

## 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 **27<sup>th</sup> November 2018**.

### Present:

Cllr. Chilton (Chairman),

Cllr. Michael (Vice-Chairman)

Cllrs. Bartlett, Burgess, Dehnel, Farrell, Feacey, Knowles, Krause, Miss. Martin, Mrs. Martin.

### Apology:

Cllr. Buchanan.

### Also Present:

Head of Housing, Senior Policy & Scrutiny Officer, Member Services Officer.

## 229 Declarations of Interest

Cllr. Farrell made a Voluntary Announcement since he was a tenant of Moat Housing Association.

## 230 Minutes

### Resolved:

**That the Minutes of the Meeting of this Committee held on the 25<sup>th</sup> September 2018 be approved and confirmed as a correct record.**

## 231 Future Reviews and Report Tracker and Topic Selection Flowchart

The Senior Policy & Scrutiny Officer advised that the status of some recommendations on the Tracker required updating in regard to their implementation status and he advised that he would seek updates from Management Team and report back to Members on this point. In response to a question asking why the Fire Brigade were not on the Tracker, he explained that they had been invited to attend this meeting, but had not yet responded. He advised that he would liaise with CSU colleagues and would continue to try and secure their attendance at a future meeting of the Committee. The Committee mentioned that the Audit Committee were planning to discuss the implications of Brexit, and this could be another item for future consideration.

The Chairman confirmed that items added to the Tracker were not subject to approval from any other Members or Officers and that the Committee set its own work programme, although some items were compulsory.

In regard to two recent recommendations related to Air Quality being rejected by Cabinet, a Member expressed disappointment and asked what the implementation status of the Air Quality Task Group's recommendations. The Senior Policy & Scrutiny Officer explained that of the 29 original recommendations made by the Task Group, the Committee were advised of four, where the update position reported to the Committee in September was felt to be inappropriate. These points had been raised with Management Team, where three had been corrected to take account of the Committee's concerns. Given that the outstanding point and the two rejected recommendations related to Planning and Development functions, the Senior Policy & Scrutiny Officer advised that the Committee could invite the Head of Planning and Development to an O&S Meeting to discuss these points in detail with Members.

Members agreed that it would be beneficial to bring forward the Report on the Town Centre Framework that was currently scheduled for March 2019. The Senior Policy & Scrutiny Officer agreed to speak to the Officers involved, to try to arrange for the report to be presented at an earlier date.

**Resolved:**

**That the report be received and noted.**

## **232 Housing Statement Annual Report**

The Head of Housing introduced the report and explained that it outlined a new approach of an overarching statement with three priorities, of which had been agreed by Cabinet.

The report was then opened up to the Committee and the following points/questions were raised:

- A Member asked what was being done to ensure the Local Needs Housing Survey was updated, since it was frequently the case that new developments built in rural areas were not intended for local residents. The Head of Housing explained that in addition to the Survey, there were a number of other channels that helped to identify Local Needs Housing including feedback from Members and Parish Councils. The Officers relied on good communication and held a small budget for Parish Councils to assist with Local Needs Surveys. There was also an understanding of the Local Need Survey in the Local Plan.
- Regarding the point stating that it was no longer mandatory for the Council to issue long-term tenancies, it was explained that government legislation had recently changed because in some situations, tenants that were issued lifelong tenancies ultimately ended up in a property too big for their need, after grown up children had moved out. The Council had always been able to issue short hold tenancies and Cabinet had agreed on a 5-year term. Only in exceptional

circumstances were tenancies not renewed. She added that safeguards were in place and certain groups were not subject to this rule including pension age and disabled people.

- In response to a query regarding developing a new strategy in response to the removal of the HRA debt cap, the Head of Housing advised that the Housing Statement Report was written prior to that decision being made. A strategy had since been developed and was being submitted to Cabinet next week. It identified 25 sites suitable for new development and looked at increasing the debt capacity by £61 million. It would be essential to review and agree what controls would be needed to manage the debt.
- Clarification was sought regarding the Homelessness Strategy, particularly whether the Council still had a duty of care to those people deemed at threat of homelessness. The Head of Housing explained that the Homelessness Reduction Act (implemented in April 2018) had reinforced the level of duty and Local Authorities now had to support and advise those people at risk of homelessness 56 days before they were likely to become homeless (but if those people chose not to co-operate with the LA, then the Council could discharge their duty). A new post of Accommodation Officer had been created to work alongside local Landlords and funds were now available to assist in cases of rent arrears and help with deposits. Further difficulties sometimes arose when insurance companies placed restrictions on what tenants Landlords could accept e.g. not those in receipt of Housing Benefit or with previous County Court Judgments. The Council held around 5,000 properties in their housing stock, and with the removal of the debt cap it was hoped that more would be delivered. A Member picked up on an earlier point raised regarding Local Needs Housing and stated that once affordable housing had been built, it would then be beneficial to conduct a new Survey.
- The Committee went onto discuss Section 21 Notices (the official notice served by Landlords to evict tenants). It was confirmed that if the Notices were served correctly then there was no defence in court to overturn them. However, when Housing Officers were involved in cases where a Section 21 Notice had been served, they tried to negotiate with the Landlord and considered other resources to assist tenants including Discretionary Housing Payments, and guaranteed rent via the ABC Lettings scheme.
- The Head of Housing finished by reporting that the Council had zero people in B&B accommodation during the last week, and this was a significant achievement.

The Committee thanked the Head of Housing for attending the Meeting and commended the Housing Department on their outstanding work.

**Resolved:**

**That the report be received and noted.**

## **233 Quarter 2 Performance Report 2018/2019**

The Senior Policy & Scrutiny Officer introduced the report, which summarised performance against the Council's suite of Key Performance Indicators (KPIs).

Members again welcomed the new format and the inclusion of Gas Safety Certificates. A number of points for clarification were raised, including;

- In respect of KPI03 (car park average spend) a Member commented that it would be interesting to see the amount of time people spent in the Town Centre, since the average car park spend was relatively low. In addition to this, a metric to show the type of retail units in the Town Centre would also be beneficial.
- Regarding KPI01 (Park Mall vacancy rates) a Member queried the percentage increase from 6.25% to 9.38%, since this seemed disproportionate owing to only one unit becoming vacant; and asked if the metric could be revised to show change in occupied floor space. The Senior Policy & Scrutiny Officer noted that the percentage change was predicated on 32 units in Park Mall and so the closure of a single unit, regardless of size, would equate to a roughly 3% change in the metric. He agreed that calculation on the basis of floor space may be a better metric and would explore whether it could be amended.
- A Member observed the reduction in the business start-up rate (KPI08). The Senior Policy & Scrutiny Officer said that the number of businesses supported by the Council did fluctuate over the course of a year, but he would seek an update from the Economic Development Team and report back to the Committee.
- An additional KPI was requested to record the length of time taken for planning contraventions to be resolved.
- A Member queried the variance between figures in KPI23 and KPI24 (Refugee persons settled) and it was explained that one referred to individuals, whilst the other displayed households.

The Committee agreed that it was important for Portfolio Holders to attend the Meetings to enable Members to direct their queries to them.

**Resolved:**

**That the report be received and noted.**

## **234 Budget Scrutiny Task Group Membership**

**Resolved:**

**That Cllr. Feacey be the 5<sup>th</sup> Member on the Budget Scrutiny Task Group.**

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