

## SCRUTINY COMMITTEE

Minutes of the meeting held on 8 November 2016 commencing at 7.00 pm

Present: Cllr. London (Chairman)

Cllr. Brown (Vice-Chairman)

Cllrs. Ball, Clack, Hogg, Lindsay, Purves and Reay

Apologies for absence were received from Cllrs. Kitchener and McArthur

Cllrs. Eyre, Firth, Mrs. Morris and Piper were also present.

### 12. Minutes

Resolved: That the minutes of the meeting of the Scrutiny Committee held on 5 July 2016 be approved and signed by the Chairman as a correct record.

### 13. Declarations of Interest

No additional declarations were made.

### 14. Responses of the Cabinet to reports of the Scrutiny Committee

Cllr Clack confirmed that the request of the Committee on 3 May 2016 for Cabinet to consider whether it would be appropriate to apply a target of 75% of Penalty Charge Notice appeals to be won at the Traffic Penalty Tribunal was considered by the Cabinet on 9 June 2016. Cabinet had decided not to apply a new performance indicator.

### 15. Actions from the last meeting of the Committee

There were none.

### 16. Kent Police - Crime and Disorder in the Sevenoaks District

The Chairman welcomed Chief Inspector Roscoe Walford, Sevenoaks District Commander of Kent Police, to the meeting, who gave an overview of the levels of crime and disorder within the District.

Chief Inspector Walford explained that the Sevenoaks District was the third lowest crime area in the County. There had been a rise in crime with 388 extra recorded crimes over the rolling year to the end of October 2016 with between 10 and 14 crimes reported each day. However, crime recording methods were one of the best in the country with approximately 90% accuracy. Domestic violence was the most common crime but Kent Police had one of the best rates for domestic violence

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prosecutions with relatively low levels of repeat offenders and victims having more confidence to report incidents and receive support. The Kent Police sexual offences department would be restructured to deal with the rise in cases since Operation Yewtree. Kent Police were beginning to disrupt organised crime groups, which were causing disproportionate harm within the District.

He congratulated the Community Safety Unit for their work, with their well documented and audited processes leading the way in West Kent. The District had the lowest reported anti-social behaviour in the county.

Questions were asked of Chief Inspector Walford.

In response to questions from the Chairman, the Chief Inspector confirmed that there were 5,313 crimes reported over the rolling year and 112 of those were sexual offences. Most incidents occurred in the most populated parts of the District but most acquisition crimes would take place in the south. Most fraud matters would be dealt with at the County level, whose department was expanding. There were 45 constables, 18 PCSOs, 13 sergeants and 6 inspectors in the District. There was funding for up to 65 constables in the District but recruitment had been difficult. 1,400 recruits were due in the next 18 months with 8 beginning a probationary period in the District from the new year.

The Chief Inspector confirmed that if there were a shortage in available Officers then support would be received from other Districts, traffic or firearms Officers as necessary. Only one of over 500 core demand calls was not responded to in the year. Kent Police had held recruitment events for special constables, with 80 recently expressing interest in Swanley.

A Member asked about what landowners could do to stop unauthorised encampments on their land and whether he had experienced new priorities from the new Police and Crime Commissioner (PCC). The Chief Inspector explained that Kent Police had adopted a Joint County Policy for consistency on encampments, but landowners would be asked to take the lead before Kent Police used its powers. The new PCC had been proactive and had prioritised mental health issues, which were a significant burden on the force, and victim support.

In responding to questions, the Chief Inspector explained that he hoped that his current PCSOs would be in place for some time. Bureaucracy put a large demand on Officer time, with 2-3 hours needed even for a simple case file. Priorities were made based on threat, harm and risk. Some activities required Officers to be present, such as counter-terrorism presence, but if available he would have also given more police presence elsewhere.

The Chief Inspector was asked about theft in rural communities and he explained that it was important for residents to report the crime so that Kent Police knew the size of the problem. The ending of lost and found was a significant cost saving and it was recommended that lost goods be left, for example, with a shop they were found in.

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Members raised concern at the level of cyber crime. He explained that they were processed through a national forum and few were allocated locally. The Kent Central Fraud Team were unlikely to expand soon due to limited resources, but Kent Police were trying to adapt to modern policing in areas such as child sexual exploitation, modern slavery, counter-terrorism and counter-extremism.

A Member asked about the problem in Sevenoaks of groups of youths who gathered during the Summer. The Chief Inspector confirmed that, following incidents on The Vine, some offenders had been charged and some given custodial sentences.

The Chairman thanked Chief Inspector Walford for his attendance.

### 17. Performance Monitoring

The Chief Officer Corporate Services introduced a report which summarised performance across the Council to the end of September 2016. Members were asked to consider seven 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. Officers [tabled a key](#) to explain the performance indicator symbols.

A Member noted that 4 indicators were red because of staff sickness. The Chief Officer Corporate Services advised that staffing levels had been pared back so would not cover for periods of absence.

*Action: That Officers provide a written response setting out the impact on customers of delays in processing new Housing Benefit applications and Housing Benefit changes.*

### 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.

### 18. Questions to the Portfolio Holder for Planning

The Portfolio Holder for Planning presented a report updating the Committee on challenges and recent achievements within his portfolio, highlighting that the Planning Policy Team was making good progress in advancing the new Local Plan, with many evidential assessments begun and being returned. The consultation on the Swanley Master Vision had resulted in 1,800 responses (approximately a 15% response rate) which was higher than expected. The three greatest challenges ahead were in delivering the Local Plan, assessing responses to the Swanley Master Vision and determining how to take it forward, and recruiting and retaining staff in

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an expensive area near to London. The Portfolio Holder responded to Members' questions.

In response to questions from the Vice Chairman, the Portfolio Holder explained that planning application fees were set nationally and so could not be adjusted to deter speculative applications. No consultants were used within the Development Management Team and the consultants used to build the evidence for the Local Plan would not usually advise on particular planning applications.

A Member raised concern that using The Chronicle rather than The Newshopper for public notices meant that residents in the northern parishes would not see the notices. The Portfolio Holder advised that the Sevenoaks Chronicle had begun covering stories in the north of the District.

A Member suggested that a number of Planning Inspectorate decisions overturning the Council related to the rear of properties. The Portfolio Holder did not feel that a relaxation of development policies to the rear of a property would be appropriate as these may often face neighbours or affect privacy.

A Member sought clarification that adjustment in the Green Belt would not be used to provide additional Housing. The Portfolio Holder confirmed that although brownfield sites might be developed, the Green Belt land which was working well would not otherwise be built on except in exceptional circumstances, such as the potential regeneration of Swanley or in continuing the bypass around Westerham.

Members raised concerns with the draft of the Swanley Master Vision, doubting that there would be support for part of the recreation ground to be lost and concerned at the level of housing that could be involved. The Portfolio Holder advised that the plan would be for the people of Swanley and the consultation responses were still being analysed, but the Council would go where the evidence led. Local people had asked for more shopping, a night-time economy, and better transport but these would be difficult to achieve without additional housing. The Portfolio Holder agreed to attend a future meeting to further discuss the matter.

In response to a question, the Portfolio Holder confirmed that they were awaiting the Arup Green Belt assessment before further updates could be given on the Call for Sites. The report was expected at about Christmas 2016.

### 19. Questions to the Portfolio Holder for Legal & Democratic Services

The Portfolio Holder for Legal & Democratic Services presented a report updating the Committee on challenges and recent achievements within her portfolio, highlighting that workplace accidents had fallen from 35 to 14 with days lost off work falling from 29 to zero. Individual Electoral Registration (IER) had not become less cumbersome over time but the funding from government had fallen. Almost all Licensing PIs were at a very high standard of 100%, but they would be difficult to maintain while the new Licensing Partner was embedded. Further Partnership expansion would be difficult at this time given managerial capacity. The trading company's first meeting would be on 15 November 2016. She felt that her services

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were in much better position than when she had taken them over. An [appendix to the report](#) of recent legal successes was tabled for Members' consideration.

Updating Members on matters raised at the meeting on 23 February 2016, she confirmed that training would be given to Members about declarations of interest after the Full Council meeting on 22 November 2016. The Swanley slip road, which had been the site of an accident involving the Council, was to be completely adopted by the Highways Agency. The Portfolio Holder responded to Members' questions.

In response to a question from the Chairman, the Portfolio Holder advised that her three greatest concerns were in getting IER to a cost neutral position, in embedding the London Borough of Bexley into the Licensing Partnership and ensuring that the trading company makes returns and is properly governed and regulated.

Asked about the Licensing Partnership, the Portfolio Holder confirmed that efficiencies were created as the administration was centralised and mostly electronic. The Partner Authorities kept their own Officers and policies and so licensing complaints should be directed to local staff. The Licensing Partnership was due to have its first cost neutral year in 2017/18 since the Licensing Act 2003 and it was unsuitable to ask for a greater proportion of savings going forward as it was a true Partnership. The draft Partnership Working Agreement set out a 6 months' notice period to leave.

A Member enquired what percentage of the District had been registered on the electoral roll. The Portfolio Holder explained that approximately 88,700 had already registered but there were still an additional 300 registrations each week.

Another Member raised concerns that some Members may not be familiar with the Council's procedural rules, such as when Members may speak at Full Council meetings. The Chief Officer Corporate Services explained that the Head of Legal & Democratic Services was considering all training offered to Members and may soon send a survey to Members for what training they would be interested in.

The Portfolio Holder was asked whether there was a cheaper or more efficient way to administer elections. The Portfolio Holder advised that legal constraints prevented allowing online voting with fewer polling stations but she was investigating the digitisation of the service where possible.

The Vice Chairman made a request that the Council consider recording more meetings and make videos of Member training available online. The Portfolio Holder expressed support for these proposals.

The Vice Chairman further enquired whether it was appropriate that no Councillor sat on the Executive Board and whether that allowed the Board to act against Members' wishes. The Portfolio Holder clarified that the structure was based on guidance provided by E C Harris and would help to avoid conflicts of interest. Members noted that the Articles of Association required that the Business Plan be approved by the Trading Board.

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### 20. Update from the Property Investment Strategy In-Depth Scrutiny Working Group

The Chairman of the Property Investment Strategy In-Depth Scrutiny Working Group updated the Committee on the progress of the Group. He explained that the Group had met 3 times: the first meeting was with the Chief Finance Officer and Chief Officer Communities & Business to familiarise themselves with the subject area; the second was with the Regeneration Advisor and Property Officer to discuss the Council's purchase of Suffolk House as a case study; and the third meeting was with a Member and two Officers from Ashford Borough Council, who had a more established trading company.

The Chairman of the Group advised that the Group had been reassured by what they had heard so far that the right level of oversight was exercised, the risks weighed up and opportunities spotted. He hoped that in time the Council's projects would benefit the less well off and struggling in the community.

### 21. Work Plan

The workplan was noted, with amendment that the Portfolio Holder for Planning be invited to the meeting of the Committee on 30 March 2017 in place of the Portfolio Holder for Finance. The Chairman asked Members to consider ideas for the topic of the next In-Depth Scrutiny Working Group.

THE MEETING WAS CONCLUDED AT 9.30 PM

CHAIRMAN