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Minutes of the meeting of the **OVERVIEW AND SCRUTINY COMMITTEE** held at the Council Offices, Whitfield on Monday, 14 October 2019 at 6.00 pm.

Present:

Chairman: Councillor L A Keen

Councillors: D G Beaney (as substitute for Councillor J Rose)
S H Beer
T A Bond
D P Murphy
O C de R Richardson
M Rose
C A Vinson
P Walker
C D Zosseder

Also Present: Councillor P D Jull
Director of Customer Services (East Kent Housing)
Operations Manager Compliance & Maintenance (East Kent Housing)

Officers: Director of Customer Services
Strategic Director (Corporate Resources)
Head of Assets and Building Control
Head of Commercial Services
Head of Finance and Housing
Housing Development Manager
Licensing Team Leader
Democratic Services Manager
Democratic Services Officer

28 APOLOGIES

An apology for absence was received from Councillor J Rose.

29 APPOINTMENT OF SUBSTITUTE MEMBERS

It was noted that in accordance with Council Procedure Rule 4, Councillor D G Beaney had been appointed as substitute member for Councillor J Rose.

30 DECLARATIONS OF INTEREST

Councillor T A Bond declared an Other Significant Interest (OSI) in Minute No. 37 (East Kent Housing Update) by reason of his position as a Director of East Kent Housing to which he was appointed by the Council.

31 MINUTES

The Minutes of the meeting held on 9 September 2019 were approved as a correct record and signed by the Chairman.

32 DECISIONS OF THE CABINET RELATING TO RECOMMENDATIONS FROM THE OVERVIEW AND SCRUTINY COMMITTEE

The decisions of the Cabinet relating to recommendations made by the Overview and Scrutiny Committee at its meeting held on 7 October 2019 were noted.

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

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

34 NOTICE OF FORTHCOMING KEY DECISIONS

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

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

- Item 8: To approve the use of Building Foundations for Growth Funding and to authorise the completion of an appropriate legal agreement
- Item 9: Approval of purchase of properties for affordable interim housing
- Item 10: Hackney Carriage and Private Hire Vehicles – access for wheelchair users
- Item 14: Review of catering provision at Kearsney Parks
- Item 15: Approval of budget for construction of Whitfield Phase 1A roads for affordable housing
- Item 16: Authority Monitoring Report
- Item 17: Award of contract for pitched roof replacement works to Council's housing stock
- Item 18: Update on Bus Rapid Transit Project
- Item 19: Demolition of old Dover Leisure Centre
- Item 20: Climate Change Emergency
- Item 21: Approval to enter into a further agreement with Kent County Council in respect of the 'No Use Empty' initiative
- Item 22: To seek approval for public consultation on a Tourism and Visitor Economy Strategy
- Item 23: Dover District Council Local Development Scheme
- Item 24: Refurbishment of Tides Leisure Centre, Deal
- Item 25: Adoption of Victoria Road and Wellington Road Conservation Area Character Appraisals
- Item 26: Adoption of Upper Deal Conservation Area Character Appraisal
- Item 27: Agreement on levels of Fees and Charges for 2020/21

Members discussed the merits of including Item 9 within the work programme.

RESOLVED: (a) That the Notice of Forthcoming Key Decisions be noted subject to the inclusion of the

(b) That items 8-10 and 14-27 in the Notice of Forthcoming Key Decisions be included within the work programme.

35 SCRUTINY WORK PROGRAMME

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

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

- East Kent Housing Update (every month until advised otherwise)
- Clarification that the consultation item related to general corporate consultation and not Local Plan consultation
- Clarification that the capital expenditure item related to capital expenditure in relation to the digital agenda
- Clarification that the business rate retention item was to review the outcomes of the Council's participation in the Kent Pilot Scheme
- Clarification that the review of property purchases related to the purchases of commercial properties

It was agreed to reschedule the item on parking policy to the January 2020 meeting.

RESOLVED: That the Work Programme be noted, subject to the inclusion of a monthly update from East Kent Housing and the rescheduling of the item relating to the Explanation of Parking Policy and Future Plans to January 2020.

36 PUBLIC SPEAKING

The Democratic Services Manager advised that no members of the public had registered to speak on items on the agenda to which the public speaking protocol applied.

37 EAST KENT HOUSING UPDATE

The Director of Customer Services (East Kent Housing) advised that the Chief Executive (East Kent Housing) had sent her apologies for the meeting. In her absence the Operations Manager Compliance & Maintenance (East Kent Housing) and himself were in attendance and they presented the latest Compliance Report to the Committee as part of the East Kent Housing (EKH) Update.

Compliance Report

The compliance report covered both communal blocks and domestic properties and reported the following levels of compliance:

Communal Properties

- Gas – 100.00%
- Asbestos – 35.92%
- Passenger Lifts – 100.00%
- Fire Risk Assessment – 100.00%
- Electrical Installation Condition Report (EICR) – 29.15%
- Fire Alarms – 100.00%
- Legionella Risk Assessments – 100.00%
- Emergency Lighting – 100.00%

In respect of the EICR target, the certificates were held by a mixture of EKH, Dover District Council and Mears. The data for EKH and Dover District Council had now been combined and Mears were due to supply their data shortly. It was estimated that this would increase the performance from 29.15% to a figure in the mid-30% range. The expected target for completing the missing EICRs was February 2020.

In respect of Fire Risk Assessments (FRA), there were the following outstanding actions:

Council	FRAs Req'd	FRAs done	Trivial	Tolerable	Moderate	Substantial	Intolerable
DDC	222	222	1	1	208	11	0

In respect of Water Hygiene Actions, there were the following outstanding actions:

	Low	Medium	High
DDC	9	240	275

Domestic Properties

- Electrical Installation Condition Report (EICR) – 58.66%
- Gas – 99.97%
- Smoke Detectors – 88.77%
- Asbestos – 20.44%

The Director of Customer Services (East Kent Housing) advised that the costings for the asbestos work had been sent to the councils and that it was anticipated that the asbestos targets would be achieved by mid-December 2019.

Customer Satisfaction Surveys

The Director of Customer Services (East Kent Housing) advised that Mears conducted satisfaction surveys for approximately 38% of all repair works undertaken. This was primarily through the Mears operative providing the tenant with their personal digital assistant (PDA) device. Members were advised that the operative would not see the answers to the two questions and a number of follow-up validation assessments were undertaken by Mears. In addition, resident scrutiny had conducted a review in January 2018 with a follow-up review in January 2019 that had expressed a strong degree of confidence in the results of the surveys and was consistent with the data from Mears own validation assessments.

If a resident requested, they could complete the survey via the post or over the telephone instead of using the PDA. However, historically postal response rates had always been very low when it was the primary survey method.

RESOLVED: That the officers from East Kent Housing be thanked for attending the meeting.

(Councillor T A Bond declared an Other Significant Interest (OSI) in Minute No. 37 (East Kent Housing Update) by reason of his position as a Director of East Kent Housing to which he was appointed by the Council and withdrew from the meeting for the consideration of the item of business.)

38 LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976: REQUEST FOR INCREASE IN HACKNEY CARRIAGE FARES

The Chairman thanked the Licensing Team Leader for attending the meeting and welcomed the decision of the Cabinet at its meeting held on 7 October 2019 to not proceed with the request for an increase in hackney carriage fares.

RESOLVED: That it be recommended to Cabinet that the table of revised fares proposed by the Dover Federation of Licensed Taxi Operators should not be approved.

39 SHARED OWNERSHIP SALES POLICY

The Head of Finance and Housing and the Housing Development Manager presented the proposed Shared Ownership Sales Policy report.

Members were advised that the Council had recently acquired 3 shared ownership properties via a Section 106 agreement, and these had been made available for sale. In addition, a further 29 shared ownership properties were currently being developed by the Council with handovers expected during 2020. However, the Council did not currently have a policy for directing the Shared Ownership sales process and the proposed policy had been developed in line with Homes England and Planning guidance to resolve this matter.

Members, while welcoming the policy, questioned the annual rent increase level of RPI + 0.5% set out in the policy when it was higher than the CPI rate which the Government was moving towards using. In response it was stated that if the Government switched to the CPI rate then the policy would also change to it. In the case of the William Muge properties as these were grant funded by Homes England the Council was committed to following their guidance as set out in the policy.

There was concern expressed as to how the Council would deal with issues of the shared owner defaulting on their payments or falling into arrears and what impact this would have for the Council. There were particular concerns expressed that the Council would have less control than the mortgage company on an asset it might be the majority owner in. Accordingly, it was the consensus view that paragraph 12 (Rent arrears and non-payment of service charges) of the policy needed to be expanded to reflect these concerns.

The Strategic Director (Corporate Resources) advised that there would be a separate policy for dealing with the issue of rent arrears in shared ownership properties.

- RESOLVED: (a) That it be recommended to Cabinet:
- (i) That the proposed Shared Ownership Sales Policy be approved.
 - (ii) That the Head of Finance and Housing, in consultation with the Portfolio Holder for Housing and Health, be authorised to undertake any necessary minor amendments to the policy prior to the formal review date.
 - (iii) That paragraph 12 of the policy be expanded to provide more detail in respect of the Council's actions in respect of rent arrears and non-payment of service charges occurring.

- (b) That an update be made to the Overview and Scrutiny Committee in 3 months' time from the Head of Assets and Building Control.

40 ST JAMES'S CHURCH, WOOLCOMBER STREET, DOVER

The Head of Assets and Building Control presented the report on St James's Church, Woolcomber Street, Dover.

Members were advised that the report related to the works needed to stabilise, protect and conserve the structure to allow the former leisure centre to be demolished. The proposed works would safeguard the heritage value of the 'Tidy Ruin' remains and protect the public from the potential of falling objects. The proposals were to undertake the Priority A, B and C works identified by Purcells as this would protect the structure while its longer-term sustainability could be considered.

The issue of the effects of wind forces on the site once the old leisure centre had been demolished were raised as well as the impact of any future development on the site.

RESOLVED: That it be recommended to Cabinet:

- (a) That a project to undertake essential works to safeguard the structure of St James's Church in the short to medium-term, and which allows the former leisure centre to be demolished, be approved.
- (b) That the Strategic Director (Operations and Commercial), in consultation with the Portfolio Holder for Environment and Commercial Services, be authorised to take all necessary actions to deliver the project, including the awarding of relevant contracts.
- (c) That the Cabinet be congratulated on its actions to take care of the historic 'Tidy Ruin'.

41 REVIEW OF APPOINTMENTS TO OUTSIDE BODIES

The Democratic Services Manager presented the report on the Review of Appointments to Outside Bodies.

Members were advised that the Leader of the Council had requested the review following the reduction in the council size from 45 to 32 councillors at the last election. It was emphasised that none of the proposals affected appointments that were considered to have a strategic importance or involved the Council's statutory responsibilities. In most cases it was expected that trustees would make alternative arrangements from within their local communities to replace those appointments previously made by the Council.

The importance of the expertise brought to the Dover Bronze Age Boat Trust by the Council's nominee was raised but this could be dealt with through the trustees directly appointing Mr Richardson at the expiry of his term of appointment from the Council. In addition, as the Bronze Age Boat was located within the Dover Museum the Council would continue to be involved with its future in other ways.

Members expressed the view that there were many suitably qualified alternative trustees from within the local community for the outside bodies in question.

RESOLVED: That it be recommended to Cabinet that the recommendations set out at Appendix 1 to the report be approved, in particular that the appointments to Age Concern Deal (Liaison Committee), Dover Bronze Age Boat Trust and Dover District Volunteering Centre should be withdrawn with effect from May 2020, and that the appointments to Dover, Deal & District Citizens' Advice Bureau and Mary Hougham Almshouses should be reduced to one Member with effect from May 2020.

42 EXCLUSION OF THE PRESS AND PUBLIC

It was moved by Councillor S H Beer, duly seconded by Councillor O C de R Richardson and

RESOLVED: That, under Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the meeting for the remainder of the business on the grounds that the items to be considered involved the likely disclosure of exempt information as defined in paragraph 3 of Part I of Schedule 12A of the Act.

43 KEARSNEY PARKS - CAFE PROVISION

The Head of Commercial Services presented the report on the café provision in Kearsney Parks.

RESOLVED: That it be recommended to Cabinet that the proposal for the Council to fit-out the café at Kearsney Abbey and operate an in-house catering service from the same be approved.

The meeting ended at 7.59 pm.