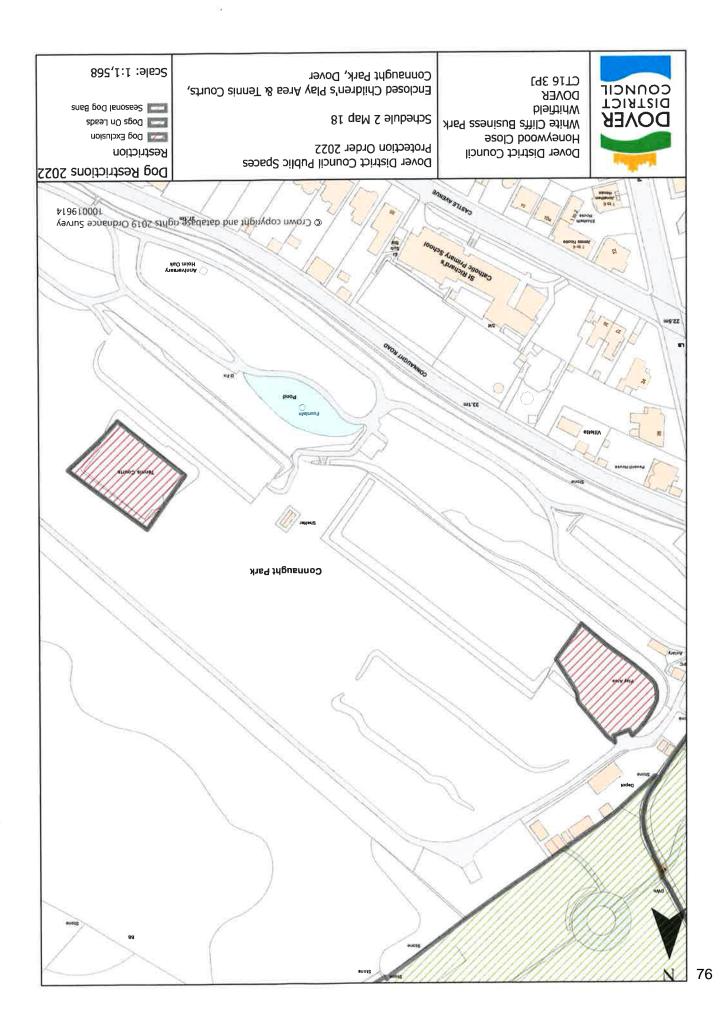


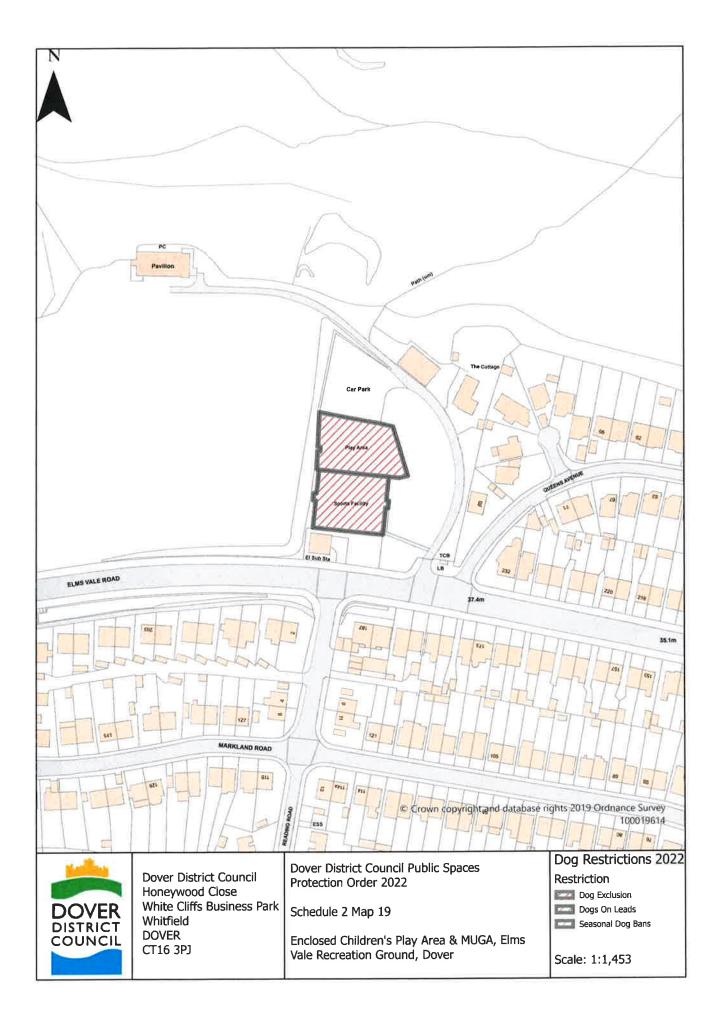


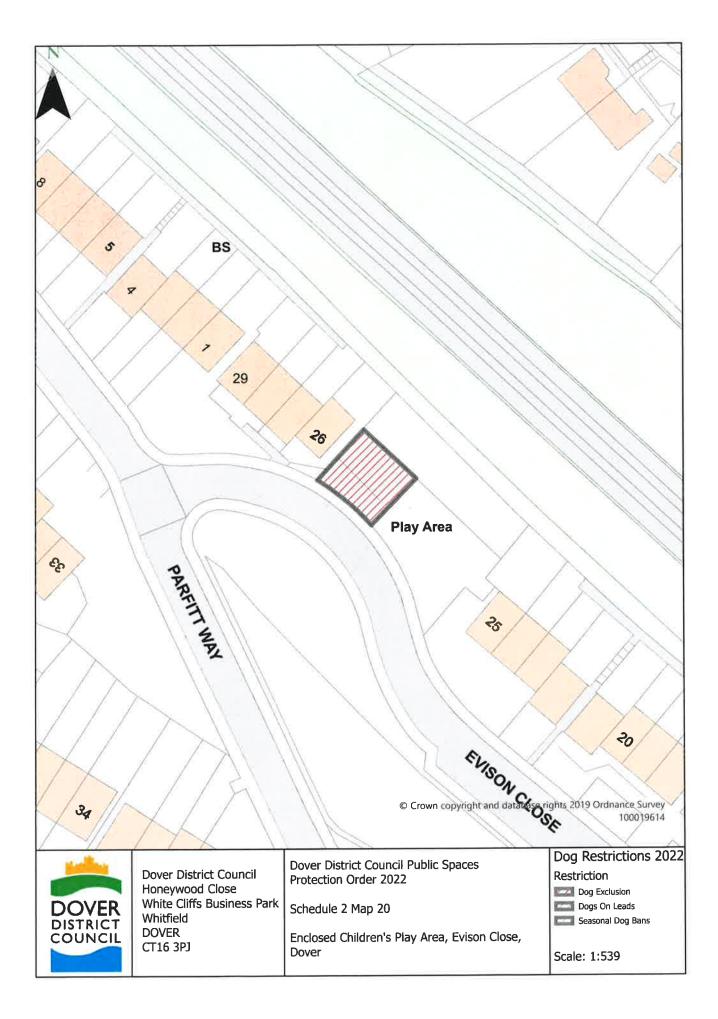


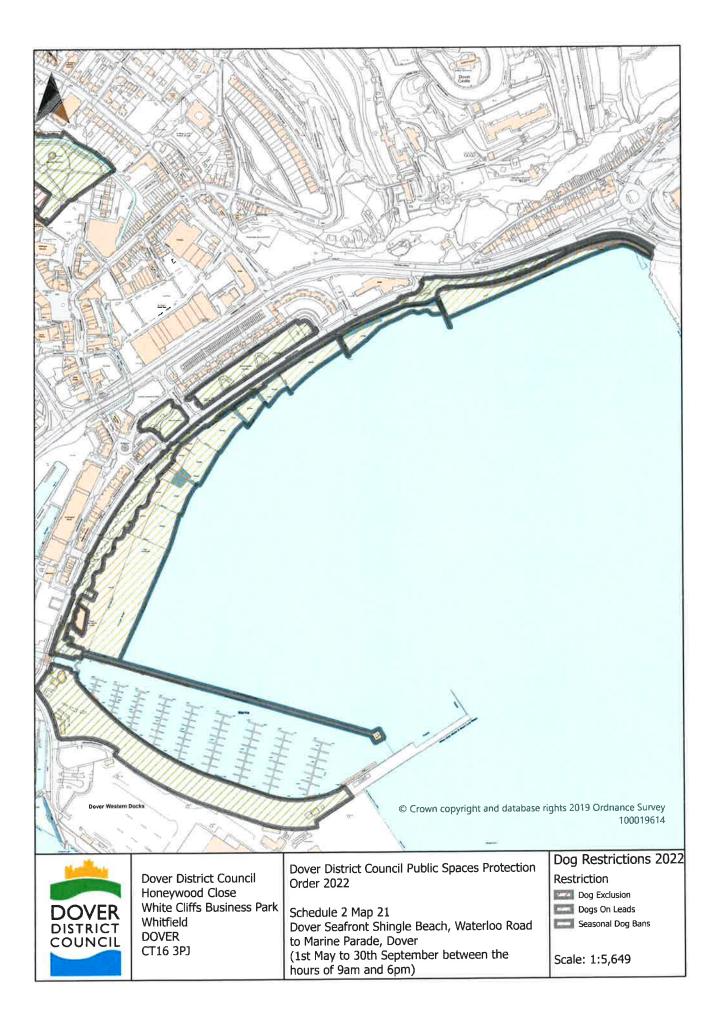


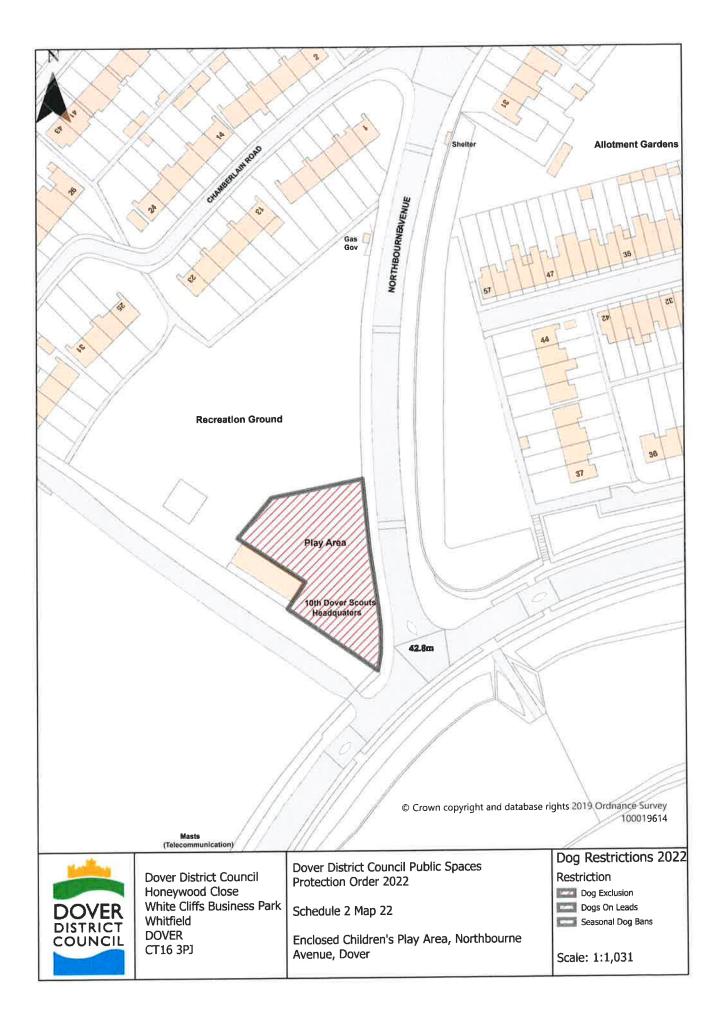


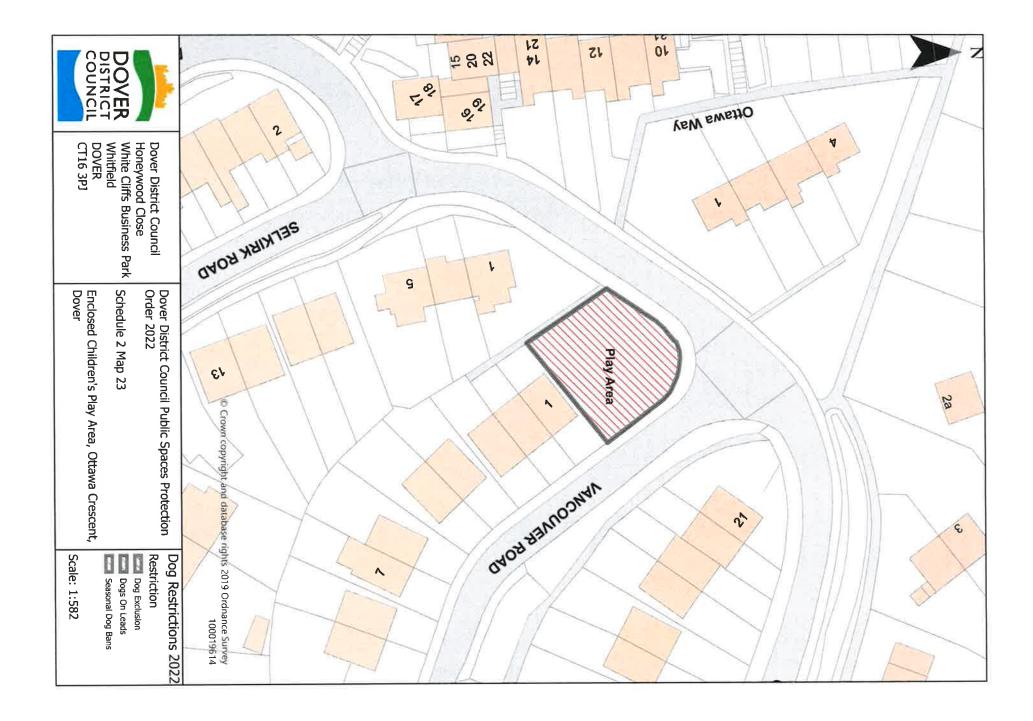


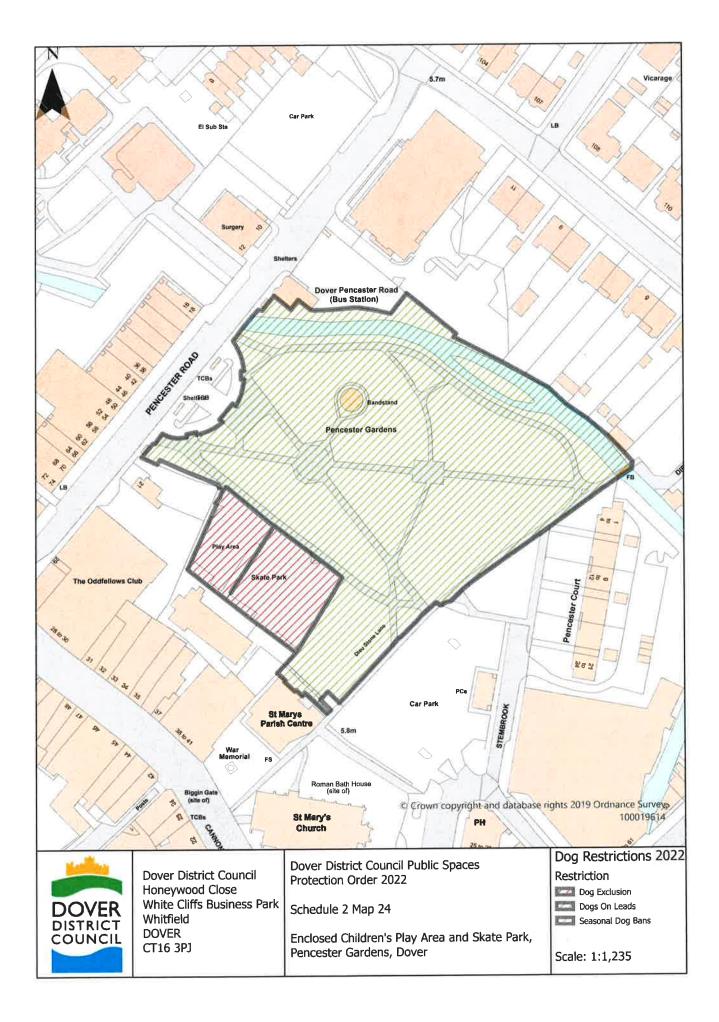


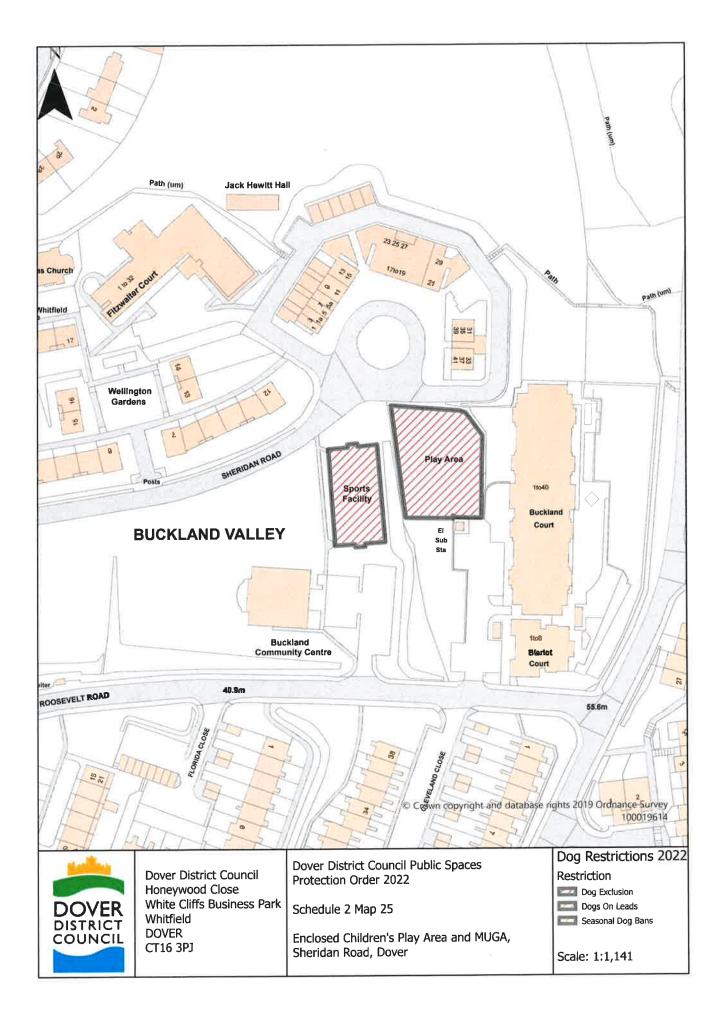


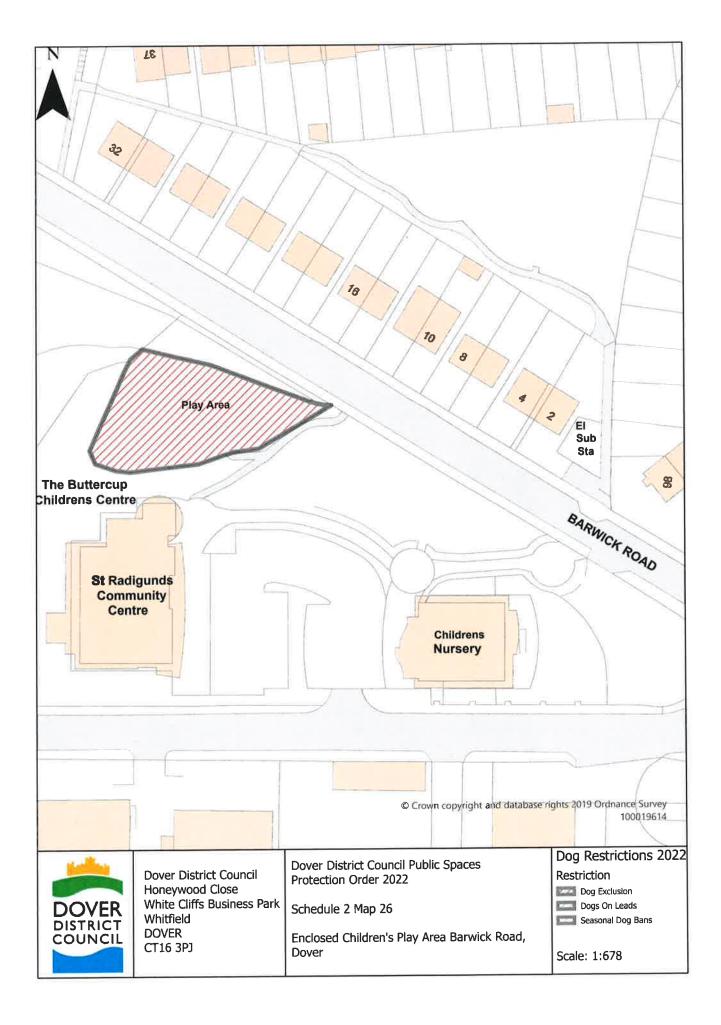


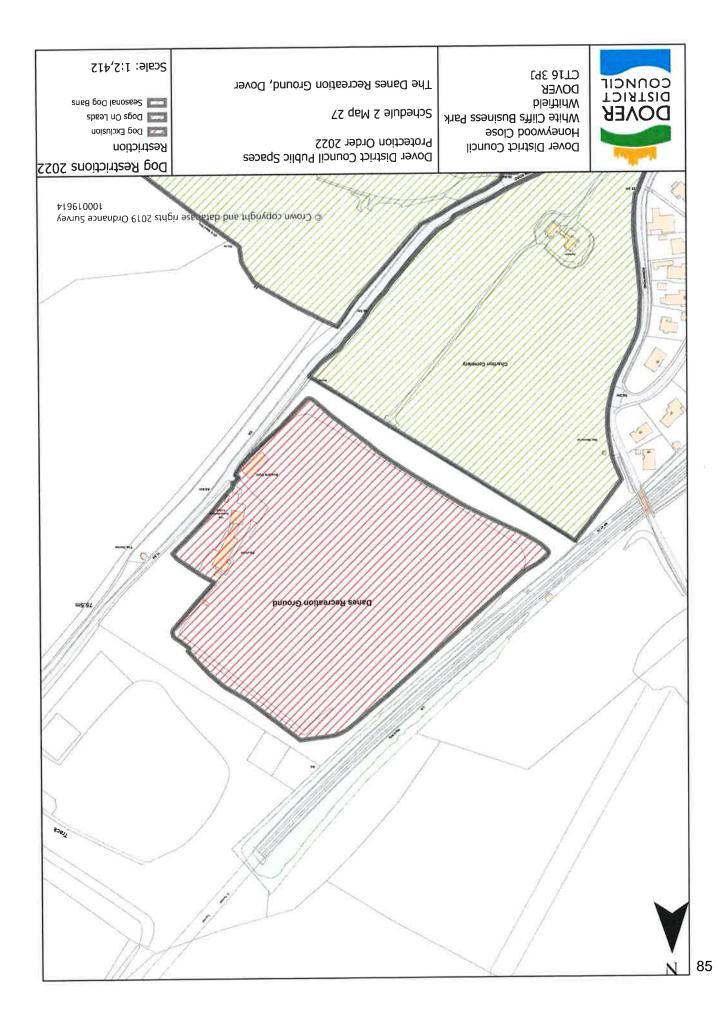


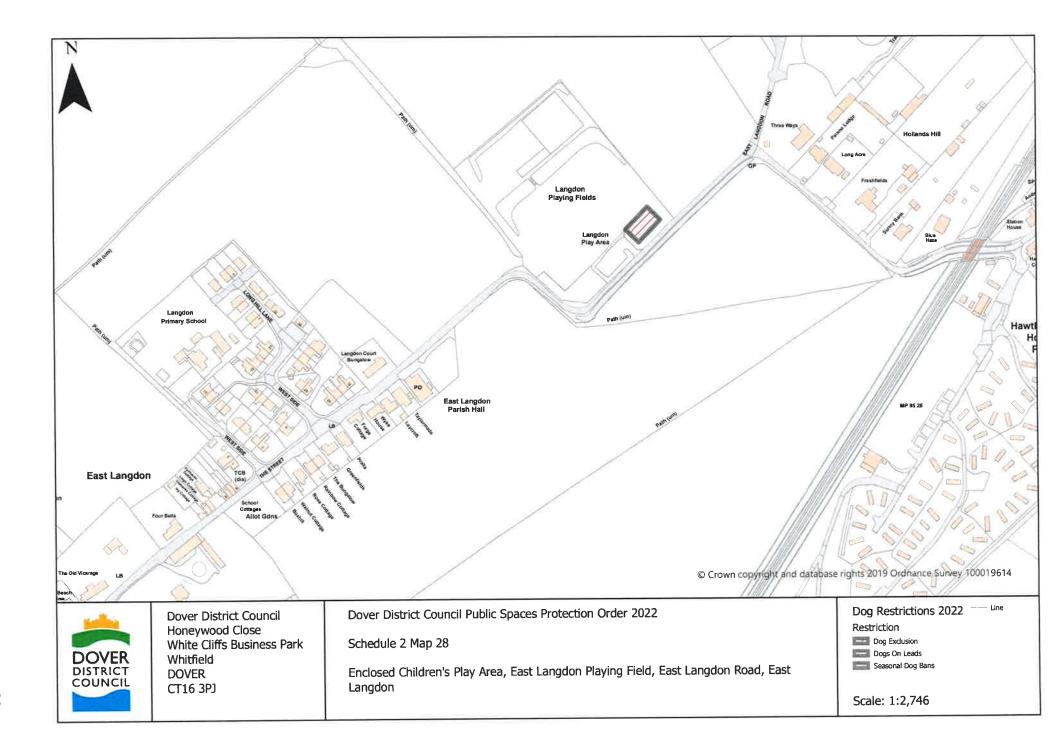


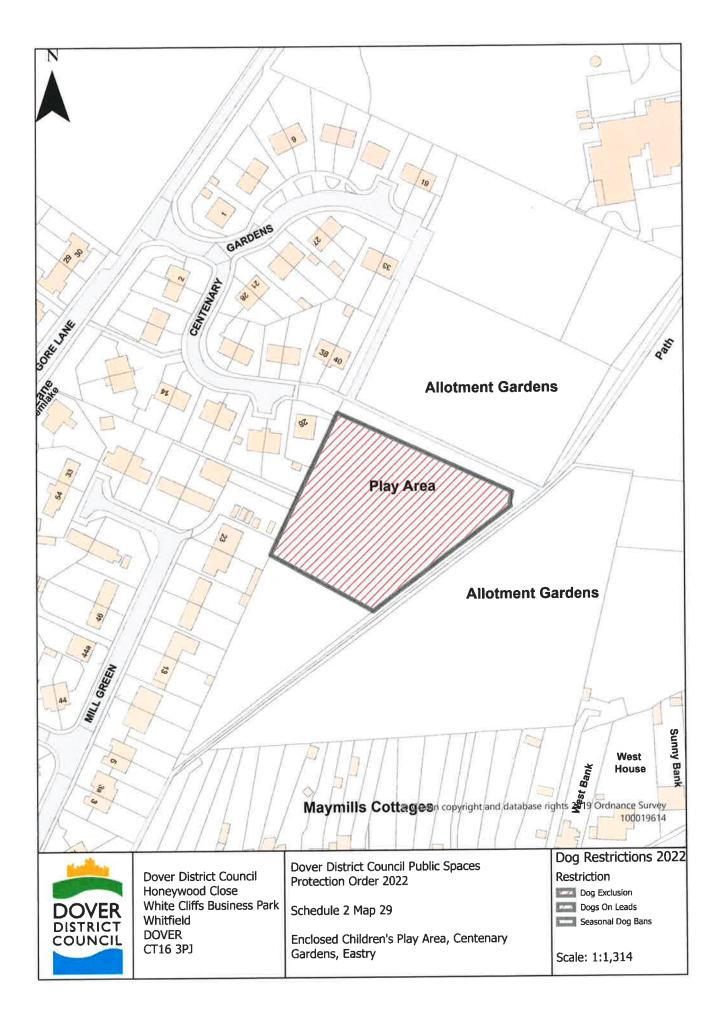


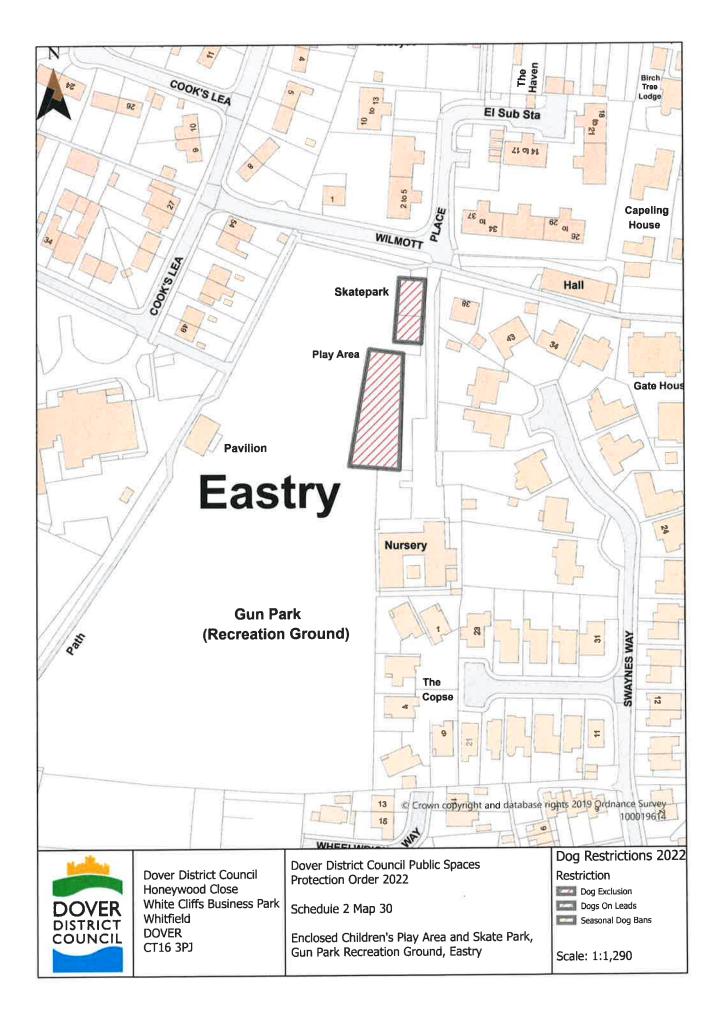


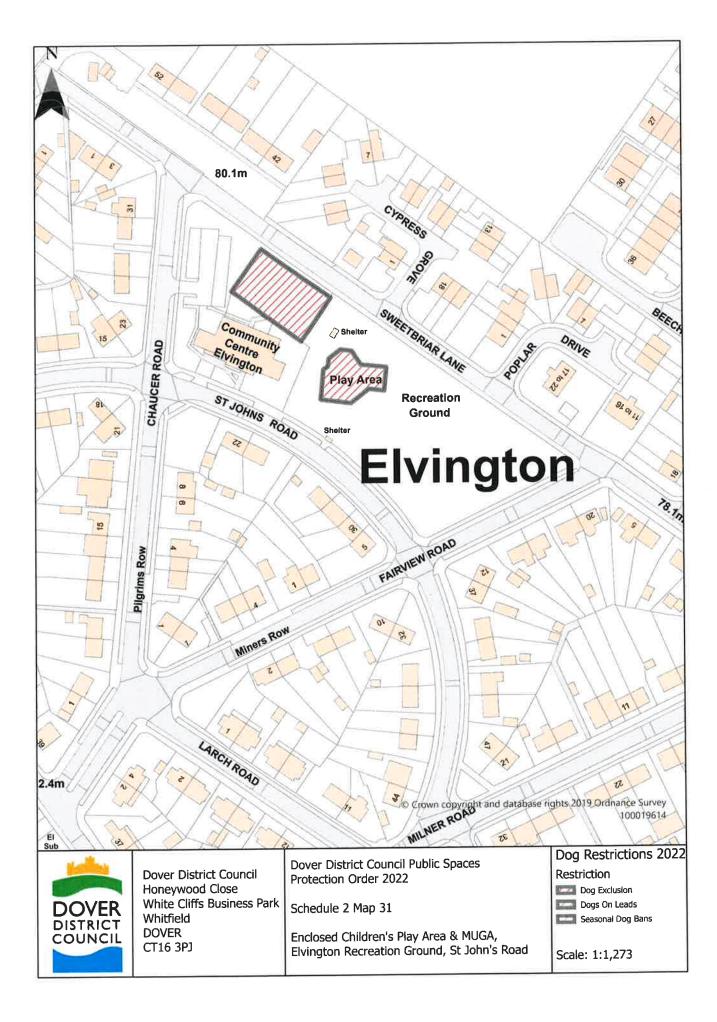


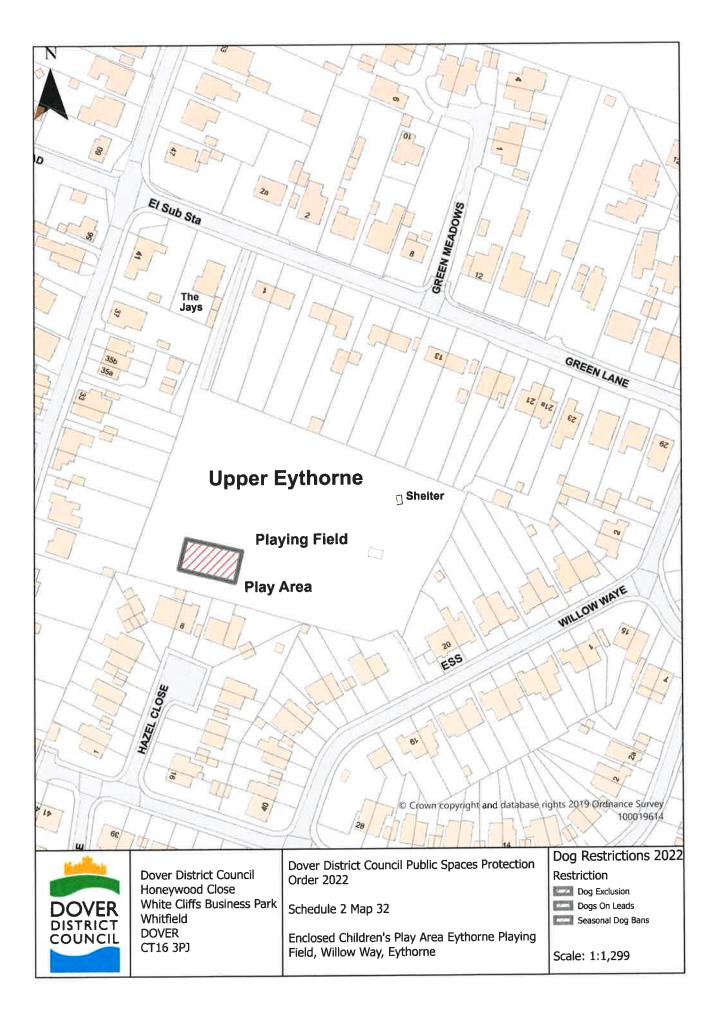


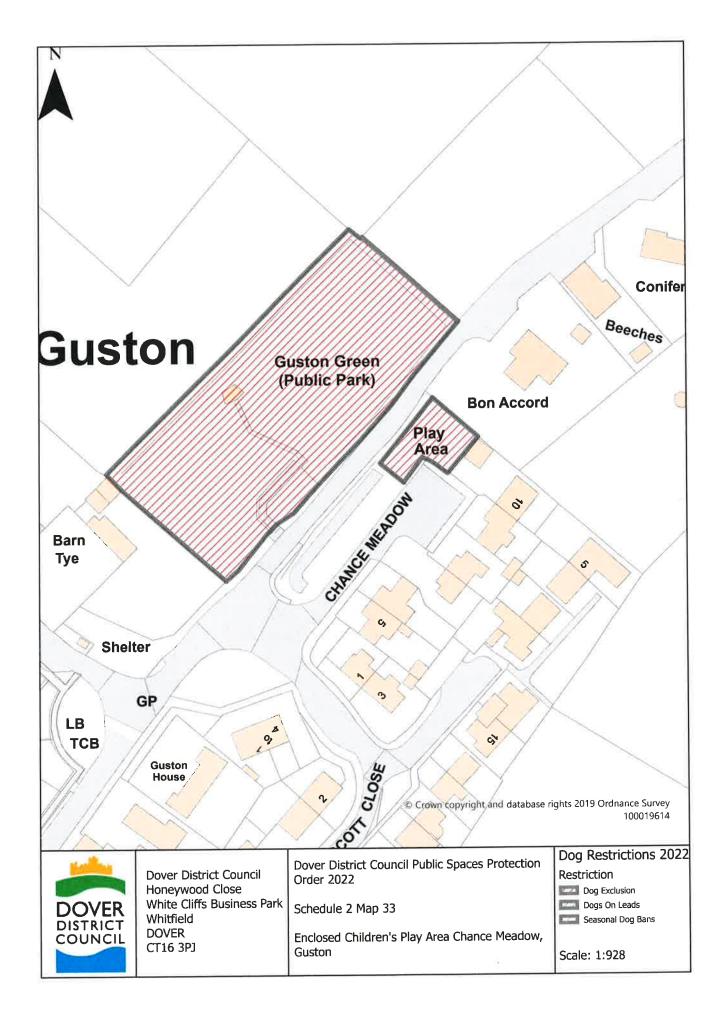


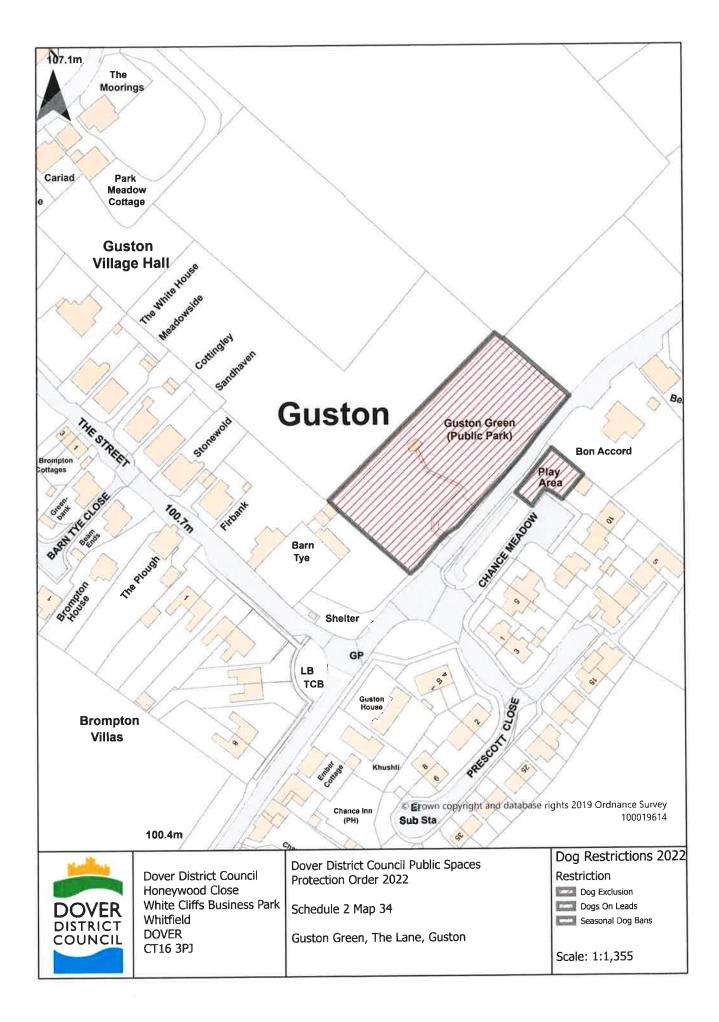


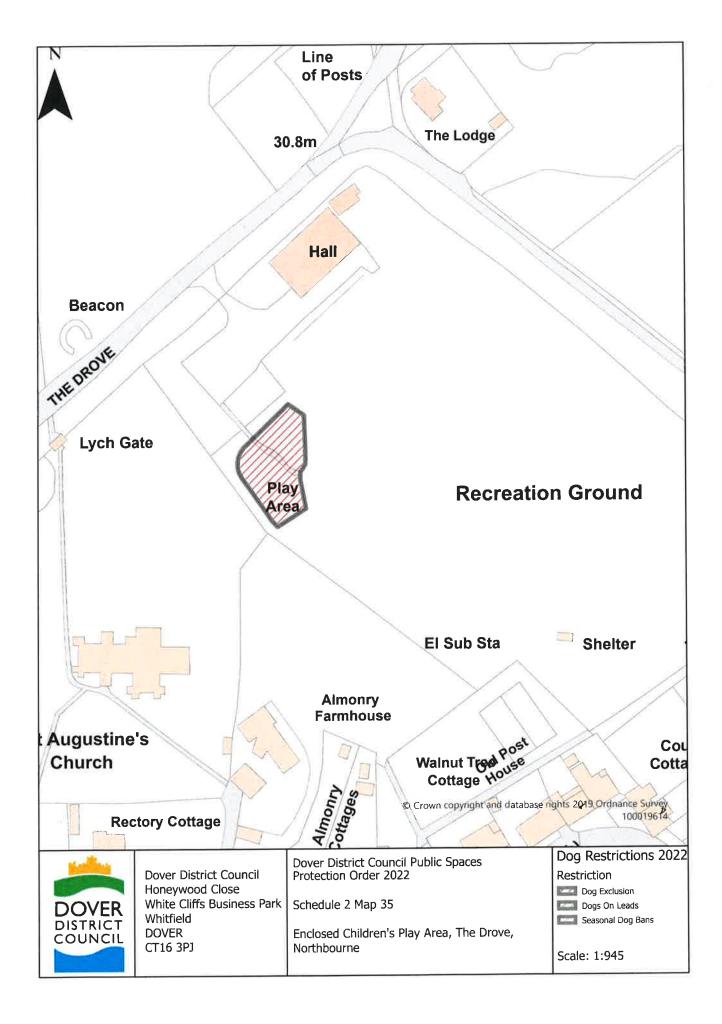


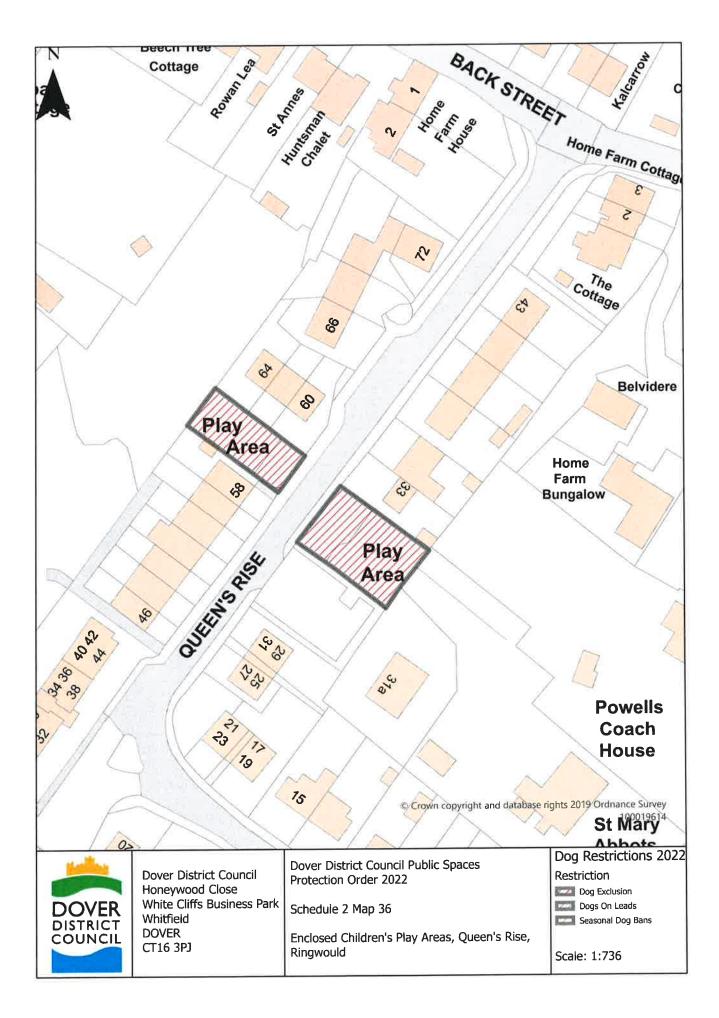


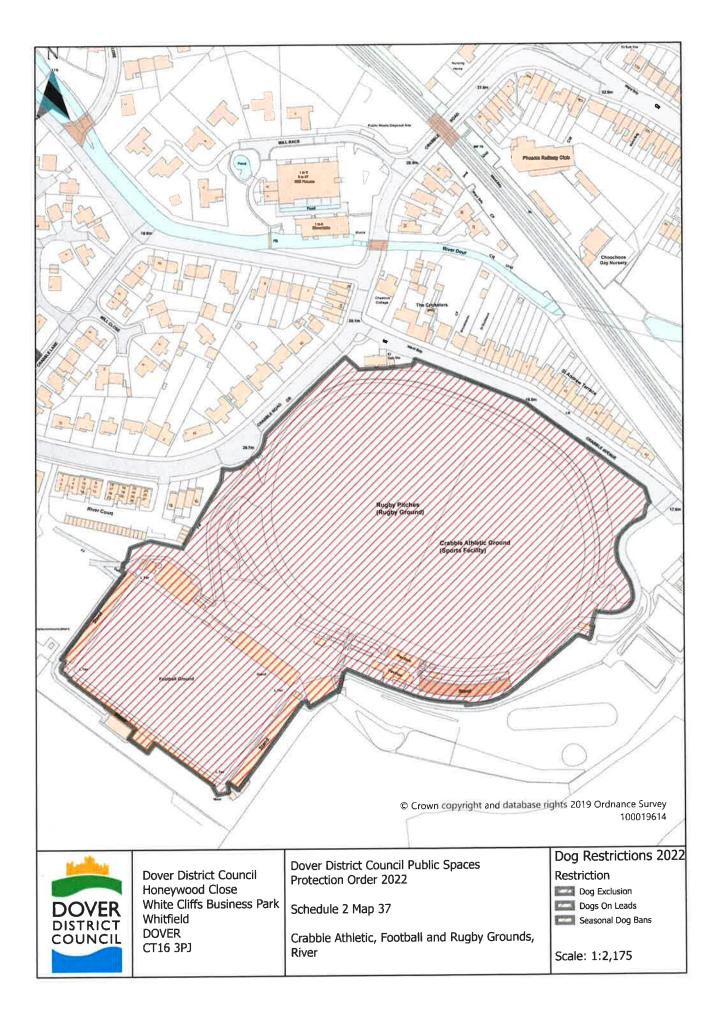


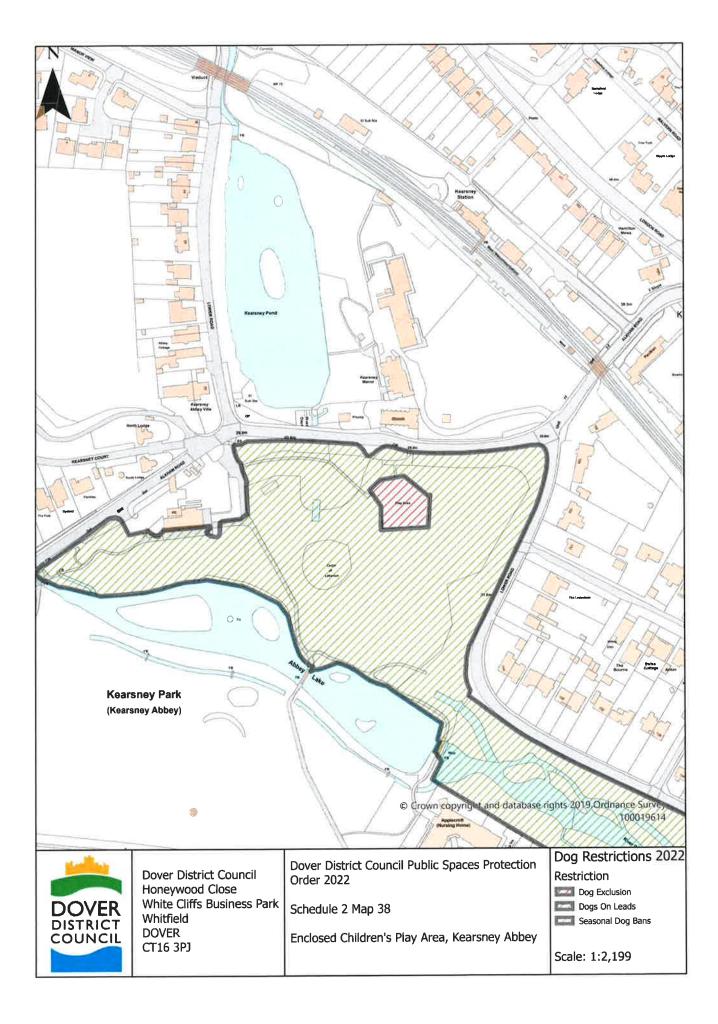


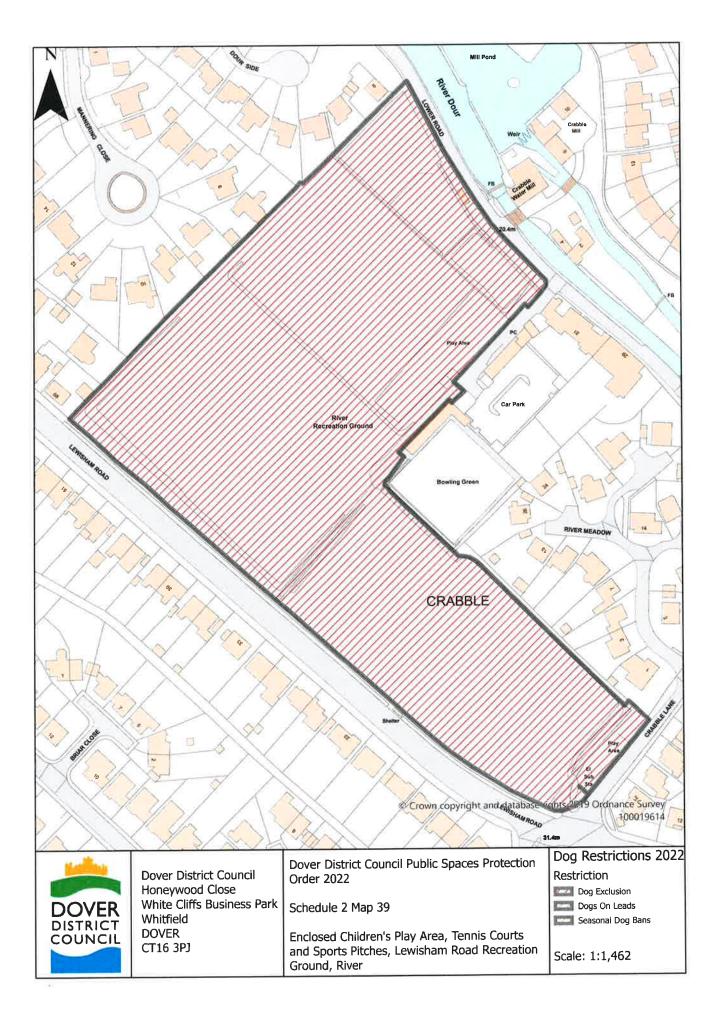


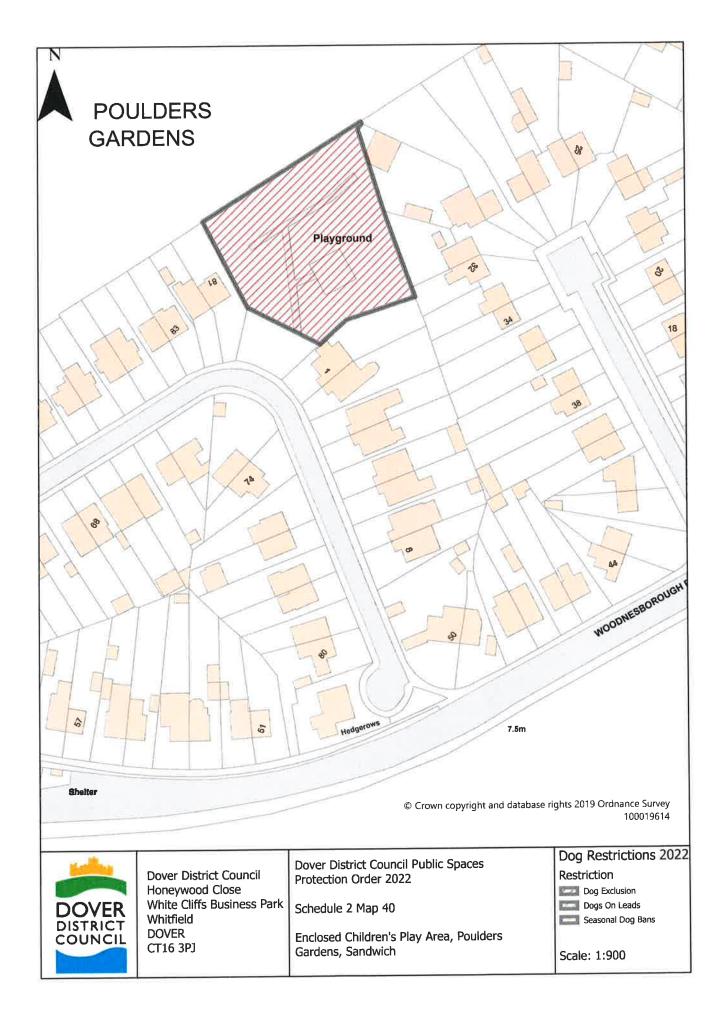


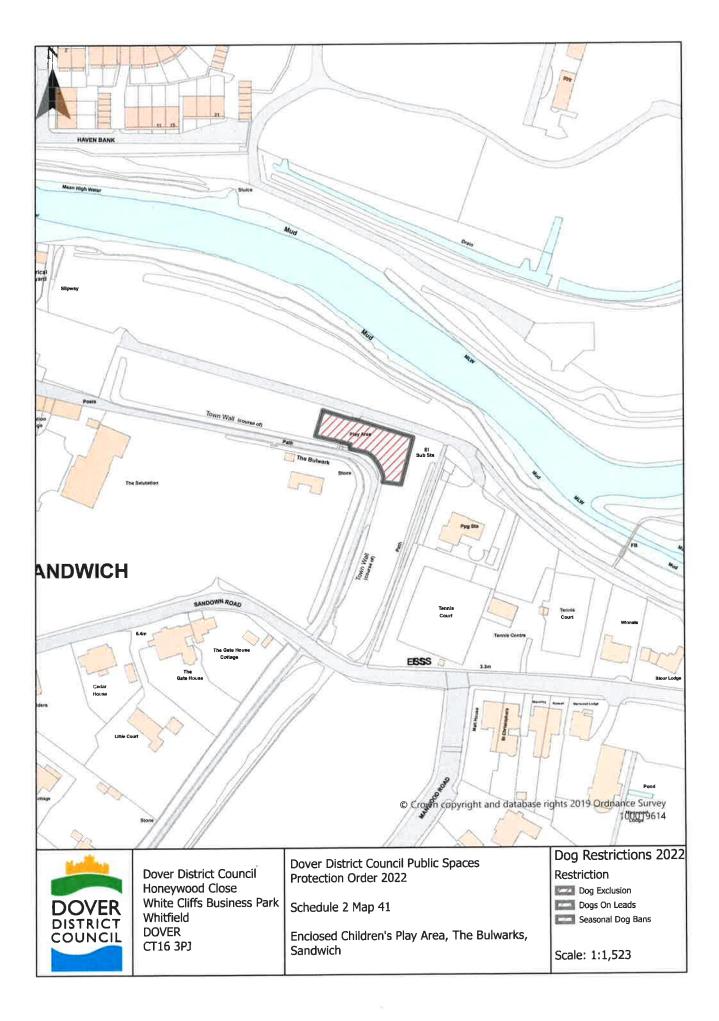


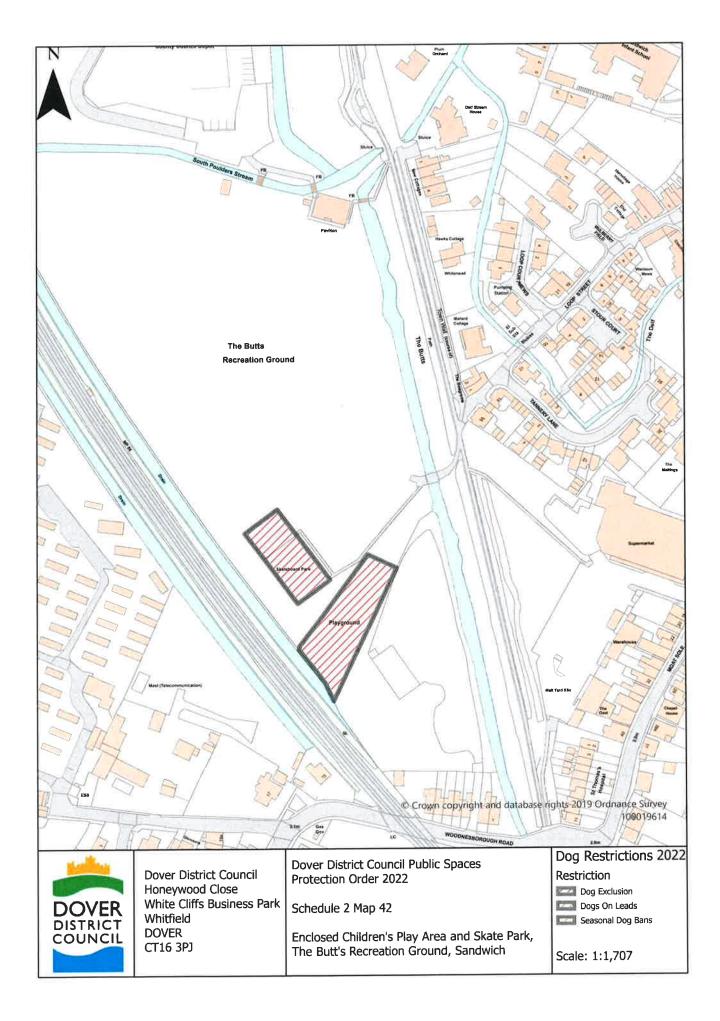


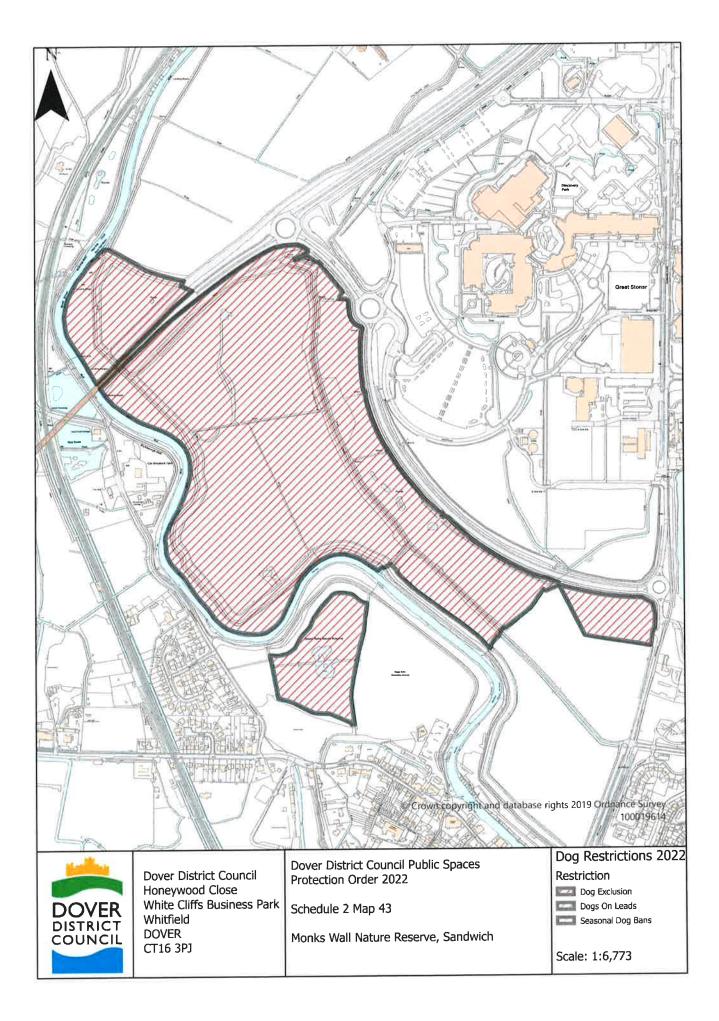


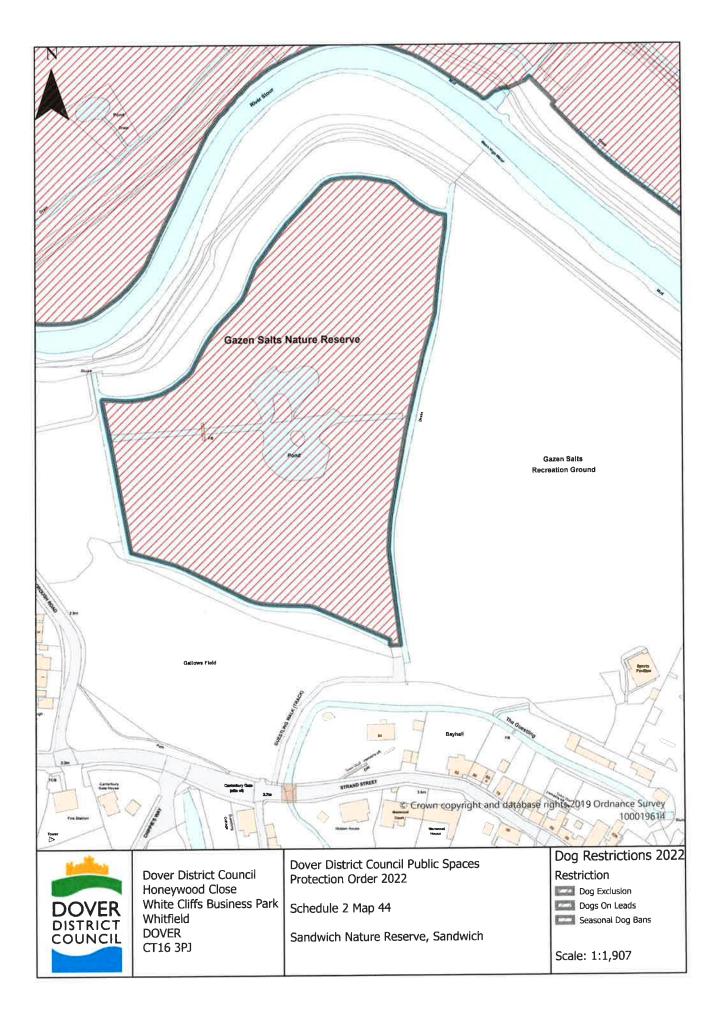


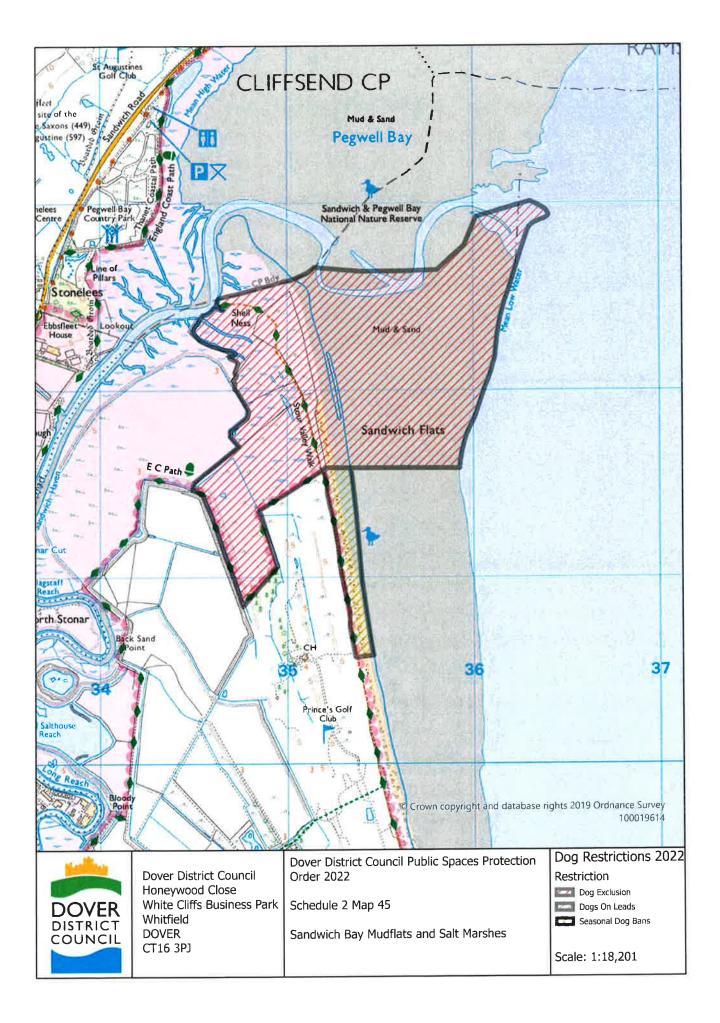


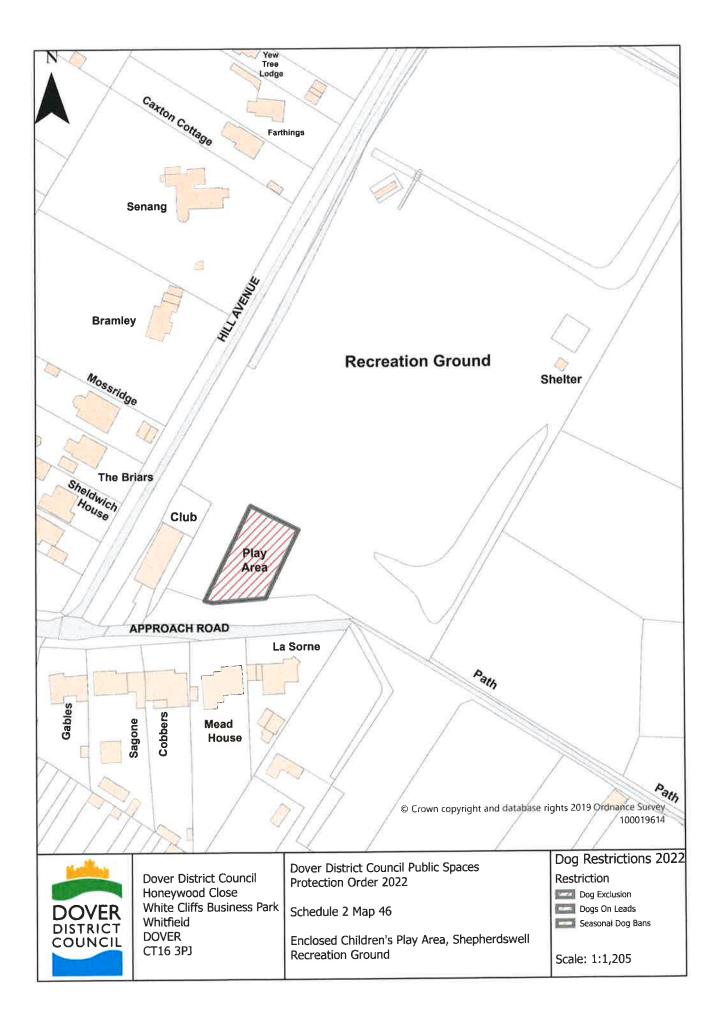


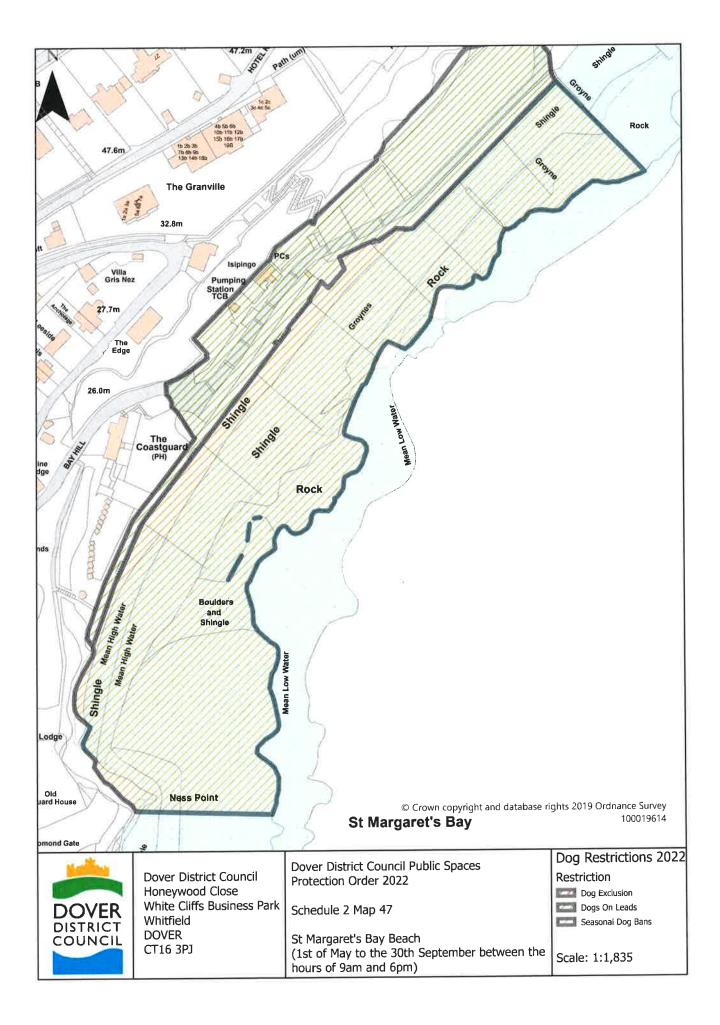


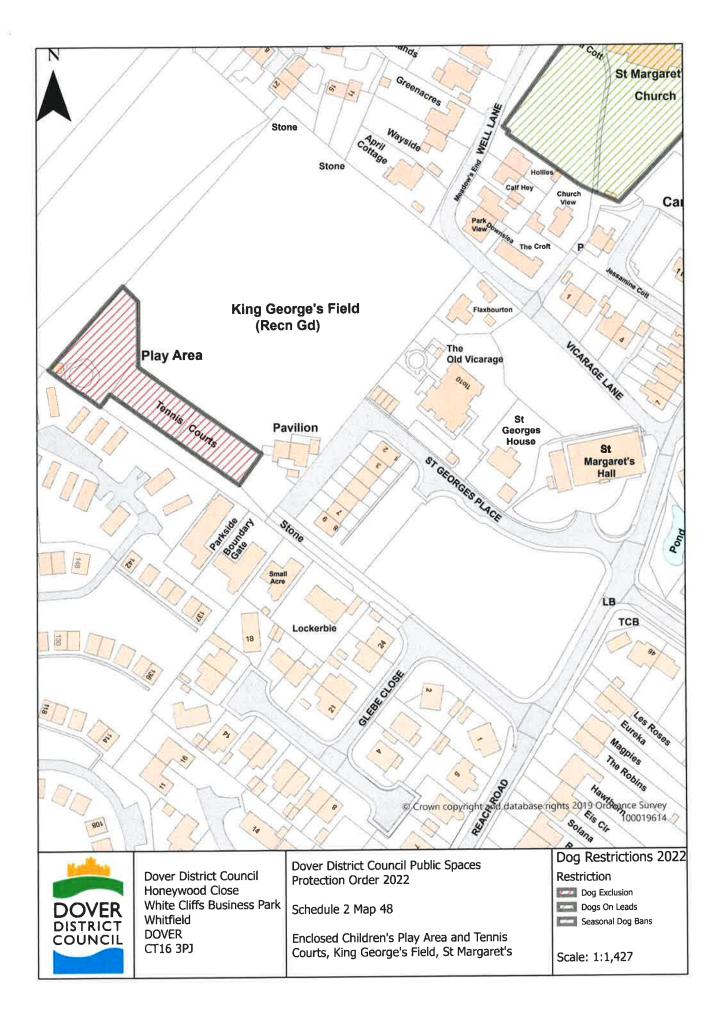


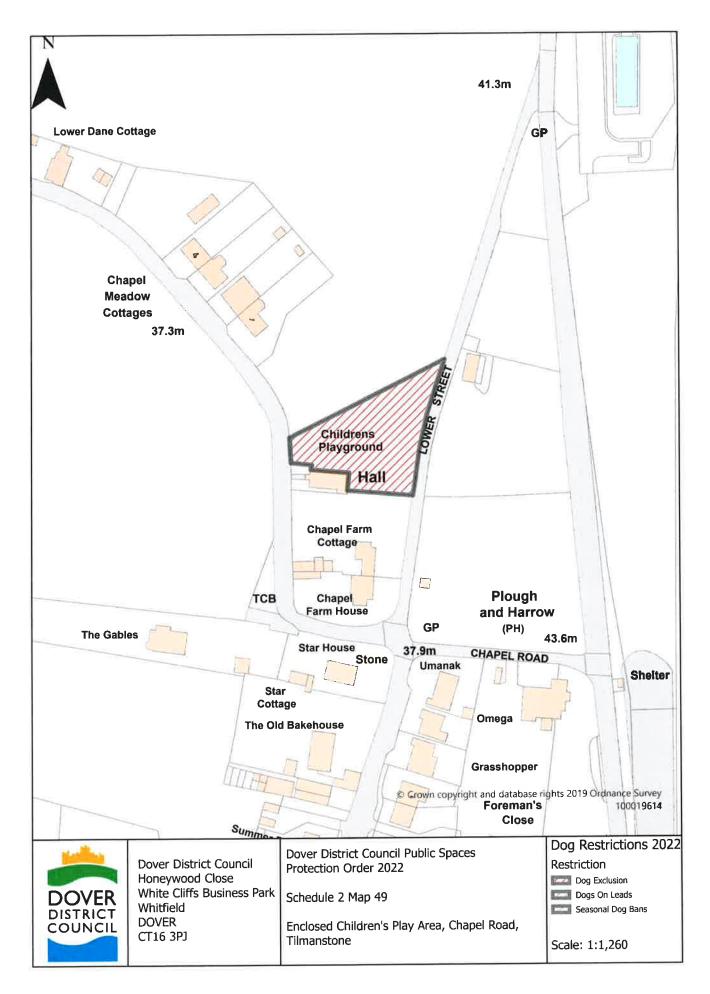


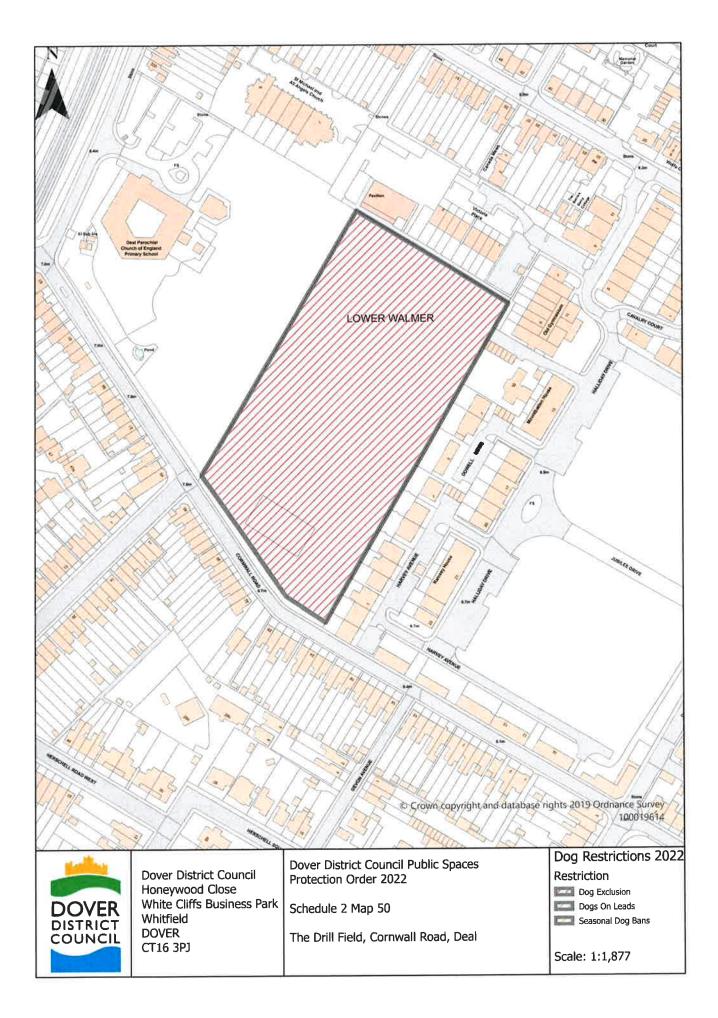


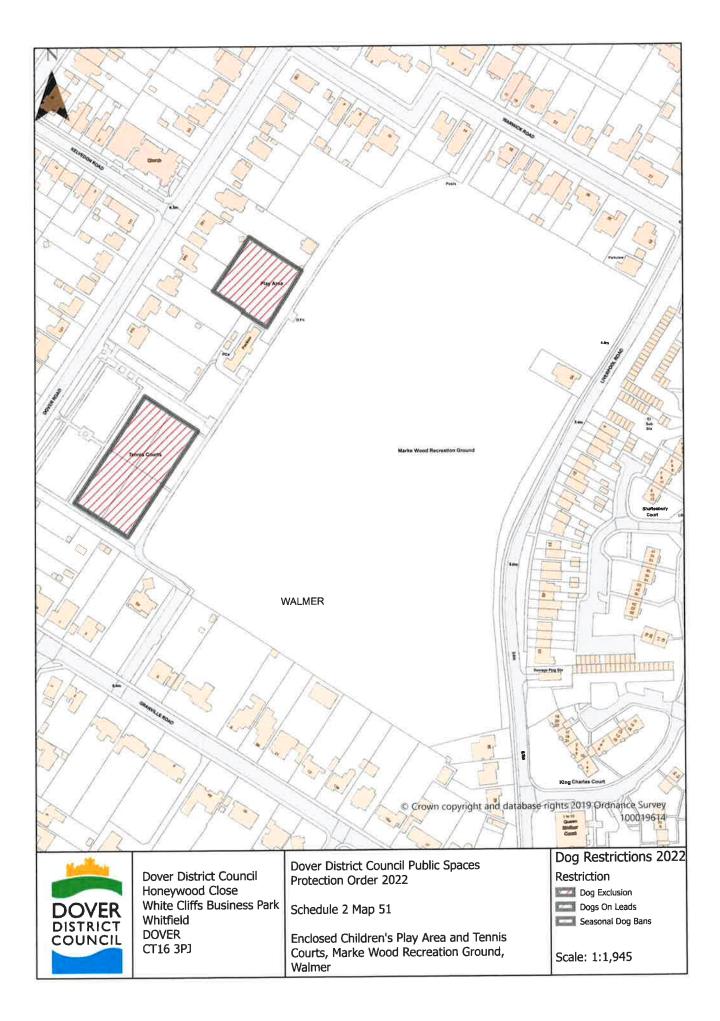






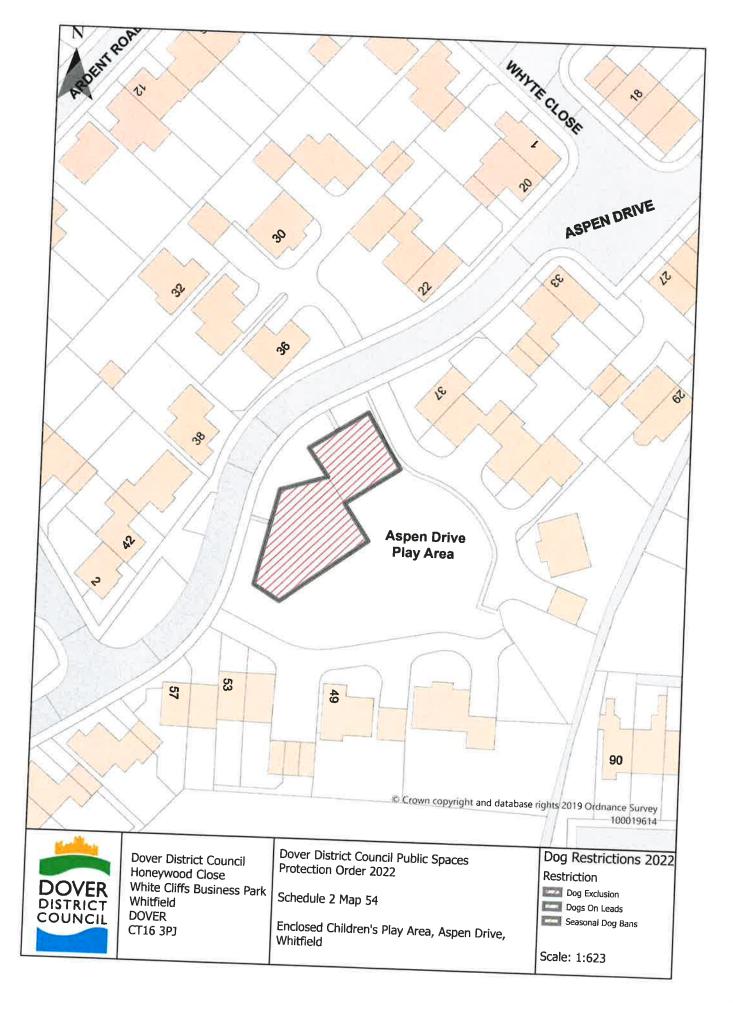


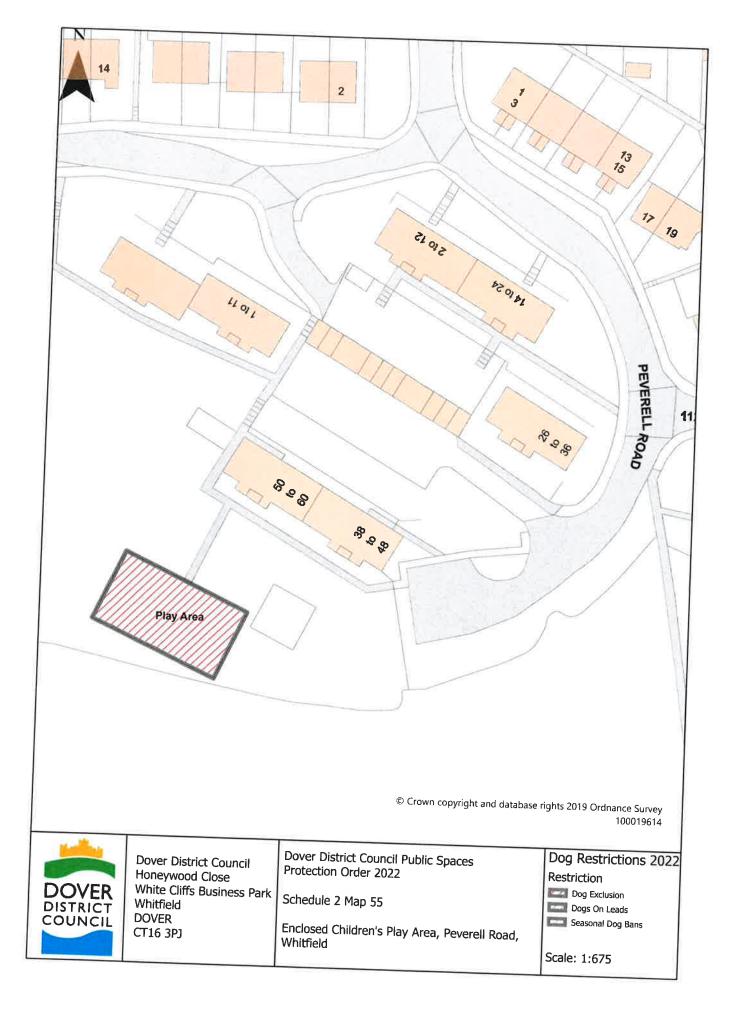


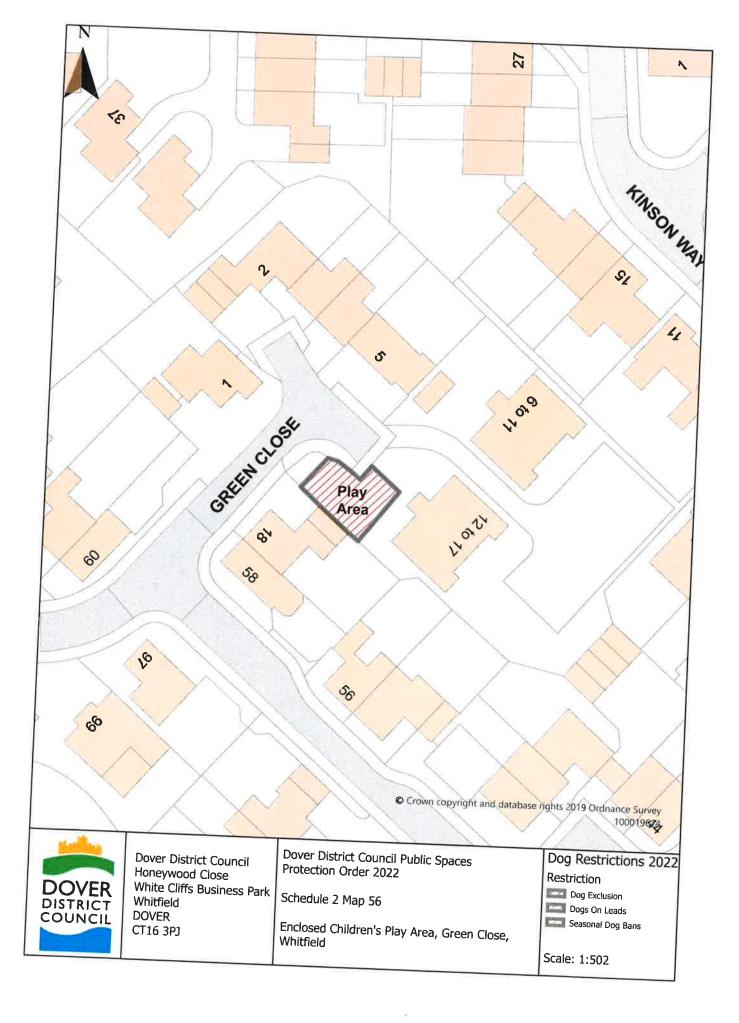


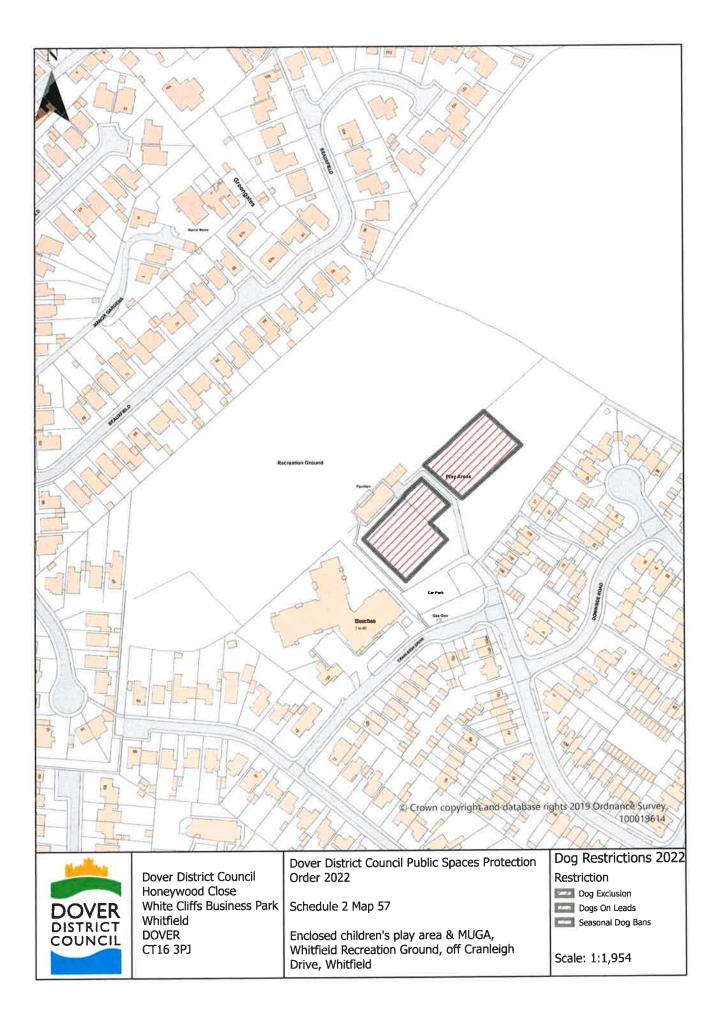


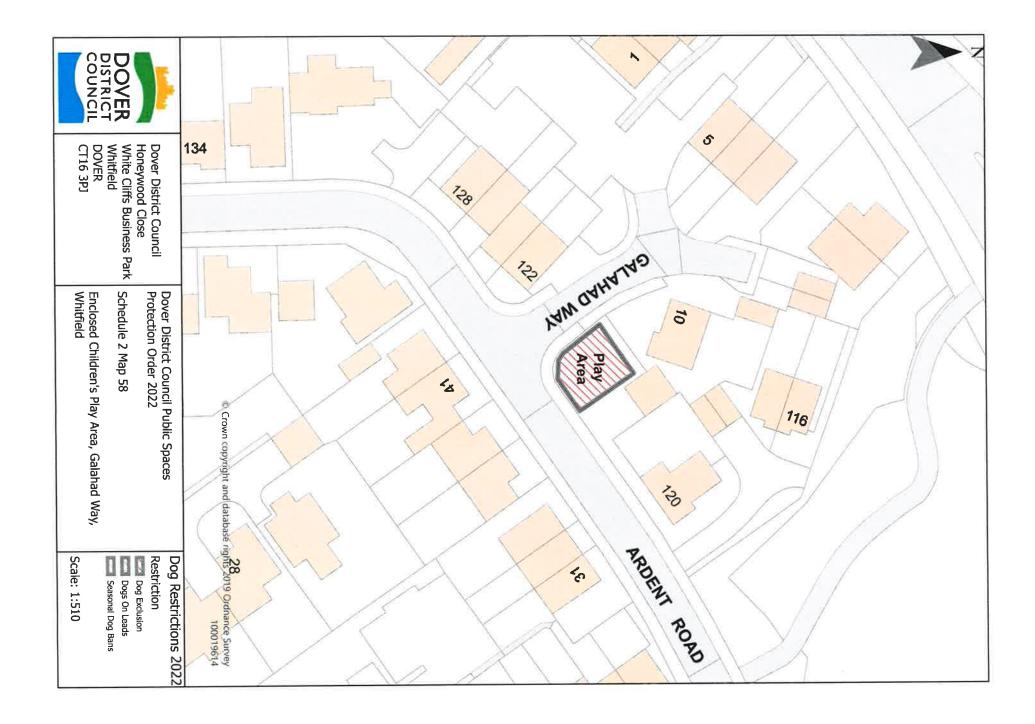


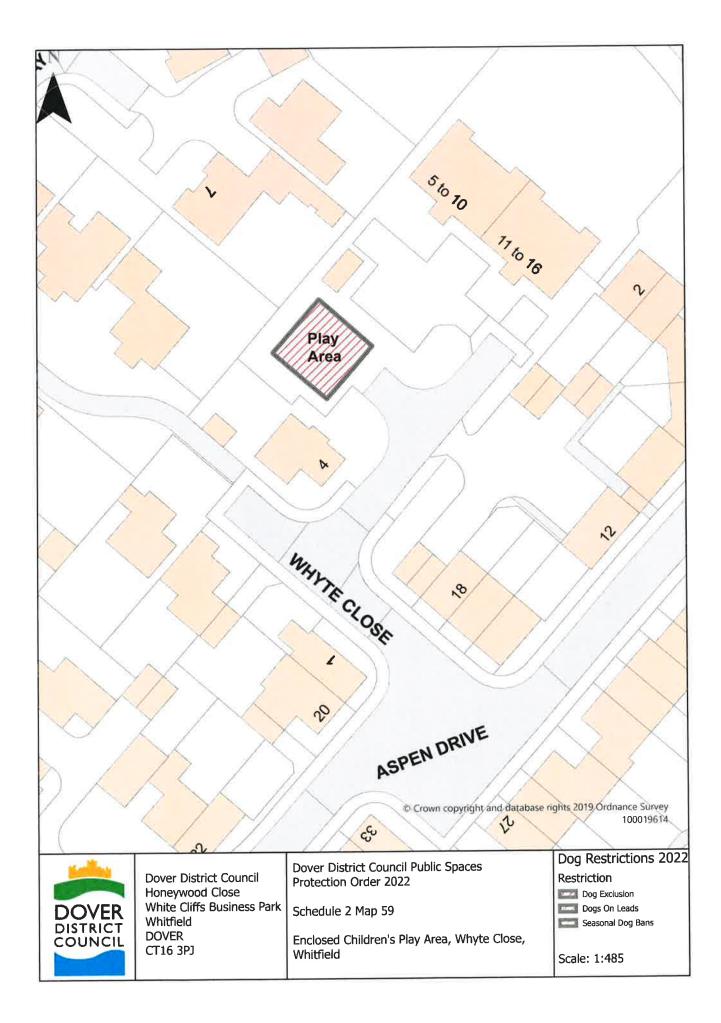


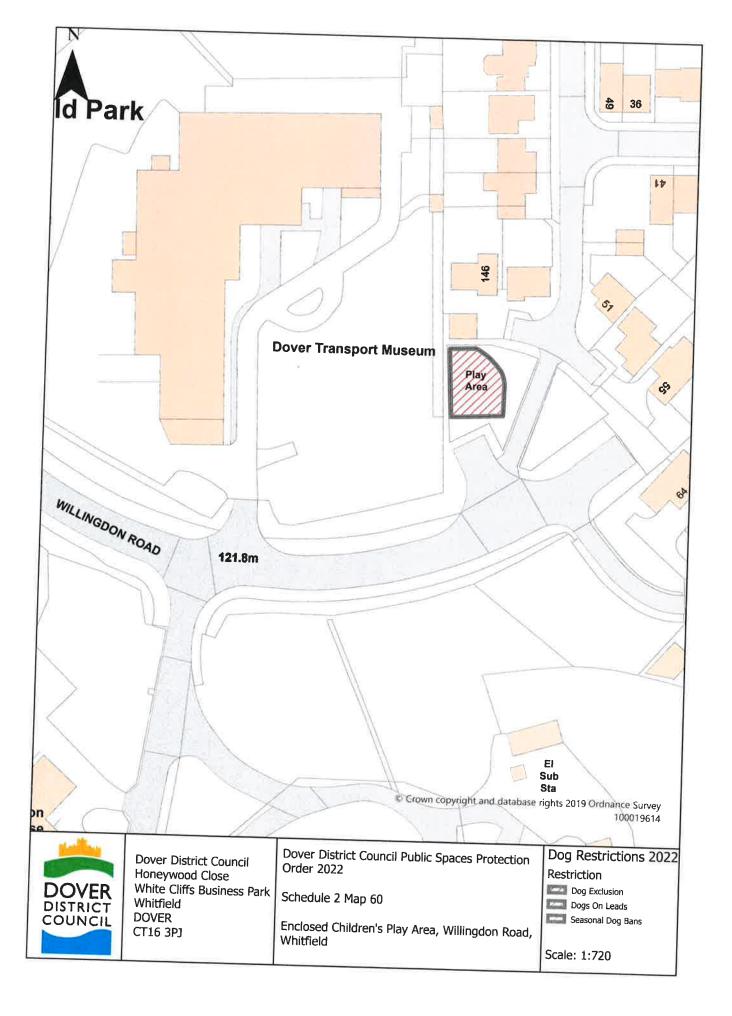


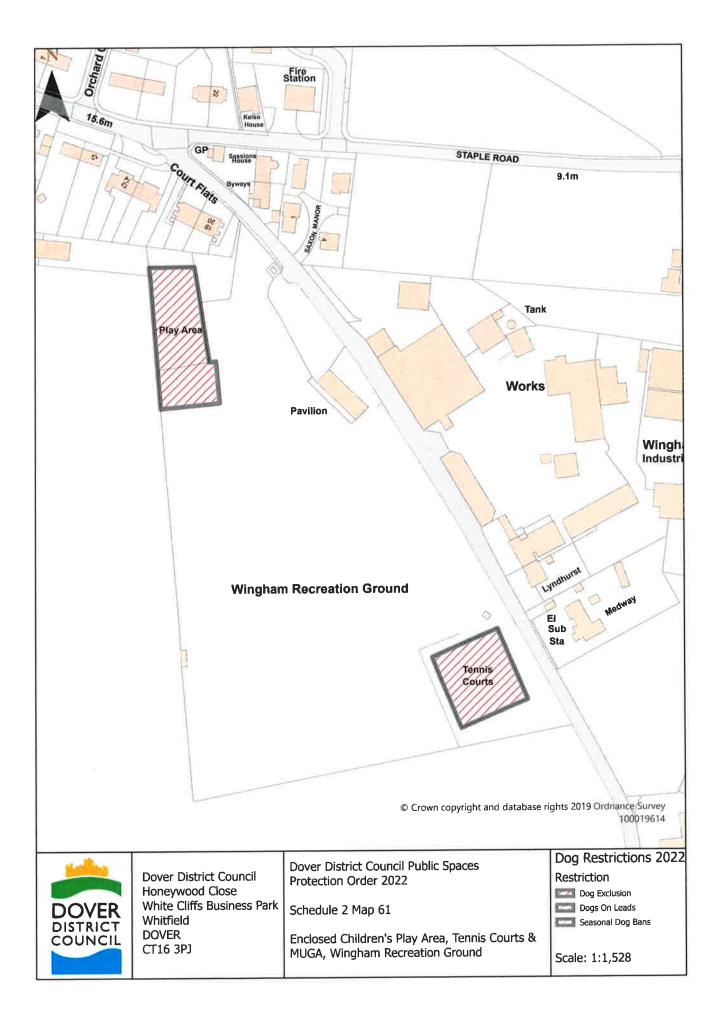


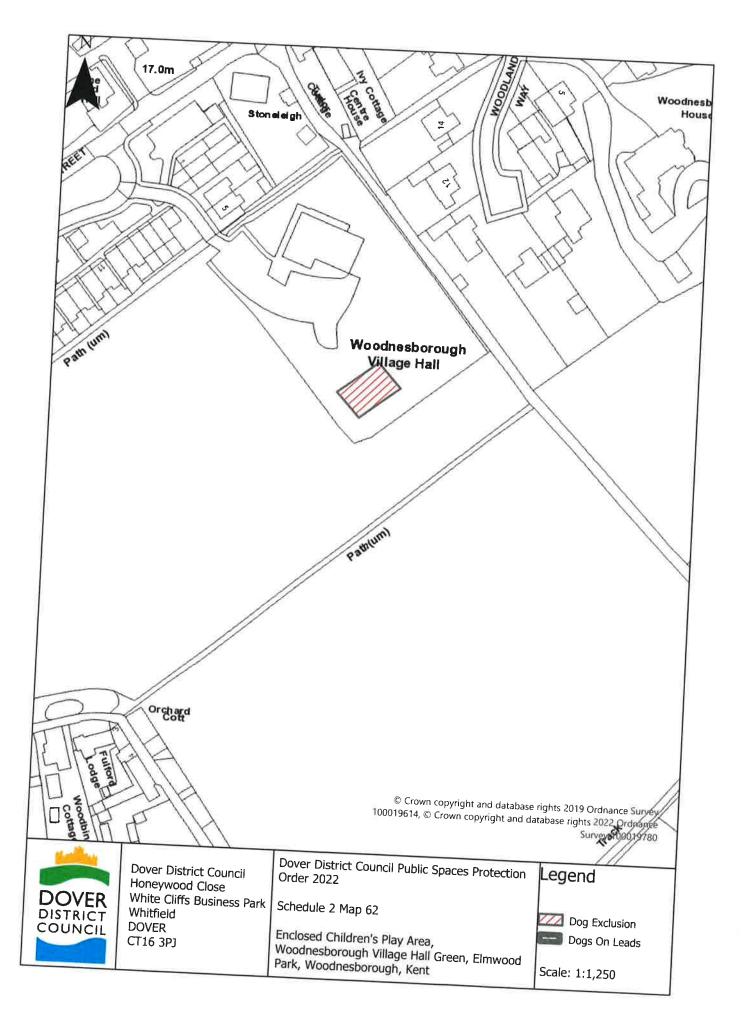










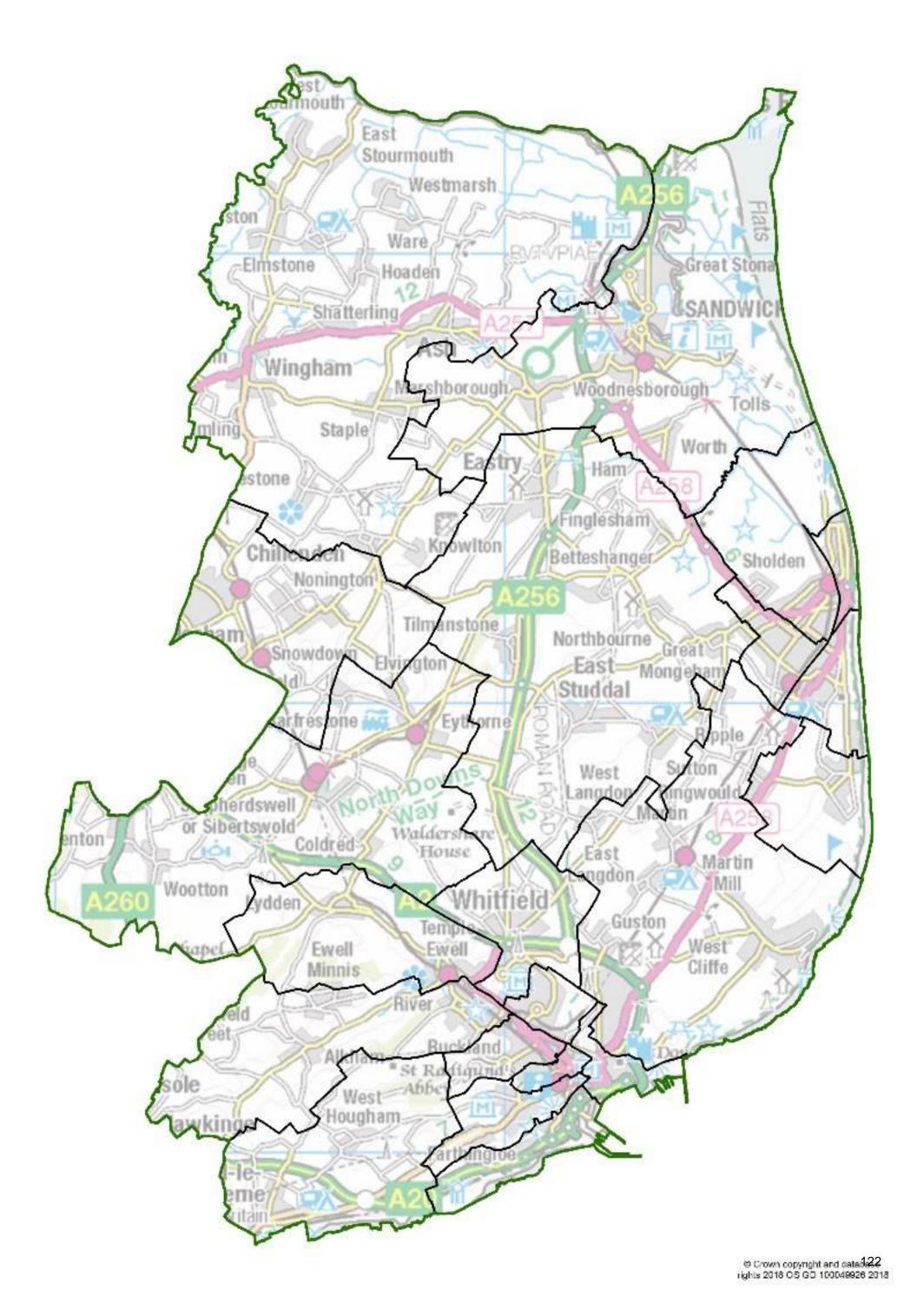


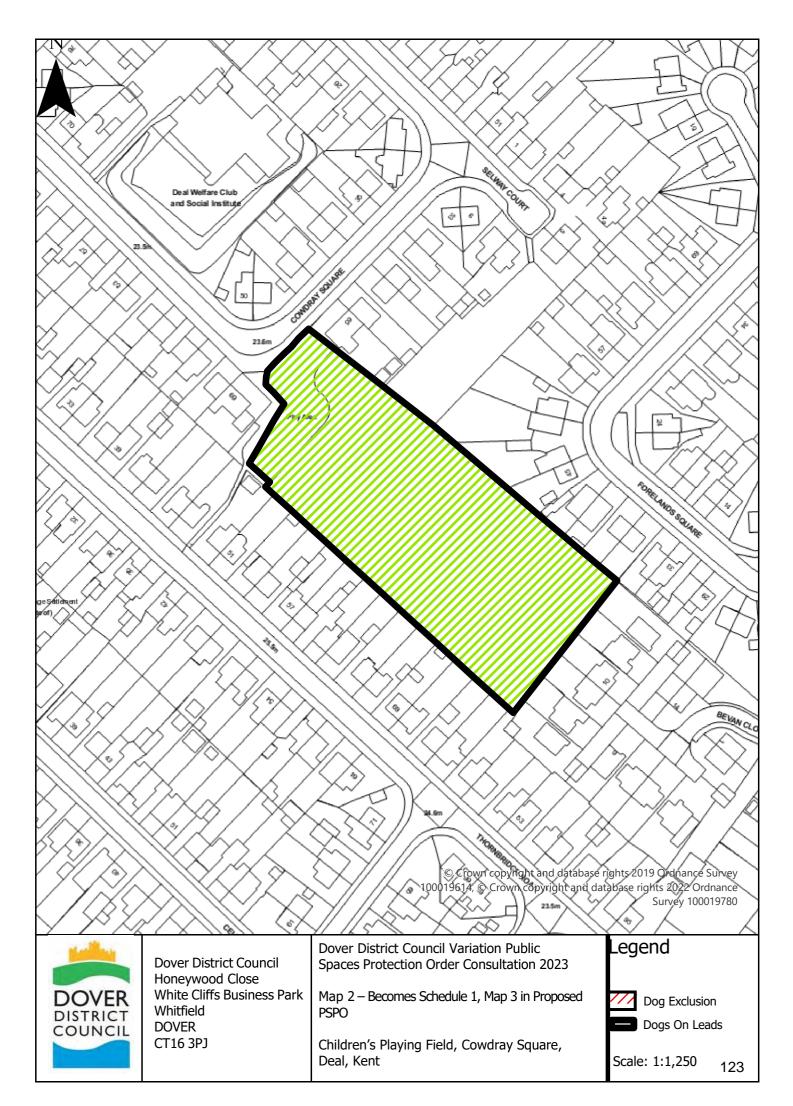


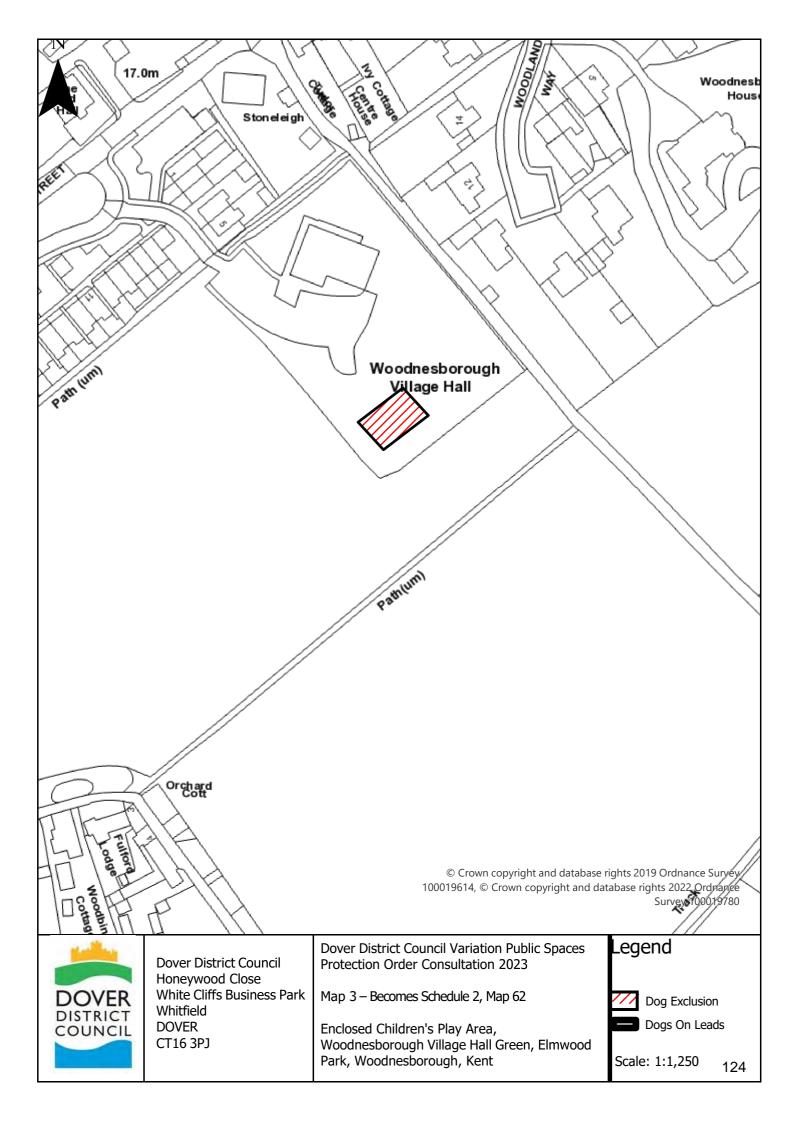
# Appendix 2

## Summary of proposed variations to July 2022 PSPO

| Map<br>no. | Location  | Proposed Variation  |
|------------|---|---|
| 1.         | The Dover District in respect of this activity.                       | Rewording of Part 5 –<br>"Consumption of Alcohol in<br>Public Places" to clarify where<br>the restrictions apply.   |
| 2.         | Children's Playing Field,<br>Cowdray Square,<br>Deal, Kent            | Removal of children's play area at<br>Children's Playing Field, Cowdray<br>Square, Deal, Kent from Schedule 2<br>and extensions of area where dogs<br>on lead restrictions apply at<br>Children's Playing Field, Cowdray<br>Square, Deal, Kent in Schedule 1 to<br>mirror approach of unfenced<br>children's play areas such as<br>Russell Gardens in Temple Ewell. |
| 3.         | Woodnesborough Village Hall<br>Green, Elmwood Park,<br>Woodnesborough | Addition of a dog exclusion area<br>within the enclosed children's play<br>area to schedule 2 at<br>Woodnesborough Village Hall<br>Green, Elmwood Park,<br>Woodnesborough, Kent   |







| Subject:                      | ADOPTION OF THE DOUR STREET, DOVER<br>CONSERVATION AREA CHARACTER APPRAISAL  |  |  |  |
|-------------------------------|--|--|--|--|
| Meeting and Date:             | Cabinet – 4 September 2023   |  |  |  |
| Report of:                    | Alison Cummings, Principal Heritage Officer  |  |  |  |
| Portfolio Holder:             | Councillor Edward Biggs, Portfolio Holder for Planning and Built Environment   |  |  |  |
| Decision Type:                | Key Decision   |  |  |  |
| Classification:               | Unrestricted   |  |  |  |
| Purpose of the report:        | To inform Cabinet of the results of the public consultation exercise on the Dour Street, Dover Conservation Area Character Appraisal and to adopt it as a material consideration for planning purposes.  |  |  |  |
| Recommendation: That Cabinet: |  |  |  |  |
|                               | <ol> <li>Agrees the proposed responses to the representations<br/>received and the resulting modifications to the Conservation<br/>Area Character Appraisal as set out in Appendix 1;</li> </ol>   |  |  |  |
|                               | <ol> <li>Adopts the Conservation Area Character Appraisal as a<br/>material consideration for planning purposes as set out in<br/>Appendix 2; and</li> </ol>   |  |  |  |
|                               | 3. Authorises the Head of Planning and Development, in conjunction with the Portfolio Holder, to make any necessary editorial changes to the appraisal prior to publication to assist with clarity, consistency, explanation and presentation. |  |  |  |

## 1. Summary

- 1.1 Cabinet approved the Draft Dour Street, Dover Conservation Area Character Appraisal for public consultation in February 2023. Consultation has now been undertaken and following the analysis of representations minor modifications are proposed.
- 1.2 The appraisal includes a management plan which outlines recommendations and action points that if progressed would contribute to managing change within the conservation area, ensuring that what has been identified as valued features by the local community are appropriately protected. The management plan provides an opportunity for stakeholders including the Dover Society, the District Council, the Town Council, Kent County Council, Kent Highways, individual householders and local businesses to take a part in positively managing the area. The recommendations are briefly outlined in paragraph 3 of this report.

## 2. Introduction and Background

2.1 At Cabinet on 6 February 2023 the Draft Dour Street, Dover Conservation Area Appraisal was approved for public consultation. The appraisal has been carried out by the Dover Society in conjunction with Council officers, following recommendations in the Dover District Heritage Strategy.

- 2.2 The consultation period ran for six weeks from 30 May 2023 to 11 July 2023. The Council received 7 responses from individuals or organisations. There were no objections to the Conservation Area Appraisal and the findings were generally supported.
- 2.3 Further to comments received during the consultation additional text, indicated in **bold** in the Appraisal, has been inserted to make the document more robust and to assist with the interpretation of the Appraisal. Deleted text has strikeout. A word copy of the Appraisal has been included at Appendix 1.
- 2.4 The representations received, together with the proposed District Council response and amendments, are set out in Appendix 2.

### 3. Management Plan Recommendations

- 3.1 The Dour Street, Dover Conservation Area was first designated in 1987. Local planning authorities are required under the Planning (Listed Buildings and Conservation Areas) Act 1990 to review their conservation areas from time to time to ensure that the original designation was correct, and to formulate and publish proposals for further enhancement and preservation of their conservation areas. This appraisal has, therefore, been produced in compliance with this requirement.
- 3.2 The draft appraisal included a management plan which identifies the vulnerabilities and negative features of the conservation area and sets out a number of recommendations which would assist the Council in discharging its statutory duty with respect to the protection of the conservation area. All respondents to the public consultation supported the recommendations and they have been taken forward into the final draft. The recommendations all seek to ensure that the prevailing historic or architectural character of the conservation area as identified in the appraisal is protected or enhanced where possible.
- 3.3 The recommendations are as follows:
  - Extension of boundary: the appraisal identified two potential extensions to the existing boundary;
    - Hewitt Corner which is the only green space in the area and which contains a significant tree. The tree would be afforded protection by virtue of the conservation area designation.
    - The police station on Park Place which is considered to be a historic building of architectural interest contributing positively to the character of the area. Should any proposals come forward seeking to redevelop the site, the heritage value of the building would be taken into consideration.

The proposed extensions to the Conservation Area would need to go through separate formal procedures including a further public consultation. The results of this would be reported back to Cabinet.

- Enhancement of the public realm: a number of opportunities to improve the public realm were identified and noted in the draft appraisal. The public consultation highlighted a further potential enhancement scheme, and this has been included in the text.
- Potential for the implementation of an Article 4 Direction: This recommendation would be subject to approval by Cabinet for a further public consultation exercise, the results of which would be reported back to Cabinet to confirm implementation.

The appraisal sets out the type of development which would normally be permitted for dwellings that would be removed by the Direction. The intent of a Direction is not to prevent change but rather to manage it, ensuring any alterations within a conservation area would be sympathetic to its special historic or architectural character as set out in the character appraisal. In addition, where inappropriate alterations have been made, the Direction would provide an opportunity to encourage more sensitive change which would be an enhancement to the established character of the conservation area.

## 4. Identification of Options

- 4.1 Option 1: That the amendments to the Dour Street, Dover Conservation Area Appraisal are agreed and it is adopted as a material consideration for planning purposes: or
- 4.2 Option 2: That the amendments to the Dour Street, Dover Conservation Area Appraisal are not agreed and it is not adopted as a material consideration for planning purposes.

## 5. **Evaluation of Options**

- 5.1 The Appraisal would be used to identify opportunities for environmental improvements, inform new development and to act as an evidence base for the evaluation of new proposals. The Regulation 19 draft of the Dover District Local Plan is a material planning consideration in the determination of planning applications, however at this stage in the plan making process, the policies of the draft plan do not carry full weight. The appraisal will support the implementation of draft policy HE2 which relates to the protection of designated conservation areas. It would also be used by Planning Inspectors in appeal situations and as it has been through a public consultation greater weight can also be attributed to it.
- 5.2 The Appraisal has been produced in response to the recommendations in the Dover District Heritage Strategy and the accompanying Action Plan. It therefore, implements part of the Heritage Strategy.
- 5.3 If the Appraisal was not adopted, then the benefits outlined above would not be realised and the special character of the Conservation Area could be at risk through inappropriate development. The first option is, therefore, recommended.

### 6. **Resource Implications**

6.1 The Appraisal would be made available on the District Council's website. No further internal resources would be required.

## 7. Corporate Implications

- 7.1 Comment from the Director of Finance (linked to the MTFP): Accountancy has been consulted and has no further comments. (SK)
- 7.2 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.
- 7.3 Comment from the Equalities Officer: 'This report regarding the adoption of the Dour Street, Dover Conservation Area Character Appraisal 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 <a href="http://www.legislation.gov.uk/ukpga/2010/15/section/149">http://www.legislation.gov.uk/ukpga/2010/15/section/149</a>'

7.4 Other Officers (as appropriate):

## 8. Appendices

Appendix 1 – Dour Street, Dover Conservation Area Character Appraisal

Appendix 2 - Analysis of Representations and Suggested District Council Response

## **Background Papers**

Cabinet Report 6 February 2023.

Contact Officer: Alison Cummings, Principal Heritage Officer, extension 2464

## Contents

- 1. Introduction
  - 1.1. Background
  - 1.2. Planning Policy Context
  - 1.3. Community Involvement
  - 1.4. Summary of Significance
- 2. The Character Appraisal
  - 2.1. Dour Street
  - 2.2. Park Street
  - 2.3. Park Place
- 3. Management Plan
  - 3.1. Vulnerabilities and Negative Features
  - 3.2. Recommendations
    - a)Extensions of boundary
    - b)Enhancement of the public realm
    - c) Article 4 Direction
- 4. Appendices
  - 4.1. Historical development
  - 4.2. Map of existing and proposed boundary
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  - 4.4. Acknowledgements and References
  - 4.5. Glossary

## PART ONE INTRODUCTION

## 1.1.1 BACKGROUND

The Dour Street Conservation Area lies to the northeast of High Street and comprises three Victorian mainly residential streets: Dour Street, Park Street and Park Place with some 100 houses, a short parade of shops and a former public house. The conservation area was designated on 30 July 1987 and this appraisal was carried out during 2018.

The area was part of the Maison Dieu lands until at least 1544 when the Pilgrims' Hospice (founded in 1203) was surrendered to the Crown during the Dissolution of the Monasteries. A 1737 map held by Dover Museum, the earliest map of the area available, shows the area as fields, although apparently divided into sections with possibly wooden sheds in each. These could have been market gardens.

The development of the area was part of the rapid increase in population and the need for houses in Dover during the 19<sup>th</sup> century.

An appraisal is intended to provide an understanding of the special interest of a conservation area and to set out options and recommendations to help ensure that any changes are informed by an understanding of the local character and distinctiveness of the conservation area. When this appraisal is adopted by Dover District Council (DDC) it will become a material consideration in the determination of applications for planning permission within and adjacent to the conservation area.

This appraisal looks at the following issues:

- 1. The origins and evolution of the area under consideration.
- 2. The current boundary of the area and any review that should be made of that.
- 3. The positive and negative factors that contribute to or detract from the current condition of the conservation area.
- 4. Any recommendations that will protect and enhance the conservation area. Any changes proposed must sustain and enhance the historic environment and its heritage.

## **1.2 Planning Policy Context**

The Planning (Listed Building and Conservation Areas) Act 1990 sets out the statutory definition of a Conservation Area, which is "an area of special architectural or historic interest, the character and appearance of which it is desirable to preserve or enhance" (s.69(1)). Dover District currently has 57 designated Conservation Areas.

There is a requirement under the legislation to review Conservation Areas "from time to time" to ensure that the boundary captures all the area that is of special interest and to assist in developing plans for the management of change within the conservation area. This is further endorsed by the National Planning Policy Framework (2019) which urges the need to ensure that an area justifies the designation because of its special architectural or historic character or appearance.

The Dover District Heritage Strategy (updated Sept 2020) presents the districts Heritage Assets as Themes; Theme 13 dealing with conservation areas. The districts conservation areas are considered to be heritage assets of **outstanding significance**, and in addition to being attractive places to live and work, contribute to the economic wealth of the district by being a magnet for visitors.

A methodology was developed for the Heritage Strategy enabling a rapid desk-based assessment of the general condition of the districts conservation areas and applied to 19 of the conservation areas. The results of this overview, using a traffic-light system to classify their condition, indicate that of the 57 conservation areas in the district 12 of these conservation areas were identified as 'performing well' and achieved a green light, six achieved an amber light, requiring some enhancement, and one area required considerable enhancement or potential "de-designation" as a conservation area, due to the substantial loss of its character of special interest. Dour Street is one of the 19 conservation areas on which the rapid assessment was carried out, and the results have informed this more detailed appraisal.

Theme 13 describes methods and techniques by which an area's condition may be measured, assessed and managed; Article 4 Direction is one such method. An Article 4 Direction removes permitted development rights from residential properties to ensure that certain changes, such as the replacement of windows, is managed to ensure that the change is appropriate to the special character of the conservation area.

The Heritage Strategy also suggested the formulation of a system for the assessment of a conservation areas condition such as that developed and adopted by the Oxford City Council, endorsed by Historic England and used by the Oxford Preservation Trust. That system has been used to inform this character appraisal, in addition to best practice guidance contained within the Historic England Advice Note 1: Conservation Area Designation, Appraisal and Management (Feb 2016).

## **1.3 COMMUNITY INVOLVEMENT**

This character appraisal has been prepared by The Dover Society in close liaison with DDC. The Dover District Heritage Strategy highlights the importance of local community involvement in the protection of the historic environment. There are two specific areas where that involvement is encouraged. First, local civic groups are encouraged to develop appraisals of conservation areas within their locality. Secondly, the production of a List of Heritage Assets is encouraged. This appraisal is, therefore, consistent with the aspirations of the DDC Heritage Strategy.

Every resident in this conservation area was informed by letter during July 2018 that the appraisal would be carried out. The letter also contained a short questionnaire to which the residents were invited to respond. There was also an announcement in the local press inviting comments. Only one resident replied, complaining about the state of some front gardens. There were no other comments.

## 1.4 SUMMARY OF SIGNIFICANCE

- 1 Originally part of the Maison Dieu lands, the conservation area comprises the mid 19<sup>th</sup> Century development. The short historical development and the consistency in building form, detailing and materials gives the area a strong sense of cohesion and continuity. It has remained relatively unchanged since being built except for two modern blocks of flats replacing housing destroyed by Second World War bombing and a post war business building (all excluded from but have an impact on the conservation area).
- 2 Most of the area comprises long terraces of brick-built houses, part rendered with decorative features fronted by short gardens enclosed by low brick walls. The short parade of shops, whilst simpler in design, complement the terraced housing, providing a connection to High Street via Ladywell.

- 3 Whilst views into and out of Dour Street are limited, which creates a sense of enclosure and intimacy within a dominantly residential community, the linear east/west orientation of Park Street provides views to Connaught Park on the outskirts of the town and the busy High Street respectively.
- 4 Whilst Dour Street is comparatively quiet with on road parking, Park Street/Park Place is a busy, bus route thoroughfare linking High Street with Maison Dieu Road.

## 2. THE CHARACTER APPRAISAL

The Dour Street Conservation Area lies to the northeast of High Street and comprises three Victorian mainly residential streets: Dour Street, Park Street and Park Place with some 100 houses, a short parade of shops and a former public house. The development of the area was part of the rapid increase in population and the need for houses in Dover during the 19<sup>th</sup> century. The main features are the attractive and original terraces of houses in both Dour Street and Park Street, which are generally well maintained.

## 2.1 DOUR STREET

## Overview

Dour Street is a long, straight street, less than five minutes' walk from the High Street with a quiet but active and pleasant atmosphere. Originally, the buildings on both sides of the street were constructed within a relatively short timeframe and to a very consistent pattern. At one end of the road was a bakery. Constructed between 1859 and the early 1880s, there were around 66 houses in total plus the bakery. A narrow access road through the southwest terrace led to a wood yard at the rear.

This regularity and completeness was shattered by bombs and shells during the Second World War. They destroyed a group of a dozen houses in the northeast terrace and a similar number at the end of the southern terrace, shattered windows and damaged roofs. The northern gap was filled by a three storey council block of flats set well back from the frontage line. The flank walls of the remaining houses either side were rendered for weatherproofing. A couple of unsympathetic office buildings were built at the end of the southwest terrace. In the early 80s, the wood yard was developed for housing and the access road was widened by demolishing one end terrace. The flanks of both houses have been rendered and painted.

Fortunately, there are sufficient houses on both sides of the road to allow one to appreciate the original design intent, particularly looking from the west end. The regularity and repetition of the elements (brick upper walls and rendered lower walls, windows and doorways) and the subtle variation of the details (such as window surrounds, door porticos and render styles) create a harmonious rhythm to the vista along the street which has charm and grace.

## **Buildings**

The original houses were two storey terraces under a relatively shallow pitched slate roof (unfortunately, all the original roof slates have been replaced by artificial slates). The doors are paired and at roof level, the chimney stacks are also paired. This gives a simpler, less fussy overall pattern. Ground floor elevations are all rendered and first floor elevations were originally all in the same yellow stock brick and with all buildings in Dour Street having a plat band, these details contribute to the architectural homogeneity of the street scene. They all had short front gardens with low walls, which would all have had wrought iron railings set on the wall and wrought iron gates.

There are subtle variations which are worth noting as they add considerably to the overall feel without being overly emphatic in themselves. The condition of the buildings is generally good.

The house elevations to the northeast terrace conform to two distinct patterns which break between Nos 18 and 19. The houses to the west of the break line (nos. 19-31) have the simplest detailing on Dour Street, which suggests that they may have been the first built. The front eaves have a short, simple projection. The upper wall is yellow stock brick and the upper windows are simply set within the brickwork, with brick voussoir lintels and thick projecting, painted stone sills. There are two front bedroom windows per house. The lower wall is finished in render, grooved to represent ashlar stonework with a projecting string course capping with doors and windows having a 'keystone' feature in the render above.

The houses to the east of the break line (nos. 16-18) have a similar eaves detail to the neighbours but with a rendered, scalloped frieze below it. Each of the houses in this section has only one upper window. This window surround is exaggerated as an element in the brick wall with a raised render surround and a wide stone cill. The door surrounds are emphasised with corbels and a common pediment, making them a more significant architectural element. The ground floor windows also have a raised rendered surround with a 'keystone' feature. The remaining three houses at the Park Street end of the road are very similar but have additional moulding to the eaves frieze.

In broad terms, the houses on the south west side of Dour Street all conform to the same pattern. The roof has a wide overhanging front eaves detail with flat frieze band in render below it, approximately four brick courses deep. The eaves projection has moulded corbel brackets set either side of the upper windows which are deeper than the render band, emphasizing their presence. There are two first floor windows per house. Each window has a projecting moulded, curved hood feature which has a projecting keystone element and tessellated lower ends. The majority of windows have rendered reveals.

The end four houses (nos.45-48) have very slightly different window surround details and a slightly lower roof pitch. The lower wall elevation is finished in plain render with a deep projecting string course. Front doors are paired, with flat pilasters, plain cornice and pediment above. The ground floor front windows are simply set in the render with a deep stone cill as the only feature, with the exception of no.46 which has a surround similar in detail to nos.1-3 and 16-18 but cruder in execution.

Whilst the architectural openings for doors and windows set the scene for the street, almost all the original timber sliding sash windows have been replaced in uPVC, although some have a sash window appearance. Number 64 is well preserved with its original windows and front door; number 65 has the original style ground floor window. Many have retained glazing bars as a concept which help to maintain the detailed appearance, but others have opted for simple large panes of glass. Front doors have been handled in a similar varied way.

### **Spaces**

The houses are set back behind generally well maintained, short front gardens with low walls and some metal fences. This is combined with the modest height of the eaves to make for a generous feeling of width in the street with plenty of sky above, which gives a good feeling of enclosure without oppression. The cluster of overhead wires however, has a subtle but negative impact on this sense.

### **Streets and Paths**

The original grey granite kerbs and pink granite gutter blocks give a sense of quality to the footpath. The carriageway and footpaths are all finished in tarmac. Much of the tarmac is generally in reasonable condition, but there have been several trenches and repairs since it was originally laid, which is unfortunate. An interesting feature is the band of three rows of dark cobble stones which originally marked the crossing place to the old wood yard access road. This is now the widened entrance to the post war Goodfellow Way.

## Views and Landscape

The street-scape, looking away from the town is of a long vista with a very fine mature tree at the end of the housing. In the distance is a view of Morrison's supermarket entrance in cream and green and in the far distance there are the tree covered slopes of Old Park Hill. It is noted that the planting zone at the end of Morrison's is wide enough to support a much higher planting screen than it supports at present, which would be helpful in closing off the vista. The harmony of the street scene is jarred by the two storey cream painted gable walls which finished off the terraces that survived the bombing and council clearance works. Despite being outside the boundary of the conservation area, the three storey residential block feels overbearing due to its additional storey and bulk, although it has been set back from the existing building line which has mitigated this slightly. It is crudely detailed with no articulation to the street elevation and is considered to have a negative impact on the character of the conservation area.

The view towards the rear of the houses to Park Street is interesting in a 'back of house' sort of way. The view down Park Mews towards the rear of the shops on Park Place is unattractive due to the graffiti, clutter and litter surrounding a service yard. It does, however, give an interesting distant glimpse of the former United Reformed Church tower on High Street as well as the practice tower to the rear of the fire station.

Looking towards the town from the Morrison's end (ignoring the office building) one sees a long vista of harmonious houses with the three storey houses on Park Street closing off the view. The residential block, being set back, is fortunately out of sight but creates a break in the building line which is contrary to the prevailing character of the street.

## Ambience

The Dour Street ambiance is of a pleasant, quiet but active place. It gives pedestrian access from the town to the supermarkets and vehicular access to the Charlton car park, so is not 'exclusive' to passersby. With the well-tended front gardens the space feels 'owned' and looked after by the people who live there, giving it a friendly and safe feel. Cars park on both sides of the road and there is plenty of coming and going, but it doesn't feel like a busy thoroughfare. Dour Street is a few minutes' walk from the shops and facilities on Park Place and High Street giving it the benefits of a central location, but also makes the householders and tenants potentially valuable to the commercial survival of the town centre itself.

## 2.2 PARK STREET

## Buildings

Park Street was constructed between 1861 and 1863 although the road was not made up until 1867. This relatively short period of time has resulted in a consistency and continuity in the style of the buildings although this is spoiled by the modern blocks of flats on the North West side, resulting from bomb damage, which sit outside but adjacent to the boundary. The buildings are three storey terraces on both sides of the road with semi-basements to numbers 10-13 on the south east side. They are constructed mainly from yellow stock brick,

with decorated stucco on the ground floor. A few have had the brickwork painted. The houses have short front gardens leading to the road most of which have been converted to hardstanding for vehicles due to parking restrictions and this has led to extensive loss of the original low boundary walls.

The terraces on either side of the road define the space and the character of the street particularly due to the ornate decorative features. The buildings create a strong horizontal emphasis to the street. All of the houses are in residential use and generally are in good condition. The roofs have a variety of coverings, mostly concrete tiles and few have slates either natural or man-made. There are very ornate brackets on the stucco cornice under eaves.

Numbers 1-13 on the southeast side of the terrace have a total of twelve chimney stacks with no visible evidence of any being removed. The five remaining properties on the northwest side have five chimney stacks. Some stacks have been reduced in height, some have lost the chimney pots, but the majority are in good condition.

Almost half of the doors are of a similar pattern, with the bottom two panels being solid with bolection mouldings and the top panels being semi-circular topped mostly glazed panels, whilst no. 11 has solid top panels with matching bolection mouldings. The latter is believed to be the most original door in Park Street. Replacement doors to the other properties are of a style and materials inappropriate to the conservation area.

The windows have decorated surrounds and are half round on the ground floor, rectangular on the first floor and arched on the top floor. Few have the original wooden box-framed sliding sash windows of a two over two glazing pattern with lambs tongue horns. Most have been replaced unsympathetically with inappropriate styles and materials. The moulded, decorative half round window and door surrounds terminating with leopard faces resonate with the St Martin's Priory coat of arms and are a particularly impressive feature.

## Spaces

The terraces on either side define the street; although the street is a wide boulevard, the limited to no open green spaces creates a busy urban environment. The road and pavements are in reasonable condition and are both tarmac with granite kerbstones. The tall, modern street lights, bollards and signs are a distraction to the visual impact of the buildings. Number 17 retains its original boundary treatment and tiled pathway. The front gardens that have not been put to hardstanding are maintained to varying standards but the square plot at the junction with Dour Street being the site of the bomb damaged No 14 is currently not maintained.

### **Views and Landscape**

To the southwest, two trees in Ladywell car park and an imposing view of the Grade II listed former School of Art dating from the 1890s draw the eye. Beyond is the High Street which is in the Dover College Conservation Area. To the northeast there is a natural focal point at Clyde House on the junction of Godwyne Road, Park Avenue and Maison Dieu Road (the Five Ways) which is backed by the trees of Connaught Park.

## Ambience

Park Street, Park Place and Ladywell join together to form one continuous road linking the High Street to Maison Dieu Road so that the character of one section is influenced by that of the others. It is a busy street being a bus route with through traffic and parking is permitted on one side only. The traffic inevitably creates some noise as does the nearby gym in the former Art School, but the overall impression is of fine Victorian houses built originally for the more wealthy residents of Dover.

## 2.3 PARK PLACE

## Buildings

Park Place was constructed in 1863 as retail premises with the former Park Inn public house opening a year later. The southwest side comprises the 1938 police station which is outside the current conservation area boundary. The buildings consist of the former public house and a single three storey terrace comprising various commercial premises on the ground floor with accommodation above.

They are built to the pavement, constructed mainly from yellow stock brick with red brick half round arched windows on the first floor. Some of the upper floor brickwork has been painted which detracts from the homogeneous character of the terrace. The shopfront of number 4 (currently called Tranquillity) is the most intact historic shopfront whilst the former public house at 1-2 also retains much of its original features. The remainder have all been substantially altered using modern materials and designs in a manner which is not sympathetic to the historic character of the conservation area. Separate ground floor access to the upper floors has been lost in the shop fronts of numbers 6 and 8, which spoils the character and also restricts the residential capabilities of the properties. Shop signage is generally oversized, illuminated and in obtrusive colour schemes and these have the greatest negative visual impact in the street. The ground floor commercial premises are variously retail, catering and offices. The upper floors appear to be residential but their actual use or occupancy is not known.

The roofs are mainly slate either natural or man-made and two are concrete tiled. Number 9 on the corner with Dour Street has an interesting lead hipped roof which tapers to a point at the ridge. Below this to the upper two floors is an impressive large, curved feature. Many of the chimney stacks are missing.

Doors to the public house and one of the shops are original, but the remainder are in a variety of styles and materials that are inappropriate to the conservation area. Most of the windows are wooden box-framed sliding sashes, but the remainder have been inappropriately replaced with other styles and materials and some are in need of repair.

## Spaces

The properties on the northwest side of Park Place are built to the pavement and on the south east side there is the imposing 1938 police station which is currently not in the conservation area boundary. The road and pavements are in reasonable condition having been patch repaired and are both tarmac with granite kerbstones. In this comparatively short

section of road there is little by way of street furniture but there are a few satellite antennae and some untidy cabling which detracts.

## Views and Landscape

To the southeast, there are two trees in Ladywell car park and the view is of Ladywell, the fire station, the Grade II listed former School of Art dating from the 1890s and beyond to the High Street which is part of the Dover College Conservation Area. The River Dour forms the boundary between Park Place and Ladywell, but unfortunately this valued asset is hidden from view by protective walls. To the north east there is Park Street and beyond there is a natural focal point at Clyde House on the Five Ways which is backed by the trees of Connaught Park.

## Ambience

Park Place is fairly wide and lies between Park Street and Ladywell, which join together to form one continuous road linking High Street to Maison Dieu Road so that the character of one section is influenced by that of the others. Park Place is defined by the three-storey terrace on the northwest side and the police station opposite. It is a busy street being a bus route with through traffic and restricted street parking. The traffic inevitably creates some noise as does the nearby gym in the former Art School. Despite many brutal shop front conversions that are unsympathetic to the conservation area, much of the original character remains and resonates well with the adjacent Park Street and Dour Street.

## 3. MANAGEMENT PLAN

## 3.1 VULNERABILITIES AND NEGATIVE FEATURES

1. Condition of the historic environment

The standard of maintenance of the buildings is good with a few exceptions. Visual detractions are the utilitarian modern street lamps in Park Street, bollards, telephone wires and the loss or replacement of historic front boundaries with modern materials (especially the crude block work wall and lack of maintenance of the area it encloses at the corner of Dour Street and Park Street).

2. Loss of historic detailing

The lack of additional planning control, such as an Article 4 Direction, over details such as the replacement of windows and doors in dwellings was very evident. The very high number of uPVC windows is a matter of concern as it detracts from the character and appearance of the historic buildings. The consistent colour of the painted render of all the houses is important to the rhythm of the terraces, but there is already some evidence of this being lost in Park Street. In addition, the loss of most of the original historic shopfronts and replacement with modern shopfronts and signage that is out of scale and of inappropriate materials has degraded the quality of the commercial premises.

3. Impact of adjacent development

The post war block of flats in the middle of Dour Street is a negative feature and imposes on the character of the street. The post war block at the Five Ways end of Park Street does not have the same impact on the eye being at the end of the row, respecting the street frontage line and with the same number of storeys as its neighbour. Any new development on sites adjacent to the conservation area should be sympathetic to the scale, design and materials that are prevalent within the conservation area.

## 3.2 RECOMMENDATIONS

### a. Extension of boundary

One of the tasks of this appraisal has been to review the conservation area boundary in order to ensure that those buildings in it justify their inclusion and to see if it is appropriate to extend the boundary to include additional buildings.

This review concludes that there are no buildings currently within the conservation area which should be excluded from it, but that the boundary should be extended to include:

1. The 'Hewitt Corner' green space and magnificent tree at the Dour Street/Crafford Street junction as it is the only open and green space within Dour Street, and contributes positively to the character of the conservation area.

2. The police station in Park Place as a fine example of a 1930s public building, which although of different architectural style to the majority of the buildings within the conservation area, is a historic building of interest which positively contributes to the conservation area.

### b. Enhancement of the Public Realm

The River Dour, a heritage, ecological, environmental and community asset, forms the boundary of the conservation area and yet is largely invisible. Consideration could be made

to making the river more visible in Park Place/Ladywell by replacing the walls over the river with railings.

Although existing pavement surfaces are in a fair condition, simple, good sized paving slabs would be more in keeping for the footpaths in Dour Street should an opportunity to replace the existing arise. The potential to improve the public realm through creation of a pedestrian-led space with green landscaping was highlighted during the public consultation.

It is noted that the planting zone at the end of Morrison's is wide enough to support a much higher planting screen than it supports at present, which would be helpful in closing off the vista. There may be potential for any new development that might come forward on the site to enhance the current screening.

## c. Article 4 (1) Direction

All local authorities were given the power to impose an Article 4(1) Direction by the Town and Country Planning (General Permitted Development) Order 2015.

It is recommended that an Article 4(1) Direction be implemented for the whole of this conservation area to prevent any further degrading and, if possible as opportunity offers, to install shopfronts of a design sympathetic to the historic character of the conservation area.

The regulations governing that Direction are set out in Appendix 1 of this report.

## **APPENDIX 1**

## HISTORICAL DEVELOPMENT

The area until the Dissolution of the Monasteries in the 16<sup>th</sup> century belonged to the Maison Dieu Pilgrims' Hospice, founded in 1203. Taken over by the Crown, the Maison Dieu buildings became a Royal Naval Victualling Store until the 19<sup>th</sup> century, whilst the surrounding lands, owned by the Crown, were let to farmers. A map of 1737 shows fields and woodland in the Dour Street area and the Park Street area seems to be divided into sections with sheds, possibly market gardens.

### 1737 Map of Dover

According to Bavington Jones's Perambulation of Dover, Dour Street was laid out in 1859 and was to be called Gore Street after the Gorelys who lived at Ladywell Farm and occupied the land. The first four houses were built (probably current numbers 1 to 3 with evidence of number 4 missing) without a water supply, sewer or made up road. By 1882 only 12 houses had been built, but building out of Dour Street was completed by 1883.

Park Street was laid out in 1861 by C B Gorely by arrangement with the Woods and Forests Department, as a continuation of Ladywell along the line of an ancient footpath through the Maison Dieu farmyard. The name Ladywell was proposed, but by then some houses had been built with title deeds naming it as Park Street (after the former Maison Dieu Park). Building was completed by 1863 but the road was not made up until 1867 when it was accepted as a 'through thoroughfare'.

Park Place, on the north side from the river to Dour Street, was laid out by Gorely as a parade of shops with the proviso that they should not compete with his businesses! The Park Inn is mentioned in a Dover Museum list of public houses dated 1851. The Post Office Directory of 1867 names T.S. Brockman as the licensee. It was rebuilt in 1896. IN 2018 it closed as a public house and reopened as a restaurant. On the south side, excluded from the conservation area, is the 1938 Police Station on the site of Ladywell Place where the Ragged School opened in 1850, replaced later by the Union Hall.

During the Second World War bombs wrecked some houses in Dour Street and Park Street that were eventually demolished; others that were damaged were repaired.

In 1947 Dour Street and part of Park Street were compulsorily purchased by the Borough Council, including the bomb-damaged areas where blocks of flats (excluded from the conservation area) were built.

In 1958 the Council bought 158 houses from the Crown Estate in Maison Dieu Road, Dour Street, Leyburne Road and Harold Street. Dover District Council still owns 26 houses in this conservation area.

Between Dour Street and the River Dour was part of William Crundall's timber yard until compulsorily purchased to enable Goodfellow Way to be built by the council in 1982. Access was via the former yard entrance which was widened (the original width is still indicated by cobblestones and kerbstones in situ). It is not clear whether the existing Dour Street houses either side of Goodfellow Way were modified to enable the road widening or as a result of bomb damage – one house number is also missing. Similarly, compulsory purchase enabled Hewitt Road, off Dour Street, to be built in 1980 with the bombed site of Hewitt's Bakery retained as a green open space where there is a magnificent tree (Aruncus Dioicus), planted by Jack Hewitt at the opening of the new development.

## Appendix 2: map

Showing existing and proposed boundary change

## **Appendix 3 PLANNING CONTROLS**

All local authorities were given the power to impose an Article 4(1) Direction by the Town and Country Planning (General Permitted Development) Order 2015.

An Article 4(1) Direction reinforces the Council's ability to protect the special character of a town. The Direction would give control over a variety of alterations to unlisted single dwellings. Planning permission would be required for changes to windows, doors, roof materials, and chimney stacks, and the construction of external porches, the provision and removal of walls and fences and the provision of hard standings.

These controls do not relate to the whole building but only to those elevations which front a highway, waterway, or public open space, and which, therefore, affect the public face or faces of the building.

The best way of preserving the character of a building is to repair it using traditional materials. By using traditional materials there is no change to the external appearance and planning consent may not be required.

Direction 4(1) requires the submission of a planning application for the following items of work where the works front a highway, waterway or open space:

- The enlargement, improvement or other alterations of the house. This includes changing windows and doors.
- Any alterations to the roof, including roof lights, dormer windows, the substitution of clay tiles or natural slates with concrete or other materials.
- The erection or construction of a porch outside an external door.
- The provision of a hard surface e.g. for car parking in the front garden.
- The erection, alteration or removal of a chimney on the house or on a building within its curtilage.
- The erection, construction maintenance, improvement or alteration of a gate, fence or other means of enclosure.
- The painting of the external masonry (or other walling material) of any part of the house (or building or enclosure within the curtilage of the house). For the avoidance of doubt this does not include the routine painting of masonry or other walling material in the same colour.
- The installation, alteration or replacement of a satellite antenna on a house or within the curtilage of a house.

If the house is listed then Listed Building Consent for both external and internal alterations and extensions is required.

For further information consult the Dover District Council Planning website.

## **APPENDIX 4 ACKNOWLEDGEMENTS AND REFERENCES**

- John Bavington Jones: Dover, A Perambulation 1907
- Jack Hewitt: Greetings Dover! 2002
- Derek Leach: Streets of Dover 2009
- Terry Sutton and Derek Leach: Dover in the Second World War 2010
- Details of the Park Inn supplied by Paul Skelton.
- 1737 map courtesy of Dover Museum.
- Historic photographs courtesy of Dover Museum, Rosemary Wells and Lisa Hudson.

## **APPENDIX 5 GLOSSARY**

- **Conservation Area** is an area designated so that the planning authority can control changes within it. They can be defined as "Areas of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance". Details can be found in the conservation pages of the DDC website.
- **Dover District Council (DDC)** is the planning authority with responsibility for this conservation area. Their website is www.dover.gov.uk.
- **English Heritage** in this report refers to the body officially known as the "Historic Buildings and Monuments Commission for England", which is the public body that looks after England's historic environment. It is now known as **Historic England** and their website is www.historicengland.org.uk.
- *Heritage Strategy* is a DDC strategy which aims to enable them to achieve their objectives for the protection and enhancement of the historic environment. The strategy documents can be found in the conservation pages of the DDC website.
- *Kent County Council (KCC)* is the authority with responsibility for, amongst other things, the highways in this conservation area. That responsibility includes road and pavement surfaces, signage and street lighting. Their website is www.kent.gov.uk.
- Listed Building is one designated as listed in the National Heritage List for England (NHLE). It marks and celebrates a building's special architectural and historic interest, and also brings it under the consideration of the planning system so that some thought will be taken about its future. There are three categories of listed building: Grade I, Grade II\* and Grade II. Details are on the Historic England website.
- **National Planning Policy Framework** is a key part of Government reforms to make the planning system less complex and more accessible, to protect the environment and to promote sustainable growth. Details can be found at the government's planning portal www.planningportal.gov.uk.
- Non-designated Building refers to one which is not listed.
- **The Dover Society** is the civic society for Dover and surrounding villages. Its website is www.thedoversociety.co.uk.
- **uPVC** in this report refers to windows and doors, generally of aluminium construction, coated with plastic (usually white).

Appendix 2: Analysis of public representation

| Full Name   | Organisation (if applicable) | Do you have any comments about the draft Conservation Area Character Appraisal?                            | Do you agree or have any comments on the recommendations set out in the management plan?   | Council Response   |
|-------------|------------------------------|--|--|--|
| Ross Miller |                              | Overall this is a very good assessment of<br>the conservation area & matches very<br>closely with my views | <ul> <li>I fully agree with <ul> <li>a) the extension of the area to incorporate both</li> <li>the Black Walnut &amp; grassed area at the Charlton</li> <li>Green end of Dour St &amp; the Police Station on</li> <li>Park Place.</li> <li>b) the proposed implementation of an Article 4</li> <li>Direction to prevent any further loss of the</li> <li>historic fabric of the area</li> <li>c) the suggestion of improving the pavements in</li> <li>Dour St, which I would take further to</li> <li>incorporate Park Place &amp; Park Road</li> <li>d) the suggestion to replace the existing solid</li> <li>walls over the river with high quality railings to</li> <li>open up the vista</li> </ul> </li> </ul> | Comments noted and<br>welcomed   |
| Ross Miller |                              |  | e) finally I would suggest that where possible<br>the commercial property owners should be<br>incentivised to restore shop frontages & replace<br>concrete tiles with slate all of which would<br>vastly improve the context & feel of the area  | There is currently no available funding.                                     |
| ID 3914671  |                              |  | I am supportive of the Article 4 Direction for the area but unfortunately for Park Street it is about 25 years too late.   | Text to photo has been<br>altered to remove<br>reference to<br>windows/door. |

|                   |    | Number 11 Park Street is highlighted in the<br>appraisal as 'one of the few buildings retaining<br>historic windows and entrance door'<br>That was the case until around the time that the<br>report was released when the windows and<br>door were replaced with inappropriate PVC<br>items by the owner of the property - Dover<br>District Council Housing Department!  | The Article 4 Direction<br>will cover future changes<br>and ensure that these<br>are appropriate to the<br>character of the area.  |
|-------------------|----|--|--|
| Stephen<br>Waring | No | Yes. I agree with the application of an Article 4<br>direction. As well as letting owners/residents<br>know what this entails (planning permission for<br>a range of changes, including replacement of<br>windows, doors, painting previously unpainted<br>brickwork etc.) there should be encouragement<br>for residents to replace newer uPVC doors and<br>windows with appropriate alternatives, remove<br>paint from painted brickwork, and replace front<br>boundaries with (appropriately detailed) low<br>walls and railings above and gates. DDC<br>should also provide detailed examples<br>(including drawings) of appropriate original<br>detailing which could be used by owners<br>looking to refurbish or undertake work on their<br>properties. | An Article 4 Direction<br>will explicitly set out the<br>Permitted Development<br>Rights that are subject to<br>the Direction. Each<br>application for planning<br>permission would be<br>considered on its own<br>merits. |
|                   |    | be encouragement, however, for all windows to<br>be appropriately double-glazed, though done in<br>a sympathetic way. There are now extremely<br>good quality, and appropriate-looking double<br>glazing systems in wooden framed windows.   |  |

| Stephen<br>Waring |                                  |  | Some use 'Slimlite' or other proprietary<br>branded slim, gas-filled double-glazing units<br>which are endorsed by Historic England and<br>have a look similar to single-glazed units. A hard<br>approach to refusing double glazing in some<br>conservation areas is unhelpful as we aim for<br>more eco-friendly retrofitting of buildings.<br>If there were a way DDC could financially<br>incentivise such changes (which can be<br>extremely expensive) that would be very<br>helpful.                               | There is currently no available funding.   |
|-------------------|----------------------------------|--|---|--|
| Stephen<br>Waring |                                  |  | Planning permissions should not be<br>unreasonably withheld for developments at the<br>rear of properties - which are invisible to the<br>street front. Such extensions, which make this<br>type of property more useable for modern<br>residents include infilling at ground level of side<br>returns (with glazed roof lights etc), or<br>ground level rear extensions with wide glazed<br>openings. These represent the technology of<br>today, which simply wasn't available at the time<br>of original construction. | The Article 4 Direction<br>covers only the front<br>elevation or any<br>elevation adjacent to a<br>highway so would not<br>include alterations to the<br>rear. |
| Dan Kemsley       | Local<br>Government<br>Authority | No I think the appraisal captures all of<br>the necessary detail of items for<br>consideration.  | No - any recommendations which seek to<br>preserve heritage and character should be fully<br>endorsed.  | Comments noted and welcomed  |
| M White           |                                  | The Appraisal doesn't pull any punches,<br>but I am surprised that it seems to<br>indicate that an area can be designated<br>as a Conservation Area, yet have no |   | Dour Street<br>Conservation Area is an<br>existing designation.  |

|                   |                  | associated controls applied as to what<br>happens within it. It appears pointless<br>to be unable/unwilling to exercise any<br>form of control over modifications and<br>maintenance specifications. It might as<br>well be deregistered as a Conservation<br>Area, and let everyone do exactly as<br>they please. |   | The Article 4 Direction is<br>recommended in the<br>appraisal specifically to<br>provide a level of<br>management which<br>designation does not<br>afford.   |
|-------------------|------------------|--|---|--|
| M White           |                  |  | I agree with all three recommendations and in particular that relating to Article 4 Direction.  | Comments noted and welcomed  |
| Alan Gibbs        |                  | I agree with the Appraisal.  | I agree that DDC should pursue the Direction 4.   | Comments noted and welcomed  |
| Alan Gibbs        |                  |  | Also the council should try and make Dour<br>Street a shared pedestrian and traffic area with<br>additional landscaping features to enhance the<br>visual appearance of the area. | Comment noted and text<br>added:<br>The potential to<br>improve the public<br>realm through creation<br>of a pedestrian-led<br>space with green<br>landscaping was<br>highlighted during the<br>public consultation. |
| Alice<br>Brockway | Historic England | We are especially pleased that this<br>appraisal was written by members of<br>the Dover Society and commend the<br>Dover Society for undertaking this work.<br>We think this is an excellent example of  |   | Comments welcomed  |

|                   |                  | community led work around our important heritage.   |   |                 |
|-------------------|------------------|---|---|-----------------|
| Alice<br>Brockway | Historic England | For the Dour Street Conservation Area<br>Appraisal, we think there could be<br>opportunities to introduce additional<br>mapping and particularly photographs,<br>to enhance the appraisal, but we do not<br>think this is essential and that the<br>document could be adopted in its<br>current form. |   | Comment noted.  |
| Alice<br>Brockway | Historic England |   | If future appraisals, drafted by the Society,<br>include a management plan, it may be helpful<br>to acknowledge this in the title of the document<br>though we note this is ultimately a decision for<br>the Local Authority.<br>We accept the management proposals for the<br>Dour Street Conservation Area are reasonably<br>limited given its size and likely threats and<br>opportunities to the area.<br>Depending on the resource available, an action<br>plan can also be a useful to tool as an<br>addendum to an appraisal and management<br>plan. But we always suggest if used, that these<br>are realistic in terms of what is achievable with<br>the available resource. | Comments noted. |
|                   |                  |   | We also noted that when the Dover Society engaged the local community in the Dour   |                 |

|                   |                  | Street Conservation Area, they did not receive many responses.  |  |
|-------------------|------------------|---|--|
| Alice<br>Brockway | Historic England | Finally, when producing a conservation area<br>appraisal and management plan, it is important<br>to refer to Local Plan Policies and National<br>Policies where relevant. | There are no heritage<br>policies within current<br>Core Strategy. Future<br>appraisals will refer to<br>the new Local Plan once<br>adopted which does<br>contain heritage policies.<br>The NPPF is noted under<br>section 1.2 but not the<br>paragraph number: this<br>is to future-proof against<br>potential paragraph<br>number changes. |

| Subject:               | PROVISION OF INTERIM HOUSING FOR UKRAINIAN REFUGEES<br>VIA THE GOVERNMENT'S LOCAL AUTHORITY HOUSING FUND   |  |  |
|------------------------|--|--|--|
| Meeting and Date:      | Cabinet – 4 September 2023   |  |  |
| Report of:             | Helen Lamb, Head of Finance and Investment   |  |  |
| Portfolio Holder:      | Councillor Pam Brivio, Portfolio Holder for Housing, Skills and Education  |  |  |
| Decision Type:         | Executive Key Decision   |  |  |
| Classification:        | Unrestricted   |  |  |
| Purpose of the report: | To accept funding from Kent County Council via the Government's<br>Local Authority Housing Fund to acquire six properties for affordable<br>rent, initially as interim housing for refugees, and later for general<br>needs housing.   |  |  |
| Recommendation:        | It is recommended that Cabinet:  |  |  |
|                        | <ol> <li>Approves a project to acquire, and where necessary refurbish,<br/>six properties for affordable rent, under the terms of the Local<br/>Authority Housing Fund (LAHF) programme.</li> </ol>  |  |  |
|                        | 2. Authorises the Head of Finance and Investment, in consultation with the Portfolio Holder for Housing, Skills and Education, to take the necessary decisions and actions to progress the project and purchase the properties including (but not limited to) accepting LAHF grant funding from Kent County Council, agreeing the purchase price, approving the sale purchase agreements, appointing any necessary professional advisers, and agreeing works to bring the properties up to lettable standards. |  |  |
|                        | 3. Authorises the Head of Finance and Investment, in consultation with the Portfolio Holder for Housing, Skills and Education, to accept further funding, if awarded, from the LAHF, and acquire additional properties as required by the grant funding conditions and in accordance with recommendation 2.  |  |  |

#### 1. Summary

- 1.1 On 14 December 2022, the Government launched Round 1 of the Local Authority Housing Fund (LAHF) to help local authorities (LAs) to house people fleeing conflict predominantly from Ukraine and Afghanistan.
- 1.2 Funding allocated to Kent County Council (KCC) under this fund has been offered to Dover District Council (DDC) to acquire six properties for affordable rent, initially as interim housing for Ukrainian refugees, and later for general needs housing.

### 2. Introduction and Background

2.1 A number of initiatives have been launched by Central Government in order to support refugees arriving from Ukraine through recognised Government assistance programmes.

- 2.2 The Local Authority Housing Fund is designed to help local authorities to house people fleeing conflict predominantly from Ukraine and Afghanistan. The intention of the fund is to reduce the impact of new arrivals on existing housing pressures and eventually provide a new and permanent supply of accommodation for local communities.
- 2.3 KCC has been awarded funding under the LAHF, and under the funding conditions can provide funding to Registered Providers to enable them to acquire properties to be let to Ukrainian refugees, and later for general needs housing.
- 2.4 KCC has made available £840,000 for DDC to acquire, own and manage 6 x 2bedroom houses.
- 2.5 Properties provided can be new build or refurbishment of existing properties. Viability appraisals have been carried out and demonstrate that the delivery route at least risk to the Council is via purchase and repair (P+R) where existing properties are purchased and refurbished to meet lettable standards.
- 2.6 Properties may be let at Affordable Rents, and a Local Lettings Policy may be put in place to match eligible households and also meet local needs.
- 2.7 KCC has previously granted revenue funding to enable the Council to provide support for refugees, which will be utilised to support the residents of the six properties, as required.

#### 3. Identification of Options

- 3.1 Option 1 Accept KCC offer of LAHF funding. Accept funding from KCC to acquire 6 new homes. DDC to finance the remaining purchase costs, allocate and manage the properties.
- 3.2 Option 2 Refuse KCC offer.

#### 4. **Evaluation of Options**

4.1 **Option 1 - accept offer**. This gives the Council the opportunity to receive funding to acquire six homes. The homes will be interim homes in the short term, and then, when no longer required for the schemes for Ukrainian refugees, will be transferred into general needs stock, or remain as interim housing for groups outside the parameters of the schemes.

The amount of capital funding offered is sufficient to acquire the properties in line with the usual DDC financial parameters. The shortfall in development costs could be adequately covered by borrowing over 40 years, serviced by the rental income.

This is the recommended option.

4.2 **Option 2 - refuse offer.** The opportunity to receive funding to add to the housing stock would be lost.

This option is not recommended.

#### 5. **Resource Implications**

- 5.1 The overall funding offered is £840,000. The funding is capital funding only, and it cannot be combined with Affordable Housing Programme funding or Retained Right-to-Buy receipts.
- 5.2 The capital funding offered is at higher rates than would be allowable when spending Right-to-Buy receipts, and also at higher rates than would usually be received from Homes England.

- 5.3 A viability appraisal has been completed, using standard Council assumptions in relation to project costs, and taking into consideration the current availability and cost of suitable properties on the open market. This appraisal will be updated in real time, based on actual costs over the life of the project to ensure the project remains within acceptable viability parameters.
- 5.4 The amount of capital funding offered via the LAHF funding from KCC is insufficient to acquire the six properties outright via purchase and repair. In line with the usual DDC financial parameters the shortfall in development costs could be adequately covered by borrowing over 40 years, serviced by the rental income.

### 6. Climate Change and Environmental Implications

6.1 The properties purchased will be existing properties, and where necessary works will be carried out to improve the energy performance and thermal efficiency of the buildings.

### 7. Corporate Implications

- 7.1 Comment from the Strategic Director (Finance and Housing): Accountancy have been consulted in the writing of this report and have no further comment to add. (AC)
- 7.2 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. (HR)
- 7.3 Comment from the Equalities Officer: This report relating to the project to acquire, and where necessary refurbish, 6 properties for affordable rent, under the terms of the Local Authority Housing Fund (LAHF) programme 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 (KMC)
- 7.4 Other Officers:

### 8. Appendices

8.1 Appendix 1 – Local Authority Housing Fund Prospectus

#### 9. Background Papers

- 9.1 Cabinet Report 6th March 2023 PROVISION OF INTERIM HOUSING FOR UKRAINIAN AND AFGHAN REFUGEES VIA THE GOVERNMENT'S LOCAL AUTHORITY HOUSING FUND.
- 9.2 Decision between meetings 12<sup>th</sup> July 2023 PROVISION OF AFFORDABLE HOUSING FOR AFGHAN REFUGEES AND GENERAL NEEDS INTERIM HOUSING VIA THE GOVERNMENT'S LOCAL AUTHORITY HOUSING FUND – ROUND 2.

Contact Officer: Rachel Collins – Strategic Housing Manager



Local Authority Housing Fund

Prospectus and Guidance

December 2022 Department for Levelling Up, Housing and Communities

### 1. Introduction

Earlier this year the United Kingdom took the historic decision to welcome tens of thousands of Ukrainians fleeing the invasion of their homeland. Since then, and thanks to the generosity of the British public, more than 150,000 Ukrainians have been welcomed into homes and communities under the Homes for Ukraine and Ukraine Family schemes. We have also welcomed around 23.000 Afghans who worked alongside the UK Government and risked their lives alongside our Armed Forces, as well as people who assisted UK efforts in Afghanistan.

Local authorities play a vital and integral role in welcoming and integrating recent visascheme arrivals to the UK. It is thanks to the hard work of so many in local government, and the wider public sector, across all parts of our country that we have been able to welcome so many people to safety. The Government is introducing further support to help our guests from Ukraine and those who arrived from Afghanistan to find their feet, including local help to find suitable private rented accommodation; assistance via the Department of Work and Pensions to access benefits, skills training and gain employment; and signposting and access to charities and mental health providers. This is backed up by the tariff that authorities receive for each Homes for Ukraine guest arriving in their area; the Afghan Resettlement Schemes to support integration; and additional funding specifically for education and healthcare in the first year of arrival on the Homes for Ukraine scheme.

To assist local authorities further, the Department for Levelling Up, Housing and Communities (DLUHC) is introducing a £500 million capital fund – the Local Authority Housing Fund (LAHF) – for local authorities in England to provide accommodation to families with housing needs who have arrived in the UK via Ukrainian and Afghan resettlement and relocation schemes. Local authorities who have welcomed arrivals are facing challenges in securing settled accommodation for these households, which unless alleviated will further impact existing housing pressures. LAHF will help them to address these immediate pressures as well as build a sustainable stock of affordable housing for the future.

This prospectus sets out the objectives for the fund, what local authorities can spend the grant on, defines the cohort eligible, and the process we will follow for allocating grants to local authorities.

# 2. Purpose of the fund

The Local Authority Housing Fund is a £500m capital grant fund in financial years 2022/2023 and 2023/2024 to support selected local authorities in England to obtain and refurbish property in order to provide sustainable housing for those unable to secure their own accommodation who are here under the following schemes: Afghan Citizen Resettlement Scheme (ACRS), Afghan Relocations and Assistance Policy (ARAP) (collectively referred to as the Afghan Schemes), Ukraine Family Scheme, the Homes for Ukraine and the Ukraine Extension Scheme (collectively referred to as Ukraine schemes ). A full definition of the eligible cohort is at section 3.2.

As well as helping to fulfil the UK's humanitarian duties to assist those fleeing war, this fund will reduce the impact of new arrivals on existing housing pressures and ultimately create a lasting legacy for domestic households by providing a new and permanent supply of accommodation for local authorities to help address local housing and homelessness pressures. We expect up to 4,000 properties would be provided through this fund.

Local authorities will be allocated capital funding under section 31 of the Local Government Act 2003 on the basis of a formula. Delivery targets will be based upon this funding allocation, estimated by a blended grant per property model. Local authorities will determine the most effective means to deliver the fund objectives in their area.

The grants will be non-ringfenced and we will sign Memoranda of Understanding with all local authorities receiving funding to set out our shared expectations for how the fund should be delivered.

Local authorities in scope of the funding formula for this fund will be contacted with their indicative allocation and asked to return a proposal on how they would deliver this accommodation in line with fund objectives outlined below.

### 2.1 Fund Objectives

The fund aims to alleviate housing pressures on local authorities arising from recent and unforeseen conflicts in Afghanistan and Ukraine. As part of this government's humanitarian response to these crises, we have welcomed over 170,000 people to the United Kingdom. This act of generosity has unavoidably created additional demand for housing at a time when local authorities are already under strain.

The objectives of the fund are to:

- Ensure recent humanitarian schemes (Afghan and Ukraine schemes) which offer sanctuary, via an organised safe and legal entry route, to those fleeing conflict, provide sufficient longer term accommodation to those they support.
- Support areas with housing pressures which have generously welcomed substantial numbers of Ukrainian refugees so that these areas are not disadvantaged by increased pressures from these arrivals on the existing housing and homelessness systems.
- Mitigate the expected increased pressures on local authority homelessness and social housing resources which arise from the eligible cohort (as defined at section 3.2 of the fund's prospectus) as sponsorship/family placements/bridging accommodation arrangements come to an end by increasing the provision of affordable housing available to local authorities to support those in the cohort who are homeless, at risk of homelessness, or in bridging accommodation;
- Reduce emergency, temporary and bridging accommodation costs;

- Deliver accommodation that as far as possible allows for the future conversion of housing units to support wider local authority housing and homelessness responsibilities to UK nationals (i.e. after usage by this cohort ends);
- Utilise accommodation solutions to enable effective resettlement and economic integration of the eligible cohort.
- Reduce impacts on the existing housing and homelessness systems and those waiting for social housing.

# 3. What the funding can be used for

Within the framework of the purpose and objectives of the fund set out above, we want to provide local authorities with as much flexibility as possible to shape local delivery according to circumstances in each area. The guidance provided in this document is intended to support this. Local authorities will need to be satisfied that their specific plans are lawful and deliverable.

This fund will pay capital funding in two tranches, to be spent in financial years 2022/23 and 2023/24. Local authorities cannot combine this fund with the Affordable Homes Programme or Right to Buy receipts. There is no revenue funding available. Local authorities will have their own processes in place to determine the accounting treatment of revenue costs directly attributable to capital works. It is for local authorities to determine whether it is appropriate to capitalise any revenue costs and their accounting treatment adopted is deemed compliant with the code of Practice for Local Authority Accounting.

The basic model assumes stock acquisition. In practice this could include, but is not limited to:

- Refurbishing and/or converting local authority-owned residential or nonresidential buildings, including defunct sheltered accommodation;
- Acquiring, refurbishing and/or converting non-local authority owned residential or non-residential buildings, including bringing empty or dilapidated properties back into use;
- Acquiring new build properties 'off-the-shelf', including acquiring and converting shared ownership properties;
- Developing new properties, including developing modular housing on councilowned sites, and;
- Working with and supporting other organisations who want to offer accommodation for this cohort.

Ultimately, local authorities may choose the most appropriate delivery mechanism to achieve the fund's objectives, and to bring on stream the accommodation as quickly as possible.

While local authorities will take the lead in their areas, this does not mean the above activities must be all be undertaken by local authorities. We expect local authorities to work closely with their housing association partners who stand ready to assist and, in

some cases, may be the most appropriate delivery vehicle to achieve the fund objectives. Housing association stock, development, and disposals pipelines could be instrumental in assisting local authorities to deliver this fund, as could their expertise and capacity for stock purchase, management and wraparound support.

Local authorities may choose to acquire properties in their own area or work with neighbouring authorities to acquire properties in their region; it is left to each local authorities' discretion whether collaboration of this kind would be an appropriate route although we would encourage collaboration where possible.

Local authorities should consider the needs of the cohort in their area when determining the size of properties to acquire. Our expectation is that the vast majority of properties acquired will be family sized homes (2-4+ bedrooms).

There are 182 local authorities, plus the Greater London Authority (GLA), eligible for funding. Eligible local authorities will receive an allocation email, which will set out the funding amount and the minimum number of units the LA needs to deliver with this funding. Local authorities or their partners are expected to fund the remainder of the costs, examples include but are not limited to funding from capital receipts, revenue, borrowing or funding by a partner.

Local authorities will be expected to manage this fund within their normal budgetary guidelines, with confidence that any budgeting decisions can be justified to their auditors. We will ask Section 151 officers to agree this with the department via a Memorandum of Understanding (MOU); further details can be found at section 4.

It is expected that all homes delivered through this fund will be affordable/low-cost housing to support wider local authority housing and homelessness responsibilities for the remainder of their lifetime. If properties are disposed of, they will be subject to the Recycled Capital Grant regulations. Funding provided under this fund is for whole-life housing costs and local authorities are expected to use the funding in line with the fund objectives outlined in 2.1. It is up to local authorities to determine the precise rent level and tenure of homes in line with the fund objectives. This could include social rent, Affordable Rent, or a discounted private rent.

# 3.1 Ambition for housing those in bridging accommodation

There are around 9,200 people currently living in Home Office bridging accommodation who are being resettled via the Afghan Relocations and Assistance Policy and the Afghan Citizens Resettlement Scheme. This fund aims to support local authorities to help move more households out of bridging accommodation. Each of the 182 local authorities, plus the Greater London Authority on behalf of London boroughs, in scope for grant funding will be expected to increase their number of pledges to support people under the Afghan resettlement schemes through the usual process (by notifying their Strategic Migration Partnerships) and will be set an ambition for the number of homes to acquire specifically for housing those currently in bridging accommodation. This will be for larger homes (four or more bedrooms), given the average family size of those in bridging accommodation, and the number of properties will be determined by the population size of the local authority. The funding allocation

includes a specific element for the acquisition of larger properties for this cohort. However, local authorities can also use the main element of their funding allocation to move smaller families out of bridging accommodation into smaller homes with fewer than 4 bedrooms in addition to their allotted target for larger homes.

For this fund, we expect all local authorities in scope for funding to deliver their allocation of 4+ bedroom homes for those in bridging accommodation, and local authorities will be asked as part of the validation process whether they are able to deliver those additional units.

If local authorities do not increase their pledges and do not commit to provide sufficient larger homes to this cohort (or if the GLA commits to provide fewer than its targeted amount within London), then their provisional allocation (both the bridging and main element) will be reallocated.

### 3.2 Cohort Definition and Eligibility

Given the objectives of the fund, those eligible for the housing are those who are homeless, at risk of homelessness or who live in unsuitable Temporary Accommodation (including bridging accommodation) and who also meet the below definition.

Those on the:

- Afghan Citizen Resettlement Scheme (including eligible British Nationals under this scheme) (ACRS),
- Afghan Relocations and Assistance Policy (ARAP)
- Ukraine Family Scheme (UFS),
- Homes for Ukraine (HFU),
- Ukraine Extension Scheme (UES)

For those not in bridging accommodation, the local authority does not have to have accepted a Housing Act 1996 Part 7 homelessness duty in respect of the household for the household to be eligible, but the local authority should satisfy themselves that the household is already or would otherwise be homeless or at risk of homelessness if this accommodation was not available.

### 3.3 Matching households with properties

It will be up to local authorities to decide how to deliver and manage this fund locally. The accommodation funded through this fund should increase the housing available for the cohort outlined in section 3.2.

In addition to the eligibility criteria above, the local authority should make reasonable endeavours to prioritise households based on who is most in need when matching eligible households with properties. Beyond this, local authorities may use any lawful route that allows them to deliver this fund to cater for the needs of their area. They may wish to use their experience from the Rough Sleepers Accommodation Fund or use the same assessment and prioritisation process as for mainstream social housing stock.

Some examples of options for matching eligible households to properties include:

- Using, amending or putting in place a Local Lettings Policy to allow homes to be allocated by local authorities, or nominated to housing associations, to eligible applicants of a particular description. This is allowed under the Housing Act 1996 (section 166A(6)(b))
- Letting accommodation through a local authority owned housing company.

This is not exhaustive and depending on how local authorities are delivering the fund, they may identify other legal ways for matching households with properties.

For the larger homes acquired to enable households to move out of Home Office bridging accommodation, we would encourage local authorities to use their relationships with each other, their Strategic Migration Partnerships and with staff in bridging hotels to identify and match families to suitable properties. This is to increase the chances of successful matches, as we recognise that local resettlement leads are well-placed to use local intelligence on households in their regions to identify suitable matches and reduce the chances of refusals as much as possible. Local authorities can indicate a preference for a specific family to be matched to a property they have acquired on the ARAP/ACRS property offer form. Alternatively, if a local authority is unable to identify a specific family in a bridging hotel, the local authority can put forward properties (via their Strategic Migration Partnership) to be centrally matched by the Home Office. As mentioned above, we expect local authorities to increase their pledges for the Afghan resettlement schemes beyond their existing pledge amount to reflect the acquisition of these new properties.

### 3.4 Tenancy Duration and social housing legacy

Given this fund aims to create a lasting supply of affordable housing for the general population (see fund objectives at section 2.1), we expect this stock to become available to support wider local authority general housing and homelessness responsibilities after the immediate needs of the eligible cohort have been addressed.

As the housing landscape in each area and the circumstances of eligible households vary, we will not mandate local authorities to apply a fixed tenancy duration for housing funded through the fund, though in many cases this may be appropriate.

# 4. Funding Allocations and Delivery

### 4.1 Initial allocation of funding

The initial funding offer will be determined and offered to the 182 local authorities and Greater London Authority in England, who are deemed to have the greatest need for this funding based on a formula. A formula will be used to identify the total allocation to those local authorities in scope for funding across the duration of the fund.

Local authorities are given an overall ranking based on several sets of data. This combines their relative ranking in terms of the number of Ukrainian arrivals per 1000 population and their relative ranking in terms of the level of housing pressure (which includes Private Rented Sector rents in relation to income, unemployment rate, number of households in Temporary Accommodation (TA) per 1000 households and

number of households on local authority waiting lists per 1000). This data is used because in the areas of highest housing pressure, it will be most difficult for refugees/arrivals to find housing, and therefore the risk of homelessness will be higher. The capacity of local authorities to respond in these areas will also be more limited because of the shortage of housing and associated higher housing costs. The Ukrainian arrivals data is used in this ranking to reflect the sudden and additional pressure from a rapid increase in the number of arrivals of people fleeing war, which is a different magnitude to the number of refugee arrivals in recent years. Numbers in bridging accommodation in each local authority is not used because of the policy objective to move Afghans out of bridging accommodation into local authorities across the country.

An initial indicative allocation will then be offered to each local authority, working from the most pressured local authority down, on the basis of:

- A fair share requirement to accommodate families in bridging accommodation, based on a per capita distribution for those local authorities in scope of funding and a grant per property set at 50% of the estimated average lower quartile 4+ bed property price plus an allocation of £20k per property (to allow for refurbishment/other costs)
- Distributing the remaining budget based on a ratio of 1 home per 20 Ukrainian • arrivals, which is then costed at a grant per property of 40% of the estimated average lower quartile property price (plus £20k per property for refurbishment/other costs)
- The model distributes funding down the list of local authorities (ranked based on Ukrainian arrivals and housing pressure) until the budget is expended, resulting in 182 local authorities (plus the GLA) being in scope for funding.

In addition, several caps are put in place for the initial allocation to help support deliverability, to minimise inflationary impacts and to ensure all parts of the country receive some support. These are:

- a. constraining the initial London allocation to reflect an achievable delivery target in the capital's highly constrained housing market;
- b. capping the allocation per region at 25% of the total fund spend; and
- c. capping the allocation to any single local authority at 30 homes.

### 4.2 Funding split between financial years

The local authorities who are identified by the formula as eligible for funding will be contacted directly with an indicative offer of their total allocation. Authorities will be asked whether they will be able to spend this allocation to deliver the outlined number of homes, in accordance with the details set out in this prospectus (and if not, what they could deliver). Local authorities will also be asked whether they can deliver more than the allocation using the same grant per property (detailed at 4.3).

Funding will be paid in two tranches representing 30% and 70% of the local authority's allocation agreed in the MOU. We expect that the first tranche of funding will be paid in February/March 2023 – depending on when the MoU is agreed.

The second tranche of funding will pay 'the balance' of the local authority's allocation. There will be two predetermined tranche payment dates; the first at three months and the second at five months from the tranche one payment. Dates will be confirmed as part of the MOU process. To receive the second tranche payment the local authority must have spent at least 60% of the tranche one payment delivering on the objectives of the fund, which we will ask the local authority to declare to us at progress 'checkpoints'. Local authorities do not need to wait until receiving the second tranche of payment before spending more than their tranche one payment given 'the balance' will be paid following the checkpoint when they have spent 60% of their tranche one payment.

We will also ask local authorities about the number of property purchase offers they have made, how many of those offers have been accepted, and how many contracts they have exchanged, for example. To monitor delivery, we will ask for these progress updates at each funding checkpoint, regardless of whether the local authority has reached the 60% spending threshold.

We anticipate that any additional funding agreed via the reallocations process will be paid at the same time as the second tranche payment, with an update to the MOU following the reallocations process to reflect this additional funding. Where there is no direct allocation already in place (eg London councils) new MoU arrangements may be created.

# 4.3 Grant Rate and Eligible Spend

# Allocations to each council have been calculated as follows:

- For the "main element", the amount of grant per property is calculated as 40% of the average lower quartile property price in the council area (or for London, 40% of the average lower quartile property price in Greater London). A further £20k per property is then added to account for other costs (including refurbishment).
- For the "bridging element" (i.e. 4+ bedroom houses) the amount of grant per property is calculated as 50% of the estimated lower quartile property price for a 4+ bedroom property in the council area (or for London, 50% of the estimated lower quartile property price for a 4+ bedroom property in Greater London). A further £20k per property is then added to account for other costs, including refurbishment.

### Grant rates and Eligible Expenditure for Main and Bridging Elements

It is expected that councils will use their best endeavours to acquire the target number of units and to achieve value for money. The average grant per property rate should not exceed the maximum described below but the grant per property for individual

purchases can be higher. It is recognised that the grant will not meet all of the acquisition costs and so there is an expectation that the council, or its partners, will provide the remainder of the funding required.

The maximum average grant per property rate (for the <u>portfolio</u> of properties, not individual purchases) for the "main element" is 40% of the costs the council charges to its capital budget plus £20k per property. Eligible costs funded by the 40% and the 20k per property could include the purchase price, stamp duty, surveying, legal and other fees, refurbishments, energy efficiency measures, decoration, furnishings, or otherwise preparing the property for rent and potentially irrecoverable VAT incurred on these items. Councils should ensure they comply with the Code of Practice for Local Authority Accounting when deciding eligible costs.

The maximum average grant per property rate (for the <u>portfolio</u> of properties, not individual purchases) for the "bridging element" is 50% of the costs the council charges to its capital budget plus £20k per property. Eligible costs funded by the 50% and the 20k per property could include the purchase price, stamp duty, surveying, legal and other fees, refurbishments, energy efficiency measures, decoration, furnishings, or otherwise preparing the property for rent and potentially irrecoverable VAT incurred on these items. Councils should ensure they comply with the Code of Practice for Local Authority Accounting.

In some cases, the amount of money provided by the grant per property may equate to an intervention rate higher than the maximum set out above - for example if the local authority is focussing on smaller homes, such as 2 bedrooms, because these better suit the needs of the eligible cohort in the area or constitute the majority of the available stock to purchase. If this means the grant rate equates to more than the maximum, the local authority is expected to acquire more units with this funding than the estimated minimum (or outline in the MOU process that less funding is needed to deliver the number of units outlined in their allocation) in order to ensure value for money and not exceed the maximum grant rate.

During the validation process, if local authorities ask to deliver fewer units than allocated, then their funding allocation will be reduced, maintaining the same grant per property rate.

### Eligible Expenditure for Improvement Budget

The costs of obtaining a property are not the only costs councils may incur. They may also need to fund things like refurbishments, energy efficiency measures, legal costs, decoration, furnishings, or otherwise preparing the property for rent. We have included an un-ringfenced capital budget of £20,000 per property to account for this. This is a notional amount for the purposes of allowing for these costs in our formula. Councils can choose how much of the grant is to be spent on each individual property. For instance, it may choose to spend £10,000 on one property and £30,000 on another.

### Example "main element" allocation

A local authority is allocated £380,000 to deliver 5 main element units plus £20k per unit nominally for refurbishment costs. In total it receives £480,000.

The local authority identifies 5 properties and the costs of obtaining and preparing them for rent: Property 1: £220,000 capital cost Property 2: £220,000 capital cost Property 3: £240,000 capital cost Property 4: £190,000 capital cost Property 5: £230,000 capital cost Total price: £1,100,000 The local authority uses the £100,000 it received nominally for refurbishment costs, leaving £1,000,000. The £380,000 main element allocation equates to 38% of the remaining capital cost and is therefore within the 40% maximum average grant rate. The council funds the remaining costs from other sources.

# 4.4 Validation forms

Eligible local authorities will have been emailed an indicative allocation offer email, a draft MOU, and a validation form. This email outlines the local authority's indicative allocation. Receipt of the initial indicative allocation email and completion the validation form is not a commitment to providing funding or a commitment by a local authority to receive and spend funding. Final allocations will be confirmed in writing following the department's review of the form(s) as outlined in this section. This does not prejudice a local authorities' right to not sign a Memorandum of Understanding.

We will ask all local authorities to submit the validation form no later than 25 January 2023 to confirm if they are willing and able to participate. This helps us understand which local authorities do not wish to take up this funding, how many units local authorities are willing to deliver and allows us to begin reallocating funding.

The validation form will ask local authorities to cover the key details of their delivery proposal; this will then be assessed and validated by the department.

In the validation form we will ask for information on:

- The number of homes that the local authority plans to acquire as part of this fund including the number of 4+ bedroom homes for families in bridging accommodation
- Delivery approach
- Project milestones
- Risks and barriers to delivery

A copy of the validation form questions is attached at Annex A. Validation forms must be submitted via this page no later than midday 25 January 2023. These will be reviewed and responded to as they are received, and we intend to respond to all forms by 15 February 2023.

After submitting your validation form, please send your completed and signed Memorandum of Understanding by email to the Local Authority Housing Fund Team via LAHF@levellingup.gov.ukmailto:LAHF@levellingup.gov.uk. The template MOU is here, which are the standard terms that will be agreed with every local authority, and

the text of which is non-negotiable. If you are delivering the full allocation, complete the MOU using the numbers from your allocation email. If you are agreeing to deliver a lower number of units than your allocation, to complete your MOU, calculate the funding amount for your specified number of units, using the grant per property rate set out in your allocation email – further detail is included in the blank MOU.

We encourage local authorities to return their validation form and MOU as soon as they can as we may be able to work faster with those who agree to the terms of the programme and return their validation forms and MOU earlier. Any reallocations will be calculated and communicated by the end of March 2023.

Given that this is not a bid-based fund, proposals will be assessed acknowledging that accountability for delivery rests with the local authority. The questions have been designed to identify local authorities who would be unwilling or unable to deliver the fund. The assessed section of the validation form will consider responses regarding:

- The proposed scale of delivery relative to the indicative allocation
- Whether delivery plans meet fund objectives
- Confirmation that the local authority is content with formal reporting requests every 2 months
- Confirmation that the Section 151 Officer or Deputy Section 151 Officer has signed off the proposal

We will confirm by end of March 2023 any additional funding available to the local authority following a reallocations process based on validation form data.

If we have any queries on the answers provided in the validation form, we will contact the local authority directly.

# 4.5 Reallocation

During the validation process, local authorities will be asked whether they can deliver more than their initial allocation.

If in the validation form stage local authorities state they are unable to deliver the units allocated to them across the duration of the fund, the funding for the units they say they will be unable to deliver will be reallocated to other local authorities (including directly to London councils). This reallocation will be based on a process aligned with the fund objectives in 2.1, taking into account need and deliverability. If additional funding is available for local authorities who have told us they can deliver more than their initial allocation, we will contact them to confirm any further funding offer and to agree an update to the MOU to reflect this additional funding.

If a local authority misses the deadline for submitting their validation forms, they are unlikely to receive funding at tranche one. Whether it is still possible to provide them with any funding will depend on when we receive the necessary details from them and the progress of the reallocations process (including the amount of money left to reallocate). We ask that local authorities who foresee a difficulty in working to the communicated deadlines get in touch with the Local Authority Housing Fund Team as soon as possible.

If money remains after allocating additional funding to the local authorities that have said they can deliver more across the two years of the fund, then the list of local authorities may be expanded beyond those in receipt of initial allocations.

If a local authority is allocated additional funding as part of the reallocation process, this will be paid together with the baseline funding amount for year two (agreed as in the original signed Memorandum of Understanding). As with the tranche two payment, this additional funding will be subject to the local authority having spent at least 60% of their tranche one payment at the 'checkpoint' before the tranche two payment. Where there is no pre-existing direct agreement ( as would be the case with individual London councils), new agreements would be made.

The allocations for the "main element" and "bridging element" will be treated separately for reallocations, and so "bridging element" funding will not be reallocated to deliver more 'main element' properties. This is to avoid undermining the number of properties delivered for those in bridging accommodation.

### 4.6 How grants will be delivered

This fund will operate only in England and funding will be allocated direct to local authorities under section 31 of the Local Government Act 2003.

The funding will be allocated to the appropriate district council or unitary authority. Initial allocations for London will be made via the Greater London Authority. Further allocations may be made directly to London councils.

We will contact local authorities directly with their indicative allocation based on the formula outlined above.

# 4.7 Payment process

Payments will be made in the form of grants under Section 31 of the Local Government Act 2003 and paid as two instalments, on agreement of an MOU between the local authority and the Department for Levelling Up, Housing and Communities.

Once we have contacted local authorities to confirm their final allocation, we expect local authorities to obtain any further necessary clearances to enter into a MOU with the Department based on the information they provided in the validation form. Funding will then be distributed to the local authority following the signing of the MOU.

For local authorities allocated any additional funding via the reallocations process, prior to payment of any additional funding there will be an update to the MOU agreed to reflect this additional amount, and this will be paid alongside the tranche two funding.

Tranche one payments will be made in February/March 2023 depending on the date the MOU is agreed. Payments for tranche two will be paid in May and July 2023 respectively, dependent on when the local authority's spending on this fund surpasses 60% of their tranche one payment.

Given the urgency of delivery we expect all local authorities to show flexibility in how they apply their approvals processes in order to participate in this fund. All MOUs should be signed ahead of the first tranche of payments. Local authorities will ultimately be responsible for delivery and ensuring value for money of the allocation they have received.

# 4.8 Fraud Risk Assessments

Local authorities shall be responsible for ensuring that fraud is a key consideration in all spend activity and that the following minimum standards are met:

- Follow the <u>Grants Functional Standards on Fraud Risk Assessment</u> (FRA) pages 15-19;
- Undertake FRAs at an appropriate level to each individual project dependent on risk;
- Ensure that this spend is undertaken in accordance with effective authority fraud prevention policy and procedure, and via engagement with your organisations' specialists in this area;
- Ensure that relevant evidence and data to prevent fraud is gathered as part of due diligence undertaken ahead of releasing funds;
- Implement reporting and monitoring requirements that will identify irregularities or issues in use of funds which can be investigated further;
- Store and file all work undertaken on FRA in the event of any issues or audit requirements.

# 4.9 Due Diligence

Local authorities shall be responsible for ensuring that proportional due diligence is applied to all this fund spend and that the following minimum standards are met:

- Follow the Grants Functional Standards on Due Diligence pages 20-24;
- Undertake due diligence at an appropriate level to each individual project dependent on risk;
- Ensure that due diligence is undertaken in accordance with effective authority rules and procedures through authorities' teams specialising in this area;
- Ensure that key areas of due diligence identified for projects in which local authorities invest are reported on and monitored throughout the term of delivery;
- Store and file all work undertaken on due diligence in the event of any issues or audit requirements.

# 4.10 How we will monitor performance and delivery

Key Performance Indicators (KPIs) will be detailed in MOUs with local authorities and will be based on the fund objectives outlined at section 2.1.

Every two months, local authorities will provide a mix of quantitative and qualitative summary updates to the Department for Levelling Up, Housing and Communities to track against agreed delivery milestones. The reports will be due every two months until delivery is completed, with the dates specified in the MOU.

We will ask for the following information either as part of ongoing monitoring and/or as part of evaluation of the fund:

- Offers accepted, including bedroom size and whether these are part of the "main" or "bridging" element of the funding;
- Number of properties where contracts exchanged, including bedroom size;
- Number of properties occupied, including bedroom size;
- Number of families housed, including which resettlement programme they belong to;
- Number of individuals housed, including which resettlement programme they belong to;
- Total expenditure (including grant and other funding);
- Total committed spend (including grant and other funding);
- Government grant used;
- Overall assessment (RAG rated) of whether delivery is on track.

### Future evaluation requests

We will conduct an evaluation of the fund near the end of the monitoring period. To understand how the fund is being delivered in further detail, we will ask local authorities for the following information:

- How properties have been sourced (e.g. through stock acquisition or another delivery route);
- Breakdown of households housed by previous housing situation, e.g. emergency accommodation/temporary accommodation;
- Tenancy duration;
- Rent levels;
- Number of additional pledges made to provide housing for those in bridging accommodation;
- Number of properties obtained outside the local authority's area, if applicable, and where these are located.

We expect that local authorities will respond to any reasonable additional requests from the Department for Levelling Up, Housing and Communities to support any retrospective assessment or evaluation as to the impact or value for money of the fund. We will expect the authority to, at minimum, monitor spend, outputs and outcomes against agreed indicators and keep this information for at least 5 years.

We may also ask for details about how the acquired properties are being used, for example if they are still publicly owned and if they have become part of the social housing or affordable stock. This will require local authorities to maintain address-level data. This is for us to examine the legacy impacts of the fund.

### 4.11 Next steps and important dates

- Local authorities who have been identified as eligible for funding will be sent a link to a validation form, to confirm their interest in participating, and to set out how they intend to deliver this fund. Submissions will be reviewed as they are received and therefore forms submitted earlier may receive an earlier response.
- Local authorities must submit their validation form by 25 January 2023 via this link. Forms will only be accepted submitted by the link above. After submitting their validation forms, we encourage local authorities to email their signed MOU as soon as possible.
- In the event we have any clarification questions about the contents of a validation form, we will contact the local authority directly for further detail.
- If a validation form is accepted, we will make best endeavours to contact the local authority to confirm their allocation by 15 February 2023. We will be prepared to sign a Memorandum of Understanding with local authorities as soon as they have received the appropriate internal clearances. We expect local authorities to have signed this no later than 1 March 2023 but will work flexibly with local authorities.
- Tranche one of funding is due to happen in February/March 2023 (depending on the date the MOU is agreed), tranche two is due to happen in May or July 2023, dependent on when the local authority's spending on this fund surpasses 60% of their tranche one payment as reported during the monitoring and evaluation windows.
- Local authorities will be asked to complete a monitoring return every two months on the basis as set out in the Memorandum of Understanding and we will discuss any concerns about delivery with local authorities directly. The final monitoring return is scheduled to take place in November 2023, however we will expect monitoring returns to be completed until delivery is complete. We expect to carry out an evaluation from December 2023.
- For any questions about this fund please contact LAHF@levellingup.gov.uk.

### Annex A – Validation Questions

### **Overview**

The Local Authority Housing Fund will provide up to £500 million in capital grants to help councils obtain additional housing to accommodate the defined eligible cohort at risk of homelessness or living in bridging accommodation.

Councils' funding offer has been allocated on the basis of a formula, taking into account housing pressures and the number of recent Ukrainian arrivals.

This form applies to eligible councils in England only.

The validation form will be split into two parts, assessed and non assessed additional questions.

If you need to edit or revisit any sections of the validation form you will need to use the browser back button. Be aware that if you use the browser back button, the screen that you are currently viewing will not be saved.

Once you have submitted your validation form you will not be able to edit your response.

Please keep a copy of your answers for future reference.

After submitting your validation form, please send your completed and signed Memorandum of Understanding by email to the Local Authority Housing Fund Team via LAHF@levellingup.gov.uk.

### Validation Questions

- 1. Are you willing and able to participate in the Local Authority Housing Fund programme?
  - Yes (form proceeds to question 3)
  - No (form proceeds to question 2)
- 2. Please provide further details of why you are not willing or able to participate in the programme (form proceeds to end).
- 3. Does the proposal you outline in this form meet the fund objectives outlined below? (Please note this is requirement of the fund and if not agreed you will not be able to participate in the fund.)
- 4. For the "main element" of the fund, how many homes can you acquire by 30th November 2023 (this is a target date, payments will be honoured assuming delivery within financial years 2022/23 and 2023/24)? Note: if you can deliver fewer than your initial allocation, your funding will be scaled down proportionally to reflect the number of homes, based on the grant per property outlined in your allocation email. If you state you can deliver more homes at this grant rate than your initial allocation, we will progress with the MoU using your initial allocation and following reallocation process, we will

confirm whether any additional funding is available to enable you to deliver more than your initial allocation.

All delivery proposals in this section should be based on the policy in section 2.1 of the prospectus and the grant per property set out in your allocation email.

5. For the "bridging element" of the fund, how many 4+ bedroom homes can you acquire by 30th November 2023 (this is a target date, payments will be honoured assuming delivery within financial years 2022/23 and 2023/24)?

Note: if you can deliver fewer than your initial allocation, your funding will be scaled down proportionally to reflect the number of homes, based on the grant per property outlined in your allocation email. If you state you can deliver more homes at this grant rate than your initial allocation, we will progress with the MoU using your initial allocation and following reallocation process, we will confirm whether any additional funding is available to enable you to deliver more than your initial allocation.

All delivery proposals in this section should be based on the policy in section 2.1 of the prospectus and the grant per property set out in your allocation email.

6. Do you agree to provide progress reports every 2 months until delivery is completed including Management Information (MI) and reporting against Key Performance Indicators (KPIs) as detailed in the prospectus?

(Please note this is requirement of the fund and if not agreed you will not be able to participate in the fund.)

7. Has your Section 151 Officer or Deputy S151 Officer approved this submission?

(Please note this is requirement of the fund and if not agreed you will not be able to participate in the fund.)

### Additional non-assessed questions

The next set of questions are not assessed and will be used by the department to aid policy development and evaluation design only.

- 1. If the number of "main element" properties you can deliver is fewer than your allocated number, please outline the reasons for this.
- 2. If the number of 4+ bedroom "bridging element" properties you can deliver is fewer than your allocated number, please outline the reasons for this.

- 3. How do you plan on delivering your proposed/target number of homes? Please provide details of the type of stock you plan to acquire, noting the nonexhaustive list of examples provided in section 3 of the programme prospectus.
- 4. If your chosen delivery plan will add to existing housing in your area, please provide an estimate of the number of new homes.
- 5. Please provide your key milestones for delivery, including decision making timelines.
- 6. Based on the indicative approach(es) identified in your delivery plan above, please provide a brief overview that shows a financial projection of how and when the budget will be spent versus the timescales / number of homes to be acquired.
- 7. How do you intend to fund your contributory share required to secure your proposed/target number of homes? (e.g. from capital receipts, revenue, borrowing or funded by a partner?)
- 8. What are the key risks for delivery and how do you intend to mitigate them?
- 9. If this programme continued into future years using the same or a similar approach, (e.g. assuming launch in late 2023 and running for the following 12 months), how many homes could you deliver in this time period?

| Subject:               | ANNU   | JAL GOVERNANCE ASSURANCE STATEMENT 2022/23  |
|------------------------|--|---|
| Meeting and Date:      | Cabinet – 4 September 2023<br>Governance Committee – 28 September 2023                             |   |
| Report of:             | Louis  | e May, Strategic Director (Corporate and Regulatory)  |
| Portfolio Holder:      | Councillor Susan Beer, Portfolio Holder for Finance,<br>Governance, Climate Change and Environment |   |
| Decision Type:         | Non-Key  |   |
| Classification:        | Unrestricted   |   |
| Purpose of the report: | To approve the Annual Governance Assurance Statement 2022/23.                                      |   |
| Recommendation:        | (1)  | Cabinet approves the Annual Governance Assurance<br>Statement 2022/23 and requests that the Leader and the<br>Head of Paid Service sign this statement on behalf of the<br>Council. |
|                        | (2)  | Governance Committee is asked to accept the Annual  |

#### 1. Summary

- 1.1 Annually, the Council is required to conduct a review of the effectiveness of its system of internal control and also report on the extent to which it complies with its own Local Code of Corporate Governance. This must be conducted in accordance with the Delivering Good Governance in Local Government Framework 2016 Edition and is reported as the Annual Governance Assurance Statement. Cabinet is asked to accept the Annual Governance Assurance Statement for 2022/23, as recommended by the Corporate Management Team, and request that the Leader and the Head of Paid Service sign this statement on behalf of the Council.
- 1.2 Usually, the statement of accounts is required to be approved by 31 July each year. However, challenges within the audit market across the sector since the Covid pandemic have created significant delays with audit completions and a consultation is underway by DHULC to introduce backstop dates for the completion of historic audits to address the issue. The Annual Governance Assurance Statements have continued to be produced on an annual basis and are not impacted by the audit backlog issues. The 2022/23 Annual Governance Assurance Statement has been produced in line with the existing timescales.

#### 2. Introduction and Background

2.1 The Accounts and Audit Regulations 2015 require that the Council conducts, at least annually, a review of the effectiveness of its system of internal control and also reports on the extent to which it complies with its own Local Code of Corporate Governance. The Council's Annual Governance Assurance Statement is prepared to meet these requirements and will be provided alongside the published Statement of Accounts in accordance with the Accounts and Audit Regulations 2015.

- 2.2 The statement is to be signed by the Leader of the Council and the Chief Executive, having paid due regard to any matters raised by the Strategic Director (Corporate and Regulatory) and the Monitoring Officer. In particular, they should have particular regard to the opinion of the Strategic Director (Corporate and Regulatory) and the Monitoring Officer on the level of assurance that the governance arrangements can provide and that the arrangements continue to be regarded as fit for purpose in accordance with the governance framework.
- 2.3 The Annual Governance Assurance Statement for 2022/23 is attached and has been agreed by the Corporate Management Team in August 2023. The statement has been prepared taking into account the following information:
  - A detailed review of the Council's performance measured against the Core and Sub Principles as detailed in the Delivering Good Governance in Local Government Framework 2016 Edition.
  - The service review work performed by Internal Audit during the year.
  - Internal Audit's review of Corporate Governance arrangements.
  - Assurance Statements produced by individual Strategic Directors.
  - The information gathered as a result of risk assessment and management.
  - The annual reports of the Scrutiny and Governance Committees.

#### 3. Identification of Options

- 3.1 Option 1: Agree the Annual Governance Assurance Statement including the key actions identified, for signature by the Leader and the Head of Paid Service and then for inclusion in the 2022/23 Accounts.
- 3.2 Option 2: Do not agree the Annual Governance Assurance Statement and require further analysis and clarification.

#### 4. **Evaluation of Options**

4.1 Option 1 is the preferred option, as in preparing the Annual Governance Assurance Statement this fully meets the requirements of the Accounts and Audit Regulations 2015. Delivering Good Governance in Local Government Framework (2016 Edition) states:

"The preparation and publication of an Annual Governance Statement in accordance with Delivering Good Governance in Local Government: Framework (2016) would fulfil the statutory requirements across the United Kingdom for a local authority to conduct a review at least once in each financial year of the effectiveness of its system of internal control and to include a statement reporting on the review with its Statement of Accounts. In England the Accounts and Audit Regulations 2015 stipulate that the Annual Governance Statement must be "prepared in accordance with proper practices in relation to accounts". Therefore a local authority in England shall provide this statement in accordance with Delivering Good Governance in Local Government: Framework (2016)".

#### 5. **Resource Implications**

None.

### 6. Climate Change and Environmental Implications

There are no climate change or environmental implications arising from the Annual Governance Assurance Statement for 2022/23.

### 7. Corporate Implications

- 7.1 Comment from the Section 151 Officer: The S151 Officer has been consulted in the preparation of this report and has no further comments to make (MD).
- 7.2 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.
- 7.3 Comment from the Equalities Officer: The Annual Governance Assurance Statement 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. Appendices

Appendix 1 – Annual Governance Assurance Statement 2022/23

### 9. Background Papers

Accounts and Audit Regulations 2015

CIPFA Delivering Good Governance in Local Government Framework 2016 Edition

Contact Officer: Louise May, Strategic Director (Corporate and Regulatory)

# Dover District Council Annual Governance Assurance Statement

### 1 APRIL 2022 TO 31 MARCH 2023

### 1. WHAT WE ARE RESPONSIBLE FOR

We are responsible for ensuring that our business is conducted in line with the law and proper accounting standards, and for using public money economically, efficiently, and effectively. We have a duty under the Local Government Act 1999 to continually review and improve the way we work and at the same time have regard to a combination of economy, efficiency, and effectiveness.

In order to meet our responsibility, we have in place proper arrangements for overseeing what we do, and this is called Governance. These arrangements make sure that we do the right things in the right way, that our services reach the right people and that we are open, honest and accountable in the way that we deliver those services. This all contributes to our sound system of governance.

We have approved and adopted a Local Code of Corporate Governance and a copy of this is available on our website at <u>http://www.dover.gov.uk/Corporate-Information/CorporateGovernance.aspx</u>.

### 2. THE AIM OF THE GOVERNANCE FRAMEWORK

The Governance Framework details the systems, processes, culture and values that we are controlled by and which we are answerable to. It also shows what we get involved with and how we engage with the community. It also shows how we monitor what we are achieving so that we can deliver services that are appropriate and value for money.

The system of internal control is an important part of the framework and is designed to manage risk to a reasonable level. It cannot remove all risk of failure to achieve policies and aims and can only provide reasonable protection. The system of internal control is based on an ongoing process designed to:

- Identify and prioritise anything that could prevent us from achieving our policies and aims.
- Assess how likely it is that identified risks might happen and what the result would be if they did.
- Manage those risks efficiently, effectively, and economically.

The Governance Framework describes what has been in place at Dover District Council for the year ended 31 March 2023 and up to the date of approval of the Council's accounts.

#### 3. OUR GOVERNANCE FRAMEWORK

Our Governance Framework is underpinned by seven core principles and supported by our Corporate Plan as well as many systems, policies, procedures, and operations, which together ensure that the intended outcomes for our community and stakeholders are defined and achieved. Good governance is dynamic, and Dover District Council is committed to improving governance on a continuing basis through a process of evaluation and review.

The key features are:

### (a) **Our Core and Supporting Principles**

The seven core principles are taken from the International Framework: *Good Governance in the Public Sector* and help this Council demonstrate good governance. Each of these principles translates into a range of specific requirements and they are also reflected in this Corporate Governance Local Code:

- A. Behaving with integrity, demonstrating strong commitment to ethical values, and respecting the rule of law.
- B. Ensuring openness and comprehensive stakeholder engagement.
- C. Defining outcomes in terms of sustainable economic, social, and environmental benefits.
- D. Determining the interventions necessary to optimise the achievement of the intended outcomes.
- E. Developing the entity's capacity, including the capability of its leadership and the individuals within it.
- F. Managing risks and performance through robust internal control and strong public financial management.
- G. Implementing good practices in transparency, reporting, and audit to deliver effective accountability.

#### (b) Our Corporate Plan

This is our main strategic document providing a framework for the delivery of our services and providing context for all the other strategies and plans that we have. The Corporate Plan for 2020-2024 is published and is available on the Council's website. The Council approved a new Corporate Plan in February 2020 which continues with the overall direction of travel as the previous version.

The following strategic priorities have been identified in the 2020-2024 Corporate Plan:

- Regeneration Tourism and Inward Investment
- Housing and Community
- Climate Change, Environment and Assets a cleaner sustainable environment
- Working Smartly and Delivering Services

#### (c) Business Plans

The Business Plan is one of the central mechanisms for each Head of Service managing their own area of activity and therefore sits at the centre of the Corporate Governance process. The business plans support the aims of the Corporate Plan which include performance indicators that are used to measure our achievements.

#### (d) **Our Constitution**

Our Constitution details how we operate, how decisions are made and the procedures, which are to be followed. It also ensures that we work in an efficient and transparent way and that we are accountable to local people. The Monitoring Officer is responsible for keeping the Constitution under review.

#### (e) The Executive

The Executive are responsible for most decisions and is made up of the Leader and a Cabinet. Major decisions to be taken are published in advance in the Executive's Notice of Forthcoming Key Decisions and will generally be discussed in a meeting open to the public. All decisions must be in line with our overall policies and budget. Any decisions the Executive wishes to take outside the budget or policy framework must be referred to Council as a whole to decide.

### (f) Corporate Management Team

The Corporate Management Team comprises the Chief Executive (and Head of Paid Service); Strategic Director (Finance and Housing) (and Section 151 Officer), Strategic Director (Corporate and Regulatory) and Strategic Director (Place and Environment).

Members of Corporate Management Team have a responsibility for the day to day running of each Directorate of the Council. They must regularly assess their Directorate's assurance arrangements and provide the Council with the opportunity to keep check on the adequacy of its overall arrangements.

#### (g) Governance Committee

The seven appointed members of the Council provide independent assurance of the adequacy of the risk management framework and the associated control environment together with independent review of the Council's financial and non-financial performance to the extent that it affects the Council's exposure to risk and weakens the control environment. The Committee oversees the financial reporting process by considering the final Statement of Accounts. The Committee promotes high standards of conduct amongst the 32 members of Dover District Council and (up to) 317 members of Town and Parish Councils in the District. Complaints of service maladministration are investigated and reported to the Committee. Lessons learned from these complaints are reviewed and acted on.

The Chairman provides an Annual Report of the Governance Committee to the Annual Council Meeting

#### (h) **Overview and Scrutiny**

In July 2019, and as a result of the reduction in elected members, the Council voted to reduce to one overview and scrutiny committee who support and monitor the work of the Executive. A "call-in" procedure or addition to the work programme allows scrutiny to review Executive decisions before they are implemented, thus presenting challenge and the opportunity for a decision to be reconsidered. The Monitoring Officer provides an Annual Report of the Scrutiny Committees to the Annual Council Meeting.

#### (i) Monitoring Officer

The Monitoring Officer is charged by law with the responsibility for identifying and reporting on any acts or omissions of the Council which he considers to be contrary to law. He is also responsible for considering allegations of Members breaches of the codes of conduct. In January 2021, the Council agreed that this role could be undertaken on a part time basis with effect from 1 April 2021. The Deputy Monitoring Officer continues to work full time.

#### (j) Our Solicitor

The Solicitor to the Council provides his opinion on our compliance with our legal obligations. As from 1 January 2019 the same officer fulfils the role of Monitoring officer and Solicitor to the Council.

#### (k) Data Protection Officer

We have appointed a Data Protection Officer in accordance with Article 37 of the General Data Protection Regulation 2016. We support the Data Protection Officer by providing resources to undertake tasks and access to personal data and process and operations and to maintain expert knowledge. The Data Protection Officer his duties in an independent manner and we may not give the Data Protection Officer instruction on exercising his role. The Data Protection Officer is currently the Solicitor to the Council.

#### (I) Financial procedures and Contract Standing Orders

We have to ensure that we act in accordance with the law as well as various other regulations. We have developed policies and procedures for our officers to ensure that, as far as are possible, they understand their responsibilities both to the Council and to the public. Two key documents are the Financial Procedure Rules and the Contract Standing Orders, which are available to all officers via the Council's Intranet, as well as available to the public as part of the Constitution.

#### (m) Financial Management

Our financial management arrangements conform with the requirements of the CIPFA Statement on the Role of the Chief Financial Officer in Local Government. In addition to the Financial and Contractual procedure rules contained within the constitution, in order to maintain its financial management, the Council operates budgetary control procedures which are used in conjunction with a Medium-Term Financial Plan (MTFP).

Responsibility for ensuring that an effective system of internal financial control is maintained rests with the Section 151 Officer. The systems of internal financial control provide reasonable and not absolute assurance that assets are safeguarded, that transactions are authorised and properly recorded, and that material errors or irregularities are either prevented or would be detected quickly.

Internal financial control is based on a framework of management information, financial regulations and administrative procedures, which include the segregation of duties, management supervision and a system of delegation and accountability. On-going development and maintenance of the various processes may be the responsibility of other managers.

In particular, the process includes:

- The setting of annual budgets;
- Producing the Medium-Term Financial Plan;
- Monitoring of actual income and expenditure against the annual budget;
- A mid-year review of the annual budget;
- Setting of financial and performance targets, including the use of the prudential code and associated indicators;
- Quarterly reporting of the Council's financial position to Members;
- Clearly defined capital expenditure guidelines;
- Treasury Management Strategy;
- The monitoring of finances against a Medium-Term Financial Plan;
- Managing risk in key financial service areas;
- A continuous and effective internal audit.

Through our budget monitoring processes we are able to ensure that financial resources are being used to their best advantage, this includes quarterly management reporting to the Corporate Management Team and Members.

Financial planning is underpinned by business planning. Increased expenditure in any service area has to be justified to the Corporate Management Team, and where necessary approved by the Executive. Corporate Management Team is tasked with prioritising resources to ensure that the objectives within Corporate Plan are supported by the individual business plans, and that improvements are in line with corporate objectives.

#### (n) Policies

Corporate policies on a range of topics such as Equality, Information Governance and Data Protection are all subject to internal review. We keep all staff aware of changes in policy, or documentation through internal communications. The corporate training needs are identified each year and appropriate training for all, or key members of staff is provided.

#### (o) Risk

The risk management strategy, which forms part of the Corporate Governance Local Code, shows the role both Members and Officers have in the identification and minimisation of risk. Risks are recorded in a Corporate Risk Register and are then subject to regular review.

#### (p) Service Assurance

A Service Assurance Statement is produced annually by all Directors of this Council and of Shared Services detailing their assessment of their services. They are required to give assurance that risks have been identified that sound business arrangements operate in their service areas, and that the service is subject to monitoring and review in order to assess performance.

#### (q) **Performance Management Framework**

Progress towards the achievement of our objectives is monitored through our Performance Management Framework. A quarterly Performance Report is produced and reviewed by Corporate Management Team, by Cabinet and by the Overview and Scrutiny Committee.

### (r) Internal Audit

The Internal Audit function for the Council is performed by the East Kent Audit Partnership (EKAP), which provides internal audit services to the councils of Canterbury, Dover, Folkestone and Thanet. As a result of this collaborative approach the partnership is able to provide a mechanism for promulgating best practice to the East Kent authorities that use its services. The East Kent Audit Partnership Internal Audit Team reports to the Section 151 Officer. They operate under a Charter, which defines their relationship with officers, and the Governance and Audit Committee. Through their audit assurance work, internal audit provides an opinion on the effectiveness of the systems of internal control. As part of the annual review of governance arrangements and in particular the system of internal control, the Council undertakes an annual review of the effectiveness of the system of internal audit.

Internal Audit has responsibility to:

- Report on the level of assurance in respect of the Council's internal control systems.
- Provide an overall independent annual Opinion from the Head of the Audit Partnership highlighting areas of concern. This is compiled from the Internal Audit work programme and a review of the Council's risk management and Corporate Governance arrangements.

#### (s) External Audit

The work is currently undertaken by Grant Thornton, who are required to deliver their audit work in line with Local Audit and Accountability Act 2014 and in accordance with the Code of Practice issued by the National Audit Office (NAO) on behalf of the Comptroller and Auditor General in April 2015.

#### (t) Core Strategy and Local Plan

The Core Strategy is the overarching statutory planning document for the District and was adopted by the Council in February 2010. The Core Strategy identifies the overall economic, social and environmental objectives for the District and the amount, type and broad location of development that is needed to fulfil those objectives. The Land Allocations Local Plan, which was adopted in 2015, identifies and allocates specific sites that are suitable for development in order to meet the Core Strategy's requirements.

Work is well underway in the development of a new District Local Plan which will replace the policies and proposals in the Council's Adopted Core Strategy, Land Allocations Local Plan and 'saved' policies from the 2002 Local Plan. The new Dover District Local Plan was submitted for Examination on Friday 31 March 2023. Further details of the progress to adopt the new Local Plan can be found at the dedicated website <u>here</u>.

#### (u) State of the District Report

This report is a backward look at the state of the district, highlighting key information under the headings of: District Overview, Population Profile; Housing; Economy, Business and Employment; Finance; Education and Skills; Regeneration Delivery; Health and Wellbeing; Deprivation and Poverty; Community Safety and Quality of Life. Not all information is collected and reported annually, as it is collated from a wide range of sources that is sporadically updated. In addition, periodically the process of capturing information is changed, this in turn makes year-on-year comparisons and trends difficult to assess. The report is published on our website and there will be regular updates as new data is published, with members informed in a timely manner of any significant changes.

#### (v) Communication and Consultation

Strategies are in place. We have active Twitter, Facebook and Instagram accounts, enabling the Council to communicate effectively with our communities and also enabling members of the public to communicate their views on a wide range of matters. In 2015 the Council launched its 'Keep Me Posted' email alert service which enables members of the public to subscribe to email messages from the Council on a wide range of topics.

#### (w) Equality

As part of our equalities responsibilities, we publish our equality objectives and progress against the targets to ensure that all groups in our community have a voice, can be heard and know how we make our decisions. A revised equality policy was adopted by Cabinet in November 2022.

#### (x) Whistleblowing

A confidential reporting hotline is in place to enable internal and external whistle blowing. Informants are requested to be open in their disclosure, but it is recognised that on occasions informants will wish to remain anonymous. There are also processes in place for staff to report through their line managers, Corporate Management Team or East Kent Audit Partnership.

#### (y) Employment Management

The Council's Human Resources Team, in consultation with Accountancy, manage the Authority to Recruit process. Any requests that are not within agreed budgets are considered by the Authority to Recruit group before being referred to the Head of Paid Service who provides the final decision as to which posts can be filled.

#### (z) Partnerships

Partnership evaluation criteria have been established to help ensure that all key governance criteria are incorporated into new and existing partnerships.

#### 4. <u>REVIEW OF EFFECTIVENESS OF THE GOVERNANCE FRAMEWORK</u>

We have a responsibility for conducting, at least annually, a review of the effectiveness of our governance framework including the system of internal control. This review is informed by the ongoing monitoring and review by the Strategic Director (Finance and Housing), East Kent Internal Audit Partnership and the Head of the Audit Partnership's Annual Report, the work of our Strategic Directors and Heads of Services and their managers who have responsibility for the development and maintenance of the governance environment. This review is also informed by the findings and reports of our external auditors together with any other review agencies or inspectorates.

#### (a) **The Monitoring Officer has responsibility for:**

- Monitoring the Constitution and keeping it up to date.
- Identifying and reporting on any acts or omissions of the Council which he considers to be contrary to law.
- Ensuring ethical standards and conduct are met.

#### (b) The Strategic Director (Finance and Housing) has responsibility for:

- Publishing financial information and statements accurately and reliably.
- Confirmation that resources are managed efficiently and effectively.
- Overseeing and monitoring the Corporate Governance Local Code.
- Maintaining and updating the code if required by best practice.
- Reporting annually to members on performance and compliance with the code.
- The overall review of the internal control opinion and framework evidence, including service assurance statements, the audit review of Corporate Governance, Performance reporting, Risk management arrangements and the individual audit and risk management assessments.
- Review of the Effectiveness of Internal Audit.
- The External Auditor's Annual Audit and Inspection Letter, service assessments and other associated reviews and ensuring that they are acted upon.

### (c) All Strategic Directors have responsibility via a Service Assurance Statement to ensure that:

- Risks have been identified. They are recorded and monitored in accordance with the Council's Risk Management Strategy.
- Staff are fully aware of the requirements of their job and have access to the appropriate Council rules and policies to assist them.
- Internal and External Audit reports and recommendations have been acted on.
- Reports from other review agencies have been acted on.
- Business arrangements are conducted in accordance with the law and proper standards.
- Public money is safeguarded and properly accounted for, and used economically, efficiently and effectively.
- The service has in place appropriate management and reporting arrangements to enable it to satisfy itself that its approach to Corporate Governance is both adequate and effective.
- A statement of assurance that improvement plans exist to rectify any acknowledged deficiency.

#### (d) **Solicitor to the Council has responsibility:**

• Via his annual statement to give his opinion on the Council's compliance with relevant laws and regulations, and its legal obligations and requirements.

#### (e) Cabinet has responsibility for:

- All Executive Decisions in respect of functions delegated to it by the Leader of the Council
- Setting robust and challenging targets and
- Monitoring the achievement of key priorities

#### (f) Council has responsibility for:

- Agreeing or amending the Policy Framework
- Agreeing or amending the budget, including the borrowing or capital expenditure strategy and setting the Council Tax

#### (g) **Overview and Scrutiny Committee has responsibility for:**

- Scrutiny of budgets and major policies
- Monitoring the achievement of key priorities
- Scrutiny co-ordination

#### (h) The Governance Committee has a responsibility for:

- Ensuring effective internal audit and internal control arrangements
- Receiving the annual Internal Audit Programme of work
- Receiving quarterly updates from the Head of the Audit Partnership on the assurance which can be placed against various systems and processes during the year.
- Reviewing the annual assessment at the year end.
- Receiving the annual review of internal control
- Receiving the annual constitutional review
- Reviewing risk management arrangements
- Receiving Quarterly Treasury Management Reports
- Receiving the Annual Statement of Accounts
- Ethical standards of members and complaints against members

#### (i) Internal Audit has responsibility to:

- Provide an independent annual statement on the systems of internal control, highlighting areas of concern.
- Report on the level of assurance in respect of the Council's internal control systems.
- Provide an overall Assurance Statement from the Head of the Audit Partnership. This is compiled from the Internal Audit work programme and a review of this Council's Corporate Governance arrangements.

#### 5. THIS YEAR'S REVIEW

#### (a) Council

Article 15 of the Council's Constitution makes provision for the regular review of the Constitution by the Monitoring Officer. The key focus of the review in 2022/23 was reviewing the incorporation of changes previously agreed by the full Council (such as amendments to the Members' Allowances Scheme); reflecting structural changes to the Council's organisational structure; reflecting legislative changes in the Scheme of Officer Delegations (including the delegations needed by the creation of the third Strategic Director post); the collation of changes made by decision-making bodies such as the Cabinet or Council during the course of the previous year; the addition of a revised petition scheme and general administrative amendments.

#### (b) Cabinet

Key Executive decisions were considered by the Cabinet, in particular relating to the budget and medium-term financial plan, and the delivery of key regeneration priorities.

The Council's Quarterly Performance Report was received and reviewed quarterly. This examines our performance against agreed performance targets and our key priorities.

#### (c) Scrutiny

The Council's key priorities and Performance Indicators were reviewed regularly and challenged if necessary.

The Annual Report of the work of the Scrutiny Committees for 2022/23 was presented to the Annual Council Meeting on 17 May 2023. This identified sound governance arrangements, including an effective scrutiny process, which underpins the achievement of the Council's corporate objectives.

#### (d) Governance Committee

The Governance Committee received quarterly updates from the Head of East Kent Audit Partnership on the assurance which can be placed against various systems and processes during the year, including reviews of internal controls, along with the annual assessment. The Committee kept a check on those areas that have not achieved expected levels of audit assurance.

This Committee also reviewed the effectiveness of the Council's risk management arrangements.

The Monitoring Officer is responsible for ensuring that the Constitution is reviewed regularly. It is not practical to undertake a review of the whole Constitution each year, so specific areas are selected each year. During 2022/23, the key focus of the review was on the incorporation of changes previously agreed by the full Council (such as the single scrutiny committee and amendments to the Members' Allowances Scheme); reflecting structural changes to the Council's organisational structure; reflecting legislative changes in the Scheme of Officer Delegations (including the delegations needed by the creation of the third Strategic Director post); the collation of changes made by decision-making bodies such as the Cabinet or Council during the course of the previous year; the addition of a revised petition scheme and general administrative amendments. The Governance Committee recommended the changes for approval by the Council. All are documented on our website.

The Annual Report of the work of the Governance Committee for 2022/23 was presented to the Annual Council Meeting on 17 May 2023. This gave a positive opinion on the system of internal control. The Governance Committee continued to be assured of the integrity and reliability of data held in financial statements. The work undertaken by Internal and External Audit provided detailed assurance on those areas of the Council's work which were the subject of reports.

The assurances from the Strategic Director (Finance and Housing), Strategic Director (Corporate and Regulatory) and the Strategic Director (Place and Environment) and the work of Internal and External Audit together supported the Committee in forming their opinion of the financial statements, enabling them to agree to sign the 2020/21 accounts. The 2020/21 audit process commenced in January 2023, but was not

completed before year end 2022/23, resulting in the audit team being required to cease work at the Council and progress with their NHS commitments, alongside Council resources needing to focus on the 2022/23 year end process. For this year, the process will be delayed again but the Committee will be provided with the necessary assurances to approve the 2022/23 accounts once the outstanding audit processes have been completed.

DLUHC are currently consulting on introducing backstop dates to the outstanding Local Authority audits, with auditors being required to provide a as much assurance as possible for the outstanding years, reporting as normal any significant concerns they have on an organisation's financial controls, financial reporting as well as financial resilience, governance and risk. Where necessary, it is intended that auditors would need to limit their opinion and make clear to the users of the accounts those aspects or sections of a set of accounts which are not supported by sufficient, appropriate evidence, and which the auditor is unable to provide assurance over. Further updates will be presented to Governance Committee as appropriate.

The submission of this Annual Report continues to enhance the effective communication of our governance processes.

The Governance Committee received annual reports on the progress of formal service complaints against the Council and lessons learned from those complaints.

The Local Government and Social Care Ombudsman received 18 complaints and enquiries against the Council during the 2022/23 municipal year. The breakdown of those complaint is two in respect of benefits/council tax, six relating to housing options, eight relating to planning and development, and two in respect of corporate and other.

In the 2022/23 municipal year 17 cases were decided by the Local Government and Social Care Ombudsman. Two in respect of benefits/council tax were closed after initial enquiries. In respect of housing options two were upheld, one was closed after initial enquiries and two were referred back for local resolution. With regard to planning and development, six were closed after initial enquiries and two were referred back for local resolution. With regard to planning local resolution. With regard to the complaints in respect of corporate and other, one was provided with advice in respect of complaint handling, and one was closed after initial enquiries. There is one further case that the Ombudsman received during 2022/23 but that one has not yet been dealt with.

Changes adopted by Council in January 2014, included a provision which allows Members to declare non-financial interests. The Kent Model Code of Conduct continues to be regularly reviewed in order to ensure that it remains fit for purpose. The ability to declare a non-financial interest has been welcomed by Members and has been utilised on several occasions to ensure transparency in decision-making.

#### (f) Review of Internal Audit

The effectiveness of internal audit is monitored by the Section 151 Officer through:

- Quarterly review meetings with the Head of Internal Audit
- Sign off of the Audit Plan
- Review of the internal audit annual report
- Attendance at Governance Committee
- Review of individual audit reports
- Meetings with the S151 officers of the other partners

#### (g) The Work of Internal Audit

The internal audit function for the Council is performed by the East Kent Audit Partnership (EKAP), which provides internal audit services to the Councils of Canterbury, Dover, Folkestone, and Thanet. As a result of this collaborative approach the partnership is able to provide a mechanism for promulgating best practice to the East Kent authorities that use its services. The East Kent Audit Partnership Internal Audit Team reports to the Section 151 Officer. They operate under a Charter, which defines their relationship with officers, and the Governance Committee. Through their audit assurance work, internal audit provides an opinion on the effectiveness of the systems of internal control. As part of the annual review of governance arrangements and in particular the system of internal control, the Council undertakes an annual review of the effectiveness of the system of internal audit.

Internal Audit has responsibility to:

- Report on the level of assurance in respect of the Council's internal control systems.
- Provide an overall independent annual Opinion from the Head of the Audit Partnership highlighting areas of concern. This is compiled from the Internal Audit work programme and a review of the Council's risk management and Corporate Governance arrangements.

The overall opinion of the System of Internal Controls in operation throughout 2022/23 based on the work of the East Kent Audit Partnership was presented in their annual report to the Governance Committee in June.

- The internal auditors are independent to the management of the Council and have direct access to the Chair of the Governance Committee if required. They provide a regular update to the Committee at each of the quarterly meetings and may attend any special meetings that may be convened during the year.
- As at 31 March 2023 the Internal Auditors completed 298.83 days of review equating to 99.61% of planned completion.
- The EKAP undertakes a regular schedule of follow up audits to ensure that management have implemented the action plans arising from each audit. Members can see full details within the Internal Audit Annual Report 2022/23.
- The EKAP met as a team in March 2020 and considered the Public Sector Internal Audit Standards (PSIAS) Checklist for compliance. The results of this self-assessment showed that internal audit is currently working towards full compliance and has agreed an action plan to achieve this. The lack of an External Quality Assessment (EQA) against the PSIAS is hereby disclosed as non-conformance in this Annual Governance Statement. The four Section 151 Officers acting as the EKAP Client Officer Group continue to be content to rely on the self-assessment process for the PSIAS and not commission an EQA.
- As part of EKAP's quality monitoring arrangements Members should be aware that following the completion of each audit, a satisfaction questionnaire is completed by the managers of the service that has been audited enabling the officers involved to comment on the conduct and outcome of the audit. This

information is used, in part, to inform the self-assessment and continuous improvement.

#### (h) External Reviews

There were no external reviews held this year.

#### (i) **Training**

Comprehensive Training is provided at the outset for the new Council, and this is refreshed during the four-year term, to ensure that the councillors have the skills and expertise to make sound and effective decisions.

The officer performance appraisal includes a personal development plan, where training and development needs are discussed and agreed. These will now be provided annually to the Head of HR, Payroll and Communications to help inform the training needs of the organisation, some of which will be delivered corporately via the Corporate Training Plan. In 2022/23 a number of Managers and Team Leaders continued to work towards an Institute of Learning and Management qualification (level 3 or level 5), which helps enhance their skills and knowledge as leaders in the organisation.

#### (j) Members Code of Conduct

During 2022/23 the Monitoring Officer has received 33 complaints, an increase of ten when compared against the previous year. The 33 complaints received in 2022/23 related to members at eight authorities, an increase from seven authorities the previous year. However, it should be noted that 17 of the complaints related to members of a single authority.

The Governance Committee Hearing Panel was not called upon to meet during 2022/23. In accordance with Annex 1 of the Arrangements, it is reported that there was a total of one decision of Informal Resolution agreed in respect of a Member of a Town/Parish Council. Three complaints were referred to investigation during 2022/23, the outcome of which had not been concluded by the end of the municipal year.

During the municipal year 2022/23 there were no requests for dispensations.

#### 6. SIGNIFICANT GOVERNANCE ISSUES DURING THE YEAR

- (a) The Annual Reports of the Scrutiny and Governance Committees provide a positive statement and opinion regarding the governance arrangements and the effectiveness of the internal control environment operating across this Council.
- (b) There were 17 cases reviewed by the Local Government Ombudsman during 2022/23, with no cases of maladministration being found.
- (c) The Notice of Forthcoming Key Decisions continues to publish key decisions to be taken by the Cabinet. Cabinet Reports are considered by Finance, Legal and Equalities Officers and then by CMT to ensure that outcomes are consistent with the Council's corporate direction.
- (d) A suite of performance indicator targets was previously approved by Cabinet and were then measured via the quarterly Strategic Performance Dashboard reports. A revised set of targets will be brought forward and reported in 2023/24.

- (e) The General Data Protection Regulations (GDPR) came into force on 25 May 2018. The Council continues to progress with the requirements of data protection legislation. Including, but not limited to all staff training, reviewing data processing activity, developing our suite of privacy notices and retention schedules for services across the Council, and completing our records of processing activity using a new privacy management solution. Data Protection and the Rights and Freedoms of Individuals are at the forefront of personal data processing activities.
- (f) The Council agreed to the permanent introduction of broadcasting meetings of the Executive, Council and Committees following a successful trial of the new system installed in the Council Chamber and also agreed that the recordings of broadcast meetings be retained for a period of 30 days from the date of the meeting.
- (g) Council agreed to the creation of an additional Strategic Director post followed by a full review of the Director level portfolios/groupings of services to incorporate the ambitions of the Council in delivering its Corporate Plan.

#### 7. IMPROVEMENTS DURING THE YEAR

- (a) The Council continues to work with the Cabinet Office to obtain continued Public Sector Network (PSN) Compliance. This included IT Equipment, systems and software upgrades to ensure PSN compliance and to ensure that staff and members can work safely and securely from any location.
- (b) The East Kent Corporate Information Governance Group continues to meet on a regular basis with the suite of Information Governance Policies (16 in total) being kept under regular review by the group. A full review of the policies was undertaken and approved by the General Purposes Committee in December 2020. The Strategic Director (Corporate and Regulatory) remains appointed as the Council's Senior Information Risk Officer (SIRO) with the Digital and Technology Manager as the Deputy SIRO.
- (c) The 2023/24 Pay Policy Statement was delivered and adopted at the Council Meeting in March 2023.
- (d) A revised Complaints Policy was adopted by Council following the dissolution of East Kent Housing and the return of the function in-house. The Complaints Policy required updating to reflect the latest guidance from the Housing Ombudsman.
- (e) Council agreed to appoint two Independent Persons with effect from 22 July 2022.
- (f) The Dover District Local Plan Publication (Regulation 19) and Submission (Regulation 22) was approved by Council for publication. Following this the submission and supporting documents were submitted to the First Secretary of State for Examination, together with the Regulation 19 representations and a summary thereof.
- (g) A revised Members' Allowances Scheme for 2023/24 was approved.
- (h) A revision to the Council's Contract Standing Orders was approved. Following the UK's exit from the European Union the Council is no longer bound by the EU Directives on public procurement, the Public Contract Regulations 2015 have continued mostly unchanged. The Public Procurement (Amendment etc.) (EU Exit) Regulations 2020 made the minimum changes necessary to maintain the Public Contracts Regulations 2015 in force, substituting references to EU institutions and procurement documents

to their (sometimes new) UK equivalents. The revised Standing Orders to reflect the changes in legislation and current working practices.

- (i) A revised Petition Scheme was approved as it had been over a decade since the scheme had previously been reviewed and the current scheme was based on statutory guidance that had since been repealed.
- (j) Council had agreed that the vacancy in one of Dover District Council's two appointees on the East Kent Joint Remuneration Panel should remain unfilled for the remainder of the term of appointment.

#### 8. **OPINION OF THE STRATEGIC DIRECTOR (CORPORATE AND REGULATORY)**

I can confirm that the governance arrangements provide and continue to be regarded as fit for purpose in accordance with the governance framework and will ensure that that the implementation is monitored as part of the next annual review.

Signature:: \_\_\_\_\_ Date: \_\_\_\_\_ Strategic Director (Corporate and Regulatory)

#### 9. STATEMENT OF THE LEADER OF THE COUNCIL AND THE CHIEF EXECUTIVE

We have reviewed the effectiveness of the Council's governance framework and noted the opinion and commitment of the Head of Governance. We sign this Annual Governance Assurance Statement on behalf of the Council.

Signature::

Date:

**Councillor Kevin Mills** Leader of the Council

Signature::

\_\_\_\_\_ Date: \_\_\_\_\_

Nadeem Aziz Chief Executive

| Subject:  | STRATEGIC PERFORMANCE DASHBOARD: QUARTER ONE 2023/24   |  |  |
|---|--|--|--|
| Meeting and Date:                                   | Cabinet – 4 September 2023   |  |  |
| Overview and Scrutiny Committee – 11 September 2023 |  |  |  |
| Report of:  | Rebecca Brough, Head of Corporate Services and Democracy   |  |  |
| Portfolio Holder:                                   | Councillor Sue Beer, Portfolio Holder for Finance, Governance,<br>Climate Change and Environment |  |  |
|   |  |  |  |
| Decision Type:                                      | Non-Key Decision   |  |  |
| Decision Type:<br>Classification:                   | Non-Key Decision<br>Unrestricted   |  |  |
|   | -  |  |  |

#### 1. Summary

- 1.1 The Quarter One 2023/24 Strategic Performance Dashboard, detailed at Appendix 1, covers the period April to June 2023. It aims to provide staff, Members and residents with an overview of how the Council, and East Kent Services, are performing against several key performance indicators (KPIs). It incorporates comments from Heads of Service on their service area's performance and an overall summary of performance during the quarter.
- 1.2 The 12-months trial period for the Strategic Performance Dashboard, with its new presentation of performance data, has now concluded. Consequently, we are currently reviewing our whole Performance Management Framework, to introduce new strategic and operational performance indicators. These will be closely aligned to our new Corporate Plan which is being developed following the local elections in May 2023.
- 1.3 We will continue with the existing Strategic Performance Dashboard until the new Corporate Plan and Performance Management Framework have been adopted.
- 1.4 Should Members wish to receive more detail regarding any of the KPIs, we ask they contact Leadership Support (contact details at the end of this report) in advance of the committee meeting so that the relevant Heads of Service can provide a full briefing.

#### 2. Introduction and Background

- 2.1 Effective performance management supports the delivery of the Council's aims and objectives.
- 2.2 On 6 June 2022, Cabinet approved a new Strategic Performance Dashboard to replace the existing quarterly Performance Report; to be trialled for a 12-month period

(during the financial year 2022/23). This new approach moved away from target setting (except for contractual performance) towards more trend analysis and narrative.

- 2.3 The aim of the Strategic Performance Dashboard is to provide clearer strategic information, better insight as to key issues and trends, and inform problem-solving discussions, where necessary.
- 2.4 The trial period has concluded, and we are now reviewing our Performance Management Framework. We will continue with the existing Strategic Performance Dashboard until the new Corporate Plan and Performance Management Framework have been adopted.
- 2.5 The Strategic Performance Dashboard includes a section to show performance within East Kent Services Partnership (EK Services) against key indicators. We monitor a more comprehensive set of indicators for EK Services, including Civica, through the monitoring structures established by the Agreements under which those services are delivered. Any areas of significant concern are capable of escalation into this quarterly monitoring report, if required.
- 2.6 With regards performance reported, overall, this is relatively steady. Specific areas of note are highlighted in the introduction section of the Strategic Performance Dashboard.
- 2.8 In July 2023, the Department for Levelling Up, Housing and Communities established the Office for Local Government (Oflog), a new performance body for local government. Oflog aims to provide authoritative and accessible data and analysis about the performance of local government and support its improvement. In the same month, Oflog launched the Local Authority Data Explorer DLUHC Data Dashboards. This is a new online tool which brings together a selection of existing metrics across a subset of service areas for data that is available at different levels of local authority. Further service areas will be added, and existing areas expanded, as the metrics are developed. There are currently four areas: waste, adult social care, adult skills, and finance. The waste and finance dashboards are referred to within the Strategic Performance Dashboard.
- 2.9 The Council's Performance Management Framework (PMF) sets out the overall high-level approach that the Council will take in managing its performance. The aim of the PMF is to provide a basis for consistency in the way that we manage performance and connect across the Council a 'one council' approach which will encourage Members, officers and partners to work together to deliver priorities. Following the trial period for the Strategic Performance Dashboard during 2022/23, we are reviewing the PMF and any changes brought to Cabinet for approval. The PMF will be closely aligned to the new Corporate Plan (under development) and Risk Management Framework.

#### 3 Identification of Options

- 3.1 Not applicable.
- 4 Evaluation of Options
- 4.1 Not applicable.
- 5 Resource Implications

5.1 There are no direct financial implications arising from this report. However, if performance is not at the expected or desired level then we may need to review or redirect resources to improve performance.

#### 6 Legal Implications

6.1 There are no direct legal implications arising from this report. However, if performance is not at satisfactory levels, the risk of legal challenge arising increases.

#### 7 Climate Change and Environmental Implications

7.1 There are no direct climate change implications arising from this report. However, some individual supporting projects reflect specific elements of the Council's climate change agenda. There is also a new KPI to monitor the 'Reduction in Dover District Council's Greenhouse Gas Emissions.'

#### 8 Corporate Implications

- 8.1 Comment from the Section 151 Officer (linked to the MTFP): "The S151 Officer has been consulted in the preparation of this report and has no further comments (MD)."
- 8.2 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" (HR).
- 8.3 Comment from the Equalities Officer: "This report detailing the Strategic Performance Dashboard Quarter One 2023/24 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" (KM).

#### 9 Appendices

Appendix 1 – Strategic Performance Dashboard Quarter One 2023/24

#### **Background Papers**

None.

Contact Officer: Caroline Hargreaves, Leadership Support Officer

Dover District Council

# Strategic Performance Dashboard

QUARTER ONE 2023/24 (APRIL TO JUNE 2023)



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#### A. INTRODUCTION

- Effective performance management supports the delivery of the Council's aims and objectives set out in our <u>Corporate Plan</u>.
- Dover District Council collects data on a wide range of performance to provide a high-level overview of the Council's overall performance. The Key Performance Indicators (KPIs) reported within this Strategic Performance Dashboard provide key insights into effective service delivery across the Council's functions and provide a focus for strategic and operational improvement and decision-making.
- Through service plans the Council carries out wider work to measure performance and quality. This report is intended to provide an overview of the contribution that the Council makes across all its activities towards achieving our vision to be "a district of ambition, inspiration, and good living a destination of choice".

#### Summary / Headline Achievements or Concerns

- As noted in the accompanying Cabinet report, the 12-months trial period for the Strategic Performance Dashboard, with its new presentation of performance data, has now concluded. Consequently, we are currently reviewing our whole Performance Management Framework, to introduce new strategic and operational performance indicators. These will be closely aligned to our new Corporate Plan, which is being developed following the local elections in May 2023.
- We will continue with the existing Strategic Performance Dashboard until the new Corporate Plan and Performance Management Framework have been adopted. The Corporate Project Progress Updates for significant projects will be reported in Quarters' Two and Four.
- The Strategic Performance Dashboard includes residual high risks from the Corporate Risk Register. These are risks that have been identified as high likelihood and high impact, and the risk remains high with mitigation actions. Providing this information means members can be clear on the actions we are taking to reduce those risks, wherever possible.
- With regards performance reported, overall, this is relatively steady, with specific areas of note, below:
  - a) There has been a marked improvement in our performance for resolving Anti-Social Behaviour (ASB) cases within 30-days over the quarter, from 62.12% in Quarter Four 2022/23 to 97.78% in Quarter One 2023/24. However, it is important to note that ASB cases can vary significantly in complexity and some challenges cannot be resolved within 30-days, therefore performance fluctuates depending on the type of cases reported.
  - b) The number of second-stage complaints referred to the council's complaints officer has increased by just under 50%, from 19 in Quarter Four 2022/23 to 28 in Quarter One 2023/24. This is mainly the result of increasing complaints made against the Planning and Development and Housing Needs / Options teams.
  - c) We continue to see an overall increase in our Port Health work. This is in part due to new importers using Dover Port to bring in consignments requiring checks under IUU (Illegal, Unreported & Unregulated) fishing legislation. Port health work is reliant on trade flows and therefore fluctuations throughout the year should be expected, but the general increase in work is as a direct result of leaving the EU. There is continuing uncertainty from DEFRA over the border controls, use of Bastion Point, the operating model to be operated and the funding and staffing requirements at Dover (and all other ports).
  - d) The data for the annual KPI on the "Number of new dwellings across the district all developers" is now available and shows that 556 new homes were delivered during 2022/23. This is a fall from 625 new homes (-11.04%) built during 2021/22.
  - e) The average days to re-let empty properties (from tenancy termination to new tenancy start date) excluding time spent on major works are high for the quarter (44.66 days, up from 37.57 days in Quarter Four 2022/23). However, there are a higher than usual number of properties becoming void in the quarter

(112, up from 90 in Quarter Four 2022/23), due to the Napchester Road development. This, and the backlog accumulated in letting properties, due to the transition to a new lettings system, and the fact that at least 80% to 90% of all voids requires a substantial amount of work, impacts on the contractor's work programme. However, it is It is anticipated that during the next quarters these figures will improve.

- f) Environmental cleanliness has improved considerably over the quarter, with the percentage of streets containing litter falling to 1.48%, from 13.88% in Quarter Four 2022/23.
- g) We have added four homes to our residential housing stock this quarter, all of which are general needs accommodation acquisitions (two affordable rent and two social rent). Since 2020/21, we have added 150 homes to council housing stock, broken down as follows: 52 temporary accommodation, 67 general needs accommodation, and 31 shared ownerships.
- h) The level of homelessness in the district and the pressures it generates continue to be an issue at local, regional, and national level. It is positive to see that the number of open cases being managed at the end of the quarter has fallen to 456, from 517 in Quarter Four 2022/23 (-11.8%). Unfortunately, the number of households in temporary accommodation at the end of the quarter has risen to 241, from 231 in Quarter Four 2022/23 (+4.3%). The number of homeless families living outside the area at the end of the quarter has also risen to 19, from 16 in Quarter Four 2022/23 to 19 (+18.8%).
- i) Benefit and Money Advisors have Supported 270 tenants in Quarter One and maximised their income by £154,532.97. They have also prevented court/eviction for two tenants.
- j) Dampness and mould: The council continues to take a zero-tolerance and proactive approach to damp and mould interventions and have dedicated our resources to encourage residents to report issues to us and ensure that we can act promptly. We have 400 cases reported up to the end of June 2023, the vast majority have had works completed and are in the follow-up monitoring process with the remainder having had inspections carried out and works ordered and in progress.
- In July 2023, the Department for Levelling Up, Housing and Communities established the Office for Local Government (Oflog), a new performance body for local government. Oflog aims to provide authoritative and accessible data and analysis about the performance of local government and support its improvement. In the same month, Oflog launched the Local Authority Data Explorer DLUHC Data Dashboards. This is a new online tool which brings together a selection of existing metrics across a subset of service areas for data that is available at different levels of local authority. Further service areas will be added, and existing areas expanded, as the metrics are developed. There are currently four areas: Waste, Adult social care, Adult skills, Finance. The waste and finance dashboards are referred to in the relevant sections of this report.

#### B. FINANCIAL SUMMARY: QUARTER ONE 2023/24

#### General Fund (GF) Draft 2022/23 Outturn

 Due to the delays in the 2020/21 audit process and the impact on capital accounting adjustments it has not yet been possible to complete fully reconciled GF, HRA and balance sheet positions. However, based on the work completed to date the draft GF position shows a draft year end surplus of £27k. The main variances to the original budget are detailed below:

| Description   | 2022/23 Outturn £000 |
|---|----------------------|
| Original Forecast Budget Surplus  | (254)                |
| Numerous staff savings, including post savings and longer vacancy periods due to    | (750)                |
| difficult recruitment environment.  |                      |
| Additional Homeless pressures – increased temporary accommodation costs £680k       | 300                  |
| offset by additional Housing Benefit, grants & other income streams (£380k)         |                      |
| Refuse, recycling & street cleansing inflation pressures, offset by in-year service | 175                  |
| savings and contractual performance deductions                                      |                      |
| Increased garden waste income   | (57)                 |
| Increased utility costs   | 75                   |
| Additional external audit fees  | 100                  |
| Impact of HB position including supported housing pressures & reduction in          | 100                  |
| overpayment "profit"  |                      |
| Parking income shortfall against target   | 100                  |
| Kearsney Café deficit   | 150                  |
| Revised NDR position  | (75)                 |
| Homes for Ukraine funding for DDC support   | (205)                |
| Increased DDC retained Port Health income   | (92)                 |
| Improved investment returns   | (282)                |
| Numerous miscellaneous variances  | 58                   |
| Total Variances   | (403)                |
| Transfer to NDR reserve to offset potential future volatility                       | 630                  |
| Draft GF Deficit / (Surplus)  | (27)                 |

#### General Fund (GF) Quarter 1 Forecast

- The 2023/24 budget includes £1.6m of savings and income generation targets and an assumption that an underspend of £500k will be delivered at year end in line with previous year outturn positions. Progress to deliver these targets is being made, with approximately £900k achieved, including:
  - £500k staff savings agreed and delivered.
  - £90k rent and service income generation.
  - £75k review of cost allocation to the Housing Revenue Account.
- However, there remains c.£700k where further work is required. These include:
  - £100k Grounds Maintenance some savings having been achieved through vacancies however a full review of structure will be undertaken when the new Head of Service in post.

- £330k Street Cleansing c.£100k has been agreed via changes to litter bin collection rounds, further negotiations with the contractor are underway.
- £200k Homelessness pressures continue on the annual budget based on current presentation levels and demands for the service. Work is underway to review the department and identify options for cost reduction / income generation.
- It is considered unlikely that the £62k target income for Kearsney café will be delivered. However, it is expected that it will achieve a break-even position, compared to a £150k deficit in 2022/23, showing a positive direction of travel. The position continues to be monitored.
- As detailed in the 2022/23 outturn position a £400k underspend was achieved in 2022/23, this will remain uncertain until the outturn is finalised in quarter one of 2023/23.
- At the end of quarter one the following additional variances have been identified:

|  | 2023/24 Variances |
|--|-------------------|
| Description  | £000              |
| Original Budgeted Deficit  |                   |
| Parking admin computer software maintenance reduction                | (48)              |
| Port Health DDC certificate income increase                          | (111)             |
| Reduction in community housing fund activity                         | (22)              |
| Business rates charges for vacant Whitfield Court business park unit | 55                |
| Increased premises insurance for Dover leisure centre                | 49                |
| Increased inflation on waste contract of 9.92% (budgeted 8.5%)       | 75                |
| Decrease in refuse purchase of materials budget                      | (120)             |
| Forecast reduction in planning application income                    | 150               |
| Accommodation recharge to Port Health service                        | (58)              |
| Numerous vacancy / salary savings                                    | (232)             |
| Total identified variances   | (262)             |

- There remain a number of major uncertainties which may continue to impact the outturn position. These include the economic environment, inflation, and interest rate pressures, NDR collection rates, Council Tax collection rates, homelessness levels, supported housing costs, potential NDR appeals and the future of the Port Health service.
- As detailed above the outturn position depends significantly on progress of the savings targets being delivered and the economic environment. The budget was set forecasting a deficit of £1.1m, to be funded from the Smoothing reserve. If the underspend of £500k is not exceeded and the remaining savings targets are not delivered in full the outturn could result in an overspend of £430k, with additional use of the Smoothing Reserve required. The position will continue to be monitored and reported accordingly.

#### Housing Revenue Account (HRA) Draft 2022/23 Outturn

• Due to the delays in the 2020/21 audit process and the impact on capital accounting adjustments it has not yet been possible to complete fully reconciled GF, HRA and balance sheet positions. However, based on the work completed to date the draft HRA position shows a draft year end deficit of £3.1m, to be funded from the Housing Initiatives Reserve. The main variances to the original budget are detailed in the following table:

| Description  | Variance £000 | £000    |
|--|---------------|---------|
| Forecast HRA Deficit (planned to be funded from HIR)   |               | 1,978   |
| Decrease in rent income (housing projects timings)     | 95            |         |
| Increased income from service charges                  | (219)         |         |
| Increase in revenue repairs expenditure (see below)    | 2,420         |         |
| Decrease in capital works programme (see below)        | (1,222)       |         |
| Decrease in recharges to the HRA                       | (321)         |         |
| Increase in council tax costs due to higher void times | 115           |         |
| Decrease in bad debt provision                         | (20)          |         |
| Lower borrowing interest costs                         | (262)         |         |
| Contribution to borrowing reserve                      | 514           |         |
| Miscellaneous variances                                | 32            |         |
| Total Variances  | 1,132         |         |
| Draft HRA Deficit                                      |               | 3,110   |
| Application of HIR reserve                             |               | (3,100) |
| Impact on HRA balance                                  |               | 10      |
| Opening HRA Balance                                    |               | (1,027) |
| Closing HRA Balance                                    |               | (1,017) |

- The increased expenditure on revenue repairs is mainly due to:
  - £1.5m increase in non-specific repairs relating to the restorative programme being undertaken to support our properties in complying with the Decent Homes Standard.
  - £745k increase in expenditure in void repairs due to an on-going trend of voids being returned in a poor condition and often needing major works.
- The decreased expenditure on capital works is mainly due to:
  - £500k due to spend not yet progressing on the Carbon Neutral programme.
  - £150k ICT project budget accommodated within revenue budgets instead of capital.
  - Savings of £564k on the road building costs at the Napchester Road development.

#### Housing Revenue Account (HRA) Quarter 1 Forecast

- The 2023/24 budget includes a higher level of revenue works for both non-specific repairs and voids works, reflecting the challenges faced in 2022/23 to continue to improve on the quality of the stock returned to DDC from East Kent Housing.
- A working group has been established which is looking into the long-term business plan for the HRA. It will assess if the underlying long term HRA position is viable, taking into account the short-term backlog of works (currently running at £3m pa), the on-going impact of the economic environment and the retendering of the term maintenance contract. The costs of the additional works for 2023/24 and two further years can currently be financed from the HIR. The position will continue to be monitored and reported accordingly.

#### Local Authority Data Explorer - DLUHC Data Dashboards

• As mentioned in the introduction, the Office for Local Government (Oflog) has launched the <u>Local Authority</u> <u>Data Explorer - DLUHC Data Dashboards</u>. The finance data for the council is complex and potentially inconsistent based on how returns are completed, we are currently analysing the information to assess what would be useful to share with members in the future.

#### C. OFFICE OF THE CHIEF EXECUTIVE

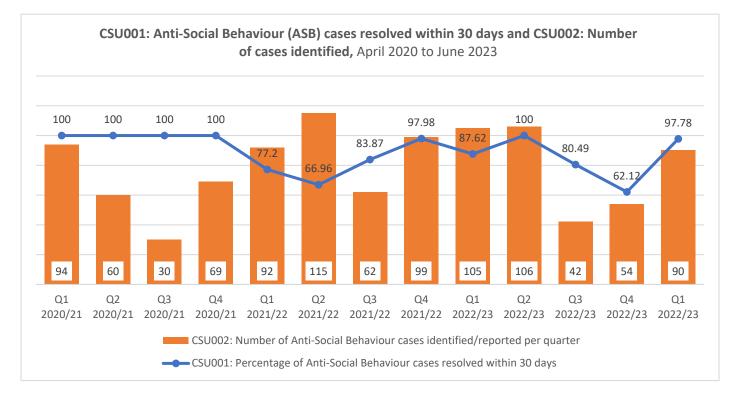
#### 1. TRANSFORMATION

#### COMMUNITY SERVICES: ANTI-SOCIAL BEHAVIOUR - DISTRICT

#### CSU001: Percentage of Anti-Social Behaviour (ASB) cases resolved within 30 days.

#### CSU002: Number of cases identified.

CSU001: A high value is good; CSU002 A low value is good.



#### Successes and Areas of Concern – Quarter One 2023/24

Brinley Hill, Head of Transformation

- There has been an increase in the number of anti-social behaviour (ASB) cases reported over the quarter, up from 54 cases in Quarter Four 2022/23 to 90 cases in 2023/24 (+66.7%), although the numbers in Quarter One are in line with those reported for the same period in previous years.
- Nearly 98% of ASB cases over the quarter were resolved within 30 days, which appears to be a marked improvement on the previous quarter. However, as outlined in previous performance reports, ASB cases can vary significantly in complexity and some ASB challenges cannot be resolved within 30 days, therefore performance fluctuates depending on the type of cases reported.
- We operate a CCTV system to reduce both the real and perceived level of crime. Our CCTV cameras are strategically located around the town centres and record 24 hours a day, 365 days a year. New figures from our <u>Annual CCTV Report 2023</u><sup>1</sup> (published in June 2023) show a total of 3,655 incidents were captured on camera across the district by the control room team in 2022/23. Of those, 1,785 required the attendance of Kent Police and resulted in 279 arrests. The team also assisted 217 vulnerable people, including missing people and those suffering mental health crises. The cameras and operators help keep Dover moving during peak travel times or following road incidents. They also assist DDC with its key responsibilities including tackling environmental crime, and monitoring events and the nighttime economy.

<sup>&</sup>lt;sup>1</sup> https://www.dover.gov.uk/Community/Emergency-Planning-CCTV/CCTV/CCTV-Annual-Report-2023-ONLINE.pdf Strategic Performance Dashboard - Quarter One 2023/24

- The Community and Parking Services Team is responsible for developing and managing relationships between the council, the community, residents, and various external stakeholders. The team brings together professionals in Emergency Planning, Community Safety, Community Development, Transport and Parking, CCTV, Events, Business Continuity, Out-of-Hours corporate response and safeguarding.
- The team has supported a plethora of events, engaging with thousands of residents, during Quarter One 2023/24, including the Deal and Dover carnivals, Dover regatta, and the multi-cultural festival. Our community roots van provides targeted support every week, on a variety of themes including food and fuel poverty, substance misuse, and domestic abuse.
- Other highlights include:
  - In June 2023, our Cabinet approved<sup>2</sup> the acceptance of 15 MOD properties located in Guston for a period of three-years to house 15 families (minimum circa 60 plus individuals) as part of the government's Afghan Relocations and Assistance Policy (ARAP). This included formation of the DART (Dover Asylum and Resettlement Team) to deliver intensive family intervention over the three-years. Our delivery model has been highlighted as best practice by the Home Office and Ministry of Defence.
  - Ongoing support for the Homes for Ukraine Scheme.
  - Responding to reports of overnight camping in St Margaret's Bay by placing additional signage. Positive feedback has been received from residents about the action taken and we continue this by providing additional leaflets that have just been designed promoting where caravans can go overnight in the district.
  - Ongoing work with the Kent Resilience Forum to keep Dover flowing and minimise the impact of traffic disruption.
- Following an Audit Review, responsibility for parking transferred to the Transformation Service with effect from April 2023. A recovery plan has delivered considerable improvement in service performance and staff morale. There has been a significant rise in the number of Penalty Charge Notices (PCNs) issued, with 5,201 issued in Quarter One 2023/24, compared with 2,590 in Quarter One 2022/23 (an increase of +100.8%). The percentage of PCNs cancelled after appeal remains relatively stable, with an average of 8% cancelled in Quarter One 2022/23, compared with an average of 7% in Quarter One 2023/24.
- The current focus of the Digital and Technology Team is the disaggregation of the EKS infrastructure. The Digital and Technology Manager is co-ordinating the disaggregation of the shared infrastructure, which is an ongoing project until 2024. We are moving our systems and shared infrastructure into the cloud. We are also in the progress of implementing a new cloud system 'Tascomi' into Regulatory Services, Public Protection and Anti-Social Behaviour Unit this will be going live in 2024. In addition, we are currently looking at options for the website redesign.

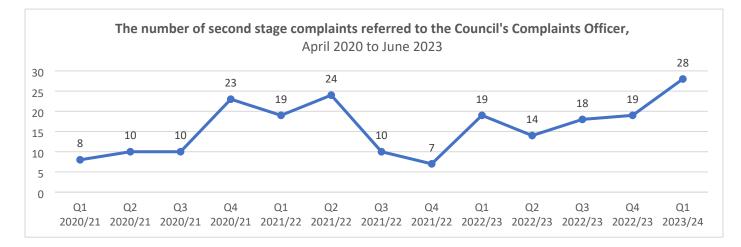
<sup>&</sup>lt;sup>2</sup> <u>Provision of Interim Housing and Support for Afghan Refugees via Afghan Relocations and Assistance Programme – Cabinet Report 5 June 2023 (dover.gov.uk)</u>

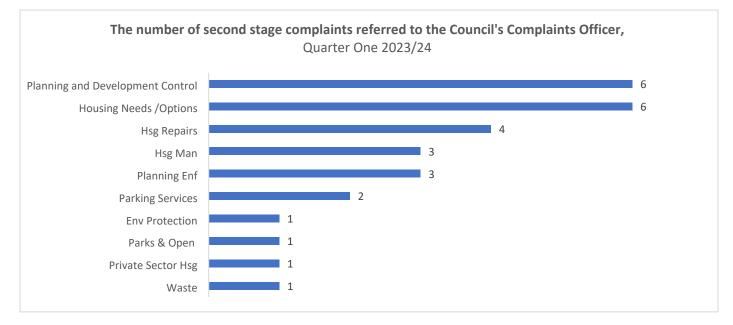
#### D. CORPORATE AND REGULATORY DIRECTORATE

#### 2. DEMOCRATIC AND CORPORATE SERVICES

### GOV003: The number of second stage complaints referred to the Complaints Officer







#### Successes and Areas of Concern – Quarter One 2023/24

- The number of second-stage complaints referred has increased from 19 in Quarter Four 2022/23 to 28 in Quarter One 2023/24 (+47.4%).
- This increase is mainly the result of complaints against the Planning and Development Team increasing from one to six over the quarter. Complaints against the Housing Needs / Options service have also increased from four to six over the quarter. However, complaints against the Housing Repairs team have fallen from eight to four over the quarter.
- The Planning and Development complaints can be categorised as follows: four merits of decision complaints, one officer conduct complaint and one allegation of breach of GDPR complaint.
- The breach of GDPR relates to personal information that should have been redacted prior to being sent to the Planning inspector, and its publication on the planning portal. We rectified the error by removing the information from the planning portal and contacting the Planning Inspectorate to delete the personal information in their copy. The personal data was in the public domain for 5 days when it was taken down and

republished with the necessary redactions of the two personal mobile numbers. We issued an apology and further training was arranged. The council's Governance Officer and Data Protection Officer advised that the matter did not meet the threshold for self-reporting to the Information Commissioner's Office as the level of risk to the individual was not met.

• The Housing Needs / Options complaints can be categorised as follows: three length of time to assess information complaints and three merits of decision complaints.

#### LGSCO - See how we are performing against other councils.

- The Local Government and Social Care Ombudsman (LGSCO) has been publishing complaints data for nearly a decade, and giving insights to help scrutinise how local council services are performing.
- To find out how Dover District Council is performing, please see the LGSCOs Your Council' Performance Map, which has five years of continuous data posted: <u>Dover District Council - Local Government and Social Care</u> <u>Ombudsman</u>. The annual statistics covering complaints upheld, compliance with Ombudsman recommendations, and satisfactory remedies provided by the council.

#### 3. PORT HEALTH AND ENVIRONMENTAL SERVICES

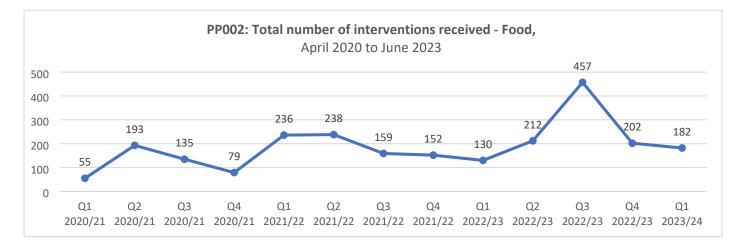
#### PP001: Health and Safety (District and Corporate) - Total number of interventions received.

Interventions includes accidents, complaints and visit activities.



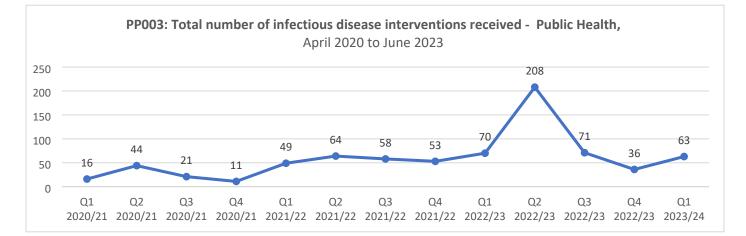
#### PP002: Food - Total number of interventions received.

Interventions relate to our Food Safety work and includes food inspections, complaints and visit activities.



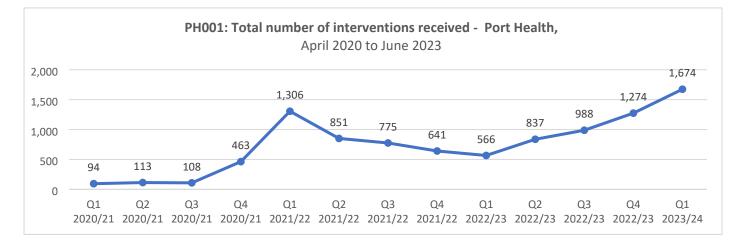
#### PP003: Public Health - Total number of infectious disease interventions received.

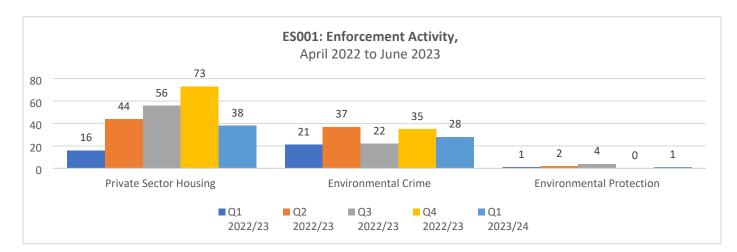
Interventions relate to our Infectious Disease work and includes salmonella, legionella, and Norovirus activities.



#### PH001: Port Health - Total number of Port Health interventions received.

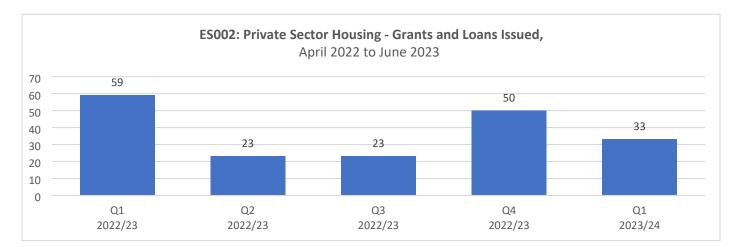
Interventions includes imported food controls, sampling, verification of imported food data and ship inspection activities.

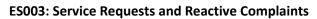




#### **ES001: Enforcement Activity**

#### ES002: Private Sector Housing - Grants and Loans Issued.







#### Successes and Areas of Concern – Quarter One 2023/24

Lucy Manzano. Head of Port Health and Environmental Services

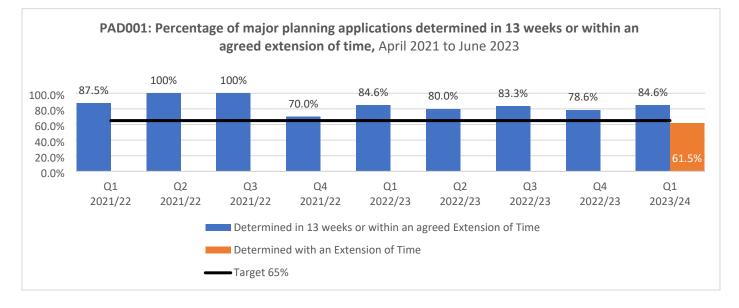
- Port Health and Public Protection merged with the Regulatory Services, from April 2023, to form Port Health and Environmental Services. Licensing, which used to sit within Regulatory Services is now part of Legal Services. Responsibility for corporate health and safety has transferred to Human Resources (district health and safety remains with the Port Health and Environmental Services).
- The Port Health and Environmental Services covers a wide range of activities including port health, food safety, public health, private sector housing, environmental crime, and environmental protection.
- PH001 Port health interventions: This chart shows that we are continuing to see increases in our port health work. This is in part due to new importers using Dover Port to bring in consignments requiring checks under IUU (Illegal, Unreported & Unregulated) fishing legislation. Port health work is reliant on trade flows and therefore fluctuations throughout the year should be expected, but the general increase in work is as a direct result of leaving the EU.
- PP001 Health and Safety Interventions: This quarter has seen quite a few Temporary Events and Safety Advisory Group events due to the time of year. The Public Protection team view these events and provide Health and Safety advice when necessary.
- The Public Protection Team are preparing for a change of database systems, moving from Northgate M3 which is network based to cloud based Tascomi. We anticipate this to happen in January 2024, requiring a lot of work to ensure the smooth transfer of information and identifying how to best utilise Tascomi.
- ES001 Enforcement activity:

- Environmental Crime: Of the 28 enforcement activities over this quarter, ten relate to dog chipping notices, six S.34 EPA notices, five dog control fixed penalty notices, and five litter from vehicles civil penalties.
- Environmental Protection: The one enforcement activity this quarter was for a statutory nuisance.
- Private Sector Housing: Of the 38 enforcement activities over the quarter, 36 relate to serving Housing Act notices.
- ES002: Private Sector Housing Grants and Loans Issued. The team processed 33 applications over the quarter.
- ES003 Service Requests and Reactive Complaints:
  - The Environmental Crime Team responds to issues including fly-tipping, commercial waste, waste accumulations, litter, dog fouling, dog control, stray dog service and unlicensed waste collectors. The majority of the 567 requests/complaints the team responded to this quarter were fly-tipping reports (286), followed by other dog control (52), domestic waste (47), litter (46), and stray/lost dogs (45).
  - The Environmental Protection Team deals with various issues, including statutory nuisances (noise, dust, odour, light, premises nuisance, smoke) and Public Health Act funerals. The majority of the 494 requests/complaints the team responded to this quarter were for noise (211), followed by animal nuisance (50), licensing (50), planning (44), and accumulation (34).
  - Private Sector Housing Team responds to issues including Houses of Multiple Occupancy, caravan sites, and complaints about private housing.

#### E. PLACE AND ENVIRONMENT DIRECTORATE

#### 4. PLANNING AND DEVELOPMENT

### PAD001: Percentage of major planning applications determined in 13 weeks or within an agreed extension of time.

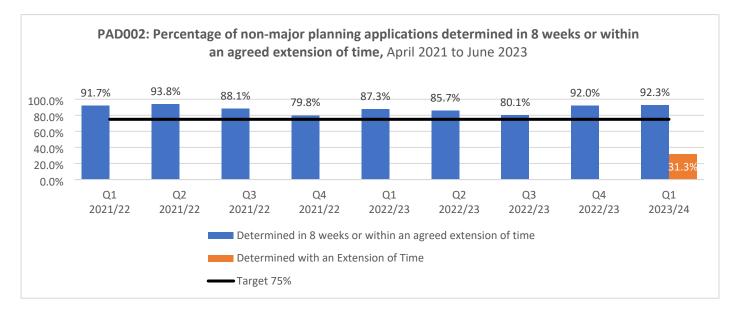


Statutory Indicator. A high value is good.

• Thirteen major planning application decisions were issued during Quarter One 2023/24. Of these, 85% of cases (11 applications) were determined within the determination period; well above the target of 65%.

### PAD002: Percentage of non-major planning applications determined in 8 weeks or within an agreed extension of time.

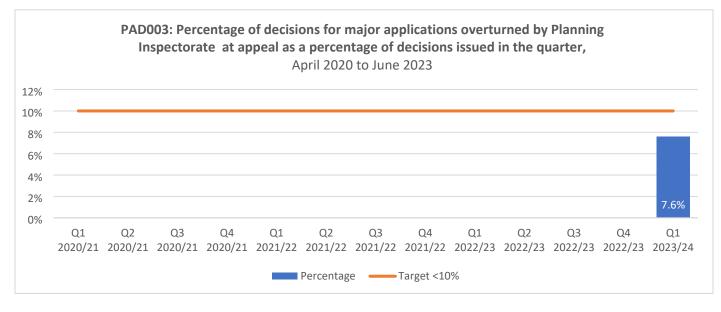
Statutory Indicator. A high value is good.



• 233 decisions for non-major applications were issued during Quarter One 2023/24. Of these, 92% of cases were determined within the determination period; well above the target of 75%.

## PAD003: Percentage of decisions for major applications overturned by Planning Inspectorate at appeal as a percentage of decisions issued in the quarter.

Statutory Indicator. A low value is good.

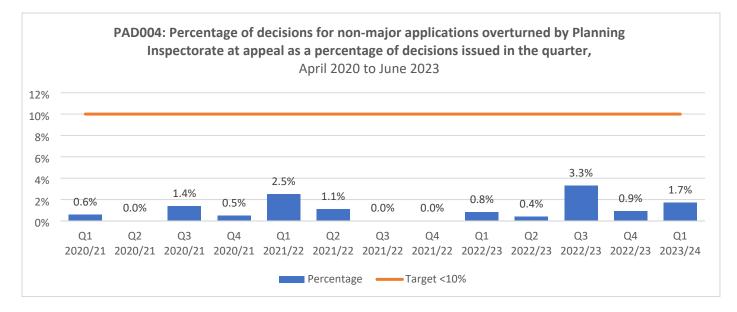


In Quarter One 2023/24, the Planning Inspectorate overturned one decision for a major application (22/00652

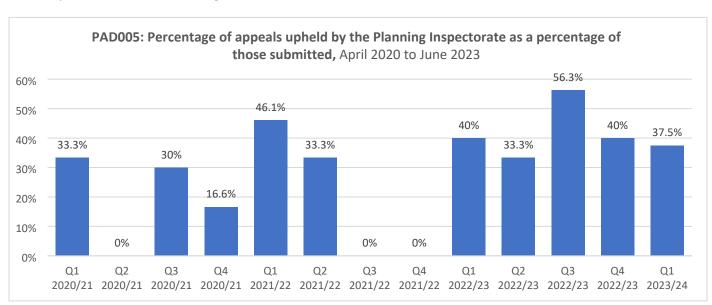
 Land South West of London Road, Deal). Out of the 13 major planning applications determined in this quarter, this equates to 7.6%, which remains within the target of less than 10%.

### PAD004: Percentage of decisions for non-major applications overturned at appeal as a percentage of decisions issued in the quarter.

Statutory Indicator. A low value is good.

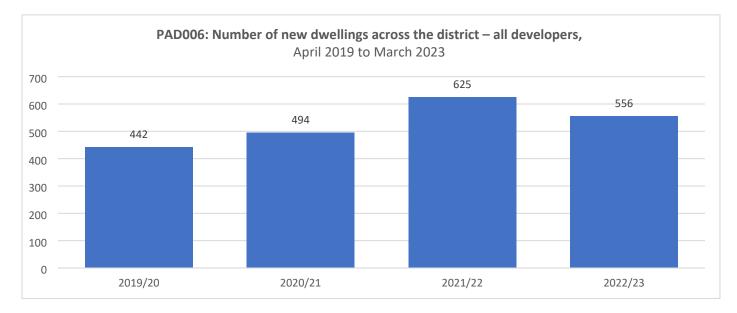


• During Quarter One 2023/24, seven non-major applications were determined at appeal. Of these, four decisions were overturned (appeal upheld). Out of the total number of decisions issued (233 applications), this equates to 1.7% overturned at appeal, which is well within the target of less than 10%.



### **PAD005:** Percentage of appeals upheld by the Planning Inspectorate as a percentage of those submitted. Statutory Indicator. A low value is good.

• During Quarter One 2023/24, in total, eight appeal cases were determined by the Planning Inspectorate - upholding five appeals (overturning our planning decision) and dismissing three cases.



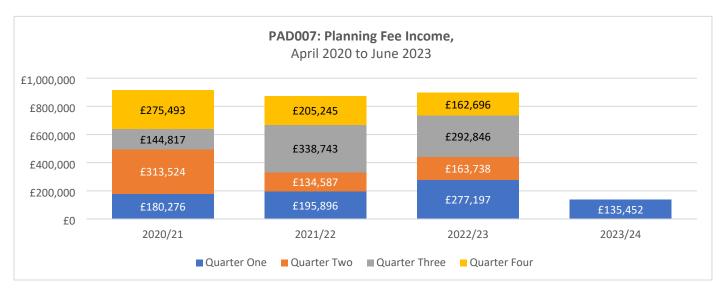
**PAD006:** Number of new dwellings across the district – all developers.<sup>3</sup> A high value is good. Annual KPI - Figures obtained from the Annual Monitoring Report.

• This is an annual performance indicator and the figure for 2022/23 is now available. During the last financial year, there were 556 new dwellings across this district (current annual target of 611).

<sup>&</sup>lt;sup>3</sup> PAD006 has replaced 'KPI011: Growth in Council Tax Base' to monitor housing growth. KPI011 is still reported for information purposes but can now be found in the Civica section.

#### PAD007: Planning fee income.

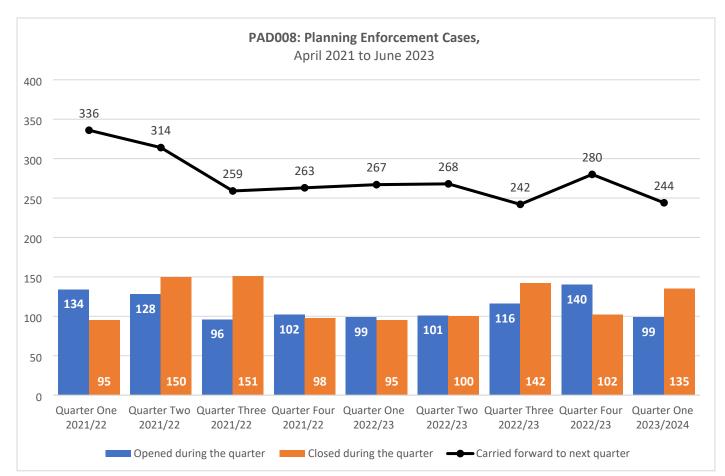
A high value is good.



• Planning fee income for Quarter One 2023/24 is less than that seen at the same point in the previous three years. A drop in fees for 2023/24 was forecast into the budget and is being monitored.

#### PAD008: Planning Enforcement Cases.

A low value is good.





• PAD008: Quarter 1 has seen three Enforcement Notices, two Planning Contravention Notices and two Section 215 notices issued. Two notices are subject to appeal and two notices were dismissed at appeal.

#### Successes and Areas of Concern – Quarter One 2023/24<sup>4</sup>

Sarah Platts, Head of Planning and Development

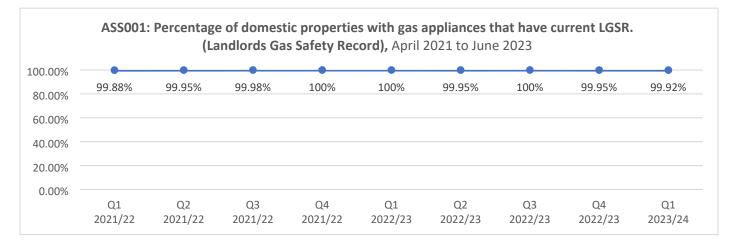
- Overall, the percentage of planning application decisions determined within the required determination periods (or with an extension of time agreed) remains strong.
- During the monitoring year 2022/23, there were 556 dwellings (net) completed, which, although falling short of the current annual target of 611, is positive given the current economic climate, and remains a strong build out rate.

<sup>&</sup>lt;sup>4</sup> Some data correction for previous quarters has occurred across the Planning KPIs, due to undertaking a review of how the statistics have been/ are collated. If you have any questions on this, please contact Sarah Platts (<u>Sarah.Platts@dover.gov.uk</u>) or Alice Fey (<u>Alice.Fey@dover.gov.uk</u>).

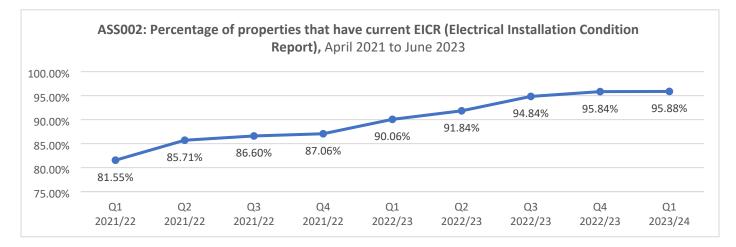
#### 5. **PROPERTY ASSETS**

#### HOUSING MAINTENANCE

ASS001: Percentage of properties with gas appliances that have current LGSR (Landlords Gas Safety Record) A high value is good.

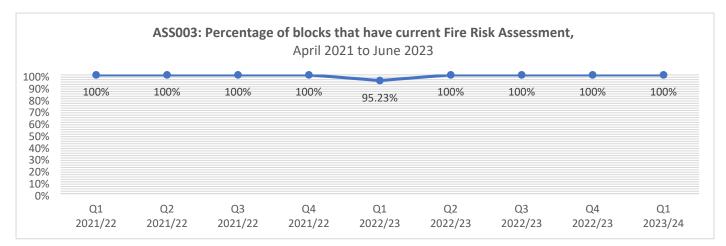


#### ASS002: Percentage of properties that have current EICR (Electrical Installation Condition Report) A high value is good.

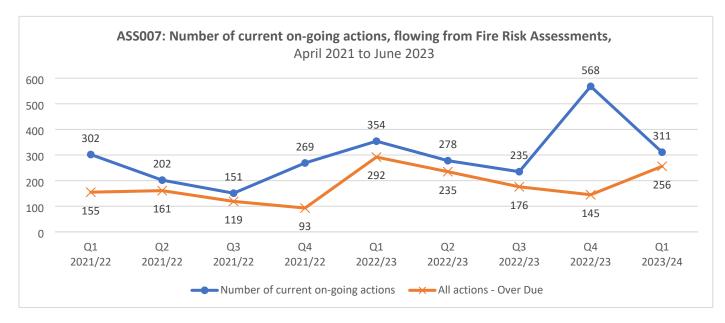


### ASS003: Percentage of Blocks that have current Fire Risk Assessment

A high value is good.

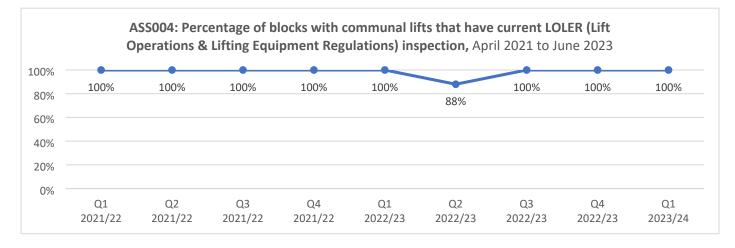


#### **ASS007: Number of current on-going actions, flowing from Fire Risk Assessments** A low value is good.

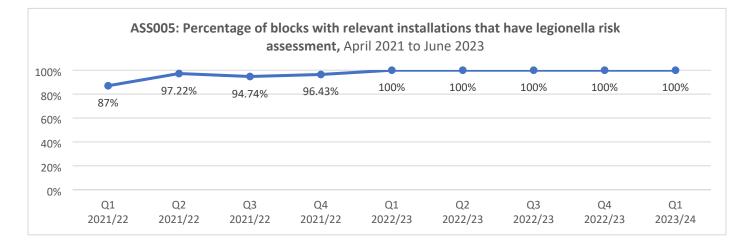


### ASS004: Percentage of Blocks with communal lifts that have current LOLER (Lift Operations and Lifting Equipment Regulations)

A high value is good.

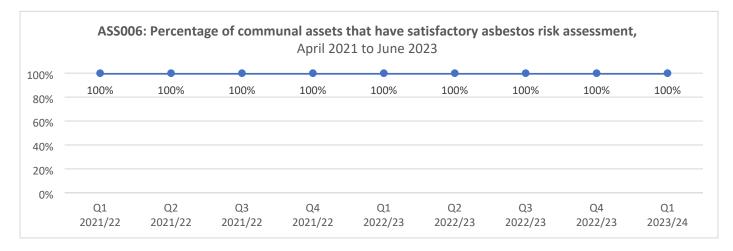


#### **ASS005: Percentage of Blocks with relevant installations that have legionella risk assessment.** A high value is good.



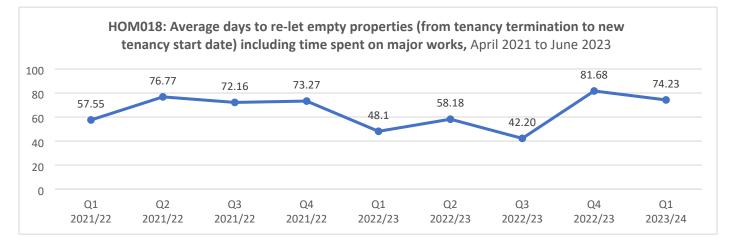
#### ASS006: Percentage of communal assets that have satisfactory asbestos risk assessment.

A high value is good.



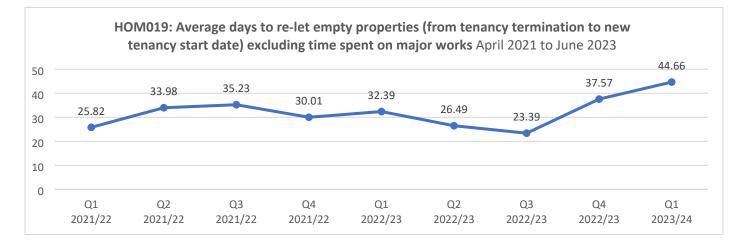
HOM18: Average days to re-let empty properties (from tenancy termination to new tenancy start date) including time spent on major works.

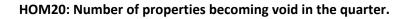
A low value is good.

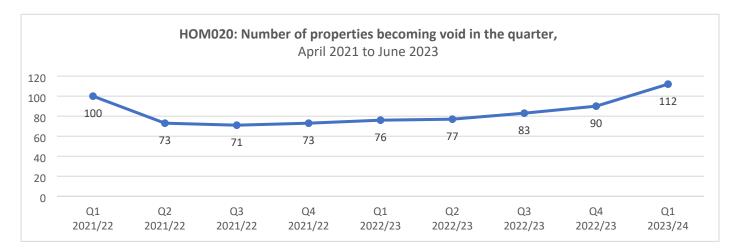


# HOM19: Average days to re-let empty properties (from tenancy termination to new tenancy start date) excluding time spent on major works.

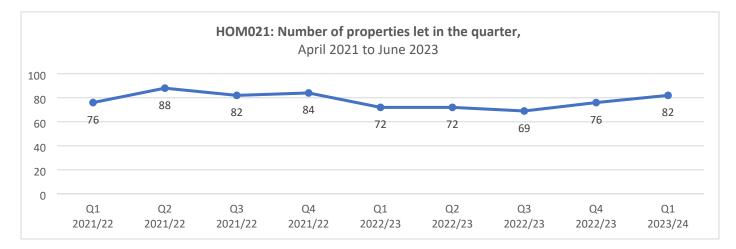
A low value is good.



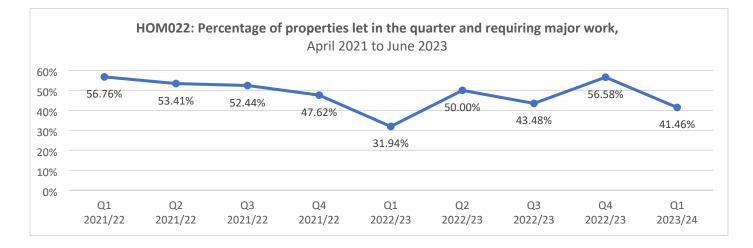




#### HOM21: Number of properties let in the quarter.

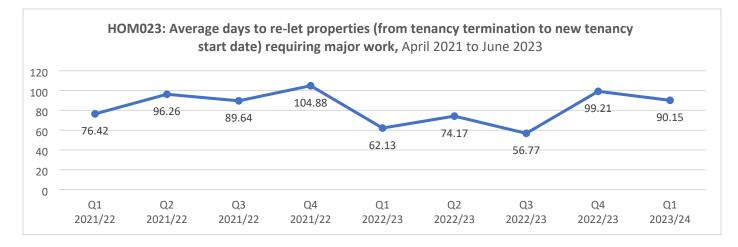


### **HOM22: Percentage of properties let in the quarter and requiring major work.** A low value is good.



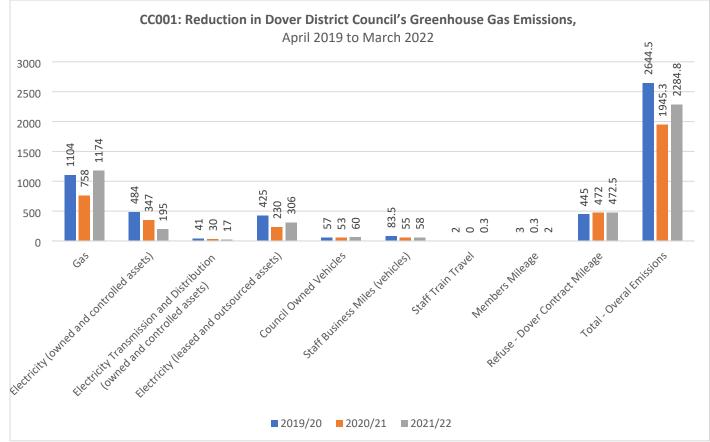
## HOM23: Average days to re-let properties (from tenancy termination to new tenancy start date) requiring major work.

A low value is good.



#### CC001: Reduction in Dover District Council's Greenhouse Gas Emissions

A low value is good. Annual KPI. Updated August / September – will be reported in the Quarter Two report.



Comparison of Council Transport and Stationary Greenhouse Gas emissions between 2019/20 and 2021/22.

#### Successes and Areas of Concern – Quarter One 2023/24

David Parish, Head of Property Assets

- The average days to re-let empty properties (from tenancy termination to new tenancy start date) excluding time spent on major works (HOM019) are high. However, there are a higher than usual number of properties becoming void in the quarter (HOM020), due to the Napchester Road development. This, and the backlog accumulated in letting properties, due to the transition to a new lettings system, and the fact that at least 80% to 90% of all voids requires a substantial amount of work, impacts on the contractor's work programme. However, it is It is anticipated that during the next quarters these figures will improve.
- The voids process is constantly being reviewed by both Housing Management and Property Assets. We have introduced Liquidated and Ascertained damages for late completion of voids and are also reintroducing prevoid inspections where Housing Assets will inspect a property as soon as the tenant gives notice to quit their tenancy.
- We monitor all Fire Risk Assessment (FRA) actions (ASS003 and ASS007) weekly with our contractor Sureserve, with the intention of reducing the number of FRA actions outstanding as soon as possible. In Quarter Four 2022/23, on-going actions from Fire Risk Assessments (ASS007) spiked to 568, with 145 actions overdue, as we had started undertaking new Fire Risk Assessments. By the end of Quarter One 2023/24, these on-going actions had fallen to 311, but with 256 actions overdue. These overdue actions are mainly due to checking of flat entrance fire doors as part of a fire door survey being undertaken. Once this survey is complete, we anticipate it will lead on to a programme of replacing all flat entrance and communal entrance doors. Other significant actions are the moving of bin stores (currently being looked at), inspection of compartmentation of blocks and small items that we are currently undertaking in-house, so the outstanding actions figure will come down over the next few months.
- Access issues remain a problem with regards Electrical Installation Condition Reports (ASS002), where performance has slightly improved from 95.84% in Quarter Four 2022/23 to 95.88% in Quarter One 2023/24. The properties that we are now dealing with are hard to access properties and we do not have a right of entry.
- We have set up a Housing Repairs Focus Group for tenants, working alongside the Dover District Tenants' Consultative Group, to have a say about the new repairs contract starting in 2025. Meeting monthly from May 2023 to September 2023, tenants will have the opportunity to be invited to be involved in the tender and selection process. Specialist managers in our repairs team will discuss a variety of topics including:
  - Ideal response times, void (empty property) times and Key Performance Indicators.
  - Should calls be taken by the DDC or the Contractor?
  - What additional services would you like, such as garden clearances, blitz cleans, handyman, repair tracking etc?
  - What community projects or social impact should they do?
  - What Tenant Involvement do you want in the contract?

#### Damp and Mould Update

- The council continues to take a zero-tolerance and proactive approach to damp and mould interventions and have dedicated our resources to encourage residents to report issues to us and ensure that we can act promptly.
- The DDC Damp and Mould Policy is nearing completion and is with the Housing Policy Officer for final review before being presented to Cabinet in October/ November for adoption.
- The Policy supports and sets out our process to investigate the cause of damp holistically, carrying out required remedial works promptly, offering advice and guidance where appropriate, and taking all steps to eradicate damp.

- To date, we have 400 cases reported up to the end of June 2023, the vast majority have had works completed and are in the follow-up monitoring process with the remainder having had inspections carried out and works ordered and in progress.
- As the colder weather approaches, the Tenants Newsletter will highlight that condensation is more likely and will provide advice and the routes to report any concerns. We therefore expect to see and upturn in the number of cases being reported and will have resources made available to act upon them promptly.

#### Greenhouse Gas Emissions (DDC Estate and Operations): Annual KPI – to be updated in Quarter Two 2023/24.

- The Department for Business, Energy and Industrial Strategy requires local authorities to calculate the total gross greenhouse gas emissions from their own estate and operations, each year. As this is an annual indictor, the data has not changed since the Quarter One dashboard.
- All gas consumption is reported under Gas (Scope 1) regardless of tenure, i.e., whether it is owned and occupied by the Council or leased/ outsourced.
- Electricity consumption reporting is dependent on whether the building is owned and occupied by the Council (Owned and controlled assets) which falls into Scope 2 or whether it is leased and outsourced which falls into Scope 3 (leased and outsourced).
- Buildings owned and controlled by the Council, include:
  - The Council Offices Whitfield
  - o Dover Museum
  - Dover Museum Store
  - Dover Town Hall (formerly reported under Leased and Outsourced when Your Leisure leased the building)
  - $\circ$  ~ Public Conveniences still under DDC direct control
  - Kearsney Abbey Park Café
  - Hamilton Road Cemetery Buildings
  - $\circ$   $\,$  Marke Wood Elms Vale and Danes Recreation Ground buildings  $\,$
  - Castle Street Office (@your service)
  - Deal Pier Lighting and Attendant Office
  - Streetlighting for which DDC is responsible.
  - o Grand Shaft
  - Outsourced leased assets reported on include consumption from:
    - Deal Leisure Pool (Tides)
    - o Tennis Hall, Deal
    - Dover Leisure Centre
    - Tower Hamlets Depot (leased to Veolia)

#### 6. PLACE AND GROWTH

#### IGT001: Average of Total Footfall in Dover, Deal and Sandwich.

A high value is good.

We currently have two footfall monitoring systems in Dover:

- HUQ a system that tracks mobile phones.
- Springboard a system that counts people that cross an invisible line.

In Deal and Sandwich, we only have HUQ to monitor footfall.

We believe that HUQ is not counting footfall accurately and, although we have challenged the supplier, we are not getting satisfactory responses and therefore are currently looking for a replacement system.

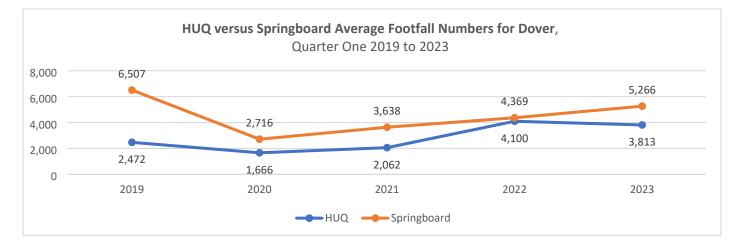
For Quarter One 2023/24, HUQ shows a drop in footfall in all three towns, but Springboard shows an increase:

| Quarter One HUQ | 2022/23 | 2023/24 | Difference | 2022/23 Average | 2023/24 Average |
|-----------------|---------|---------|------------|-----------------|-----------------|
| Dover           | 373,113 | 345,994 | -27,119    | 4,100           | 3,802           |
| Deal            | 182,051 | 148,833 | -33,218    | 2,001           | 1,636           |
| Sandwich        | 93,264  | 84,089  | -9,175     | 1,025           | 924             |

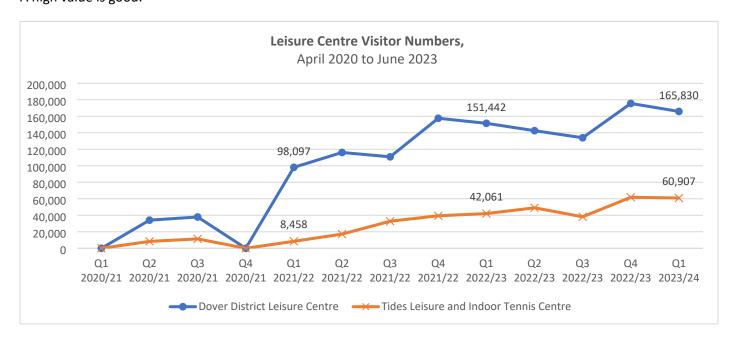
#### Quarter One 2019 to 2023 HUQ v Springboard - Dover

| HUQ     | 2019    | 2020    | 2021    | 2022    | 2023    |
|---------|---------|---------|---------|---------|---------|
| Total   | 224,964 | 151,622 | 187,670 | 373,113 | 346,963 |
| Average | 2,472   | 1,666   | 2,062   | 4,100   | 3,813   |

| SPRINGBOARD | 2019    | 2020    | 2021    | 2022    | 2023    |
|-------------|---------|---------|---------|---------|---------|
| Total       | 592,162 | 247,149 | 331,059 | 397,539 | 479,213 |
| Average     | 6,507   | 2,716   | 3,638   | 4,369   | 5,266   |



#### **LS001: Number of Leisure Centre Visits (Dover District Leisure Centre and Tides and Tennis Centre).** A high value is good.



#### Leisure Centres

- April and May were both busy months for visitors to our leisure centres because of the Easter and May half term holiday periods.
- Dover District Leisure Centre visitor numbers continue to show considerable growth this year, with 165,830 visitors in Quarter One. This compares with total visitor numbers of 151,442 in the same quarter of 2022.
- There continues to be growth in visitor numbers to Tides Leisure and Indoor Tennis Centre this year, with 60,907 visitors in Quarter One. This compares with total visitor numbers of 42,061 in the same quarter of 2022.

#### Successes and Areas of Concern – Quarter One 2023/24

Christopher Townend, Head of Place and Growth.

#### **Town Centre Insight**

#### New businesses and empty shops:

| Number of empty shops           | Dover Town | Deal Town | Sandwich Town |
|---------------------------------|------------|-----------|---------------|
| Quarter Two (Jul to Sep 2022)   | 28         | 6         | 5             |
| Quarter Three (Oct to Dec 2022) | 30         | 10        | 5             |
| Quarter Four (Jan to Mar 2023)  | 32         | 8         | 4             |
| Quarter One (Apr to Jun 2023)   | 26         | 8         | 4             |

Quarter One 2022/23 data is not available. Count started in Quarter Two 2022/23.

#### Dover Town

- Three new businesses have opened in Dover (Bubble Tea Base, Evergreen Funeral Directors and Dover Mobile).
- One business has moved to a different premises (Fairy Dreams).

• Funky Monkey and 15 Bench Street are being demolished as part of the Levelling-up Fund project and therefore will not be counted as empty.

#### Deal Town

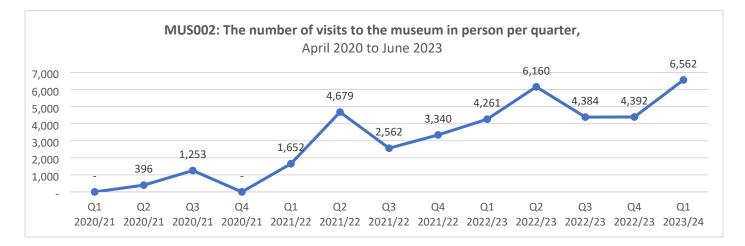
- Four new businesses have opened in Deal (Positive Retail, Lavender and Blackberry Greengrocer and Florist, Park Cycles and Deal Radio).
- Unfortunately, there have also been four business closures (Simply Ink and Toner, M&Co, Salentinos Restaurant, and Hutchings Motorycles).

#### Sandwich Town

- Two new shops have opened in Sandwich (Alamode Vintage and Lillian Geddes Interiors).
- The Place and Growth Service has continued with their support to the district's businesses, industry, groups, and town centres providing promotion, information, updates, events and advice, as well as grants and associated funding. The Dover Town Centre Easter Event has taken place and proved a success. Work with potential investors and developers has also continued. Tourism and Economic Development representation and collaboration at a national, regional, county, and local level has also continued throughout.
- Department major project work has progressed on Dover's Fastrack (new zero-emission bus service), Future High Street Fund (Bench Street: Creative Centre and Underpass), Dover Beacon (Levelling Up Fund Round 2 bid to transform Bench Street, Dover into an education campus, business centre and riverside parklet), Aylesham (housing construction and associated development) and a proposed new leisure centre for Deal. Other projects include ongoing work on the UK Shared Prosperity Fund and Rural England Prosperity Fund. Work also continues at pace on the Town Centre Action Plans, Dover Town Place Plan and Cultural Strategy.
- Research, brand, website, guide, and video developments also continued, and the quarter also witnessed numerous external meeting requests with the department to discuss opportunities within the district.
- The quarter also witnessed the DDC Catering & Events (Kearsney Café) Team/Business join the Service. Their delivery is ongoing within Kearsney's Café and Billiard Room.

#### 7. MUSEUMS AND CULTURE

#### **MUS002: The number of visits to the museum in person per quarter** A high value is good.



#### Successes and Areas of Concern – Quarter One 2023/24

Jon Iveson, Head of Museums and Heritage

- Following the various Covid-19 lockdown closures, visitor numbers to the museum have picked up reaching a new high, since April 2020, with 6,562 visitors during Quarter One 2023/24. This is up 2,170 visitors from the previous quarter (+49.4%). Over the quarter, 846 visited the museum on a school trip.
- We continue work on our project to reawaken the Maison Dieu, which is undergoing a £10.5m restoration thanks to a £4.27m grant from The National Lottery Heritage Fund

#### 8. WASTE SERVICES

## WAS003: Number of collections missed per 100,000 collections of household waste.

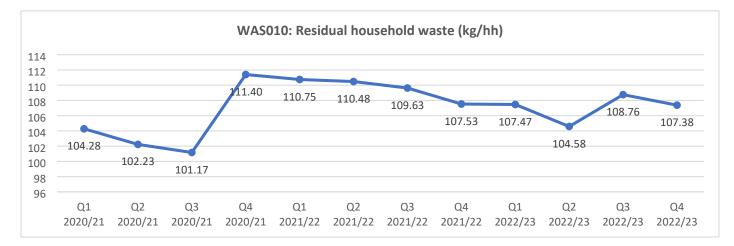




Quarter Four 2020/21 and Quarter One 2021/22 data not received.

#### WAS010: Residual household waste per household

#### A low value is good.

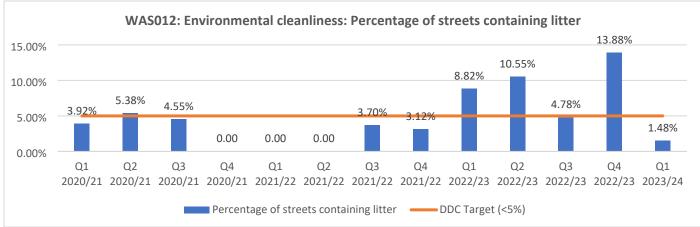


## WAS011: Percentage of household waste sent for reuse, recycling, or composting.

A high value is good.



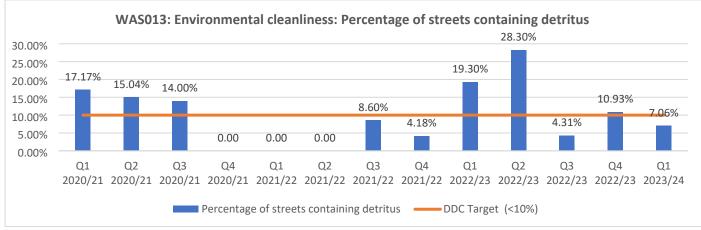
#### **WAS012: Environmental cleanliness: Percentage of streets containing litter.** A low value is good.



Quarter Four 2020/21, Quarter One and Quarter Two 2021/22 data not received.

## WAS013: Environmental cleanliness: Percentage of streets containing detritus.

A low value is good.



Quarter Four 2020/21, Quarter One and Quarter Two 2021/22 data not received.

#### Successes and Areas of Concern – Quarter One 2023/24

- WAS003: The charts show improving performance for collections in Quarter One 2023/24, with 47.03 collections missed per 100,000, which is within the contract thresholds (of less than 50 misses per 100,000). This compares with 51.87 collections per 100,000 achieved in Quarter Four 2022/23.
- We will report the Quarter One figures for WAS010 and WAS011 in the following performance report (Quarter Two 2023/24) due to time lags in receiving data from Kent County Council.
- WAS012 and WAS013: Environmental cleansing has been going through a period of change, with Veolia appointing a new manager in September 2022. There has been a significant improvement in the performance for the percentage of streets containing litter (WAS012), which has seen a drop from 13.88% in Quarter Four 2022/23 to 1.48% in Quarter One 2023/24. The percentage of streets containing detritus (WAS013) has also fallen from 10.93% in Quarter Four 2022/23 to 7.06% in Quarter One 2023/24.

#### Local Authority Data Explorer - DLUHC Data Dashboards

- In July 2023, the Department for Levelling Up, Housing and Communities established the Office for Local Government (Oflog), a new performance body for local government. Oflog aims to provide authoritative and accessible data and analysis about the performance of local government and support its improvement.
- In July 2023, Oflog launched the <u>Local Authority Data Explorer DLUHC Data Dashboards</u>. This is a new online tool which brings together a selection of existing metrics across a subset of service areas for data that is available at different levels of local authority. Further service areas will be added, and existing areas expanded, as the metrics are developed. There are currently four areas: Waste, Adult social care, Adult skills, Finance.
- The waste management data for Dover below shows that we are an above average performer, which gives a good platform to strive for continuous improvement:

#### Household waste recycling rate

- Dover has a value of 43.7%, in the top 50% of local authorities with responsibility for this measure. The median value of all local authorities with the same responsibilities for this measure is 41.9%.
- Dover ranks 6th of its 16 CIPFA nearest neighbours that have data for this measure. The median value of Dover's CIPFA nearest neighbours for this measure is 41.8%.

#### Residual household waste

- Dover has a value of 436.0 kg per household, in the top 50% of local authorities with responsibility for this measure. The median value of all local authorities with the same responsibilities for this measure is 502.4 kg per household.
- Dover ranks 5th of its 16 CIPFA nearest neighbours that have data for this measure. The median value of Dover's CIPFA nearest neighbours for this measure is 522.9 kg per household.

#### Recycling contamination rate

- Dover has a value of 1.7%, in the top 25% of local authorities with responsibility for this measure. The median value of all local authorities with the same responsibilities for this measure is 5.6%.
- Dover ranks 3rd of its 16 CIPFA nearest neighbours that have data for this measure. The median value of Dover's CIPFA nearest neighbours for this measure is 5.9%.

This data relates to the 2021/22 financial year.

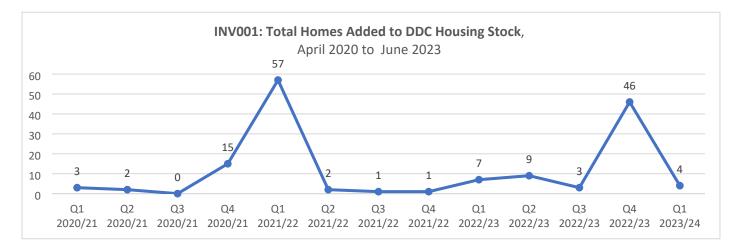
## F. FINANCE AND HOUSING DIRECTORATE

#### 9. FINANCE AND INVESTMENT

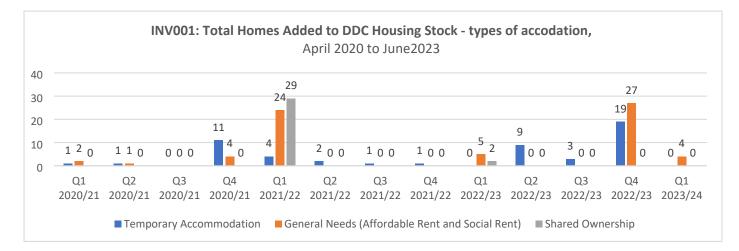
#### STRATEGIC HOUSING

#### INV001: Homes Added to Dover District Council Housing Stock.

A high value is good.

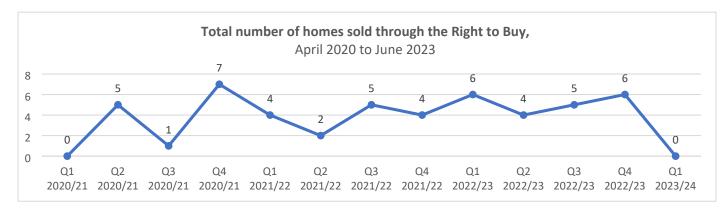


INV001a: Number of Homes Added to Dover District Council Housing Stock - types of accommodation.



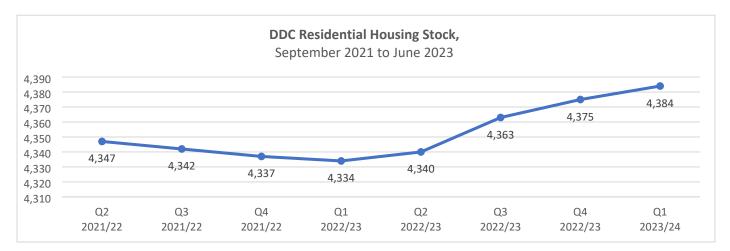
#### Dover District Council Homes Sold Under the Right to Buy.

Reported for information purposes only.



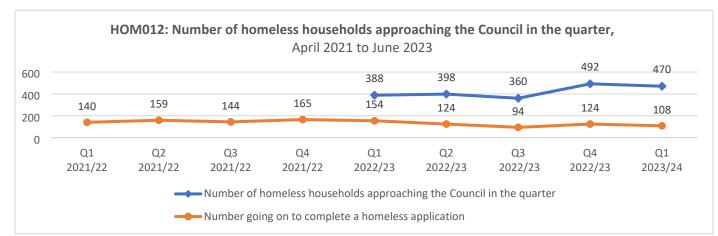
#### Dover District Council Residential Housing Stock.

Reported for information purposes only.

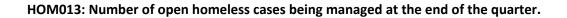


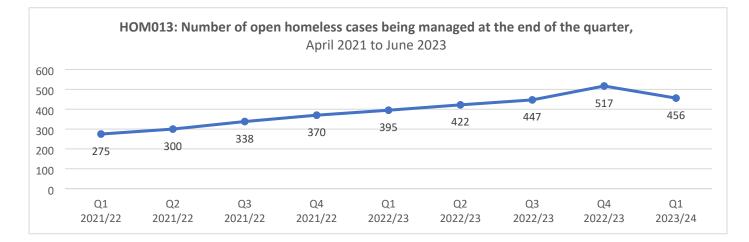
#### HOUSING OPTIONS

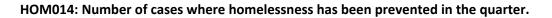
# HOM012: Number of homeless households approaching the Council in the quarter and the number of homeless applications made.

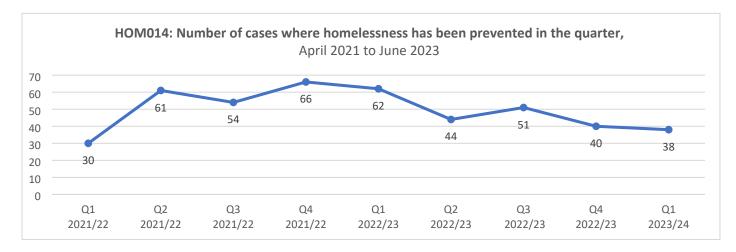


Changes made to reporting this KPI from Quarter One 2022/23 – please see explanation in the commentary below.

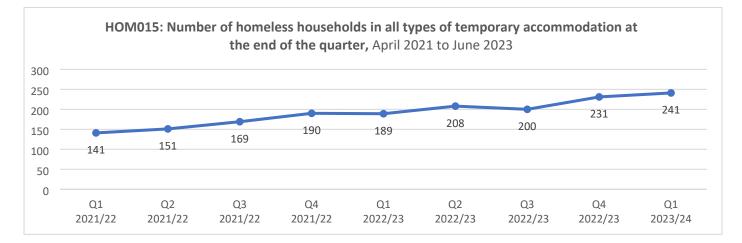




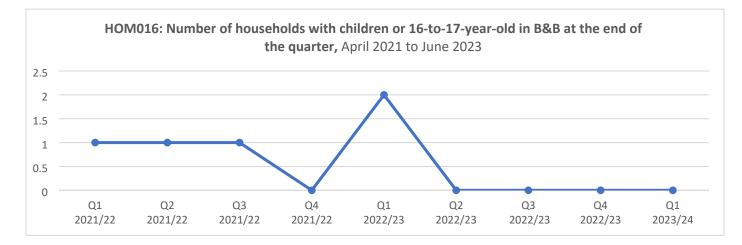




HOM015: Number of homeless households in all types of temporary accommodation at the end of the quarter A low value is good.

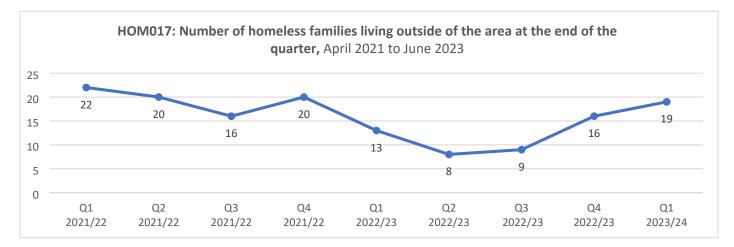


HOM016: Number of households with children or 16-to-17-year-old in B&B at the end of the quarter A low value is good.



## HOM017: Number of homeless families living outside of the area at the end of the quarter.

A low value is good. These figures include acquisitions.



#### Successes and Areas of Concern – Quarter One 2023/24

#### **Strategic Housing**

- During Quarter One 2023/24, we added an additional four homes to DDC Housing Stock. All these homes are general needs accommodation acquisitions (two affordable rent and two social rent).
- Since 2020/21, we have added 150 homes to DDC Housing Stock, broken down as follows: 52 temporary accommodation, 67 general needs accommodation, and 31 shared ownerships.
- The Council is committed to delivering an ambitious affordable housing development programme, to provide much-needed homes for local people. This new house building/acquisition programme is funded through a combination of our Housing Initiatives Reserve (HIR), retained Right-to-Buy receipts, external grants and borrowing. You can find further details of the HIR in our <u>Medium-Term Financial Plan</u>.
- Affordable housing includes social and affordable rented homes and Shared Ownership properties. We also include new interim accommodation in these figures, which, although this is not included in the Government's definition of 'affordable housing', this is let at social rent levels, and helps address homelessness in the district.
- Following the local election in May 2023, the new administration has pledged to build 200 environmentally friendly council homes every year in the district (800 over the term of the administration).
- Full details of our affordable housing development projects, including proposed developments at Military Road and Poulton Close, Dover and Great Mongeham, can be found at <u>DDC developments</u>.
- The Right to Buy scheme allows most council tenants to buy their council home at a discount. There were zero homes purchased under the Right to Buy scheme in Quarter One 2023/24.

#### **Housing Options**

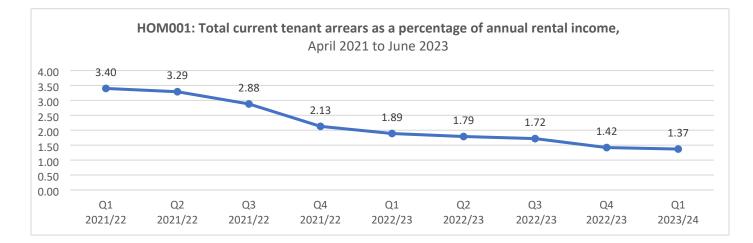
- HOM012: At the start of 2022/23, we made changes to the way we report the 'Number of homeless households approaching the Council in the quarter'. The graph now shows two datasets the total number of households approaching the Council for advice and assistance as well as the number that have gone on to lodge a formal homeless application. This reflects more accurately the number of households in the district accessing the Housing Options service.
- Every local authority in England must make sure that advice and information about homelessness and its prevention is available to anybody in its district. The duty to provide advice and information is a general one and is intended to assist a very broad range of people, many of whom may not currently be homeless or threatened with homelessness, or who may not pass one of the other statutory tests. The advice and information service forms part of our homelessness strategy and its purpose is to assist people as early as possible to maximise the chance of preventing homelessness.

- There has been a fall in the number of homeless households approaching the council over the quarter from 492 in Quarter Four 2022/23 to 470 in Quarter One 2023/24 (-4.5%). The number of households completing a homeless application also fell from 124 in Quarter Four 2022/23 to 108 in Quarter One 2023/24 (-12.9%).
- It is positive to see that the number of open cases being managed at the end of the quarter (HOM013) has fallen from 517 in Quarter Four 2022/23 to 456 in Quarter One 2023/24 (-11.8%). Unfortunately, the number of households in temporary accommodation at the end of the quarter (HOM015) has risen from 231 in Quarter Four 2022/23 to 241 in Quarter One 2023/24 (+4.3%). The number of homeless families living outside the area at the end of the quarter (HOM017) has also risen from 16 in Quarter Four 2022/23 to 19 in Quarter One 2023/24 (+18.8%).
- The level of homelessness in the district and the pressures it generates continue to be an issue at local, regional, and national level. The rise in households in temporary accommodation reflects the lack of supply of permanent accommodation for people to move into, both in the social or private housing sector as demand continues to outstrip supply. We continue to work hard to move households into our own stock and housing association properties, thereby reducing the use and cost of larger private temporary accommodation. The shortage of smaller studio and one-bedroom properties in the district in both private and social housing sectors is inevitably leading to longer stays for couples and single people in temporary accommodation.
- We always try, where reasonably practicable, to secure accommodation within the district. Where this is not possible, we will place the homeless household as close as possible to where they were previously living and move them back into the area as soon as possible. Those living outside of the district are in Folkestone, Ashford, and Thanet.

#### 10. HOUSING

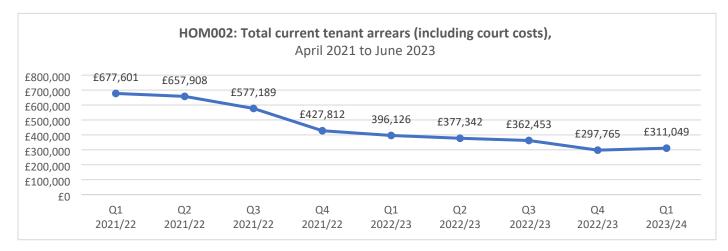
#### HOUSING MANAGEMENT

#### **HOM001: Total current tenant arrears as a percentage of annual rental income** A low value is good.



#### HOM002: Total current tenant arrears (including court costs)

A low value is good.



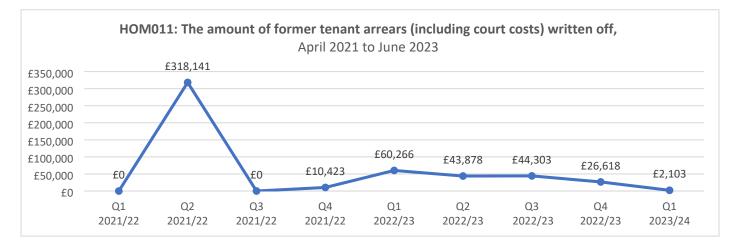
#### HOM010: Total former tenant arrears (including court costs)

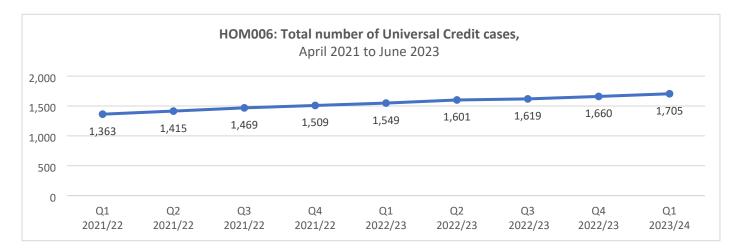
A low value is good.



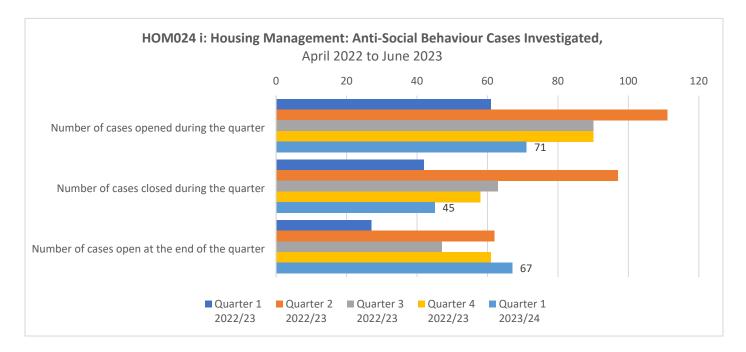
### HOM011: The amount of former tenant arrears (including court costs) written off.

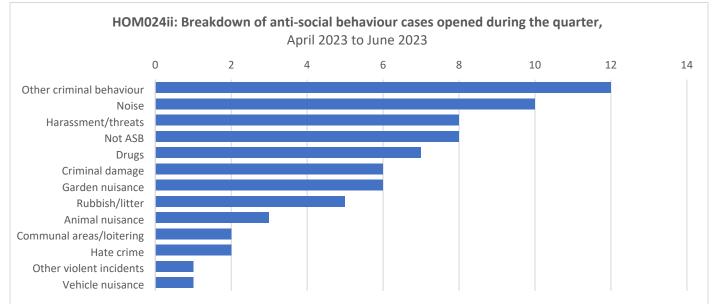
A low value is good.





#### **HOM024: Number of Housing Anti-Social Behaviour (ASB) Cases Investigated** A low value is good.





#### Successes and Areas of Concern – Quarter One 2023/24

Louise Taylor, Head of Housing

#### **Income Collection**

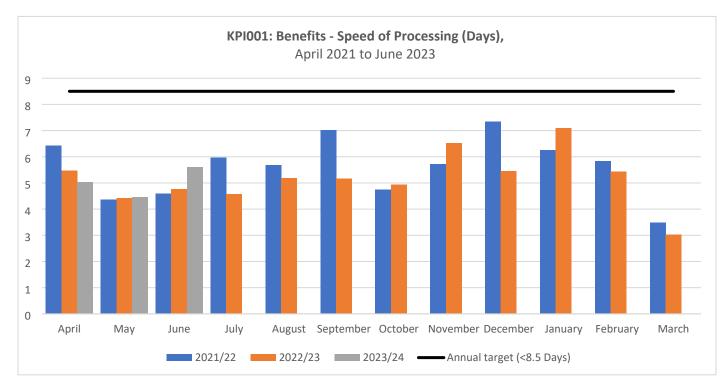
- Total current tenant arrears have increased from Quarter Four by £13,284. This is due to being one full time
  officer short from February and then another in May. Following internal recruitment in May, one of the posts
  has been filled, which has meant a career progression opportunity from within the team. That position now
  needs to be backfilled and therefore the team currently remains two full time officers short, until further
  recruitment is completed.
- As a result, the limited resources have been concentrated on dealing with the current arrears as a priority and not the former tenant arrears or write offs. The former tenant arrears have therefore increased by £25,381 with a very reduced amount of write offs.
- There were two eviction cases in Quarter One that the tenants cleared the arrears and court costs in full, so the eviction warrants were withdrawn. This is the third quarter with no evictions for rent arrears.
- Benefit and Money Advisors have Supported 270 tenants in Quarter One and maximised their income by £154,532.97. They have also prevented court/eviction for two tenants.

#### Anti-Social Behaviour

- There has been a fall in the number of Anti-Social Behaviour (ASB) cases opened this quarter to 71, from 90 cases in Quarter Four 2022/23 (HOM024). Our team closed 45 ASB cases in Quarter One, which means that we had 67 open cases at the end of the quarter.
- We have investigated numerous types of complaints this quarter, with the top five categories being other criminal behaviour (12 cases), noise (10 cases), harassment/threats (8 cases), not ASB (8 cases), and drugs (7 cases).
- The housing team have dedicated ASB housing officers who are responding promptly to enquiries and in cases where they are not the lead investigator referring these to appropriate agencies and closing the case.
- Enforcement action taken during the quarter includes three Notice of Seeking Possession/suspended possession orders, three Community Protection Warnings, two acceptable behaviour agreements, two contempt of court, one eviction, one fixed penalty notice, and one right to review.

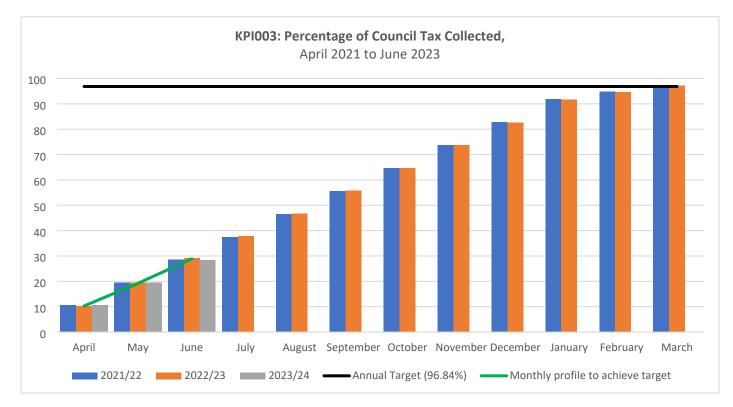
#### **KPI001: Benefit Claims - Speed of Processing**

A low value is good.



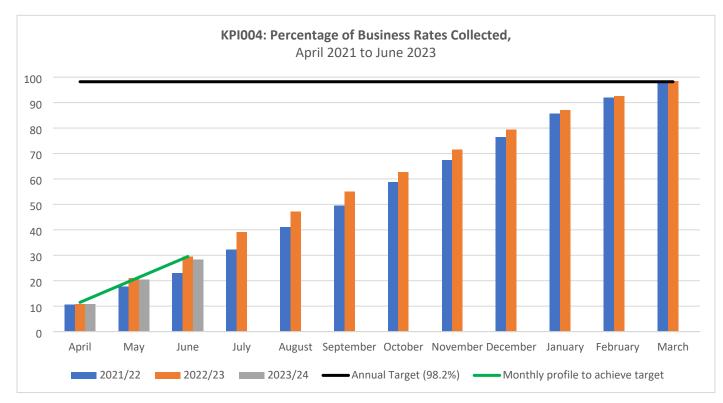
#### KPI003: Council Tax In-House Collection

A high value is good.



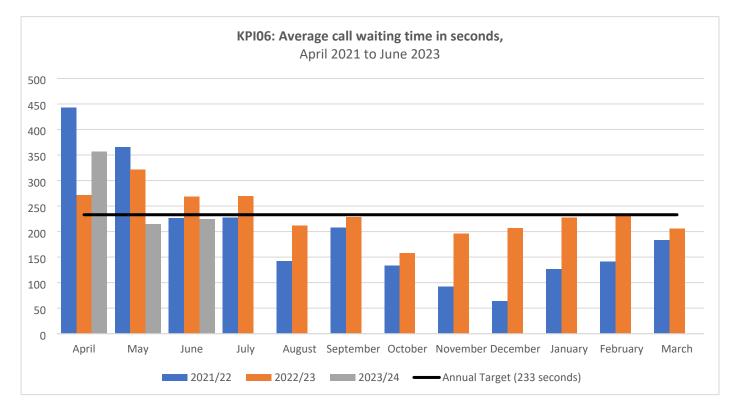
#### **KPI004: Business Rates In-House Collection**

A high value is good.



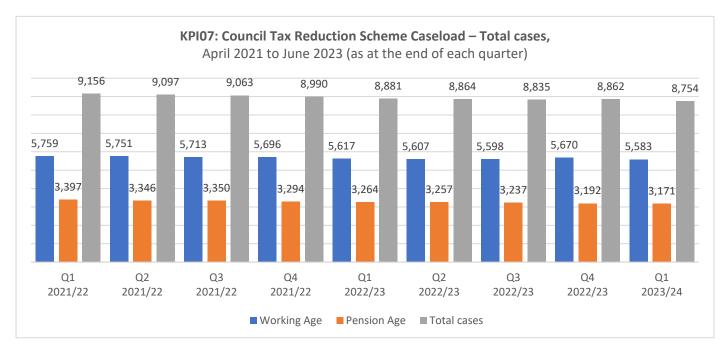
#### KPI006: Average call waiting time in seconds.

A low value is good.

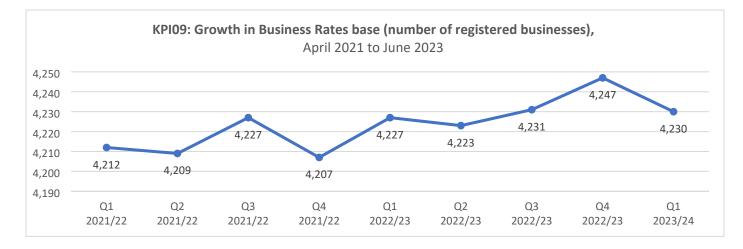


#### **KPI007: Council Tax Reduction Scheme Caseload**

No polarity. Information purposes only.

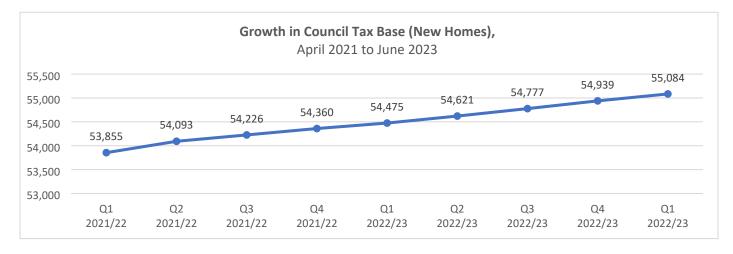


**KPI009: Growth in Business Rates base (number of registered businesses)** A high value is good. Information purposes only.



#### KPI011: Growth in Council Tax Base (New Homes)

A high value is good. Information purposes only.



- **Speed of processing:** The speed of HB processing target was achieved, with 5-61 days at the end of June 2023 (target 8.5 days).
- **Council Tax Collection:** The Council Tax collection rate was below profile. Analysis by Civica indicates that this is a profiling issue caused by last year's Energy Rebate Scheme (ERS) scheme rather than a performance issue. The presence of ERS credits on accounts last year changed customer behaviour in relation to payments and identifying the impact within a profile has proved problematic. It is anticipated the collections will show as out of profile during June, July, and August as a result. Dover was 0.65% below profile but excluding the impact of ERS, service performance is ahead of expectations.
- **Business Rates Collection:** Business Rates collection was 1.31% below profile at Dover. The profile assumed payment of school non-domestic rate liabilities being paid during June, but these were paid in early July instead. Had these arrived as anticipated, performance would have exceeded profile.
- **Calls Waiting:** Call wait time missed KPI and excused performance has been requested as the service experienced a couple of events outside of Civica's direct control The data included in the chart is the monthly outturn once requested excused performance has been taken into account. This will be discussed at the next Contract Management Board meeting.
- **Council Tax Reduction Scheme:** Compared with the same time last year, there has been a -1.4% reduction in the total caseload (-0.6% working age and -2.8% pension age).

## G. CORPORATE RISKS

This section includes the corporate risks identified that remain a high risk despite management mitigating actions.

| Ref | Risk   | Impact | Likelihood | Management Action   | Residual<br>Risk |
|-----|--|--------|------------|---|------------------|
| 1.  | The impact of recession,<br>inflation, and reduced<br>Government funding results in a<br>lack of sufficient financial<br>resources which impacts on<br>service provision and the capital<br>programme. | High   | Medium     | <ul> <li>The future of the key elements of local government finance, including the fair funding review, Business Rates, New Homes Bonus, and the referendum threshold for Council Tax are all uncertain.</li> <li>Early indications are that government may decide to roll over the current settlement for the next two years which may provide some certainty.</li> <li>The ability to use Digital Service Reviews when required to improve current efficiencies and to determine other appropriate longer-term strategies. Use of advisors to monitor the position and lobby government as required.</li> <li>The MTFP requires that no new major capital projects be added unless they are self-financing, funds are available or other projects are cancelled.</li> <li>A full range of financial risks are included in the budget and Cabinet have been briefed on the anticipated financial pressures for future years, although there is a high degree of uncertainty in medium term projections.</li> </ul> | High             |
| 2.  | Volatility of funding from<br>Business Rates results in<br>unexpected reductions in<br>resources for the Council.  | High   | High       | <ul> <li>The projections of future BR income, and assumptions around the impacts of appeals and bad debts, have been made on a prudent basis to minimise the impact of any reduction in BR income and reserves will be used to smooth out volatility where possible.</li> <li>The current BR regime is unstable, and Government's plans are unclear.</li> <li>The Council continues to engage proactively with the DLUHC and CIPFA to try and ensure the accounting and resourcing adjustments and the resource allocations from the new system are made on a reasonable basis for Dover.</li> </ul>  | High             |
| 3.  | Increased homelessness and demand for social housing   | High   | High       | • This is a demand led service, with peaks and troughs. The level of demand and the duties of the Council are being increased by the impacts of the Homelessness Reduction Act, Universal Credit the Ukrainian war, and the government's proposal for full migrant dispersal.   | High             |

| Ref | Risk  | Impact | Likelihood | Management Action   | Residual<br>Risk |
|-----|---|--------|------------|---|------------------|
|     |   |        |            | • The Council is increasing the stock of affordable housing in the district. Alternatives to B&B and nightly paid accommodation are also being purchased / developed for those accepted as homeless and B&B accommodation, where required, is being purchased at lower nightly costs. Those in B&B are also pro-actively managed to reduce the average length of stay and the costs to the Council.   |                  |
| 4.  | Failure/delay in producing a<br>Local Plan. This leads to the loss<br>of a 5-year Housing Land Supply<br>which results in successful<br>appeals on unallocated sites,<br>leading to reputational damage.  | High   | Medium     | • The current position on 5-year Housing Land Supply is 6.03 years. There has been a delay in reaching the next stage of the Local Plan process due to issues raised by statutory bodies which are being worked through. Priority action is on resolving issues raised and the Reg 19 stage of Local Plan is now timetabled for Cabinet and Council, to start the consultation. This progress will improve the housing supply position further. | High             |
| 5.  | The continuing and total<br>uncertainty from DEFRA over the<br>border controls, use of Bastion<br>Point, the operating model to be<br>operated and the funding and<br>staffing requirements at Dover<br>(and all other ports) exposes DDC<br>as Port Health authority.<br>The absence of bio-security<br>control requirements from<br>DEFRA at Dover and other ports<br>exposes the UK. | High   | High       | <ul> <li>The government continue to defer the implementation of any border controls with the proposed operating model not due to be implemented until December 2023.</li> <li>We continue to work with Defra to obtain from them funding to cover full set-up and operational costs for the service, but the level of uncertainty is increasing rather than reducing.</li> </ul>  | High             |

| Subject:               |     | ARRANGEMENTS FOR DOVER DISTRICT COUNCIL<br>COMMUNITY GRANTS SCHEME FOR 2023/2024  |
|------------------------|-----|---|
| Meeting and Date:      |     | Cabinet – 4 September 2023  |
| Report of:             |     | Brinley Hill, Head of Transformation  |
| Portfolio Holder:      |     | Councillor Charlotte Zosseder, Portfolio Holder for<br>Community and Corporate Property   |
| Decision Type:         |     | Non-Key   |
| Classification:        |     | Unrestricted  |
| Purpose of the report: |     | To approve the proposed criteria and rebranding of the Dover District Council Community Grants Scheme, ahead of the 2023/24 grant scheme round.   |
| Recommendations:       | (a) | To approve the proposed rebranding and criteria changes set<br>out at paragraph 4.2 of this report, utilising the £55,277.29<br>available to the Community Grants Scheme (comprising<br>£22,500 usual budget, £7,500 Dover Lotto injection and<br>£25,000 underspend). (Option 2) |
|                        | (b) | To supplement Option 2 with an injection of £30,000 from the UK Shared Prosperity Fund. (Option 3)  |

#### 1. Summary

- 1.1.1 The Dover District Council (DDC) Community Grants Scheme is operated by the Council to provide grants to local charities, Community Interest Companies (CICs) and constituted community groups. Ordinarily, £22,500 is made available from the annual Community Grant Scheme. However, for the 2023-24 round, the Council has committed a total of £55,277.29 from its core budget. On top of £22,500, this includes £7,500 from the Council's share of the Dover District Lotto, alongside an underspend of £25,277.29 from the previous year.
- 1.1.2 It is also proposed to Supplement Option 2 with an injection of £30,000 which is available from the UK Shared Prosperity Fund.
- 1.2 The remainder of this report sets out:
  - 2. Funding available
  - 3. Summary of 2022/23 Community Grant Scheme
  - 4. Review for 2023/24
  - 5. DDC Member representation on the Appraisal Panel

#### 2 Funding Available

- 2.1.1 DDC has continually allocated £22,500 of grant funding to the DDC Community Grants Scheme, which is available once again during the 2023/24 financial year.
- 2.1.2 A grand total of £236,000 was awarded during 2022/23. From the £260,000 available, an underspend of £25,277.29 was unspent within three areas, as disclosed in the below table.

| Community Grant Allocation Areas | 2022/23 underspend |
|----------------------------------|--------------------|
| Deal & Walmer                    | £0                 |
| Dover North                      | £4,564.23          |
| Dover Town                       | £0                 |
| Dover West                       | £9,481.44          |
| Sandwich Area                    | £11,231.62         |

- 2.1.3 DDC will also inject £7,500 from the Dover District Lotto Central Fund Reserve (CFR) into the funding pot for 2023/24, as approved by Cabinet in October 2018. This figure is based on the projected income generated from the previous year.
- 2.1.4 DDC will also inject £30,000 from the UK Shared Prosperity Fund in the 2023-24 budget, to award funding to impactful voluntary and social action projects that benefit local communities.

#### 3 Summary of 2022/23 Community Grants Scheme

- 3.1.1 Due to an injection of £200,000 from the 2022/23 Medium-Term Financial Plan Special Revenue Projects, the previous Community Grant Scheme round had a recordbreaking pot of £260,000 to allocate, in which 138 good causes across the district benefited from the scheme. More organisations than ever before applied for grant funding from the scheme in 2022/23, including some new 'start up' community groups.
- 3.1.2 Projects included supporting young people, residents with disabilities and the wider community, securing more sport and tourism into the district, as well as helping the environment and expanding digital capabilities.
- 3.2 The grant scheme funded a wide variety of projects including capital and consumable costs, enabling charities, clubs and groups to buy items and equipment outright, to help run their projects. The scheme also funded revenue costs, helping to buy in activities or services.

#### 4 Review for 2023/24

- 4.1.1.1 In line with the Council's Cost of Living Plan, it is proposed that the existing community grant scheme is refocused, in line with the Council's pledge in supporting those most in need.
- 4.2 While the rise in the cost of living will impact most households, the impact will be greatest on those already living in poverty and those on low incomes. Therefore, after

an internal review, the following recommendations have been proposed, to refocus the funding available:

| Current Criteria   | Proposed Changes  |
|--|---|
| <ol> <li>Within the current criteria, the Community<br/>Grant Scheme provides funding for<br/>projects resulting in direct community<br/>benefit, across the Dover district.</li> </ol>  | <ol> <li>It's proposed that the scheme is rebranded<br/>as the Cost-of-Living Community Impact<br/>Fund, providing funding to help support<br/>projects bridging the cost-of-living gap for<br/>our local communities.</li> </ol> |
| <ol> <li>Within the current criteria, applicants can<br/>apply for between £100 - £4000.</li> </ol>  | <ol> <li>It's proposed that applicants can apply for<br/>between £100 &amp; £2500, in order to spread<br/>the available funding more widely.</li> </ol>   |
| <ol> <li>Previously, the scheme launched earlier<br/>in the year, and facilitated two grant<br/>rounds.</li> </ol>   | <ol> <li>It's proposed that the scheme facilitates one grant round.</li> </ol>  |
| <ol> <li>Previously, the Community Grant<br/>Scheme funding is allocated across 5<br/>KCC Neighbourhood Forum boundaries,<br/>and split financially by 2011 population<br/>density percentages, across the 5 areas.</li> </ol> | 4. It's proposed that the funding available is<br>not categorised by area, but instead themed<br>through cost-of-living, ensuring applications<br>are focused on supporting our communities<br>in financial hardship.             |
| 5. Previously, any injection of funds is allocated evenly across all 5 areas.  | 5. It's proposed that any injection of funds is added to the overall funding pot.   |

#### 5 DDC Member Representation on 2023/24 Appraisal Panel

5.1.1 The Council's group leaders have nominated councillors to represent DDC on the Appraisal Panel. Nominated panel members for 2023/24 are as follows.

#### Table 1

| DDC Members               |
|---------------------------|
| Cllr Zosseder (L) (Chair) |
| Cllr Brivio (L)           |
| Cllr Beer (L)             |
| Cllr Richardson (C)       |
| Cllr Beaney (C)           |
| Cllr Back (C)             |

#### 6 Identification of Options

6.1.1 Options to be considered by Cabinet in consideration of whether to deliver a Community Grants Scheme for the Dover District for 2023/24 are as follows.

- 6.1.2 Option 1 Continue with the current criteria, making no changes to how the scheme is delivered. Utilising the £55,277.29 available to the Community Grant Scheme. (£22.5k usual budget, 7.5k Dover Lotto injection, and £25k underspend).
- 6.1.3 Option 2 Continue with the recommendations from the review making necessary changes to how the scheme is delivered. Utilising the £55,277.29 available to the Community Grant Scheme. (£22.5k usual budget, 7.5k Dover Lotto injection, and £25k underspend).
- 6.1.4 Option 3 Supplement one of the above options, with the injection of the £30,000 available, from the UK Shared Prosperity Fund.

#### 7 Evaluation of Options

- 7.1.1 Option 1 This option would not allow the current criteria to change under the growing financial challenges and will not enable the panel to spread available funding across a variety of local good causes.
- 7.1.2 Option 2 This option would allow the current criteria to develop and provide focused further funding, to help support projects bridging the cost-of-living gap for our local communities.
- 7.1.3 Option 3 This option would enhance the funding pot, to provide a wider level of financial support to local voluntary and community sector organisations. This will also provide a developed framework to allocate said funds.

#### 8 Recommendation

- 8.1.1 Option 1 Not recommended.
- 8.1.2 Option 2 To continue with the proposed criteria changes, utilising the £55,277.29 available under the rebranded Cost-of-Living Community Impact Fund.
- 8.1.3 Option 3 Supplement Option 2, with the injection of the £30,000 available from the UK Shared Prosperity Fund.

#### 9 Climate Change and Environmental Implications

9.1.1 This report has no implications on Climate Change or on the local environment.

#### **10** Resource Implications

- 10.1 The Grant allocation will be funded as below:
  - £22,500 allocated as the normal annual Community Grant Scheme
  - £25,277.29 unspent allocation from 2022/23
  - £7,500 allocation from the Dover District Lotto Central Fund Reserve (CFR), as approved by cabinet in October 2018.
  - £30,000 allocation from the UK Shared Prosperity Fund.

#### 11 Corporate Implications

11.1.1 Comment from the Section 151 Officer: The S151 Officer has been consulted in the preparation of this report and has no additional comments to make.

- 11.1.2 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.
- 11.1.3 Comment from the Equality Officer: This report relating to the arrangements for Dover District Council Community Grants Scheme for 2023-2024 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

#### 12 Background Papers

12.1 Dover District Council - Cost of Living Plan 2023

Contact Officers: Elliott Allen, Community Safety & Development Team Leader

Shaun Taylor, Community Services Manager

| Subject:               | FULL STRUCTURAL SURVEY TO DEAL PIER  |
|------------------------|--|
| Meeting and Date:      | Cabinet – 4 September 2023   |
| Report of:             | Keith Watson, Corporate Estate and Coastal Engineer  |
| Portfolio Holder:      | Councillor Charlotte Zosseder, Portfolio Holder for Community and Corporate Property                         |
| Decision Type:         | Non-Key  |
| Classification:        | Unrestricted   |
|                        |  |
| Purpose of the report: | To seek approval for a project to undertake a full structural survey of Deal Pier and any immediate repairs. |

#### 1. Summary

- 1.1 Deal Pier was officially opened in 1957 being constructed of reinforced concrete. The pier consists of a main walkway stem with open timber seating. At the seaward end of the approach was a three deck pier head set at right angles to the approach, but the lowest deck is no longer functional due to sea levels. At promenade level there is a cafe, bar and terraced area. Below was the main landing and fishing deck with angled wings to increase berthing facilities, however this is now mainly used for recreational fishing. The pier head was constructed from encased steel sections with a reinforced concrete deck.
- 1.2 Structural engineers that specialise in structural marine concrete were appointed by Dover District Council (DDC) to conduct a limited visual and tap survey of the structure in 2017. The structure was found visually to have deteriorated and exhibited distress in some areas. The exposed surfaces were found to be variably weathered and discoloured, generally consistent with concrete elements cast and exposed in this environment for a minimum of 60 years. The levels of corrosion discovered within the concrete were deemed adequate for a 60-year-old structure.

#### 2. Introduction and Background

- 2.1 According to the results of the survey it was necessary to carry out repairs to some of the concrete beams, south steps and supporting stringer beams to the lower deck beneath the pier head. These repairs were carried out in subsequent years during the agreed funded refurbishment works from 2018.
- 2.2 Although the structural survey was an important step to take this was only limited to areas that could be visually sighted and reached by existing platforms. The initial survey did not include the supporting pier legs, cross beams or substructure beneath the lower deck. These areas can be partially seen but not tested, however it is self-evident that some of the supporting pier legs have deteriorated further with signs of rusting taking place along with exposure of the internal reinforcement bar.
- 2.3 The initial survey picked this up and recommended a full structural survey in future years to ascertain the extent of deterioration and repairs. Consequently, it will be

necessary to provide specialist scaffolding, marine vessels and safety boats to access such areas to conduct the surveys safely.

2.4 Following completion of the inspections and surveys there might be essential repairs to be carried out in the short term and any remaining budget will be used to address this. The survey will also produce a report with recommendations to inform the Council further in addressing the long-term repairs and associated costs. Whilst present concrete defects can make the structure look vulnerable, it is worth noting that it is the steel within the concrete that is doing most of the work. The concrete in this scenario aids a layer of protection to the steel against corrosion from its coastal environment.

#### 3. Identification of Options

- 3.1 Option 1: Do nothing.
- 3.2 Option 2: (Recommended) To carry out the full structural surveys/inspections and any short-term repairs with the remaining budget.

#### 4. **Evaluation of Options**

- 4.1 Option 1 is not recommended because the structure will continue to deteriorate and without the results of the inspections and surveys it will be difficult to ascertain its true condition and level of repairs and costs for future maintenance.
- 4.2 Option 2 is the recommended option with Deal Pier being a key asset to the Council and this will inform members on the full extent of its structural integrity. This will also allow the Council to review and decide on future short/long-term repairs.

#### 5. **Resource Implications**

5.1 £75,000 is set aside in the Special Revenue Project 2023/24 Medium-Term Financial Plan to fund the full structural survey and any necessary short-term repairs.

#### 6. Climate Change and Environmental Implications

6.1 None.

#### 7. **Corporate Implications**

- 7.1 Comment from the Director of Finance (linked to the MTFP): Accountancy have been consulted in the writing of this report and have no further comment to add (AC).
- 7.2 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.
- 7.3 Comment from the Equalities Officer: This report recommending a full structural survey of Deal Pier to be undertaken and any immediate repairs carried out, 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.
- 7.4 http://www.legislation.gov.uk/ukpga/2010/15/section/149
- 7.5 Other Officers (as appropriate):

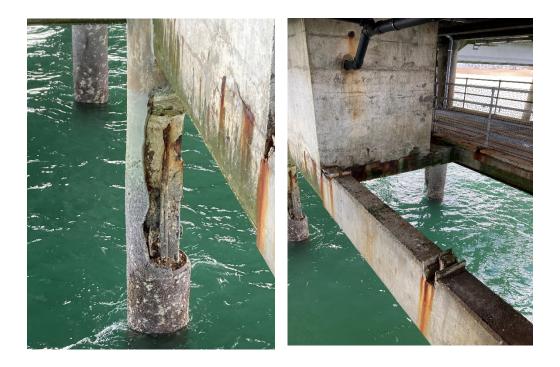
#### 8. Appendices

Appendix 1 – Photographs

9. **Background Papers** – Limited Investigation Works to Deal Pier 2017 by CRL Surveys

Contact Officer: Keith Watson

## APPENDIX 1 – Deal Pier Structural Photographs



Supporting Pier legs and cross beams to pump room (lower deck).



Supporting cross beams beneath Pier Café (lower deck).



Supporting pier legs beneath pier stem and lower deck below.

