

SCRUTINY COMMITTEE

Minutes of the meeting held on 2 April 2019 commencing at 7.00 pm

Present: Cllr. London (Vice Chairman)

Cllrs. Ball, Clack, Kitchener, Lindsay, and Searles

Apologies for absence were received from Cllrs. Brown, Hogg, McArthur and Purves

Cllrs. Piper and Lowe were also present.

29. Minutes

A Member requested that in be included in the minutes that West Kent Housing had been asked to provide additional information relating to overlapping rent payments when moving from one West Kent property to another.

Resolved: That the minutes of the meeting of the Scrutiny Committee held on 5 February 2019 be approved and signed by the Chairman as a correct record subject to the inclusion of “The Chairman asked the Chief Executive, in response to Cllr Clack’s question, that further information be provided” in Minute 24.

30. Declarations of Interest

No additional declarations of interest were made.

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

There were none.

32. Actions from the Previous Meeting

Members considered the planning figures relating to decisions, appeals and overturns. The inclusion of the number of Committee overturns were questioned and Members were advised that this information had been requested in a related action from a previous meeting. Officers advised that it would be sensible to assume that the other 20 overturns were applications delegated to officers.

Members were advised that the responses to Action 2 and 3 should be listed in reverse order.

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Action 1: To circulate the response provided by West Kent Housing relating to overlapping rent payments.

The actions were noted.

33. Performance Report

Members considered the report which summarised performance across the Council to the end of January 2019. Members were asked to consider 6 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. The report also provided key performance indicators relating to the Portfolio Holders invited to the Scrutiny Committee meeting.

Members were advised that the drop in the percentages of animal licenses issued when due was the result of a delay in the release of Government guidance. It was noted that these licences were now being issued on time.

Members noted the continued delays in processing a change in circumstance for Housing Benefit. It was advised that the February figures for this indicator showed an improved performance of 6 (down from 14) days to process a change which brought the yearly performance down from 13 to 12 with a target of 9.

Resolved: That the report be noted.

CHANGE IN ORDER OF AGENDA ITEMS

With the agreement of the Committee, the Chairman took agenda item 7 before agenda item 6.

34. Questions to the Portfolio Holder for Planning

The Portfolio Holder for Planning presented a report which updated the Committee on recent achievements and challenges ahead. The work completed for the Local Plan was considered to be an achievement for the Portfolio Holder and the department which had seen a huge volume of work completed over the past 5 years. It was noted that the Local Plan had been supported at Full Council on 26 March 2019 and would be submitted to the Planning Inspectorate by the end of May. Although focus was often on housing the Portfolio Holder also wished to highlight the other aspects of the plan. The Committee thanked Councillor Piper and the Planning Team for their work on the plan so far.

Information was requested on the postponement of the U&I appeal which was due to start the previous week (26 March 2019). It was advised that the deferral was due to confusion arising from a letter sent relating to the appeal. The letter had been considered by the Inspector to potentially cause confusion regarding registering to speak at and/or attend the hearing.

Members questioned the role of finances for applicants throughout the planning process and if well-funded applicants were at an advantage. It was advised that

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each application was considered on planning grounds, and if considered appropriate, refused and fought at appeal on these grounds regardless of the funds of the applicant. It was noted that for the U&I application in Swanley the appeal would not be defended as the Council had received legal advice there were not sufficient planning reasons for refusal. Members discussed the possibility of creating a resource for residents and Parish Councils to detail the general principles of planning and making the planning reasons for the determination of a decision more easily accessible. It was acknowledged that there was frequently a conflict between emotion and law in planning.

A Member highlighted some issues experienced with submitting online comments to the Local Plan. The Committee was advised that technical issues were experienced during the first week of the Regulation 19 consultation which were identified and resolved. Alternative consultation methods had also been available.

The Portfolio Holder was questioned by Members on his confidence that the Local Plan would pass the inspection. The Committee were advised that the plan had received positive feedback so far. The Plan committed to deliver 100% of the central government requested housing for each of the first 12 years with a commitment to an early review after 5 years. The Portfolio Holder advised that as many of the large brown field sites had been committed in this plan, future Local Plans would require the Council to explore other options.

Members queried how the four sites which had been submitted during the Regulation 18 consultation would be reported as they were not included in the Local Plan or Regulation 19 proposed submission. Members were advised that the four sites would be included in the required consultation statement for the inspector.

Members raised questions relating to the instances where pre-application advice by Officers differed from the advice given at the application stage. The Chief Planning Officer in attendance noted that advice may vary slightly as the application stage would allow Officers to consider the application in greater detail with more evidence available. He was however not aware of any instances where the advice given had been significantly different.

In response to a Member Question the Portfolio Holder confirmed that an amendment had been made to the guidance on the Public Access system regarding commenting on planning applications to clarify that names and addresses would be published alongside comments. Members were advised that anonymous comments would not be permitted except in exceptional circumstances.

It was noted that only 2% of applications were considered by the Development Control Committee which was considered to be a positive figure. It was believed this was partly due to the good working relationship between Councillors and the planning department with strong local Member involvement in the planning process. Members considered this relationship to have improved over the course of current Members' term of office.

The Chairman thanked the Portfolio Holder for his attendance.

35. Questions to the Portfolio Holder for Housing and Health

The Portfolio Holder for Housing and Health delivered a [presentation](#) which updated the Committee on recent achievements and challenges ahead.

The Portfolio Holder advised that the Council was taking a holistic approach to meeting the needs of vulnerable and low-income households. This included identifying the cause of resident's issues related to housing and health. In instances of delayed or none council tax payment, the council tax team would liaise with the HERO Officers to try to ascertain if the resident was having wider difficulty with debts to assist them further.

Members were advised that a 'stair-casing' approach provided help to people buying homes and described a system whereby a people would start with a lower percentage of owning and higher percentage of renting a property with this ratio reversing over time. Members also raised questions relating to the 'local ladder' scheme which was aimed at people who were paying more in rented accommodation than they would in a shared ownership scheme however struggled to raise the funds for a deposit. This scheme provided grants to cover deposits and Members were advised that people would need to qualify to be eligible. Councillors and the Housing Team were currently developing the scheme with selected banks.

Members raised questions on West Kent Housing's 'void policies' for empty houses which Officers agreed to raise with West Kent Housing. The Portfolio Holder explained that the Housing Strategy covered both private and social housing. It was advised that West Kent Housing had recently demolished some of their older housing stock to rebuild new residential units for older people.

The Portfolio Holder advised that the Council had also developed its approach to hoarding with the introduction of the Hoarding Project in Partnership with West Kent Mind, funded through the Council's Better Care Fund. The traditional approach to hoarding was to send Council Officers to clear the property however West Kent Mind were now funded by the Council to run support groups, provide 'declutter buddies' and to identify the reasons behind hoarding. Members were advised that this scheme was currently being considered for Kent wide implementation.

Members enquired how a member of the public would get access to the 'Handy HERO' team who were tasked with making small adaptations to properties which would allow people to remain independent in their own homes. It was advised that the public should call the Council who would confirm that the service was appropriate or refer the request to partners in the voluntary sector.

The Committee was advised that dementia friendly floors in care homes included soft fittings, contrasting colours for walls or plain carpets, memory boxes outside resident's rooms and sensory rooms.

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Members raised questions around Quercus Housing finances and it was explained that properties would only be purchased if they were financially viable. Requests for further details would need to be directed to the Company's Board. Members enquired as to how Quercus Housing could be contacted.

The Committee were very impressed with the work undertaken by the Portfolio Holder and Health and Housing Teams.

The Chairman thanked the Portfolio Holder for her attendance.

36. Chairman's Annual Report to Council 2018/19

The Committee considered the draft Annual Report to be presented to Council on 30 April 2019. The report summarised the Committees' work plan which had focused on inviting the Portfolio Holders to discuss successes and challenges within their area, to review performance of services and setting up an In-Depth Scrutiny Working Group. The Committee had frequently invited external representatives to discuss their activities within the district and to highlight particular areas of concern.

Resolved: That the report be commended to Council.

37. Work Plan

Members agreed to invite Sencio Leisure Centre to the Scrutiny meeting on 16 July alongside the Leader and Portfolio Holder for Policy and Performance and the Portfolio Holder for Direct and Trading Services. NHS Dartford, Gravesham and Swanley Clinical Commissioning Group and the Portfolio Holders for Finance and Economic and Community Development were scheduled for the 12 November 2019 meeting. The Committee planned to invite Kent County Council, the Chamber of Commerce and the Portfolio Holder for Legal and Democratic Services in January 2020.

THE MEETING WAS CONCLUDED AT 8.25 PM

CHAIRMAN

