

## Overview and Scrutiny Committee

Minutes of a Meeting of the Overview and Scrutiny Committee held in the Council Chamber, Civic Centre, Tannery Lane, Ashford on the **23<sup>rd</sup> October 2012**

### Present:

Cllr. Adby (Chairman);

Cllrs. Bennett, Burgess, Galpin, Mrs Hutchinson, Link, Mrs Martin, Mortimer, Smith.

In accordance with Procedural Rule 1.2 (iii) Councillor Burgess attended as Substitute Member for Councillor Apps.

### Apologies:

Cllrs. Apps, Chilton, Davison, Feacey, Hodgkinson, Robey, Taylor,

### Also Present:

Development Control Manager, Policy and Performance Officer, Senior Scrutiny Officer, Member Services & Scrutiny Support Officer.

## 188 Declarations of Interest

Councillor	Interest	Minute No.
Adby	Declared 'Other Interests' as he was employed by Govia/South Eastern Trains and as he was the tenant in a listed building.	191 and 192
Galpin	Declared an 'Other Interest' as he lived in a listed building.	192
Hutchinson	Declared an 'Other Interest' as she lived in a listed building.	192

## 189 Minutes

Members considered the Minutes of the Meeting held on the 25<sup>th</sup> September 2012 and agreed their accuracy.

At the meeting on the 25<sup>th</sup> September 2012, when considering the accuracy of the Minutes of the Meeting held on 24<sup>th</sup> July 2012, a Member had considered that Minute No 103 (7<sup>th</sup> bullet point) did not fully reflect the wording of the KCC Officer who presented the report on Ashford's Shared Space to the Committee with regards to the funding of the scheme. The Minute Clerk's notes had been revisited and, based on this, the Senior Scrutiny Officer suggested an amendment to the Minutes from the 24<sup>th</sup> July 2012 and Members supported this.

**Resolved:**

- That: (i) The Minutes of the Meeting of this Committee held on the 25<sup>th</sup> September 2012 be approved and confirmed as a correct record.**
- (ii) The Minutes of the Meeting of this Committee held on the 24<sup>th</sup> July 2012 be approved and confirmed as a correct record with the exception that Minute No 103 (7<sup>th</sup> bullet point), which, following on from the word “Way”, would be amended to read “He considered that it was unlikely that any future scheme would be funded so generously. He also commented that the money had had to be spent quickly, which was perhaps not the best process.”**

## **190 Ashford Borough Council’s Business Plan Performance Report Quarter 2 2012/13 (to end August 2012)**

The Policy and Performance Officer introduced the report which had been presented to Cabinet on 11th October 2012 and was now in front of the Overview and Scrutiny Committee for consideration. The report provided an overview of how the Council was performing against its strategic objectives contained within the Cabinet’s ‘Ashford 2030’ framework and the Council’s Five Year Business Plan.

Members were advised that most of the projects on the Five Year Business Plan remained on course and were subject to a monthly review by the Council’s Senior Management Team. There were still significant pressures, principally relating to the continued difficulties in the wider economic landscape and the higher demand for the Council’s frontline services was a pressure on some key areas. There were some signs of economic improvement and at present no service was particularly at risk.

The Senior Scrutiny Officer read a comment from the Portfolio Holder who had been unable to attend the meeting. He said “The Performance Report shows that that we are managing our resources well, but more importantly, it notes the up-date of the Risk Register which highlights the several potential risks we face over the coming future and shows that we have action in hand to contain them.”

The Chairman opened the debate during which the following issues were raised:

- The timing of the report was discussed. It was accepted that the information was a “snapshot” of a certain period in time (in this case quarter 2 of the year to August 2012) and as such some of the information contained within it was no longer up to date. Members were assured that any developments would be shown in the next quarterly report. A Member questioned the relevance of considering reports that contained out of date information.
- With regard to the Solar Photovoltaic Project, a Member questioned how an annual figure could be known when the panels had not yet been in place for a year. She was concerned that the budget would be based on “guesswork”. She was advised that software would have been provided by the company which would have given very accurate predictions for the year against established norms. Having had 6 months “real” information regarding the

money generated by the panels, the Authority was in a far better position to accurately predict the annual amount generated by the panels. The Policy and Performance Officer explained that he could get further figures for comparison if the Member wished it. Another Member warned that care should be taken when comparing revenue with capital as they were very different areas.

- Regarding Customer Services and in particular the telephone service, a Member reported that there was now too much pressure on the call centre and in her opinion there was bad management of the pressure on the service. She received complaints from residents that their calls were not being answered and on occasion were answered unprofessionally. Another Member explained that he understood the Channel Shift programme had been developed partially to take some of the pressure off the telephones and onto the internet. If this was successful some of the pressures currently being experienced in the call centre would be overcome. Overall Members agreed that the Gateway Plus itself was a huge success and, as with any big venture, there were always going to be teething problems.

**Resolved:**

**That the report be noted.**

## **191 Transportation Costs**

The Chairman of the Overview and Scrutiny Budget Scrutiny Task Group introduced this item and explained that it had been considered by the Task Group on the 17<sup>th</sup> September 2012. He explained that the item had been considered as a result of the Overview and Scrutiny Committee (through the Task Group) wishing to understand the fluctuation in transportation costs from year to year.

The transport costs incurred by the Council included lease car subsidies/cash alternatives, essential user allowances, business mileage expenses and public transport cost and the report gave further details relating to this. The key change was the number of essential users. Year on year this was reducing as roles were replaced and the designations for these roles reviewed. In addition the number of business miles claimed had reduced as officers worked more generically and planned their working day more efficiently.

The Task Group had been satisfied that the Council was working to make the best and most economical use of travel costs and considered this was being done efficiently and was being constantly reviewed.

The Senior Scrutiny Officer read a comment from the Portfolio Holder who had been unable to attend the meeting. He said "I am pleased that the Task Group expressed satisfaction with the Transport review. Personnel and the former Procurement Board put considerable effort into negotiating an improved contract and in assessing the most effective use of the funding involved".

The Chairman opened the debate and the following issues were raised:

- A Member was surprised to note that the costs were reducing. With increased pressure on individuals to do more work, she had considered costs would increase. It was explained that the reduction was mostly due to the roles being reviewed and the essential car user element being removed from many posts. Those still deemed essential users were working far more wisely and efficiently and as such costs were reducing. It was a Council requirement that Officers Car Shared or use public transport for work related journeys.
- A Member considered that reduction in transport costs had been successfully and carefully achieved. It was amazing how efficient, hard working and effective the Council had become.

**Resolved:**

**That the report be noted.**

## **192 Listed Buildings**

The Development Control Manager introduced the report which provided information on listed buildings as requested by the Overview and Scrutiny Committee on the 26<sup>th</sup> June 2012. The report addressed three main areas, namely: how many listed buildings there were in the borough; what are the main duties/responsibilities of the owners, and; what duties/responsibilities/powers rest with the Council.

The Development Control Manager explained that whilst he didn't have a precise number of listed buildings albeit that all of the listed buildings were known. Some had more than one building under one listing for example, but there were more than 3000 listed buildings in the Borough.

With regard to the duties/responsibilities of the owners, Members were informed that there was no statutory duty on owners to maintain their buildings, despite it being in their best interest, but for the most part owners did maintain their properties. For those who let their properties fall into disrepair the Authority did have powers to take action which ultimately could result in them losing ownership of the building altogether. The report set out details of the statutory powers controlling works which affect listed buildings which made it a criminal offence to carry out works to a listed building without appropriate consent.

In terms of the Authority's powers, it could serve an Urgent Works Notice to ensure repairs were carried out to keep the building weather tight and any costs incurred by the Authority could be recovered from the owner. More rarely, a Repairs Notice could be served, but this could result in the Authority having to buy the property. The last example of this notice being used in the Borough was with regard to the Willesborough Windmill and now served as a nationally famous example of the costs associated with serving a Repairs Notice.

Section 215 of the Town and Country Planning Act 1990 provided a further piece of legislation which allowed the Local Planning Authority to require works to be carried out to land or buildings where they believed the condition to be causing "substantial injury to public amenity". This had proved to be a more effective tool and Members

were told that Hastings had used this legislation (and an input of regeneration funding) to improve the sea front.

Overall there was an assurance that listed buildings were monitored and would be protected if greatly at risk. The resources with which to do this were limited and would affect the level of proactive work that could be applied to overseeing listed buildings.

The Chairman opened the debate during which the following issues were raised:

- Members could by all means flag up concerns they may have regarding listed buildings in their wards. There would however need to be some prioritising as listed buildings were resource hungry. In the most part a strongly worded letter was sufficient.
- Tenants in listed buildings used for commercial use were increasingly being expected to maintain their properties but it very much depended on the lease agreement in place.
- A Member thought the report to be excellent. He suggested that a system, which prioritised monitoring of Grade I and Grade II\*listed buildings, could be put in place, with Officers carrying out routine visual inspections (perhaps every 3 years) which may help protect some of these valuable assets. The Development Control Manager confirmed that as this actually represented a very small number of the buildings in the Borough, this would be possible.
- Members were asked to bear in mind that whilst there was an accepted duty of care on behalf of the Authority towards listed buildings, there were resource issues to consider. There was now only one FTE Conservation Officer which limited the response capability. There was no evidence that there was a systemic risk to the listed buildings in the Borough.
- Members discussed a number of properties in the Borough, some of which the Authority had been heavily involved with in regard to the repairs. Whilst these properties were precious and joyful to see, they rarely had financial value and were not something the Authority wished to own. The Archbishops' Palace was the only property on the National at Risk Register.
- In terms of the listed buildings in the town centre, it was considered hard to promote the town when visitors were faced with buildings in disrepair. It was suggested that investment was needed into the way the town looked, and that there were some towns where there were schemes that provided financial support to owners to maintain their listed building. The Development Control Manager said he would be happy to look into such a scheme if the Members could provide details. Members needed to bear in mind that some of these towns where money was made available for listed buildings were very affluent university towns and cities or popular tourist locations. A Member suggested that the Heritage Townscape lottery funding may provide some supporting funds if still available and the Development Control Manager agreed to review the funding available. A Member added that any scheme should be borough wide and not specific to the Town Centre.

- The Authority had no power to delist a property. This was a national power and owners could apply to have their property delisted.

The Development Control Manager concluded by assuring Members that if any of the Borough's listed buildings got into a really poor state of repair then the Authority would consider doing all in its powers to save it. The Planning team were aware of problem properties and he would consider the individual property issues raised as part of the meeting.

**Resolved:**

**That: (i) The report be noted.**

- (ii) A further report be submitted in the future subject to there being concerns of an increased risk of deterioration of the Borough's listed buildings.**

## **193 Future Reviews and Report Tracker**

Members considered the report and tracker. Members were reminded that the appropriate way to get items on the tracker was for the request to be put in writing to the Chairman.

A Member requested that a message be passed to the Ashford Clinical Commissioning Group that their presentation to the Committee in February 2013 be given in ordinary English to be easily understandable by all.

**Resolved:**

**That the Future Reviews and Report Tracker be noted.**

HC

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Queries concerning these Minutes? Please contact Hayley Curd:  
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