

## OVERVIEW & SCRUTINY PANEL

Minutes of the meeting held on 16 February 2023 at 7.00 pm in Council Chamber, Council Offices, Cecil Street, Margate, Kent.

**Present:** Councillor Rev. Stuart Piper (Chair); Councillors Fellows, Austin, Boyd, Currie, Coleman-Cooke, Huxley, Leys, Pat Moore, Paul Moore, Tomlinson, Towing, Wing and Yates

**In Attendance:** Councillors Garner and Whitehead

### 431. APOLOGIES FOR ABSENCE

Apologies were received from the following Members:

Councillor Keen, substituted by Councillor Yates;  
Councillor Rattigan, substituted by Councillor Towing.

### 432. DECLARATION OF INTERESTS

There were no declarations of interest made at the meeting.

### 433. MINUTES OF PREVIOUS MEETING

Councillor Fellows proposed, Councillor Currie seconded and the Members agreed that the minutes of the Overview and Scrutiny Panel meeting held on 17 January 2023 were a correct record.

### 434. TDC NET ZERO STRATEGY PRESENTATION

Dr. Hannah Scott, Climate Change Officer gave a PowerPoint presentation and made the following points:

- The High Court judgement said that the UK national Net Zero Strategy did not meet the requirements for Net Zero in relation to the 6<sup>th</sup> Carbon budget 2033-37;
- There was a 5% shortfall in the national strategy targets;
- The UK Government would now need to update their strategy which would then be scrutinised by Parliament to ensure compliance the requirements;
- The national strategy had not be quashed by the Hugh Court;
- The ruling did not undermine the national strategy. On the contrary, the ruling demonstrated that this national strategy was enforceable;
- The 5% inaccuracy in the national strategy did not affect the Thanet District Council Strategy.

Members asked questions and made comments as follows:

- This presentation had given a wider public response to the question of the High Court ruling on the Net Zero National Strategy;
- Was the TDC Strategy designed principally to be enforced on the Council's properties or would it be used to persuade all residents and organisations in the district to abide by the requirements set out in the net zero strategy?
- When would the public consultation end?
- The council was asked to do more comms messaging to demonstrate to the public that their views had been taken on board when finalizing the strategy.

Dr. Scott and Cllr Bob Bayford, Cabinet Member for Environmental Services & Special Projects responded as follows:

- The Council's Net Zero Draft Strategy was presented to the Panel in August 2022;
- The Net Zero Pledge in the Council strategy was for Council to attain net zero carbon emission in areas that TDC had control over by 2023 and 2050 on all areas of business in Thanet;
- The public consultation process had ended and the report was now going to be considered by Cabinet on 2 March 2023;
- The Climate Change Officer would be working the Comms team regarding messaging to the public the outcome of the public consultation on the strategy;
- The council had received lots of favourable comments from the consultation as a significant number of people were very supportive of the proposed strategy.

Members noted the report.

#### **435. INTERRUPTION OF WATER SUPPLY - SOUTHERN WATER**

The Chair invited Ms. Elizabeth Wickenden to speak under Public Speaking Procedure Rules. Ms. Wickenden made the following comments:

- Ms. Wickenden came back to Thanet and had been living in the Wimpey Estate since 2016, having lived in Broadstairs before;
- She had witnessed thirteen incidents of water supply interruptions in the estate in December 2022;
- Since January 2023, there had been a further five incidents;
- Burst water pipes also affected traffic flow in affected areas;
- The majority of residents affected had not been compensated by Southern Water for the inconveniences they had experienced;
- Some of the affected residents had received some compensation whilst some who had not been affected by the water supply interruptions had also been compensated;
- Ms. Wickenden asked the Overview & Scrutiny panel to hold Southern Water to account for these multiple water supply interruptions that occurred between December 2022 and January 2023;
- She further requested the Panel to ask Southern Water the question: "What was Southern Water's strategic plan for infrastructure development in the district."

The Chair then asked Councillor Garner to speak under Council Procedure Rule 20.1. Councillor Garner made the following points:

- Most Members had been contacted by the affected residents;
- The compensation process had been handled badly for the December incidents;
- Southern Water should meet with the community in a public meeting and answer for these water supply interruption incidents;
- The major housing development being planned would create additional problems related to the water supply interruptions.

The Chair then opened the discussion to Panel members who made the following comments:

- One member advised the meeting that Southern Water had indicated that they were willing to attend the March Overview and Scrutiny Panel meeting to discuss this matter with Members;
- They further said that Southern Water needed to review their short term and long term plans to water supply infrastructure in the district;

- Judging by the errors in compensation payment made to date, it appeared as though Southern Water did not have a reliable data base for its customers that it could use to determine those residents affected by the water supply interruptions;
- The Member suggested that Southern Water were aware that the Wimpey Estate had inadequate water supply infrastructure;
- Another Member said that it was important for Members to understand how Southern Water was handling the compensation process and what were their long term plans regarding infrastructure;
- Another Member said that the Leader of Council advised Members on the Planning Committee to request for Southern Water input when considering new housing development planning applications as part of determining new applications. This would be a useful approach;
- By using this approach routinely this would assist the Planning Committee to gather information on water supply infrastructure in the district;
- One Member said that the incidents of burst pipes in a fairly new estate could be a reflection of poor planning;
- They further said that they had not come across housing development planning application with water harvesting nor porous roads;
- With the planned 25% housing development by 2030, it was important to change the council's planning approach to consider infrastructure development for water supply;
- Another Member said that consideration should be given to infrastructure in general when making decisions on housing development;
- Members supported the idea of a public community meeting being arranged that would be attended by Southern Water representatives. They further said that such a meeting should not be used for political purposes;
- A Member asked whether any Council representatives ever spoke to Southern Water each time such an incident occurred;
- Another Member asked whether the Panel could engage Southern Water in discussions about specific compensation for individual residents;
- Members also suggested that broad subject areas be identified ahead of the meeting with Southern Water in order for Southern Water to prepare adequately for the meeting.

Councillor Bayford advised the Panel that it might be helpful if they came up with a set of key questions which would enable Southern Water to prepare for the meeting with the Panel.

Chris Blundell and Jennifer Phillips, Principal Litigation Solicitor responded to Member comments and questions as follows:

- There was a protocol, that was followed by Thanet District Council in response to water supply interruptions;
- However Southern Water were not engaging fully with the protocol;
- Southern Water was a private company which was regulated by its sector's regulations that it had to follow;
- The Council could only ask and try to engage Southern Water but could not compel Southern Water to act;
- If Southern Water came to the table for the compensation discussion, it would only be to discuss in general rather than be specific about individual residents compensation cases;
- The Council could not enforce a decision to make payments.

The Chair invited Members to forward questions to him ahead of the meeting with Southern Water.

Councillor Leys proposed, Councillor Huxley seconded and Members UNANIMOUSLY agreed that Southern Water representatives be invited to the Panel meeting on 14 March 2023 to discuss the issue regarding the multiple water supply interruptions that had affected some parts of the district, particularly between December 2022 and January 2023.

#### **436. CORPORATE PERFORMANCE Q2**

Speaking under Council Procedure Rule 20.1 Councillor Whitehead said that the number of empty properties brought back into use had decreased during the period under review.

Chris Blundell, Acting Deputy Chief Executive introduced the report and made the following comments:

- There were 39 performance indicators that were used to monitor and provide an overview of performance as measured against the Council's corporate priorities;
- Bi-annual corporate performance reports would be presented to the Overview and Scrutiny panel;
- Corporate performance live data was now online on the Council's website and this could be accessed by both Members and the public at any time;
- There was a provision in the 2023/24 Council budget for increased allocation for temporary accommodation.

Members asked questions and made comments as follows:

- Why was there a drop in empty homes being brought back into use?
- The number of complaints had increased from 45 to 113. What were these complaints about?
- Could the Council consider bin collections for areas with elderly people who live in very narrow roads;
- With regards to value for money perceptions, how did that compare with previous years or other councils;
- When complaints come in, did officers speak to the waste collection teams?
- One Member said that it was good to note that the recycle bins in the high streets were being used. Was there a percentage that the Council was aiming to achieve regarding recycling?
- Another Member said that there was a lot of scope for the Council to improve on the recycling rate.

Chris Blundell and Councillor Bob Bayford responded to Member comments and questions as follows:

- Regarding a drop in empty homes being brought back to use; a written response would be sent out to Members by officers after the Panel meeting;
- Complaints covered a wide range of issues from missed bins to fly tipping;
- The current complaints data was showing a lower number than that reflected in the period under review. This was because a lot of resources were put into addressing operational services issues;
- Missed bins contributed to a large proportion of the complaints;
- The number of missed bins at this point was 50% down from last year;
- The Council was emptying 6 million containers every year, which was a huge figure;
- It was also worth noting that there was a 99.7 success rate for bin collection;
- The Council no longer used benchmarking but used trends to assess performance;

- Value for money was very difficult to assess and there was no benchmarking data to compare with other councils. That comparison could only be done after getting such data from other councils;
- Any feedback from residents would be used to improve service delivery;
- There cameras now on the bin collection vehicles so the officers could review camera footages to see where the missed bin incidents would have taken place;
- Supervisors were now speaking with residents to address the issue of missed bins and they were now assisting to deal with missed bins complaints;
- The Council was also trying to address the issue of tricky areas/streets;
- Bartech were hosting a conference and had invited TDC to this event to use the Council as an example of best practice;
- There complaints received for missed recycle bins from communal areas... However these bins would have been contaminated. Collection of such bins would create a cost on the owners of the building;
- The Environmental Act was likely to set a higher recycle rate of 65% by 2035 and this would require a service reconfiguration.

Members noted the report.

#### **437. TLS KPI Q1 2022/23 - HOUSING PERFORMANCE REPORT**

Sally O'Sullivan introduced the report and made the following points:

- There were one hundred and eleven outstanding actions in the period under review;
- The capital programme was low there was progress being made;
- The windows contract went into administration;
- Mears moved some of the resources from VOIDS to assist with the kitchen works;
- There was an increase in arrears, but this was similar to what other councils were experiencing as well.

Members made comments as follows:

- Members thanked officers for the detailed report;
- The number of urgent jobs had dropped and the non urgent works had improved.

Sally O'Sullivan responded to Member comments as follows:

- More jobs had been completed as could be seen by the live jobs being fewer;
- Officers were going to investigate why the number of urgent jobs had gone down.

Members noted the report.

#### **438. HRA TOWER BLOCKS REFURBISHMENT AND RETROFIT PROGRAMME**

Speaking under Council Procedure Rule 20.1 Councillor Whitehead said that the refurbishment works was a huge and necessary undertaking and thanks officers for putting together the refurbishment programme.

Sally O'Sullivan introduced the report and made the following comments:

- Officers were working on the refurbishment programme to deliver works worth £17million;
- This programme would improve energy efficiency of the buildings to be covered under the refurbishment programme;
- This would cover the replacement of windows as well;
- These works needed to be carried out once as a whole in order to minimise the inconveniences caused to residents.

Members asked questions and made comments as follows:

- Members thanked officers for sourcing the funding for this programme;
- One Member asked if home owners and tenants would be contributing to the costs for the refurbishment in Harbour Towers;
- They further asked if there would be any consideration for the elderly home owners and tenants;
- Another Member asked why Brunswick Towers had not been made part of the refurbishment programme;
- Would there be any penalties for Mears if they don't deliver on time?
- This was a very exciting piece of work. What were the deadlines for completing this programme?
- How could Members keep an eye on the programme implementation to monitor progress?
- When was the funding expecting to be distributed to the Council?
- Did the contract have a retainer clause?

In response to Member comments and questions, Sally O'Sullivan made the following comments:

- The programme was a 70% grant funding and there would be some payment by tenants and home owners for the unfunded part;
- The payment contributions by the tenants and home owners would be capped;
- How the residents would pay would be determined by Cabinet and it would be on a case by case basis and on an agreed payment plan;
- Brunswick Court did not need external wall insulation whilst the other five tower blocks had similar refurbishment requirements;
- Brunswick Court would be considered under the Social Decarbonisation Fund which would be coming soon;
- Mears were aware of the reputational damage if they did not complete the programme works on time;
- The programme was supposed to be delivered in twenty four months with two months overlay after which after which the Council would be required to return any funding if unused;
- There was a one year period to make sure any defects found with the works should be fixed.

Councillor Jill Bayford, Cabinet Member for Housing thanked officers for work done to put together the refurbishment programme and for the clear and detailed report.

Members noted the report.

#### **439. REVIEW OF OVERVIEW & SCRUTINY PANEL WORK PROGRAMME FOR 2022/23**

The Panel agreed to add an item on Southern Water to the work programme. They further requested for Member training on making declarations of interest at council meetings. Some Members expressed uncertainty over whether they should or should not make interest declarations at meetings when an item on fees and charges proposals was being discussed.

Chris Blundell advised the Panel that such training would come in handy after the May 2023 Local Government Elections.

Members noted the report.

**440. FORWARD PLAN AND EXEMPT CABINET DECISION LIST**

One Member requested that the Report going to Cabinet regarding the Levelling Up Fund for the Port of Ramsgate, should be detailed so that Members could make an informed decision. This detail should include risk modelling. Another Member requested that the Panel should be given an opportunity to scrutinise any proposals on the Port of Ramsgate before Cabinet can make a final decision.

Chris Blundell advised Members that if the report on the Port of Ramsgate were to go to Cabinet for Decision, the Panel could call-in the Cabinet decision and scrutinise it.

Members noted the report.

Meeting concluded: 9.00 pm