

08 November 2016 at 7.00 pm

Conference Room, Argyle Road, Sevenoaks
Despatched: 31.10.16



Scrutiny Committee

Membership:

Chairman, Cllr. London; Vice-Chairman, Cllr. Brown
Cllrs. Ball, Clack, Hogg, Kitchener, Lindsay, McArthur, Purves and Reay

Agenda

	Pages	Contact
Apologies for Absence		
1. Minutes To approve the Minutes of the meeting of the Committee held on 5 July 2016, as a correct record.	(Pages 1 - 6)	
2. Declarations of Interest Any declarations not already registered		
3. Responses of the Cabinet to reports of the Scrutiny Committee (if any)		
4. Actions from the last meeting of the Committee (if any)		
5. Kent Police - Crime and Disorder in the Sevenoaks District Chief Inspector Roscoe Walford, Sevenoaks District Commander of Kent Police in attendance to answer questions about crime and disorder in the Sevenoaks District.		
6. Performance Monitoring	(Pages 7 - 24)	Lee Banks Tel: 01732 227161
7. Questions to the Portfolio Holder for Planning	(Pages 25 - 30)	Cllr. Piper
8. Questions to the Portfolio Holder for Legal & Democratic Services	(Pages 31 - 34)	Cllr. Firth

9. **Update from the Property Investment Strategy In-Depth Scrutiny Working Group** Cllr. Clack
Verbal update to be provided by the Chairman of the Property Investment Strategy In-Depth Scrutiny Working Group
10. **Work Plan** (Pages 35 - 36)

EXEMPT INFORMATION

At the time of preparing this agenda there were no exempt items. During any such items which may arise the meeting is likely NOT to be open to the public.

If you wish to obtain further factual information on any of the agenda items listed above, please contact the named officer prior to the day of the meeting.

Should you need this agenda or any of the reports in a different format, or have any other queries concerning this agenda or the meeting please contact Democratic Services on 01732 227000 or democratic.services@sevenoaks.gov.uk.

SCRUTINY COMMITTEE

Minutes of the meeting held on 5 July 2016 commencing at 7.00 pm

Present: Cllr. London (Chairman)

Cllrs. Ball, Clack, Hogg, Kitchener, McArthur, Purves and Reay

Apologies for absence were received from Cllrs. Brookbank, Brown and Lindsay

Cllrs. Hogarth and Searles were also present.

1. Minutes

Resolved: That the minutes of the meeting of the Scrutiny Committee held on 3 May 2016 be approved and signed by the Chairman as a correct record.

2. Declarations of Interest

No additional declarations were made.

3. Responses of the Cabinet to reports of the Scrutiny Committee

The response from Cabinet was noted.

4. Actions from the last meeting of the Committee

There were none.

5. Moat and West Kent Housing Association - Provision of Housing

The Chairman welcomed Elizabeth Austerberry, Chief Executive of Moat and Deborah White, Housing Director of West Kent Housing to the meeting who gave [presentations](#) on the provision of housing in the district, the impact of the Voluntary Right to Buy, assistance to the “squeezed middle” and the challenges ahead.

Questions were asked to the representatives of Moat and West Kent Housing Association.

The Chairman sought clarification on the level of rent Housing Associations charged and whether Local Housing Allowance would cover them. Elizabeth Austerberry explained that whereas Social Rents were set centrally, Affordable Rent was set at 80% of the open market rate. The Homes & Communities Agency regulator sought that Registered Providers move to higher rents so that they would not be so dependent upon grants for development. There was likely to be a growing disparity

between rent charged and the level of Local Housing Allowance, with Moat already carrying 5% arrears. However Housing Associations gave financial advice to tenants and tried to prevent evictions. Deborah White added that the Kent Housing Group was seeking solutions when an applicant could not afford social housing.

In response to a question, the representative from West Kent Housing Association explained that they were reminding tenants of the tenants' responsibilities under their leases. West Kent could find efficiencies by no longer carrying out works which should have been carried out by capable tenants. Elizabeth Austerberry advised that when Associations became involved in anti-social behaviour matters it was perceived as confrontational and made the problem worse in 30% of cases.

A Member asked about the impact of the removal of the Spare Room Subsidy. West Kent advised that they had been successful in working with the Council on the Small is Beautiful scheme to address under-occupancy in 15 of 30 cases focussed on. The Association was preparing for further reductions due in October 2016 and was already working with tenants who would be affected.

Another Member enquired about West Kent's approach to house building in the District outside of Sevenoaks. West Kent had a 5 year focus on Swanley, which would then move to Edenbridge and then to Sevenoaks. They were seeking to redevelop a majority of their garage sites in Swanley, a site in Otford and Ash Close, Edenbridge was being converted to 9 units for disabled people. Affordable Housing in Penshurst was still being sought.

Asked about the ending of life-term tenancies, West Kent did not have plans to adopt fixed-term tenancies but noted they would create a greater throughput of properties. Elizabeth Austerberry advised that Moat had adopted fixed-term tenancies, with a presumption residents would be allowed to remain, but to allow removal of troublesome tenants.

A Member asked whether West Kent was taking account of tenants' working hours, given the rise in those who worked but required social housing. Deborah White stated that they did offer Saturday morning appointments and 8am weekday appointments, but tenants often got their own workmen. West Kent workmen had begun carrying out "housing MOTs" to allow more repairs to be carried in each visit.

The Chairman thanked Elizabeth Austerberry and Deborah White for their attendance.

6. Performance Monitoring

The Chief Officer Corporate Services introduced a report which summarised performance across the Council to the end of April 2016. Members were asked to consider four performance indicators which were performing 10% or more below their target with a commentary from Officers explaining the reasons and detailing any plans to improve performance. If actions taken were not deemed sufficient, the report recommended referring those indicators to Cabinet for further

assessment. The report also provided key performance indicators relating to the Portfolio Holders invited to the Scrutiny Committee meeting.

Public Sector Equality Duty

Members noted that consideration had been given to impacts under the Public Sector Equality Duty.

Resolved: That the contents of the report be noted.

7. Questions to the Portfolio Holder for Economic & Community Development

The Portfolio Holder for Economic & Community Development presented a report updating the Committee on recent achievements within his portfolio. The Portfolio Holder responded to Members' questions.

The Chairman asked what the Portfolio Holder's primary concerns were. He responded firstly that the decision for the UK to leave the EU would affect those projects which depended on EU funding and could create a slow down in economic development during the period of uncertainty. Secondly he sought an improvement of the RealBusiness newsletter but some improvements had been held back until the Council's new website was launched. Thirdly he would keep a close eye on Community Safety indicators, which were beginning to rise from a very low baseline. He noted that the new Police and Crime Commissioner (PCC) was aiming to address the 25-33% of Police time spent dealing with people with mental health issues.

In response to a question about anti-social behaviour in Swanley, the Portfolio Holder explained that the multi-agency Community Safety Partnership had been very successful and the PCC had rated it as one of the top 3 in the county.

A Member asked why the Council had focussed on a multi-story car park at Buckhurst 2 in Sevenoaks town centre when the trend was for greater home working, internet shopping and the conversion of offices to residential use. In response, the Portfolio Holder said that the trend towards leisure use in the town was to be encouraged but that a lack of parking was a factor in deterring customers. The conversion of retail to residential was steady but small and most closures were on trading estates.

The Portfolio Holder was asked about the level of parking provision from the decking of the Bradbourne car park. He advised that there had to be some capacity above what was required by the proposed hotel and it was unlikely hotel customers would leave before commuters arrived. The number of spaces needed by the hotel was still to be confirmed, but it was hoped many users would arrive by train.

Asked about Kent County Council's progress in delivering broadband, the Portfolio Holder reported that he had been asking KCC for progress. He hoped that joint ventures would be successful in reaching difficult areas and discussions would take place with those residents who were most isolated.

A Member asked at what stage the Council's plans were for the former Swanley Working Man's Club site. The Portfolio Holder updated the Committee that plans were still in the early stages. Bevan Place had also been demolished. The Council was considering pictures and words about Swanley to put on hoardings. An architect was not yet appointed for the redevelopment as they did not want to pre-empt the Swanley Masterplan.

8. Questions to the Portfolio Holder for Finance

The Portfolio Holder for Finance updated the Committee on recent achievements within his portfolio and recent challenges faced. He updated the Committee that, since the publication of the report, the Council's accounts had been successfully completed by 30 June, Internal Audit's "Team Mate" software had since been successfully introduced, the Council's Council Tax Reduction Scheme was due to be considered by Cabinet on 14 July and the number of Universal Credit claimants in the District had risen to 26. The Portfolio Holder responded to Members' questions.

The Chairman asked the Portfolio Holder's three greatest concerns. He explained that the first was the appointment of a Principal Accountant, where a number of applicants had dropped out at the last moment. Secondly there was the rise in the number of Universal Credit claimants and thirdly the time to process new applications for and changes to Housing Benefit claims had both been rising.

A Member asked about the Council's expenditure on costs for the pool at the White Oak Leisure Centre, Swanley. The Portfolio Holder explained that although £90,000 had recently been paid on maintenance for the pool, it was beyond its 50-year life-span and he did not want the Council to incur further similar costs.

Another Member enquired about the level of funding received for the stabilisation of Otford Palace Tower. The Portfolio Holder confirmed that the Council had received £136,000 from Historic England.

In response to questions concerning the Council's property investment strategy, the Portfolio Holder advised that the 10 year balanced budget would not be affected by delays in development at Swanley. The Council had the services of its Regeneration Advisor for an indefinite period. There were no contingencies regarding the UK leaving the EU, but the Portfolio Holder advised that leases were with blue-chip and well-know companies. No concerns had been raised by Reef concerning the development of the hotel since the referendum to leave the EU.

The Portfolio Holder was asked whether there was undercapacity of the Argyle Road offices and whether there were plans to move in the very near future. He explained that there was not much space in the offices and there were no such plans to move.

The Chairman asked what was being done with the Council's historic information. The Chief Officer Corporate Services stated that the Council would comply with its record retention guidelines. If documents needed to be kept then the first step was to consider whether they were required in paper or could be scanned. This

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was an ongoing programme which had continued for a year. Archives had been offered documents where appropriate, such as old maps.

9. Establishment of a Property Investment Strategy Member Working Group

The Chairman introduced a report which explained that at the meeting of the Committee on 3 May 2016 Officers had been asked to draft terms of reference for an In-depth Scrutiny Working Group into the Council's Property Investment Strategy and whether its benefits outweighed its risks.

Members discussed the draft terms of reference and agreed that it would include consideration of the Council's trading company in its property investment role.

Resolved: That

- a) the terms of reference of the Property Investment Strategy In-Depth Scrutiny Working Group be the examination of the Council's Property Investment Strategy and whether the benefits outweighed the risks;
- b) Cllrs. Clack, Hogg, Kitchener and Purves be appointed members of the Working Group;
- c) Cllr. Clack be appointed Chairman of the Working Group; and
- d) the Working Group provide its final report back to the meeting of the Committee in March 2017.

10. Work Plan

Members noted that the In-Depth Scrutiny Working Group on Property Investment would provide updates at its meetings in November 2016 and February 2017, with its final report in March 2017. Members indicated that a further in-depth scrutiny on housing accommodation for vulnerable people could begin once the Property Investment Strategy Working Group had concluded. The updated workplan was noted.

Resolved: That "Housing - Welfare Reform" be removed from the workplan as an area of possible in-depth scrutiny.

11. Report of the Leisure In-Depth Scrutiny Working Group

Councillor Ball presented the report of the Leisure In-Depth Scrutiny Working Group that assessed the value for money provided to the Council by Sencio Community Leisure. The report considered the lease arrangements between the Council and Sencio, the support provided by the Council, the financial position of Sencio and recent investments and improvements made by the leisure provider. The Group had considered the performance of Sencio against leisure providers for other Kent local authorities in the context of value for money for the local authority. The report recommended that Cabinet be asked to review the payment of management and asset maintenance fees to Sencio. It also recommended that

Cabinet be asked to consider whether it would be more effective for the Council's Health & Housing Team to undertake the outreach aspect of the Sports Development function, previously transferred to Sencio, while retaining part of the management fee. Members confirmed that they had considered the confidential appendices to the report but that they would not discuss that confidential information.

Jane Parish, Chief Executive of Sencio, addressed the Committee and explained that the loss in 2015/16 had been due partly to the closure of the Wildernesse site, while still incurring staffing costs from the relocation and also due to accounts taking staff leave accrual into consideration. In 2015 Sencio had increased the level of maintenance carried out in areas the Council was responsible for under the lease.

Members discussed the level of fees paid by the Council to Sencio since its establishment in 2004. Members noted that the management fee had decreased while the number of customers had increased. However Sencio had shown a loss in the last financial year and members of the Group suggested that more could be done when compared to other local authority operators.

Members considered the recent investments and improvements made by Sencio, which included the purchase of 12 power-assisted exercise machines at White Oak Leisure, an updated Front of House system which would help increase online bookings, email renewal letters, website links to external partners (bringing commission to Sencio), an upgrade to the finance and payroll system and continued innovation to customers including "Smash Up" badminton and archery taster sessions. They noted that Sencio had made changes to drive up memberships and maximise income while reducing head office and other costs.

Resolved: That

- a) the conclusions of the Working Group that Sencio did not offer value for money to the Council at this time, be noted, while noting the trend of improvement;
- b) Cabinet be recommended to
 - i) review the management and asset management fees paid to Sencio; and
 - ii) consider whether the Council could more effectively carry out the outreach element of the Sports Development function while retaining part of the management fee.

and in its consideration Cabinet be advised that it may wish to take account of the further investment that Sencio had been taking forward.

THE MEETING WAS CONCLUDED AT 9.14 PM

CHAIRMAN

PERFORMANCE REPORT

Scrutiny Committee - 8 November 2016

Report of Chief Executive

Status: For Information

Key Decision: No

This report supports the Council Promise to provide value for money

Portfolio Holder Cllr. Peter Fleming

Contact Officer(s) Lee Banks (Ext. 7161)

Recommendation to Scrutiny Committee:

- (a) Members note the contents of the report; and
- (b) If Members are dissatisfied by actions being taken to improve performance by either Officers, Advisory Committee or Cabinet, they consider areas of underperformance for scrutiny.

Reason for recommendation: To ensure that areas of under performance within services are considered and reviewed by Members.

Introduction and Background

- 1 Scrutiny Committee have requested a regular update at each of their meetings of any performance indicators which are not meeting their target level. Attached to this short introduction paper is an exceptions report with a commentary from officers explaining the reasons why performance is not within 10% of target and detailing any actions the service is planning to take to improve performance levels.

Performance Overview

- 2 The table on the following page summarises performance levels as at the end of September 2016.

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	Current Month	Year To Date
Red <i>10% or more below target</i>	4 (8.5%)	7 (14.9%)
Amber <i>Less than 10% below target</i>	3 (6.4%)	5 (10.6%)
Green <i>At or above target</i>	40 (85.1%)	35 (74.5%)

- 3 Provided as Appendix A to this report are details of the seven indicators where performance is 'Red' and missing the target level by 10% or more.

Portfolio Holder Performance Reports

- 4 At the Scrutiny Committee meeting held on 14 July 2015 it was resolved for 'Officers to provide key performance indicators relevant to the Portfolio Holders invited to the Scrutiny Committee at each meeting'. The following performance reports are provided as appendices to this report:

- Appendix B - Planning Portfolio performance report
- Appendix C - Legal & Democratic Services Portfolio performance report

- 5 Where performance is 'red' and missing the target level by 10% or more Officers have provided a commentary for Members consideration.

Other Options Considered and/or Rejected

- 6 None.

Key Implications

Financial

- 7 Effective performance management monitoring arrangements will assist the Council in diverting resources to areas or services where it is considered to be a greater priority.

Legal Implications and Risk Assessment Statement.

- 8 Robust arrangements are in place to ensure that the risk of inaccurate data being reported to Members is minimised and assurance can be placed on the accuracy of data used to assess performance. By reporting to Members and ensuring all Members are able to access the Council's performance management system the risk of poor performance not being identified or addressed is minimised.

Equality Impacts

- 9 The decisions recommended through this paper have a remote or low relevance to the substance of the Equality Act. There is no perceived impact on end users

Conclusions

- 10 This report to Members summarises performance across the Council with data that was available at the end of September 2016. Members are asked to consider seven performance indicators which are performing 10% or more below their target and if the actions being taken by officers are not deemed sufficient are recommended to refer those indicators to the Cabinet for further assessment.

Appendices

Appendix A - Exceptions Report

Appendix B - Planning Portfolio performance report

Appendix C - Legal & Democratic Services Portfolio performance report


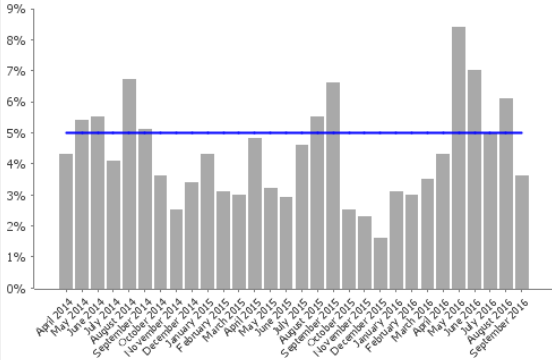


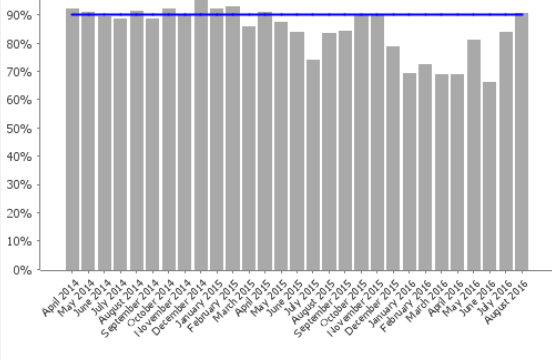

Background Papers:


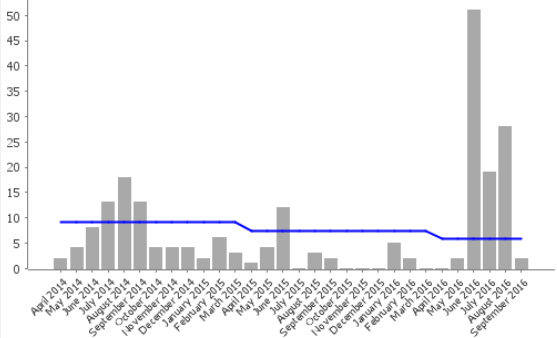


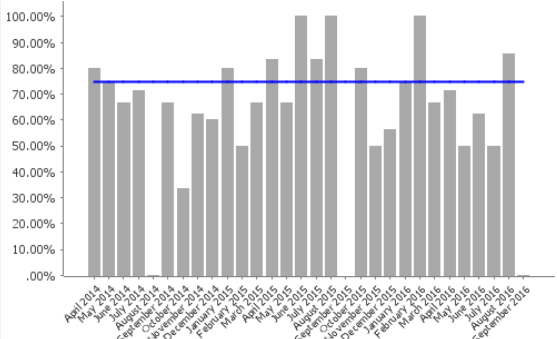

None


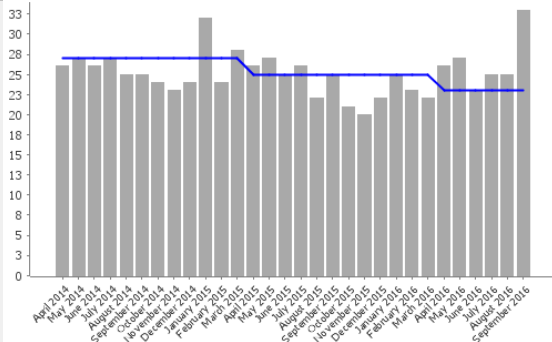


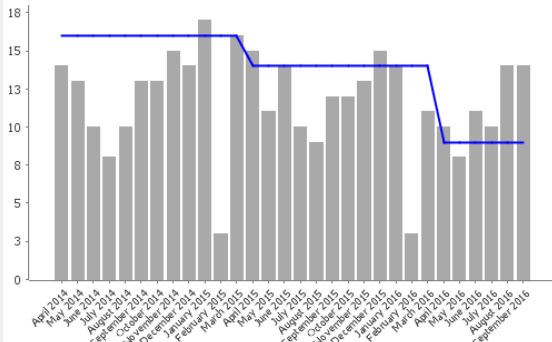

**Dr Pav Ramewal
Chief Executive**


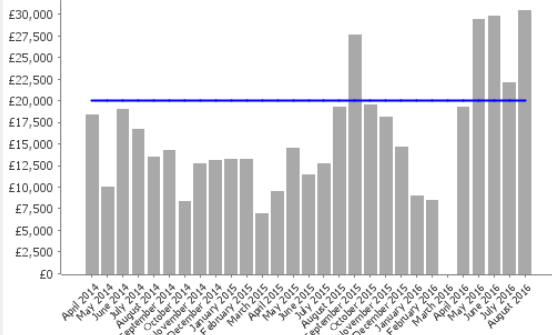

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Scrutiny Committee – Exceptions Report

Code	Short Name	Current Value	Current Target	Current Status	Performance Chart	Cumulative (Year to Date) Performance			Latest Note
						2016/17			
						Value	Target	Status	
LPI_CS 002	Percentage of phone calls to the Contact Centre abandoned by the caller	3.6%	5%			5.73%	5%		<p>During the first six months of the year the customer service team had a number of staff vacancies and some sickness absence that reduced their capacity. This was coupled with a significant increase in calls related to the electoral registration in advance of the EU Referendum.</p> <p>These issues have now passed and performance in September shows that calls abandoned by customers has fallen to just 3.6%.</p>
LPI_DC 003	Percentage of enforcement visits undertaken within 3 days of receiving a complaint	90.43%	90%			78.04%	90%		<p>For the first few months of the year the Team had less resource whilst an officer had long term absence from work. This affected the Council's ability to meet its target of undertaking visits within three days of the complaint.</p> <p>Most recent performance has seen a return to target level and it is anticipated that this will continue in future months.</p>

Code	Short Name	Current Value	Current Target	Current Status	Performance Chart	Cumulative (Year to Date) Performance			Latest Note
						2016/17			
						Value	Target	Status	
LPI_DS Waste 004	Number of missed green waste collections	2	6			102	35		<p>A series of one-off issues including, staff absence, a fault with a collection vehicle and delays at waste transfer station caused the decline in performance in collecting green waste.</p> <p>These issues have since been rectified and actions taken to improve resilience in the services. As a result performance data in September demonstrates a return to performance which is better than target.</p>
LPI_DC 009	Percentage of appeals against planning application refusal dismissed	0%	75.00%			62.50%	75.00%		<p>The proportion of appeals dismissed is below target at 62.5% (25 appeals dismissed of 40 planning appeals decisions) and each decision continues to be reviewed.</p> <p>Detailed analysis of those that are allowed has not revealed any particular trends or weaknesses in existing Planning Policy. The short term trend is positive and the total number of appeals is low when compared with the total number of planning decisions.</p>

Code	Short Name	Current Value	Current Target	Current Status	Performance Chart	Cumulative (Year to Date) Performance			Latest Note
						2016/17			
						Value	Target	Status	
LPI_HB 001	Average number of days to process Housing Benefit new applications	33	23			27	23		<p>The target for 2016/17 has been reduced to 23 days and 9 days respectively to reflect the national average for speed of processing.</p> <p>Significant transition is taking place in the service at the moment. All agency and off-site processing staff have been released from the partnership and replaced by permanent staff filling existing vacant posts. This is the primary reason for being over target but the outcome of the transition will reduce costs to the partnership of approximately £500k.</p>
LPI_HB 006	Average number of days to process Housing Benefit changes	14	9			11	9		<p>Improvements in the speed of processing are anticipated once new staff have settled in. Further improvements in processing times will also be delivered once Risk Based Verification software has been introduced from 1 January 2017. This is a solution that assigns a risk level to each claim to help determine the levels of documentary evidence required to support a new claim/change in circumstances. Being DWP compliant, it allows evidence requirements to be relaxed for low risk cases and more intense verification activity for high risk cases.</p>

Code	Short Name	Current Value	Current Target	Current Status	Performance Chart	Cumulative (Year to Date) Performance			Latest Note
						2016/17			
						Value	Target	Status	
LPI_FS 003	Debts outstanding more than 61 days	£30,481	£20,000			£30,481	£20,000		<p>The Finance Team has been through a restructure which has caused some delay in the normal volume of work undertaken to follow up and issue reminders to people to pay overdue debts to the Council.</p> <p>Although the level of debts outstanding beyond 61 days remains relatively low it is anticipated that the debtors may not be in a position to pay in the short term and it may be a number of months before target levels are returned to.</p>

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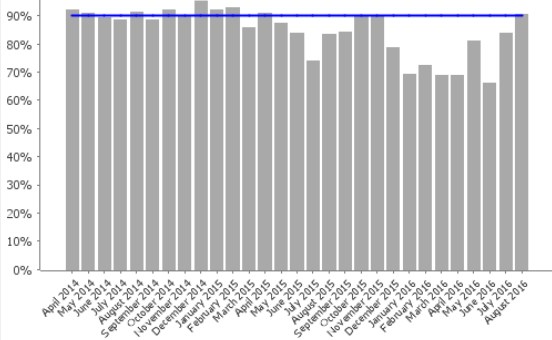


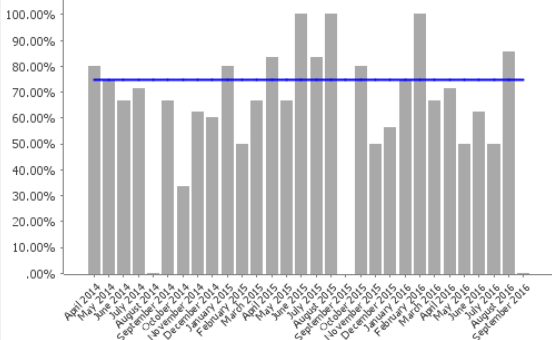

Scrutiny Committee – Planning portfolio performance report

Code	Short Name	Current Value	Current Target	Current Status	Performance Chart	Cumulative (Year to Date) Performance			Latest Note
						2016/17			
						Value	Target	Status	
LPI_B C 001	Percentage of full plans / Building Notices acknowledged within 3 working days	100%	90%	✔		98.67%	90%	✔	Commentary is only provided for 'red' indicators.
LPI_B C 002	Percentage of full plans checked within 10 working days	94%	90%	✔		93.17%	90%	✔	Commentary is only provided for 'red' indicators.

Code	Short Name	Current Value	Current Target	Current Status	Performance Chart	Cumulative (Year to Date) Performance			Latest Note
						2016/17			
						Value	Target	Status	
LPI_D C 002	Percentage of decisions delegated	98.84%	97%	✔		97.82%	97%	✔	Commentary is only provided for 'red' indicators.
LPI_D C 004	Percentage of enforcement notices issued within 28 days of authorisation	100%	100%	✔		100%	100%	✔	Commentary is only provided for 'red' indicators.

Code	Short Name	Current Value	Current Target	Current Status	Performance Chart	Cumulative (Year to Date) Performance			Latest Note
						2016/17			
						Value	Target	Status	
LPI_D C 007a	Processing of planning applications: Major applications in 13 weeks	100.00 %	80.00%	✔		100.00%	80.00%	✔	Commentary is only provided for 'red' indicators.
Page 17 D C 007b	Processing of planning applications: Minor applications in 8 weeks	80.00%	80.00%	✔		85.15%	80.00%	✔	Commentary is only provided for 'red' indicators.

Code	Short Name	Current Value	Current Target	Current Status	Performance Chart	Cumulative (Year to Date) Performance			Latest Note
						2016/17			
						Value	Target	Status	
LPI_D C 007c	Processing of planning applications: Other applications in 8 weeks	94.93%	90.00%	✔		93.39%	90.00%	✔	Commentary is only provided for 'red' indicators.
LPI_D C 001a	Average number of days taken to validate a planning application	5.43	5	⚠		4.59	5	✔	Commentary is only provided for 'red' indicators.

Code	Short Name	Current Value	Current Target	Current Status	Performance Chart	Cumulative (Year to Date) Performance			Latest Note
						2016/17			
						Value	Target	Status	
LPI_D C 003	Percentage of enforcement visits undertaken within 3 days of receiving a complaint	90.43%	90%			78.04%	90%		<p>For the first few months of the year the Team had less resource whilst an officer had long term absence from work. This affected the Council's ability to meet its target of undertaking visits within three days of the complaint.</p> <p>Most recent performance has seen a return to target level and it is anticipated that this will continue in future months.</p>
LPI_D C 009	Percentage of appeals against planning application refusal dismissed	.00%	75.00%			62.50%	75.00%		<p>The proportion of appeals dismissed is below target at 62.5% and each decision continues to be reviewed.</p> <p>Detailed analysis of those that are allowed has not revealed any particular trends or weaknesses in existing Planning Policy. The short term trend is positive and the total number of appeals is low when compared with the total number of planning decisions</p>


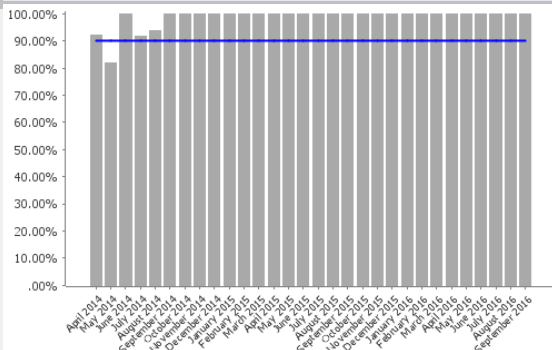

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Scrutiny Committee – Legal & Democratic Services Portfolio performance report

Code	Short Name	Current Value	Current Target	Current Status	Performance Chart	Cumulative (Year to Date) Performance			Latest Note
						2016/17			
						Value	Target	Status	
LPI_LI C 001	The percentage of valid temporary event notices processed within 72 hours	100%	95%	✔		100%	95%	✔	Commentary is only provided for 'red' indicators.
LPI_LI C 002	The percentage of valid personal licences processed within 2 weeks	100%	95%	✔		100%	95%	✔	Commentary is only provided for 'red' indicators.

Code	Short Name	Current Value	Current Target	Current Status	Performance Chart	Cumulative (Year to Date) Performance			Latest Note
						2016/17			
						Value	Target	Status	
LPI_LI C 003	Percentage of applications for new and variation of premises licences processed within 2 calendar months (from date of validation to issue date)	100%	95%	✔		100%	95%	✔	Commentary is only provided for 'red' indicators.
LPI_LI C 004	Percentage of all applications outstanding for more than one month	0%	10%	✔		3.82%	10%	✔	Commentary is only provided for 'red' indicators.

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Code	Short Name	Current Value	Current Target	Current Status	Performance Chart	Cumulative (Year to Date) Performance			Latest Note
						2016/17			
						Value	Target	Status	
LPI_LI C 005	The percentage of driver and operator licenses issued within 10 days of validation	100%	90%			100%	90%		Commentary is only provided for 'red' indicators.

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Planning Portfolio - Report to Scrutiny Committee

1 Planning Applications and Appeals

The District Council's Planning Department is the busiest in Kent, with 2,078 planning applications received in the year to March 2016. The next highest was Canterbury with 1,795 applications, Maidstone with 1,737 applications and Tunbridge Wells with 1,732 applications. Dartford received 784 and Gravesham 856. The District Council also grants the lowest number of planning applications (80%) whereas Ashford grants 97% and Tonbridge and Malling 95%.

The existing Local Plan requires the District Council to build 3,300 homes at 165 per annum. In 2015/16, there were 414 net housing completions, which is the highest in the plan period since 2006 (second highest was 290 units in 2008/09). But where these homes have been built has been a surprise. Swanley has built 45 homes in the last 4 years, Edenbridge 110, Sevenoaks 251 and Dunton Green 355. There were 115 affordable housing units completed in 2015/16 (up from 15 in 2014/15), which is also the highest figure in the last five years (since the adoption of the Core Strategy). This is primarily due to the contribution of the West Kent Cold Store site in Dunton Green. Viability issues remain central to the provision of affordable housing and unfortunately the government has decided to give priority to the encouragement of small builders.

Appeals dismissed is below target at 62.5%. Detailed analysis of those that are allowed has not revealed any particular trends or weaknesses in our existing Planning Policy, however we will continue to review each decision. The short term trend is positive and the total number of appeals is low when compared with the total number of planning decisions.

Case officer turnover has been high in the last 12-18 months. Reasons for leaving are varied, from moving closer to home, leaving for the private sector, or wanting to take on a new challenge after serving here for a number of years. Replacing experienced planning officers is currently very difficult. We have been fortunate to appoint highly capable graduates, but understandably they will take time to develop in their new roles. Notwithstanding, performance has not suffered even though workloads have remained high.

As a follow up to the last meeting, the District Council has decided not to use the News Shopper to publicise planning applications as it is several times more expensive than The Chronicle.

2 Building Control

The Building Control Partnership has been operating for two years and continues to modernise and improve its customer delivery. The Partnership has a team of surveyors, at both Council offices, and through direct marketing, service delivery and strengthening its ties with local agents and builders it secures 70% market share against a competitive private sector. Since April, the Partnership has attended to 25 dangerous structures, made of 4,000 site inspections and delivered the ability for customers to make online applications and payments. Internal performance for processing applications remains consistently high and income is in line with budget.

3 The New Local Plan

The current planning policy priority is the preparation of the new Local Plan for the period 2015-35, including planning for housing, retail, employment, infrastructure, recreation and the environment.

The Local Development Scheme (LDS) provides the timetable for the production of the new Local Plan and was agreed by Cabinet in July 2016. In summary it outlines:

- Early 2017 - evidence base substantially completed
- Mid 2017 - first public consultation on emerging Issues and Options
- Early 2018 - second public consultation on the draft Local Plan
- Late 2018 - submission for examination by Inspector
- 2019 - adoption (likely to be after modifications)

The Planning Advisory Committee and Cabinet will have to agree every stage and Full Council will agree the Local Plan prior to submission.

Housing is the immediate priority. The **Strategic Housing Market Assessment (SHMA)** has been completed and recommends an unconstrained figure of 620 dwellings per year, compared with 165 dwellings under the current plan. This assumes 1% growth in population per year for the next 20 years, but does not take into account the high level of constraints in the District, namely the 93% Green Belt and 61% AONB, which clearly suggests that the final housing target for new homes will be significantly lower. But we can only go where the evidence leads.

The **Strategic Housing Land Availability Assessment (SHLAA)** assesses the amount of land in the District that could be available and suitable for housing development. This work will help to establish how much of the identified need can be realistically delivered over the plan period. Since advertising a 'call for sites' in Autumn 2015 over 300 sites across the District have been submitted to the Planning Policy team. Officers have visited all sites submitted between September and December 2015, and details of these were presented to the Planning Advisory Committee in June 2016. Officers are now visiting the additional sites, including brownfield sites, and supply could be maximised through higher densities in appropriate locations. The District Council will prioritise development on brownfield sites submitted, and is examining the preparation of a Brownfield Register. The SHLAA will form part of the evidence base for the new Local Plan and will be completed in time for public consultation on the Local Plan Issues and Options in mid 2017.

The **Economic Needs Study** is a technical study which reviews the current status of the District's economy and identifies future employment opportunities. Turleys were jointly commissioned with Tunbridge Wells Borough Council to undertake the study. The study recommends an objectively assessed need for commercial land up to 2035 of 11.6ha (of which 7.2ha should be suitable for office, 1.1ha for industrial and 3.3ha for warehousing/storage). The study analyses the existing employment land in the District and makes recommendations as to how the Council can support continued economic growth. It is believed that this will not be a material issue.

The **Retail Study** states that the District will require 21,400 sq. m. of additional comparison (non-food) floorspace and 10,400 sq. m. of additional convenience (food) floor space over the new Plan period. However, the amount of floorspace to be planned for will be assessed against all other evidence gathered to ensure the distribution and appropriate scale of development. It is interesting to note that SDC has been advised that internet shopping has plateaued.

The key outstanding report is the **Green Belt Assessment**. Arup were appointed in August to carry out the assessment - they are a multi-disciplinary consultancy, based in London, who specialise in this type of work. They have completed a number of recent Green Belt Assessments including for Runnymede, Buckinghamshire, Hertsmere, Uttlesford, Elmbridge, Hounslow, Dacorum, Cheshire East and Barnsley. The five green belt purposes are:

- To check the unrestricted sprawl of large built-up areas;
- To prevent neighbouring towns merging into one another;

Agenda Item 7

- To assist in safeguarding the countryside from encroachment;
- To preserve the setting and special character of historic towns; and
- To assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

The purpose of the assessment is to establish any differentiation in terms of how the parcels in the existing Green Belt function and fulfil the purposes of the Green Belt. The results of the Study will be reported to Planning Advisory Committee and then Cabinet on 17 January/ 9 February 2017. Where the Green Belt is working well, land will only be developed in exceptional circumstances, which will not include meeting any housing shortfall.

Landscape Character and Capacity Assessment - Land Use Consultants (LUC) were appointed in August to update the existing landscape character assessment and consider sensitivity of the landscape to change. A stakeholder workshop and site assessments took place in October and findings will be reported to PAC in January 2017.

Open Space, Sport and Leisure Study - Study progressing well - assessment work starting for football and rugby pitches during the playing season.

Strategic Flood Risk Assessment - Study progressing well - work will link to a wider Catchment Study for the Darent and some update work on the Medway (including the Eden) being undertaken by the Environment Agency.

4 Swanley and Hextable Master Vision

The District Council has for some time had a priority of achieving the regeneration of Swanley. This has been formalised within the Core Strategy adopted in 2011. The upturn in the economy, rekindled interest by the key landowner in Swanley town centre (U&I), emerging proposals for the District Council's sites together with the interests of Swanley Town Council and those for the improvement of Swanley Station all add up to form the case that this is now the right time to advance a long-term, 20 year regeneration ambition for the town. Hextable is included because of its close relationship with Swanley, in terms of use of services and facilities, although physically separated by Green Belt which will be maintained.

A consultant team led by Tibbalds was appointed in late 2015 to develop a Master Vision for Swanley and Hextable. An intensive period of both stakeholder and public consultation began in February 2016. In total there were about 1,500

visitors to the events, which sought to understand what people thought about Swanley and what they wanted to improve. Building on these views, a Master Vision has been prepared which focuses on:

- The regeneration of the town centre (with an improved retail and leisure offer, a more centralised train station and re-enlivened recreation ground surrounded by community uses);
- New housing as an enabler to the town centre redevelopment (including Swanley Garden Village, up to 3000 homes to the east of Swanley, served by a station halt and prioritised bus-route); and
- Improved infrastructure, including a health hub and leisure centre, public transport improvements and enhanced walking and cycling routes.

Consultation on the Master Vision launched on 7 September for 8 weeks (until 2 November). Drop-in sessions were held in October in Swanley and Hextable and a survey was sent to all households in the area (and it is also available online). Targeted consultation has been carried out with key stakeholders and hard-to-reach groups, including commuters, school-children and businesses. To date we have received approximately 850 postal survey responses and 200 online responses (already exceeding the 1000 responses target). The results analysed to date have been broadly supportive.

5 CIL

Since we began charging CIL in August 2014, the District Council has collected around £604,000 (up to 30th September 2016). Around £171,000 of this has been paid to town/parish councils, as Cabinet agreed in November 2014 to pay Parish and Town Councils 25% of the CIL income, whether they had a Neighbourhood Plan in place or not. There is approximately £403,000 available for the CIL Spending Board. The remaining share (5%) is for the Council's recovery of admin costs, as laid out in the CIL Regulations.

The following towns and parishes have received CIL contributions, due to qualifying development occurring within their area: Chevening, Dunton Green, Edenbridge, Fawkham, Hartley, Otford, Sevenoaks Town (£373,000), Swanley and West Kingsdown. Other town/parish councils will receive their entitlement to CIL contributions once CIL-liable development has commenced in their area. It is expected that large scale development (e.g. sites in Sevenoaks Town, Swanley and Westerham) will continue to yield large CIL receipts.

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The governance of the CIL Spending Board states that the Board will meet once receipts exceed £250,000 following the deductions of parish/town council entitlement and admin costs. As stated above, the amount available to the CIL Spending Board has exceeded the £250,000 threshold. The governance procedures in regard to setting up the CIL Spending Board are currently being reviewed. Subject to the agreement of Cabinet and Member training, it is expected that the first Board will sit in the first quarter of 2017. Please remember that CIL will only match fund or top up infrastructure schemes, primarily funded by KCC etc.

The District Council is keen to generate additional funding for West Kent.

6 Consultations

Recent consultations include Starter Homes, KCC funded Bus Services, Active Travel Strategy and Local Transport Plan 4: Growth without Gridlock. There is also a consultation on the Thameslink timetable for 2018 onwards, which includes a direct service from Maidstone East to Cambridge via Otford and Swanley.

We are currently awaiting a number of national planning policy consultation outcomes including Starter Homes, the NPPF, the CIL review and Neighbourhood Planning. These are widely expected to be part of a Government White Paper. We are also awaiting the development of case law to assist in the preparation of a Gypsies & Travellers policy, as the government's intentions are vague.

7 The Future

As for the future, the preparation of the Local Plan and agreement by the Inspector will be challenging. In the words of Sir Michael Fallon "the constraints presented by our large areas of Green Belt and AONB make it impossible for so many houses to be built".

And finally I can only repeat what I said 9 months ago - recruiting and retaining staff in an expensive area like Sevenoaks is not easy.

Legal & Democratic Services - Key challenges & successes

Legal, electoral & democratic services

Challenges

- Increase individual elector registration (IER) via digital channels and introduce more streamlined processes. Although Government provided some initial transitional funding to support the increased burden this has decreased to £20,000 for 16/17 with no indication of any funding for next year. Despite over a third of responses arriving online the costs of IER are not decreasing and now comprise the third of our annual budget.
- Similarly, as the population of the District continues to increase so, too, does the cost of elections. Consequently, a review is being carried out to try and identify more automated working practices.
- Maintaining Lexcel accreditation of the SDC legal team.
- Ensure legal decisions so as to protect the Green Belt while maintaining housing supply in the face of increased risk of judicial review and planning appeal.
- Implement as available all government initiatives aimed at online self-service, such as electronic payment of HMCTS fees, remote hearings.
- Embrace and adopt the Single Justice Procedure when launched so as to allow residents to plead guilty to less serious offences by post.
- Implement appropriate in-house legal software solutions to facilitate management, monitoring and efficient working practices.
- Adopt full electronic EU procurement by October 2018.
- Provide any necessary advice to the Council relating to Quercus 7.
- Provide support for the increased number of lease renewals and general landlord and tenant issues arising from the capitalisation of the Council's liquid assets and purchase of commercial buildings.

Successes

Electoral Services

- Successfully administered 6 elections: Police and Crime Commissioner Election, EU Referendum, Sundridge and Ide Hill by-election & Swanley town/District & County be-elections.
- Transition to IER and ensuring a robust electoral registration process and on track to publish new on-line register on 1st December 2016.

Legal

- Recruitment of new Head of Legal and Democratic Services. Re-organisation of Legal & Democratic services team. Welcoming back Charlotte Sinclair from maternity leave. David Lagzdins now fully qualified and will join legal.
- Ongoing support across the Council including a successful prosecution in relation to taxi licensing (Jabbar/Sevenoaks Taxis Ltd) - please see attached table of notable legal successes since July 2016.
- Completion of shareholders agreement for the Councils trading company - Quercus 7.

Democratic Services

- Ongoing support for the Chairman and civic events including Hever Castle, Lavender Farm.
- Continuing to provide support to all committee meetings whilst being one member of staff down due to maternity leave.

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- Completion of new members useful numbers card.

Licensing

Challenges

- Embedding London Borough of Bexley into the Licensing Partnership (LP). Bexley joined the Licensing Partnership on 31st October although SDC have been managing the Bexley licensing team since 1st September. This has been an immense project with political, governance and operational challenges which has been undertaken at the same time as fulfilling the day to day running of the team e.g issuing in excess of 3,800 licences, permits and notices and undertaking in excess of 6,000 administrative tasks annually.
- Continuing discussions and negotiations with the London Borough of Bromley who are also keen to join the Licensing Partnership.
- Fulfilling our statutory licensing duty and maintaining record service performance across four authorities as opposed to three and building further resilience into the licensing team.
- Full roll out of on-line forms project (Victoria forms) for all licensing applications.
- In order to achieve greater efficiencies, the taxi application process is changing. A new on-line knowledge test is expected to be available in early 2017 and applicants will be expected to pass the knowledge test before submitting an application. This will save valuable officer time processing applications which ultimately are not successful.

Successes

- SDC is the first District authority in the Country to take on the work of a London Borough. As a result, SDC will make an annual operational saving of £15,000 to the ongoing cost of the Licensing Partnership but that isn't the only cost incurred by SDC. There are two separate budgets, the cost of running the SDC Licensing Team (Taxis and the other licensing functions) and the Licensing Partnership costs. With the savings to the Licensing Partnership we are likely to 'break even' in next year's budget which will be the first time we have managed this as an authority since the Licensing Act 2003 was introduced meaning that the service becomes cost neutral to our residents.
- All performance indicators met for the first 6 months of this year, with all applications issued within 5 working days.
- Introduction of 28 on-line forms which allows our residents to submit applications 24 hours a day/7 days a week.
- Development of a licensing renewal/reminder notification via email/text messaging which combines changing behaviour with improved efficiencies.
- Licensing committee continues to make good decisions with sub-committee decisions regularly upheld on appeal e.g Jabbar v Sevenoaks District Council, 25 August 2016.

In relation to Mr Jabbar-

- Guilty on two counts
- Sentence- Band C Fine £180 per count totalling £360, £20 victim surcharge and £1200 costs awarded. Total £1580.00 (Fine and costs were capped as Mr Jabbar claims he is on benefits and earning £97.00 a week)
- £20 per month requested by Mr Jabbar, £40 per month ruled. First payment within 14 days. Mr Jabbar to apply to Court if he can not pay.

Sevenoaks Taxis Ltd

- Guilty on all three counts

- £500 fine per count totalling £1500 and £1500 costs
- £50 surcharge to company
- £3050 Total to be paid within 28 days by Sevenoaks Taxis. The company to apply to Court if they can not pay.

Total £ 4630. Collection order granted for both.

SDC Trading company - Quercus 7 Ltd

Challenges

SDC's trading company, Quercus 7 Ltd, is now ready to be used as a vehicle to assist this Council to attain its principle financial objective of becoming and remaining self-sufficient. The challenge for the L&DS portfolio will be to ensure a robust system of corporate governance that balances the interests of the many stakeholders in the company: the shareholder (all SDC members and ultimately all residents), management, customers, suppliers, financiers and the community. This will be achieved through regular scrutiny via the Trading Board (effectively Cabinet) but also through a formal and rigorous annual Board evaluation of its own performance in accordance with the UK Corporate Governance Code.

Successes

Two non-executive directors specialising in finance and property have now been recruited completing the Executive Board. The full board comprises Andrew Andreou, BSC, ACA (finance), John Tibbitts, Fellow (FCIOB), Quantity Surveyor (property), Adrian Rowbotham, Richard Wilson and Lesley Bowles. The two NEDs bring considerable commercial and private sector finance and property experience and will start from 1st November 2016 with the first Board meeting being in early November.

Equalities, Shared Service programme & corporate health & safety

Equalities

Challenges

Ensuring sufficient resource and capacity exists in the organisation to deliver on the commitments and actions set out with in the Council's newly adopted Equalities Policy.

Ensuring compliance with Mandatory Gender Pay Gap Reporting for Public Sector Employers once legislation is enacted

Successes

Delivering a new Equalities Policy and action plan for the Council to deliver against over the next four years.

Developing plans to meet the Equalities Policy objective to regarding apprenticeships - working in partnership with Communities & Business on innovative approaches to the Government's proposed apprenticeship duty and levy

Progressing studies to ensure the Council has robust data to deliver the facilities and services that meet the needs of local people (in planning, housing and the communities & business teams)

Agenda Item 8 Shared Service programme

Challenges

Seeking willing partners to take forward shared service working in areas that provide sufficient benefit to the Council for the investment required

Successes

Expansion of the Licensing Partnership to include the London Borough of Bexley, with interest for further future expansion from the London Borough of Bromley

Corporate Health and Safety

HSE carrying out a routine visit to the depot on 24th November to check on H&S practises for refuse and recycling collection services

Successes

Health and Safety policy reviews; risk assessment reviews and relevant training all ongoing

Governance

The Governance committee held a workshop on Monday, 10th October to continue considering whether an approach should be made to the Local Government Boundary Commission for England (LGBCE) to initiate an electoral review of this Council with the objective of a significant reduction in the number of councillors by the 2019 elections. At the time of writing this work is still on-going.

Anna Firth

Portfolio Holder for Legal & Democratic Services

Scrutiny Committee Workplan

Committee Date	24 November 2015	23 February 2016	3 May 2016	5 July 2016
External Invitees	Kent Police (Crime & Disorder in the Sevenoaks District) - Chief Inspector Roscoe Walford, Sevenoaks District Commander	Kent County Council (Highways) - Matthew Balfour, Cabinet Member for Environment and Transport	Kent County Council (Commercial and Traded Services) - Paul Carter CBE, Leader and Cabinet Member for Business Strategy, Audit and Transformation and Commercial and Traded Services	Moat Housing - Elizabeth Austerberry, Chief Executive West Kent Housing - Deborah White, Housing and Communities Director
Scrutiny Committee	Performance Monitoring Update from Kent County Council on Education Questions Peter Fleming - Leader and Portfolio Holder for Policy & Performance Tony Searles - Portfolio Holder for Finance	Performance Monitoring Robert Piper - Portfolio Holder for Planning Anna Firth - Portfolio Holder for Legal & Democratic Services Chairman's annual report to Council	Performance Monitoring Matthew Dickins - Portfolio Holder for Direct & Trading Services Michelle Lowe - Portfolio Holder for Housing & Health	Performance Monitoring Roderick Hogarth - Economic and Community Development Tony Searles - Portfolio Holder for Finance
In-Depth Scrutiny	Working Group Leisure - Update Stages Two/Three ¹	Working Group Leisure - Interim Report Stages Two/Three/Four ¹	Working Group Leisure Stages Two/Three/Four ¹	Working Group Leisure - Final Report Stage Five ¹ Working Group Property Investment Strategy - Constitution of Group Stage One ¹

Committee Date	8 November 2016	7 February 2017	30 March 2017	Summer 2017
External Invitees	Kent Police (Crime & Disorder in the Sevenoaks District) - Chief Inspector Roscoe Walford, Sevenoaks District Commander	Kent County Council (Library Services) - Mike Hill, Cabinet Member for Community Services and James Pearson, Service Improvement Manager of the Libraries, Registration and Archives Service	Pembury Hospital (Maidstone and Tunbridge Wells NHS Trust) - Angela Gallagher, Chief Operating Officer	
Scrutiny Committee	Performance Monitoring Robert Piper - Portfolio Holder for Planning Anna Firth - Portfolio Holder for Legal & Democratic Services	Performance Monitoring Matthew Dickins - Portfolio Holder for Direct & Trading Services Michelle Lowe - Portfolio Holder for Housing & Health	Performance Monitoring Peter Fleming - Leader and Portfolio Holder for Policy & Performance Tony Searles - Portfolio Holder for Finance (TBC)	Performance Monitoring
In-Depth Scrutiny	Working Group Property Investment Strategy - Update Stages One/Two/Three ¹	Working Group Property Investment Strategy - Update Stages Three/Four ¹	Working Group Property Investment Strategy - Final report Stages Four/Five ¹	

¹ For detailed information on stages refer to "A Guide to In-Depth Scrutiny"

Past In-Depth Scrutiny Working Groups

2013/14	
Parking	Cllrs Clark, Cooke, Edwards-Winsor, Eyre, Mrs Purves, Raikes (Chairman)
Budget	Cllrs Abraham, Mrs Bracken (Chairman), Butler, Gaywood, Maskell
2014/15	
Leisure	Cllrs. Gaywood, Grint, Mrs. Morris, and Pett (Chairman)
Investment in Property (put on hold)	Cllrs. Brookbank, Davison (Chairman) and Underwood
2015/16	
Leisure	Cllrs. Ball, Brown (Chairman), Clack and Kitchener

Current In-Depth Scrutiny Working Groups

Property Investment	Clack (Chairman), Hogg, Kitchener and Purves
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Possible future areas for In-Depth Scrutiny

Housing - accommodation for vulnerable people

Past External Invitees

2013/14	
21/11/13	Maidstone & Tunbridge Wells NHS (Jayne Black, Director of Operations)
04/02/14	KCC Highways & Transportation (David Brazier, KCC Cabinet Member Transportation & Environment)
02/04/14	Kent Police (Area Commander Chief Superintendent Steve Corbishly and District Commander Chief Inspector Tim Cook)
2014/15	
15/07/14	Citizens Advice Bureaux (Martin Wells and Angela Newey, Chairman and Manager at Sevenoaks & Swanley Citizens Advice Bureau (CAB), and Mike Musgrove and Jill Eyre, Director and Manager at Edenbridge & Westerham CAB)
02/10/14	Sencio Community Leisure (Jane Parish, Chief Executive)
20/11/14	KCC Secondary Schools (Roger Gough, KCC Cabinet Member for Education & Health Reform)
03/02/15	West Kent Clinical Commissioning Group (Ian Ayres, Chief Officer and Accountable Officer)
2015/16	
14/07/15	KCC Primary Schools and Apprenticeships (Margaret Crabtree, KCC Deputy Cabinet Member for Education and Health Reform)
24/11/15	Kent Police (Chief Inspector Roscoe Walford)
23/02/16	KCC Highways (Matthew Balfour, KCC Cabinet Member for Environment and Transport) (Did not attend)
03/05/16	KCC Commercial & Traded Services (Paul Carter CBE, KCC Leader and Cabinet Member for Business Strategy, Audit and Transformation and Commercial and Traded Services)

2016/17	
05/07/16	Moat Housing (Elizabeth Austerberry, Chief Executive) West Kent Housing (Deborah White, Housing and Communities Director)

Possible External Invitees

Position	Name	Topic