

05 February 2019 at 7.00 pm

Conference Room, Argyle Road, Sevenoaks
Despatched: 28.01.19



Scrutiny Committee

Membership:

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

Agenda

There are no fire drills planned. If the fire alarm is activated, which is a continuous siren with a flashing red light, please leave the building immediately, following the fire exit signs.

	Pages	Contact
Apologies for Absence		
1. Minutes To approve the Minutes of the meeting of the Committee held on 13 November 2018, 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		
4. Actions from the Previous Meeting (if any)	(Pages 7 - 12)	
5. West Kent Housing Frank Czarnowski, Chief Executive of West Kent Housing in attendance to answer questions about affordable housing in the district.		
6. Performance Monitoring	(Pages 13 - 30)	Lee Banks Tel: 01732 227161
7. Questions to the Portfolio Holder for Legal and Democratic Services	(Pages 31 - 36)	Councillor Anna Firth
8. Questions to the Portfolio Holder for Economic and Community Development	(Pages 37 - 38)	Councillor Roderick Hogarth
9. Work Plan	(Pages 39 - 40)	

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 13 November 2018 commencing at 7.00 pm

Present: Cllr. Brown (Chairman)

Cllrs. Clack, Hogg, Kitchener, Lindsay, Purves, Reay and Searles

Apologies for absence were received from Cllrs. Ball, London and McArthur

Cllrs. Dr Canet and Scholey were also present.

11. Minutes

Resolved: That the minutes of the meeting of the Scrutiny Committee held on 17 July 2018 be approved and signed by the Chairman as a correct record.

12. Declarations of Interest

No additional declarations of interest were made.

13. Responses of the Cabinet to reports of the Scrutiny Committee (if any)

There were none.

14. Actions from the Previous Meeting

The Chief Officer Communities and Business provided updates on the 3 Swanley sites to be developed, White Oak Leisure Centre Bevan Place and Meeting Point. It was advised that Meeting Point and Bevan Place had been out to tender with responses expected by 7 December 2018. The Council was working with Alliance Leisure on redevelopment plans for White Oak Leisure Centre and feasibility work had been undertaken for this site. Strong community involvement would be central to the development of all sites and consultation could be expected in advance of any planning application.

Members considered the planning figures relating to decisions, overturns and appeals and noted these figures provided a greater insight than the relevant performance indicators. Members requested that similar figures be provided at the next meeting.

Action 1: Chief Planning Officer to provide running totals of planning figures (as provided at the previous meeting) relating to delegated and Committee decisions taken, overturned decisions and appeals and details of the cost

accrued of any appeals regardless of outcome. To clarify if the appeals determined in the specified time period all originated from planning applications in the same period.

The actions were noted.

15. West Kent Police

The Chairman welcomed Chief Inspector Tony Dyer, Sevenoaks District Commander of Kent Police to the meeting, who gave an overview of the levels of crime within the District.

Chief Inspector Dyer explained that Sevenoaks District has the first or second lowest recordings for most if not all crime categories in the County. The Sevenoaks District had seen a reduction in Anti-Social Behaviour and had the slowest increase in recorded crime in the County.

The Chief Inspector advised that there had been a ten-year reduction in crime nationally and crime statistics were now expected to level out. In Kent County victim based crime had seen a 20% increase, domestic abuse a 39% increase and residential burglary a 23% increase. Victim based crime in Sevenoaks had seen a 32% rise with 17,700 more incidents reported than the previous year. Nonetheless, Sevenoaks District was reported to have the lowest level of violent crime, sexual offences and theft in the County alongside high prosecution rate. The Chief Inspector praised the work of the Community Safety Unit, the Fire brigade and the Police in local high profile cases including Antisocial Behaviour at the Convent of Mercy site in Swanley.

Members were reassured that the perceived increases crime were a result of the Crime Data Integrity Inspection, affecting the way crime was reported and recorded. The roll out of Crime Data Integrity Inspections also made comparisons with other Councils outside of Kent difficult, however the Police would commence comparisons in 2019.

Chief Inspector Dyer responded to questions on the current strategy around visible policing which was influenced by limited resources and focused on the most vulnerable; victims of domestic violence, rape and sex related cybercrimes. Visible policing was largely carried out by Police Community Support Officers (PCSOs) due to limited funds. In answer to a Member's question, Chief Inspector Dyer answered that, if there were an increase in funding, he thought the priority would return to a more proactive approach and an increase in community policing.

The Committee were advised that the non-urgent 101 service had improved, with average waiting times down to seven minutes. Members highlighted difficulties with reporting crimes online, despite this being recognised as the most efficient method of reporting, it was noted that difficulties may discourage people from reporting crimes. Cross county lines crime was discussed however Members were assured that this was not a significant issue in Sevenoaks. It was also noted that the Sevenoaks District was not facing human trafficking and forced labour crimes.

PCSOs were holding surgeries and residents could enquire at Parish Council Offices or to the PSCO team directly for information on surgery times and locations.

In relation to questions around shed burglaries the Chief Inspector advised that the Police regularly consulted the up-to-date list of burglaries and aimed to send an Officer to the affected properties, follow up with a phone call and where appropriate, provide shed alarms.

Members discussed if funding from Section 106 or the Community Infrastructure Levy (CIL) could be used to fund additions to the PCSO team.

Action 2: Chief Officer Communities and Business to investigate if Section 106 or CIL grants could be used to fund expanding the PCSOs team.

The Chairman thanked Chief Inspector Dyer for his attendance.

16. Performance Monitoring

Members considered the report which summarised performance across the Council to the end of September 2018. Members were asked to consider 7 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 Holder invited to the Scrutiny Committee meeting.

In response to numbers of green waste collections being missed, Members considered possibilities for providing clearer information to residents on waste pick up days. Options discussed were printing the Council website link for collection days on the bags themselves, sending information out with the permits for green waste bins, providing more information on waste collection in InShape and posting letters through resident doors.

Action 3: Chief Officer Environmental and Operation Services to advise on whether the Council can provide even more information to residents on green waste pick up days.

Occasions where targets had not been met were attributed to an increase in demand for the green waste service with further increases expected. Work was underway to make the service more effective as routes were reconsidered.

It was noted that shortages of Heavy Goods Vehicle (HGV) drivers affected both the waste collection and street cleaning services. Members considered training drivers through apprenticeships and diversifying the vehicle fleet to include smaller vehicles.

Action 4: Chief Officer Corporate/Environmental and Operation Services to advise whether smaller vehicles could be used for waste collection and/or street cleansing services in response to the shortage of HGV drivers.

Members requested further information on the indicator relating to debts outstanding more than 61 days especially those relating the Building Control Services.

Action 5: Chief Planning Officer to provide information on how soon after service we request payment and if measures can be taken to ensure payment is made prior to the Council signing off on Building Control Services.

It was noted, that Council had increased obligations since the introduction of the Homelessness Reduction Act 2018 and Universal Credit was likely to affect the number of households living in B&Bs. Members advised that the Council was in receipt of funding from Central Government for providing temporary accommodation.

Action 6: For Chief Officer Communities and Business to provide additional information on households living in B&B accommodation. How much is the accommodation costing? How many days on average do families stay? What the families living situations are prior to the B&B accommodation? The location of the B&B accommodation (in or out of district)?

Resolved: That the report be noted.

17. Questions to the Portfolio Holder for Finance

The Portfolio Holder for Finance presented a report updating the Committee on recent achievements and challenges ahead. He highlighted that the Council has been successful in delivering a 10 year balanced budget and remained self-sufficient from direct central government funding. He outlined the Council's plans for property investment and advised Members that investment continued to be targeted within a 50-mile radius of the office. Members discussed the possibility of investing outside of this 50-mile however regulations were anticipated which would aim to restrict borrowing for property investment outside of the local area. Property Investment was included in the budgeting process and the Council would continue with the current approach and review as appropriate.

The Portfolio Holder advised that the Income Strip Funding Working Group was a Working Group of Council and would therefore report its findings directly to Council.

Members were advised that the Facilities Management 20 year costed maintenance programme would allow the Council to prepare for required investment expected in the coming years.

The Chairman thanked the Portfolio Holder for his attendance.

18. In-Depth Scrutiny, Staffing - Final Report

Councillor Brown presented the final report as Chairman of the In-Depth Scrutiny Working Group. The working group had been investigating the number of current

vacancies and long term sickness absences across the Council. Meetings had been held with different Officers and an external recruitment agency. The Chairman noted that salaries were given as the primary reason by staff for leaving the Council, with competition from London and the private sector. Certain areas were identified as more problematic to recruit for, and Market Related Payments (MRPs) were offered in some circumstances.

Members noted that free parking at the Council Offices should be reflected in the list of current staff benefits.

Possibilities for increasing flexible working opportunities for staff were discussed including job share, working from home and 10am to 2pm shifts. It was hoped that these arrangements would appeal to parents returning to work and those living out of District. Members discussed widening the radius for relocation policy and considering commuting time in addition to distance.

The possibility was discussed of introducing a shuttle bus for staff between the train station and the Argyle Road Offices, however Members felt this would not be appropriate and be at odds with the Council's commitment to Health promotion.

Staff referral schemes were considered to support recruitment whereby current staff could recommend friends and relatives and would receive financial incentives if their recommendation was appointed and successfully completed probation. It was suggested that the Council review where posts were advertised. This could include in local and general newspapers, on Social Media and local online forums including 'mumsnet' and 'dadsnet'.

Members discussed the current practice of staff being required to pay back training costs if leaving the Council within two years of training completion for a job in the private sector. It was considered if this could be increased to three years and expanded to also including moving to other Local Authorities. Options around tapered payback were discussed and Members supported full payback after one year with a lower percentage payback after the second and third years.

Members enquired as to the cost of agency staff and requested further details on how these compared with full time staffing costs.

Action 7: Chief Officer Corporate Services to provide information on agency costs in comparison with that of full time staff for specific roles.

Members agreed that the report should be referred to Cabinet following the inclusion of feedback from Committee Members.

Resolved: That

- a) delegated authority be given to the Chairman of the Working Group to make appropriate amendments to the report prior to submission to Cabinet; and

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- b) subject to the amendments above the report be recommended to Cabinet.

19. Work Plan

Members noted that West Kent Housing and the Portfolio Holders for Legal and Democratic Services and Economic and Community Development would be attending the meeting on 5 February 2019. It was agreed that the Portfolio Holder for Housing and Heath would be invited to attend the meeting on 2 April 2019 alongside Sencio and the Portfolio Holder for Planning.

THE MEETING WAS CONCLUDED AT 9.22 PM

CHAIRMAN

ACTIONS FROM THE MEETING HELD ON 13.11.18			
Action	Description	Status and last updated	Contact Officer
ACTION 1	Chief Planning Officer to provide running totals of planning figures (as provided at the previous meeting) relating to delegated and Committee decisions taken, overturned decisions and appeals and details of the cost accrued of any appeals regardless of outcome. To clarify if the appeals determined in the specified time period all originated from planning applications in the same period.	<p>2491 applications determined since 1 April 2018 64 appeals have been determined, 40 dismissed and 23 allowed (3 allowed were committee overturns)</p> <p>Regarding the request for clarification about the appeals determined and if they originated from decisions in the same period; there were 14.</p> <p>The approved annual budget for Planning appeals is £196,239. Profiled to end of Dec 2018 is £146,549 with a spend of £141,928.</p>	Richard Morris Ext. 7139
ACTION 2	For Chief Officer Communities and Business to investigate if Section 106 or CIL grants could be used to fund expanding the PCSOs team.	<p>While CIL can be spent on police and emergency services infrastructure, Officers from Planning Policy and Legal teams have advised that CIL cannot be used to expand the PCSO team as the team isn't infrastructure in itself.</p> <p>Infrastructure is defined in Section 216 of the Planning Act 2008 and Reg. 2 of the Community Infrastructure Levy Regulations 2010 to include 'facilities' for example roads, schools, medical, sporting and recreational facilities.</p> <p>Government Guidance makes it clear that a broad range of facilities is included but this refers only to facilities, buildings or other hard provision.</p>	Lesley Bowles Ext. 7430

		The Hertsmere CIL panel decided in 2016 not to consider a bid for the provision of PCSOs as it fell outside the remit of what the Council could legally commit CIL funds to.	
ACTION 3	For Chief Officer Environmental and Operation Services to investigate whether the Council can provide clearer information on green waste pick up days.	Garden waste collections are arranged alternate weeks to cover the whole District. Residents can find from the website which week their collection is on and the date of the next collection	Richard Wilson Ext. 7262
ACTION 4	For Chief Officer Environmental and Operation Services to investigate if smaller vehicles could be used for waste collection and/or street cleansing services in response to the shortage of HGV drivers.	Smaller refuse freighters and mechanical street cleaning vehicles [non HGV] are used to suit operational arrangements, but larger GGV vehicles are necessary to deal with payload capacity. If more smaller vehicles replaced HGV's, more vehicles would be required, plus additional crew members and therefore increased costs to complete rounds	Richard Wilson Ext. 7262
ACTION 5	For Chief Officer Corporate Services to provide information on how soon after service we request payment and if measures can be taken to ensure payment is made prior to the Council signing off on Building Control Services.	Reminder levels 1st reminder 30 days after invoice raised 2nd reminder sent 14 days after 1st reminder 3rd reminder sent 14 days after 2nd reminder BC Partnership Manager advises that he has taken legal advice and has been advised that legally we cannot refuse to issue the completion certificate because the fee has not been paid	Jim Carrington-West Ext. 7218
ACTION 6	For Chief Officer Communities and Business to provide additional information on households living in B&B accommodation. How much is the accommodation costing? How many days on average do families stay? What the families living situations are prior	Please find the response attached.	Lesley Bowles Ext. 7430

	to the B&B accommodation? The location of the B&B accommodation (in or out of district)?		
ACTION 7	For Chief Officer Corporate Services to provide information on agency costs, including the cost of using the agency and agency staffing costs in comparison with that of full time staff for specific roles.	<p>This information varies dependant on post but as an example based on the information already provided to the Committee on 13 November:</p> <p>The cost to employ an agency Benefits Officer for 12 months is approximatley £45,000. The FTE cost for a permanent member of staff would be in the region of £35,000 including on-costs. The recruitment of agency staff can however offer flexibility when required. In this example, uncertainties relating to Universal Credit and a restructure of the service led to a decision to employ agency staff. These staff come in at an experienced level, and are employed on flexible contracts whilst more certainty is sought within the service. It is generally the case however that the use of experienced agency staff lead to a smaller number of FTE's in total to be able to remain within salary allocations.</p>	Jim Carrington-West Ext. 7218

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Scrutiny Committee - 13 November 2018 - Action 6 Response

Action: For Chief Officer Communities and Business to provide additional information on households living in B&B accommodation. How much is the accommodation costing? How many days on average do families stay? What the families living situations are prior to the B&B accommodation? The location of the B&B accommodation (in or out of district)?

B&B DATA

Description	2016/17	2017/18	2018/19 (to date as of 19/11/18)
Annual cost of Emergency Accommodation (this includes B&B, self-contained and shared accommodation with private providers and hostels)	£44,538	£77,046	£144,896
Income Recovery from Housing Benefits	-£24,987	-£59,124	-£106,361
Total Net Spend (from above)	£19,551	£17,922	£38,535
Average Nightly Rate Nightly rate ranges from £30 - £79 per night dependant on household size and property	£44	£45	£48
Total number of households in B&B	13	74	67
On average how many days do families stay in B&B Accommodation	50	35	54
The location of B&B's - in or out of district). Please note the majority of this accommodation is provided outside the District and varies dependent on availability and providers.	Ashford 4% Chatham 20% Gillingham 37% Gravesend 3% Maidstone 3% Medway 7% Rochester 3% Sevenoaks 23%	Ashford 2% Chatham 21% Dartford 7% Gillingham 42% Gravesend 7% Medway 7% Rochester 9% Sevenoaks 9%	Ashford 9% Chatham 10% Dartford 5% Gillingham 33% Gravesend 7% Maidstone 12% Medway 5% Rochester 12% Sevenoaks 7%

Please Note:

- All the figures above exclude households in Temporary Accommodation (TA).

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- TA properties are provided by Housing Associations at no cost to this Council. We have access to around 50 TA properties at any one time.
- Homeless households are housed in TA properties for up to two years, in a social housing property within this District, whilst they are bidding and successful on the Housing Register.
- Homeless customers are only in B&B until a TA property becomes available in this District.
- B&B style accommodation are provided by private housing providers, mainly outside the District and includes hotels, hostels and self-contained and shared accommodation.
- The Council has accepted a Homelessness Duty to all households placed in TA and B&B accommodation.

Living situation prior to the B&B Accommodation:

2016/17	2017/18	2018/19 (to date as of 19/11/18)
Living with family 38%	Living with family 26%	Private Landlord 22%
Private landlord 38%	Private landlord 22%	Living with family 19%
No Fixed Abode 15%	Staying with friends 14%	No Fixed Abode 9%
Other TA 8%	Housing Ass. Tenant 12%	Staying with friends 7%
	Prison 8%	Housing Association Tenant 7%
	No Fixed Abode 5%	Supported housing 7%
	Other 4%	Hospital or other Institution 5%
	Sleeping rough 3%	Other 4%
	Supported housing 3%	Sleeping Rough 3%
	Other TA 1%	Other TA 3%
		In caravan/boat/mobile home 3%
		Refuge 3%
		Council tenant 1%

Please note:

The new Homelessness Reduction Act 2017 was introduced in April 2018 and the main change regarding the legislation is the increase in single applicants approaching the service as a result of the introduction of the new Prevention and Relief duties. The Act now requires us to provide emergency and temporary accommodation for the whole 56 days period during the Relief Duty stage. This has been the main catalyst for the increase in number of emergency and temporary accommodation placements since April 2018.

PERFORMANCE REPORT

Scrutiny Committee - 5 February 2019

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 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 December 2018.

	Current Month	Year To Date
Red <i>10% or more below target</i>	6 (14.6%)	6 (14.6%)
Amber <i>Less than 10% below target</i>	3 (7.3%)	6 (14.6%)
Green <i>At or above target</i>	32 (78.0%)	29 (70.7%)

- 3 Provided as Appendix A to this report are details of the eight indicators where performance is 'Red' and missing the target level by 10% or more.
- 4 Commentary is provided for each of the 'red' performance indicators explaining why target has not been met and the actions that are planned to improve performance.

Portfolio Holder Performance Reports

- 5 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 - Economic & Community Development Portfolio performance report
 - Appendix C - Legal & Democratic Services Portfolio performance report
- 6 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

- 7 None.

Key Implications

Financial

- 8 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.

- 9 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

- 10 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

- 11 This report to Members summarises performance across the Council with data that was available at the end of December 2018. Members are asked to consider eight 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 - Economic and Community Development Portfolio performance report

Appendix C - Legal & Democratic Services Portfolio performance report

Background Papers




None

Dr Pav Ramewal
Chief Executive


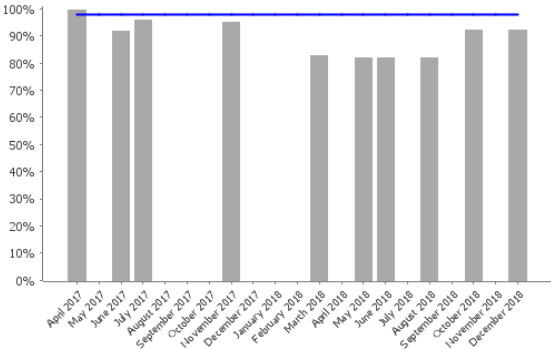

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Scrutiny Committee – Exceptions Report

Key:


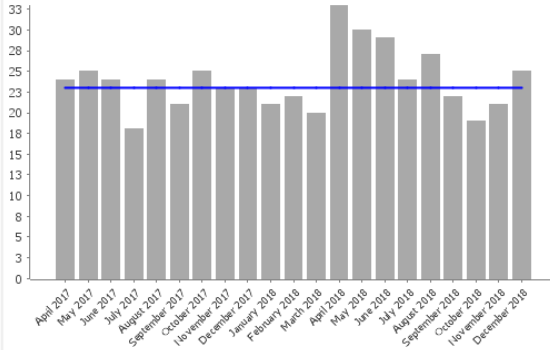


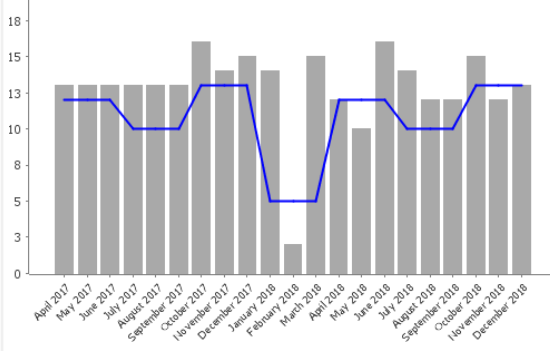

Status	Colour	Details
	Green	At or above target
	Amber	Less than 10% below target
	Red	10% or more below target

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Code	Short Name	Current Value	Current Target	Current Status	Performance Chart	Year to Date Performance			Latest Note
						2018/19			
						Value	Target	Status	
LPI_DS Clean 004	Percentage of cleaning schedules completed to agreed frequency	92%	98%	 Amber		86%	98%	 Red	The completion of routine cleaning schedules has been impacted this year by the need to reassign HGV sweeper drivers to refuse freighter driving duties. This has been essential in order to complete collection rounds and is primarily due to long-term sickness absence of three refuse freighter drivers and a national shortage of HGV drivers.

Agency

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Code	Short Name	Current Value	Current Target	Current Status	Performance Chart	Year to Date Performance			Latest Note
						2018/19			
						Value	Target	Status	
LPI_HB 02	Average time taken to process a new claim for Housing Benefit (Monthly)	25	23	 Red		25	23	 Red	<p>The benefits processing indicators are measured in calendar days. During December, the impact of public holidays has resulted in an increase in processing days following improvements in previous months.</p> <p>It should also be noted that as part of the 2018/19 budget process, Members approved a £50,000 saving in Revenues & Benefits and a staff consultation took place before a new structure was agreed to deliver the required savings.</p>
LPI_HB 04	Average time taken to process a change in circumstances for Housing Benefit (monthly)	13	13	 Green		13	9	 Red	<p>This caused a period of disruption to the service. The new structure commenced on 1 November and vacant Benefit Officers posts are in the process of being recruited to which will further assist with improving performance.</p>

LPI_LIC004




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Code	Short Name	Current Value	Current Target	Current Status	Performance Chart	Year to Date Performance			Latest Note														
						2018/19																	
						Value	Target	Status															
LPI_LIC004	The percentage of valid temporary event notices processed within one working day of receipt	81%	95%	<div> <div></div> <div>Red</div> </div>	<table> <caption>Performance Chart Data</caption> <tr><th>Month</th><th>Value (%)</th></tr> <tr><td>June 2018</td><td>100</td></tr> <tr><td>July 2018</td><td>100</td></tr> <tr><td>August 2018</td><td>95</td></tr> <tr><td>September 2018</td><td>100</td></tr> <tr><td>October 2018</td><td>100</td></tr> <tr><td>November 2018</td><td>81</td></tr> </table>	Month	Value (%)	June 2018	100	July 2018	100	August 2018	95	September 2018	100	October 2018	100	November 2018	81	98%	95%	<div> <div></div> </div>	<p>Across the whole year (to December) the Licensing Team has processed 200 of 204 applications for temporary event notices within one working day of receipt.</p> <p>During December the team had a temporary reduction in staff resources as a result of annual leave and sickness. This meant that 3 of the 16 applications received were not processed within 1 day.</p> <p>Resources have returned to normal and measures have been put in place to ensure that the team is able to focus more of their time on processing applications.</p>
Month	Value (%)																						
June 2018	100																						
July 2018	100																						
August 2018	95																						
September 2018	100																						
October 2018	100																						
November 2018	81																						


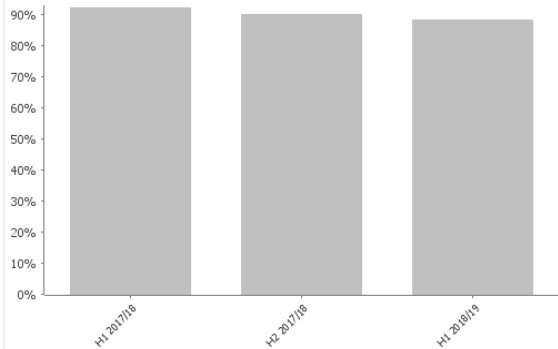

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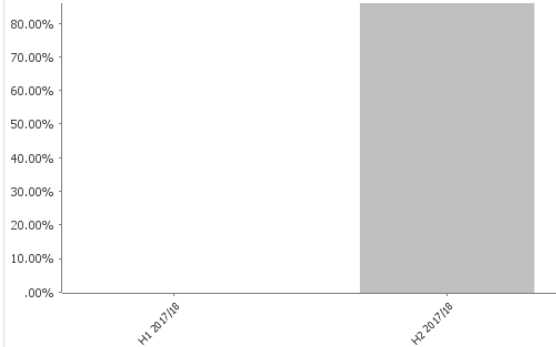
Scrutiny Committee – Economic & Community Development Portfolio performance report

Key:

Status	Colour	Details
	Green	At or above target
	Amber	Less than 10% below target
	Red	10% or more below target

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Code	Short Name	Current Value	Current Target	Current Status	Performance Chart	Cumulative (Year to Date) Performance			Latest Note
						2018/19			
						Value	Target	Status	
LPI_CD 001	Percentage of Community Safety Partnership actions achieved	88%	85%	 Green		88%	85%	 Green	Commentary is only provided for 'red' indicators

						Cumulative (Year to Date) Performance				
Code	Short Name	Current Value	Current Target	Current Status	Performance Chart	2018/19			Latest Note	
						Value	Target	Status		
LPI_CD 013	Percentage of actions in the Economic Development Action Plan achieved	86.00%	80.00%	<div><div></div><div>Green</div></div>	 <p>A performance chart with a vertical axis from 0.00% to 80.00% in 10% increments. The horizontal axis has two labels: 'H1 2017/18' and 'H2 2017/18'. A single grey bar is present for 'H2 2017/18', reaching the 86.00% mark on the vertical axis.</p>	N/A	N/A	N/A	Commentary is only provided for 'red' indicators	


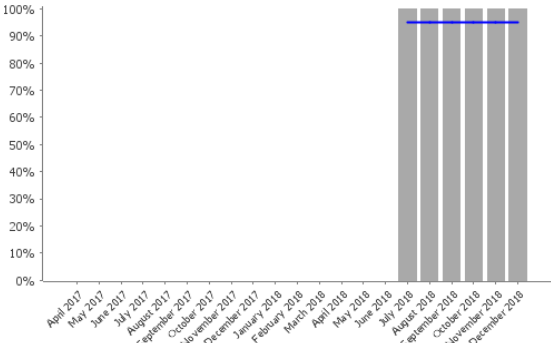

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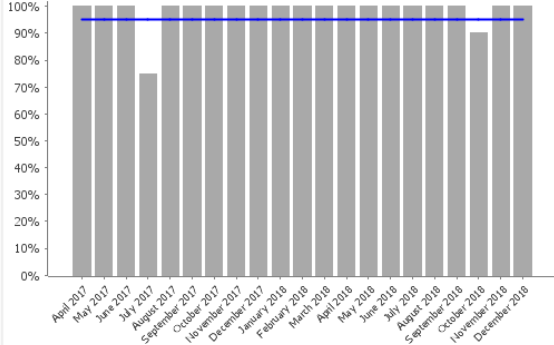
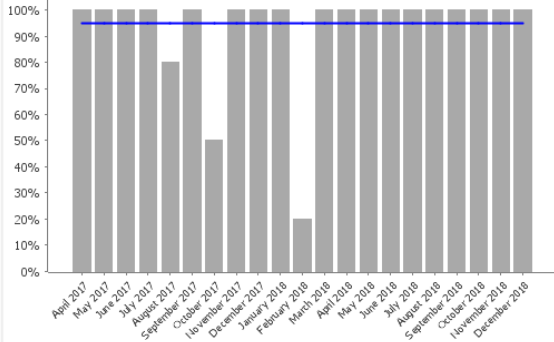
Scrutiny Committee – Legal & Democratic Services Portfolio performance report

Key:

Status	Colour	Details
	Green	At or above target
	Amber	Less than 10% below target
	Red	10% or more below target

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Code	Short Name	Current Value	Current Target	Current Status	Performance Chart	Year to Date Performance			Latest Note
						2018/19			
						Value	Target	Status	
LPI_LIC 001	The percentage of renewal invitations sent out by deadline	100%	95%	 Green		100%	95%	 Green	Commentary is only provided for 'red' indicators

						Year to Date Performance			
Code	Short Name	Current Value	Current Target	Current Status	Performance Chart	2018/19			Latest Note
						Value	Target	Status	
LPI_LIC 002	The percentage of valid personal licences processed within 2 weeks (Hub Team)	100%	95%	<div><div></div></div> <div>Green</div>		97.78%	95%	<div><div></div></div> <div>Green</div>	Commentary is only provided for 'red' indicators
LPI_LIC 003	Percentage of unopposed applications for new and variation of premises licences processed within 2 calendar months (from date of validation to issue date)	100%	95%	<div><div></div></div> <div>Green</div>		100%	95%	<div><div></div></div> <div>Green</div>	Commentary is only provided for 'red' indicators

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Scrutiny Committee – Tuesday, 5th February 2019

Legal and Democratic Services Portfolio Holder Report

Cllr Anna Firth

Trading & Housing companies

Successes

- Quercus 7 Ltd, which was set up to enable Sevenoaks District Council to invest in property on a commercial basis contributing to the Council's strategy of self-sufficiency, completed its first purchase on 21st January 2019. This was a 3/4 bedroom house in Westerham bought for £497,633. The property will be let privately as soon as possible and is expected to achieve close to a 6% average return over a 10 year period. The required return is a 5%, 10 year average. This forms the first part of a two part investment which in total exceeds £1 m thereby meeting the Council's investment criteria.
- Conditional offers have also been made on two other developments within the District for which due diligence is on-going. In accordance with the current financial plan Q7 remains set to start making a cumulative profit from 2019/2020 but great care must be taken due to the uncertain property market.
- **Set up Quercus Housing Ltd** to provide more affordable housing within Sevenoaks District by making effective use of s106 commuted sums. £6 million has been earmarked for Quercus Housing to be transferred on a scheme by scheme basis, and work is progressing on two potential schemes within the District.
- Like Quercus 7 the Council is the Shareholder of the Company. Unlike Quercus 7, however, the priority of Quercus Housing is to pursue a social purpose, without any expectation of profits being returned to the Council, or a cost to the Council as Shareholder. After company running costs, maintenance and other necessary costs, the Company will reinvest any profits in additional affordable housing. The strategic priorities of the Company are to:-
 - Increase affordable housing supply (in line with the Government's definition) available for SDC's use
 - Contribute to meeting housing needs as set out within the Council's Housing Strategy and Local Housing Needs Study (May 2017) and as identified by the Council's Homelessness team based on their experience of helping people who are homeless and for whom the Council has a statutory duty
 - Provide temporary accommodation thus avoiding the use of B&B
 - Support older people to downsize and free up family homes
 - Meet the needs of working people on lower incomes
 - Provide rented and shared ownership options
 - Invest in assets that deliver a long term financial return to the Council so that this may be reinvested in additional affordable housing
 - Provide an ownership vehicle for affordable homes built by Quercus 7 where required under s106 Planning agreements

Agenda Item 7

- Make use of available s106 commuted sums

Challenges

- On-going need to secure a sustainable income for the Council in order to maintain high level services against a backdrop of zero Government support
- The need to increase housing across all tenures including both private and social rented accommodation to house an increasing and ageing population.
- The need to increase the amount of temporary accommodation and affordable housing, particularly in the one and two bedroom category in the District.

Legal & Democratic Services

The legal team is currently made up of 3 lawyers: Martin Goodman, Head of Legal Services & Monitoring Officer, David Lagzdins, qualified Solicitor and Farah Mahomed, Trainee Solicitor.

Successes

- **The Legal Team were awarded Full Lexcel accreditation** in July 2018 following a full assessment. This is the result of some very hard work by legal officers and shows that the legal team can stand shoulder to shoulder with the best run law firms and in-house providers in the Country.
- **The Council won Civic Office of the Year Award** for the service given by democratic services on a shoestring to supporting the Chairman.
- Undertaken a great deal of successful legal work as shown by the table attached to this report.
- Delivery of a full new member training programme following the very positive response to the “Investing in Members Survey” two years ago.

Challenges

- Staffing – planning lawyer problems. Since September the legal team has been seeking a Principal Planning Lawyer, the former incumbent having left to pursue a career in the private sector. A full recruitment process is underway and the latest advertisement closes on 21 January 2019. While it is regrettable that previous recruitment processes were not successful, since September interim solutions (such as engaging a locum barrister) have been put in place to ensure full coverage for necessary legal work.
- Encouraging greater member take-up of training. Despite overwhelming desire for a training programme and the training programme being designed to cover topics members had requested, member uptake was very disappointing.

Licensing

Successes

- Successfully bedded in the London Borough of Bexley into the Licensing Partnership.
- Approached by the London Borough of Bromley to join the LP.

- **Continued excellent performance across licensing partnership.** The performance for Sevenoaks and across the partnership has continued to be either excellent (100% target achievement) or very good (where an odd few application may have missed target or compliance checking couldn't be done). Where targets have been missed on occasion this has always been down to staff shortages (combinations of vacancy/leave/sickness).

Challenges

- Possible incorporation of LB of Bromley. Rather than simply joining on the same basis as the other 4 partners, the LB of Bromley would prefer to contract Sevenoaks to provide their progression of contentious applications & enforcement in addition to processing their licensing applications. This added level of integration is a great credit to the reputation of the LP and the Sevenoaks Hub team in particular, however, it would require the appointment of a Deputy Licensing Manager since having 5 licensing authorities to oversee, including added work for one, would simply be too much for one person.
- The benefits, however, of a fifth partner joining are two-fold:
 - it strengthens the partnership and provides even greater resilience for all the partners (and may put us in a unique position of being the largest partnership in the country)
 - it provides the future option for further savings should a 6th partner join since there should be no additional management costs so all partner's contributions to the costs (based upon the volume of work as a percentage) would further decrease hence paving the way for greater savings in the future.

Electoral services

Successes

- Successful delivery of three elections in 2018 (2 Town Council wards and 1 District Council ward).
- Successful delivery of annual IER canvass including a 14% increase in online returns from 42% to 56% between 2017 and 2018.
- Successful use of tablets by our electoral canvassers thus reducing print costs and reducing the number of paper forms to be scanned and processed.
- One of, if not, of the leading District Council in the Country for youth democratic outreach. Last year we set up and piloted an electoral registration programme in secondary Schools with the help and support of Olympic Champion, Skeleton Bob, Lizzy Yarnold
<https://www.youtube.com/watch?v=jDQ05bnERDU>

Challenges

- Continued drive towards on-line IER thereby containing costs.

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LEGAL SUCCESSES
05/10/2018 TO 22/01/2019

DATE	LEGAL ACTION	RESULTS	FINANCIAL IMPLICATIONS	FOLLOW-UP
04.10.2018	Traffic Island, Franks Lane, Horton Kirby – Prosecution for breach of S.215 Notice	Found guilty at trial. Fine of £400 plus £40 victim surcharge	£300 costs awarded (of £620 applied for)	Other enforcement action being considered to deal with outstanding issues on site
29.10.2018	Land adjacent to Barnfield Park, Ash - injunction	Interim and then confirmed injunction to prevent occupation of land for residential purposes, any operational development, or the stationing of any caravans or mobile homes	£1,200 agent's fee Barrister fees £600 Court fees	
31.10.2018	John Bennett v SDC. Appeal against Community Protection Notice	Appellant has offered to settle on basis of each side bearing their own costs.	Council had begun to instruct Counsel in the event of matter proceeding to full hearing. Final costs TBC	Consent order to be signed shortly. CPN will be able to be enforced.
19.10.2018	120 Chipstead Lane, Sevenoaks	Assistance given to Housing Advice to prepare evidence preventing improper injunction removing tenant's rights	Could not claim back costs as Council were not a formal party to injunction hearing	Alternative housing being sought for tenants. Prosecution being considered against landlord
22.11.2018	Adverse possession claim The site of Hillcrest Four Elms Edenbridge	Counter application on behalf of the Council in relation to adverse possession was successful. The land has remained in our title.	None	

LEGAL SUCCESSES
05/10/2018 TO 22/01/2019

DATE	LEGAL ACTION	RESULTS	FINANCIAL IMPLICATIONS	FOLLOW-UP
04.12.2018	Contract for Buckhurst 2 Housing	Contract now completed	Each side bore its own costs.	Economic Development Team and their agent will supervise performance of the contract
11.12.2018	First tender process under new compulsory electronic procurement rules	Tender process successfully completed		Procedural rules will continue to be reviewed in light of these new legal requirements
14.12.2018	Court hearing regarding Emergency Hygiene Prohibition Notice	Order granted confirming that Council's actions were reasonable	Council cannot now be liable under the Regulations for costs incurred by business due to Notice issued	None. Action by EH has successfully changed business' practices
18.12.2018	Advice to second Community Infrastructure Levy Spending Board	Meeting successfully held	No additional costs	Practices and procedures of Board will continue to be considered and reviewed through the PAC and Cabinet.
21.01.2019	Purchase and transfer of Plot 4, Croft Road, Westerham to Quercus 7	Transfer and accompanying documentation successfully completed	Matter carried out in conjunction with Brachers Solicitors	Quercus 7 will take forward the management of the property.

Agenda Item 7

Report to Scrutiny Committee – 5th February 2019 – by Economic & Community Development Portfolio Holder, Cllr Roddy Hogarth

ECONOMIC DEVELOPMENT

1. I am very pleased that we have a **new Economic Development Strategy** which sets the framework for the Council's work on the economy for the next three years. The Strategy aspires to build on our strong economic performance and to continue to work with local businesses to give them support they need when they need it. It also commits to enabling relevant skills training and sets out what we will be doing on growth and investment, infrastructure, the rural economy and the visitor economy.
2. The current **Economic Development Strategy** is now complete with 86% of the actions being successful. The full monitoring was reported to the Advisory Committee in December 2018 but here are a few interesting facts.
 - Over the period of the strategy the business count in Sevenoaks District increased from 6090 in 2014 to 6580 in 2018.
 - Working with the West Kent Partnership, we have enabled funding for businesses to develop and for business support and advice. Sevenoaks businesses accessed a total of £1.4million creating 56 new jobs and safeguarding a further 72.
 - LEADER funding facilitated business development in the rural economy with grants of £326 bringing an investment of over £800,000.
 - A bid to the Regional Growth Fund has secured funding towards the upgrade of Swanley station.
 - Charging points for electric vehicles have been installed in Bradbourne car park with further plans for Buckhurst 2 car park.
 - The West Kent Enterprise Adviser Network has been hugely successful with 29 advisers working with schools across West Kent.
 - The Visitor Economy Study has been a catalyst for improvement in the visitor economy. At the time of the last survey (2017) the tourist economy generated £243million in value and provided jobs for 5,287 people. Both of these figures were increases over the previous year with £230 million generated in 2016 and 5,032 jobs.
 - We have completed a review of broadband across the District and are identified 'not spots'. We are planning how to engage with potential suppliers and communities.

Agenda Item 8

3. I am pleased to say that close working between **the ED and Planning Policy teams** has facilitated a number of studies contributing to our overall knowledge on the local economy and helped to inform the new Local Plan as well as the new Economic Development Strategy.
4. I have asked the ED team to engage in a new **Community Rail Partnership** that will enhance the visitor economy along the Darent Valley by focusing on 'the Samuel Palmer' line.

COMMUNITY PLAN

5. The new draft Community Plan, following considerable public consultation, has been drafted and the final public consultation will start in February. We have delayed the consultation date so that it doesn't clash with the Local Plan. The draft was considered by the Advisory Committee in December and sets out the priorities identified by the Community along the themes 'Safe and Caring Communities', 'Green and Healthy' Environment and 'Dynamic and Sustainable Economy'.

COMMUNITY SAFETY

6. A recent visit from the Chief Constable enabled us to discuss issues such as police presence, speeding vehicles, Neighbourhood Watch and the work of the Community Safety Unit. The Chief Constable is committed, within his resources, to having as many officers and PCSOs out in the community as possible. He also values the work of the CSU and the speedwatch volunteers. We discussed the 'Organised Crime Group' work which is taken forward in a multi-agency way by the CSU and the successful outcomes that have been achieved at various sites across the District. Sevenoaks CSU is recognised as being particularly successful and recently won the Chief Superintendent's Team Contribution Award.
7. We have been measuring our levels of crime in comparison with other Districts in Kent. We usually have crime levels within the lowest three in Kent. Recently, we have been improving on that position, having either the second lowest or the lowest in the County.
8. The Advisory Committee received a presentation on the annual assessment of crime and disorder in the District. The priorities for our multi-agency Community Safety Partnership for 2019-20 will include Domestic Abuse, serious and organised crime, anti-social behaviour, safeguarding, substance misuse, doorstep & cyber crime and road safety.

EMERGENCY PLANNING

9. The Council continues to be prepared for emergencies and provides training and practice opportunities for Officers.

Scrutiny Committee Work plan

Committee Date	24 April 2018	17 July 2018	13 November 2018	5 February 2019
External Invitees	Roger Gough - Kent County Council Cabinet Member for Children, Young People and Education	Citizens Advice - North West Kent and Edenbridge and Westerham	Kent Police	West Kent Housing
Scrutiny Committee	Performance Monitoring Matthew Dickins - Portfolio Holder for Direct & Trading Services Chairman’s annual report to Council	Performance Monitoring Michelle Lowe - Portfolio Holder for Housing & Health Peter Fleming - Leader and Portfolio Holder for Policy & Performance	Performance Monitoring John Scholey - Portfolio Holder for Finance	Performance Monitoring Anna Firth - Portfolio Holder for Legal and Democratic Services Roddy Hogarth - Portfolio Holder for Economic and Community Development
In-Depth Scrutiny	Working Group Staffing Levels -Stage One ¹	Working Group Staffing Levels - Stage Two/Three ¹	Working Group Staffing Levels - Final report stages Three/Four ¹	

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Committee Date	2 April 2019	Summer 2019	Autumn 2019	Winter 2020
External Invitees	Sencio			
Scrutiny Committee	Robert Piper - Portfolio Holder for Planning Michelle Lowe - Portfolio Holder for Housing and Health Chairman’s annual report to Council			
In-Depth Scrutiny				

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-Winser, 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
2016/17	
Property Investment	Cllrs. Clack (Chairman), Hogg, Kitchener and Purves

Current In-Depth Scrutiny Working Groups

Staffing Levels	Cllrs. Brown (Chairman) Ball, Hogg 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)
08/11/16	Kent Police (Chief Inspector Roscoe Walford)
07/02/17	Kent County Council Library Provision (County Councillor Mike Hill; Cabinet Member for Community Services and James Pearson; Service Improvement Manager of the Libraries, Registration and Archives Service)
30/03/17	Pembury Hospital (Maidstone and Tunbridge Wells NHS Trust) (Angela Gallagher, Chief operating Officer and Jim Lusby, Deputy Chief Executive) (Did not attend)
31/10/17	Pembury Hospital (Maidstone and Tunbridge Wells NHS Trust) (Angela Gallagher, Chief operating Officer and Jim Lusby, Acting Chief Executive)
24/04/18	Roger Gough - Kent County Council Cabinet Member for Children, Young People and Education
17/07/18	Citizens Advice - North West Kent and Edenbridge and Westerham
13/11/18	Kent Police (Chief Inspector Tony Dyer)

Possible External Invitees

Position	Name	Topic
KCC Adult Social Care	TBC	TBC