

OVERVIEW & SCRUTINY PANEL

Minutes of the meeting held on 16 July 2024 at 7.00 pm in Council Chamber, Council Offices, Cecil Street, Margate, Kent.

Present: Councillor Phil Fellows (Chair); Councillors D Green, Austin, Bright, Currie, Davis, Farooki, Kup, Packman, W Scobie, Wing and Worrow

In Attendance:

1. APOLOGIES FOR ABSENCE

Apologies were received from Councillors Britcher and Pope.

2. DECLARATION OF INTERESTS

There were no declarations of interest made at the meeting.

3. MINUTES OF PREVIOUS MEETING

Councillor Austin proposed, Councillor Green seconded and the Panel agreed the minutes to be a correct record of the meeting held on 18 June 2024.

4. HRA TOWER BLOCKS REFURBISHMENT AND RETROFIT PROGRAMME

Sally O'Sullivan, Head of Tenant and Leaseholder Services, introduced the report and made the following points:

- The Tower Block and Retrofit Programme involved the transformative works of the five tower blocks owned by Thanet District Council;
- Works that were being carried out were primarily for safety, including external insulation;
- The scope of the project increased when the discovery of essential fire safety works contributed to additional costs;
- Due to the increase of fire safety works, a more expensive system with an improved fire rating was chosen, this also helped with ongoing maintenance costs and durability;
- The costs of the works was fully funded by the Homes England Grant;
- The works themselves were non-negotiable and would have resulted in the non-approval of the Building Safety Regulator if left unanswered;
- When works were fully completed, the Council was be able to step down the Waking Watch posted at each of the 5 tower blocks, this was to help move the HRA revenue accounts from deficit to surplus;
- The works were also benefit Leaseholders as the energy efficiency measures would bring down energy costs;
- Consultation with residents resulted in the choices of the colours for the designs of the works with events that were carried out at the tower blocks themselves to give residents the opportunity to address the architects and contractors. Resident Liaison Officers were also available for contact during this time as well as a high-rise living residents group that met once per quarter;
- The external funding through the Homes England Grant contributed towards the cladding part of the project;
- A contribution of £4.2 million was provided by the Social Housing Decarbonation Fund to reduce the energy needs of the blocks;

- The concluded works resulted in no scaffold dependent works to be carried out on the blocks for the next 30-40 years.

The Panel discussed the report, made comments and asked questions as follows:

- Councillors asked how the leaseholders themselves felt about the plans. Officers replied that the residents were positive about the plans, noting fire safety as one of the benefits, however some concerns remained from the leaseholders themselves regarding the costs associated which were paid through service charges;
- Officers informed the panel that the cost for leaseholders was between £25,000 - £40,000, depending on the size of the property and how many properties were in the block. Leaseholders had the option to speak to Thanet District Council in an individual basis in order to arrange affordable repayment plans over a number of years;
- Councillors asked what the total number of leaseholders were that have been affected. Officers responded that the total number was 32;
- Councillors asked if the leaseholders were to possibly have the choice of an additional charge added against their property, rather than having to pay through repayments. Officers replied that there was no option for a charge against the property.
- Councillors made note that the residents in the tower blocks that they engaged with appreciated the Waking Watch and expressed concerns that this could end up with more costs if fully removed. Officers acknowledged the success of the Waking Watch in the areas of waste management in the buildings and reducing anti-social behaviour, however it was sited that running the Waking Watch resulted in a deficit in the Housing Revenue Account, which Thanet District Council needed to change into a surplus as fast as possible to support future works;
- Councillors asked if the plans were in place as a response to bad work or if they were due for renewal. Officers replied that following the news of Grenfell Tower, Thanet District Council, as well as other authorities, reviewed their tower blocks. For Thanet District Council, this meant looking at works carried out in the early 2000s which showed they had been carried out correctly and taking samples from the insulation system in the blocks. Over time, building regulations changed, which included the materials used for the insulation systems which were now considered dated;
- Councillors asked about the insurance position of the tower blocks and how insurers would view them without the works fully carried out. Officers replied that the tower blocks remain insured and were revalued annually;
- Councillors wanted to know more about a possible buyback scheme for leaseholders. Officers replied that the Council has engaged with buybacks in the past, however it is dependent on whether the Council had a buyback program, but there was no guarantee that the Council would choose to buy back a unit if the opportunity arose;
- Councillors discussed the mobility issues that some residents had and went on to say how sometimes the lifts in the blocks only go to certain floors, causing some concern. Officers replied that in situations like this, the residents would have access to the Resident Liaison Officer, if they did need to put their thoughts across to the Council as well as a monthly newsletter;
- Officers went on to say that residents were given an estimate of the costs of the works last year and will be able to keep track of the costs as they change.

Councillors had no further recommendations and agreed the report to go to Cabinet.

5. **HRA ROYAL CRESCENT - CAPITAL PROJECT**

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

- Royal Crescent was a grade 2 listed building of historical significance on the seafront of Ramsgate's West Cliff;
- The building was in need of essential structural and fire safety works in order to make it fit for purpose, however complexity in the works impacted the time frame of the project;
- The Council recognised the impact of the costs to leaseholders and offered to put the costs as a charge against their property. These costs were being put forward to the First Tier Land Tribunal for determination on whether these costs were reasonable;
- Councillors were happy to hear about the tribunal in order to give residents transparency. It was asked if residents could represent themselves in this tribunal. Officers replied that there was already a resident association group that will be represented at the tribunal.

Councillors had no further recommendations and agreed the report to go to Cabinet.

6. LOCAL AUTHORITY HOUSING FUND (LAHF) R3

Ashley Jackson, Head of Housing and Planning, introduced this report and made the following points:

- In December 2022 the department for the Levelling Up for Housing and Communities launched the Local Authority Housing Fund, which was a £500 million capital fund designated for families fleeing wars in Ukraine and Afghanistan;
- The scheme was set up to ensure that communities who had welcomed the new arrivals were not penalised with longer social housing waiting lists;
- Last year, the Council was awarded £694,000 by the fund;
- The Council was now awarded £619,500 as part of the government's £450 million two year expansion in order to provide authorities with a longer term pipeline of support and to unlock new supply and developments for Thanet District Council;
- Because of Thanet District Council's Proactive Acquisitions Program, it had been possible for the Council to secure four properties, these properties were located at Westwood Point;
- Of the four properties purchased, three were three-bedroom properties (one for temporary accommodation and two medium size resettlement properties) and one was a four-bedroom property;
- The Council already acquired 14 properties at this location;

The Panel discussed the report, made comments and asked questions as follows:

- Councillors wanted to know how the Council received the money, whether it was through bidding or allocated to the Council. Officers replied that the funds were allocated, but were not sure on the methodology used to calculate the amount;
- Councillors asked that when residents move in, were they offered additional support. Officers replied that for Ukrainian residents, Thanet District Council had a liaison officer and for Afghan residents, KCC had resettlement works who offered them further support.

Councillors had no further recommendations and agreed the report to go to Cabinet.

7. APPROVAL OF THE TEMPORARY ACCOMMODATION POLICY

Ashley Jackson introduced this report and made the following points:

- Temporary Accommodation usage put a financial strain on all local authorities funds and this policy worked to be strong and transparent to show how the Council approached the placement of homeless households;
- Thanet District Council worked hard in order to prevent homelessness, however this was not always possible;
- The policy laid out the Council's approach to the placement of homeless households in temporary accommodation, both inside and outside of the district;
- The Council applied to recover some of the costs of providing temporary accommodation through reasonable charging with many households being entitled to either full or partial housing benefit pay;

The Panel discussed the report, made comments and asked questions as follows:

- Councillors asked if the numbers of homelessness had risen recently or if they had evened out. Officers replied that the prices remained quite high, but the numbers were still stable, due in part to rent prices increasing and residents unable to meet those prices;
- Councillors expressed their approval of the policy and asked if the Empty Homes Policy tied into temporary accommodation. Officers replied that there was a dedicated officer allocated to empty homes, however there were some drawbacks which included establishing contact with the owners of the homes themselves. They went on to say 50% of the homes acquired went straight into temporary accommodation;
- Officers informed the panel that the loan was specifically available for properties in Cliftonville West;
- Councillors asked how the Council communicated with people who found themselves in need of temporary accommodation. Officers replied that when officers meet with the residents, they explained the criteria of why they would be housed outside the district and the ways they could be brought back into the district area.

Councillors had no further recommendations and agreed the report to go to Cabinet.

8. THANET PATHFINDER PROJECTS - PROCUREMENT APPROVALS

Louise Askew, Head of Regeneration and Growth, introduced the report and made the following points:

- This report was requesting approval for new contracts for works and services for the delivery of six projects to form part of the Pathfinder Scheme in Margate and Ramsgate;
- The contracts were for the Margate Town coastal well-being for the Walpole Bay Pavilion, the lift structure and skate park and the Levelling Up Fund project for Newington Community Centre, which included refurbishment and extension, being covered by the HRA funding that had already received approval. Also included were the Margate Town, Theatre Royal and the 19 Holly Square restoration;

The Panel discussed the report, made comments and asked questions as follows:

- Councillors congratulated officers on getting the projects off the ground, but noted that requests for business cases of the projects have not been fulfilled due to the difficulty in getting them to the Councillors. Officers replied that not all the projects had businesses cases, but engagement documents through the RIBA stages were available through open sessions, along with a model of management exercise to help the Council understand whether they wanted to be the managers of the projects, or whether a third party managed the operations;

- Councillors asked if there were talks for another public engagement meeting once the plans moved forward, specifically the Cliftonville West project. Officers replied that public engagement was best suited for the RIBA stages of the process, however more engagement was planned for the skate park during the break for Planning permissions;
- Councillors suggested that more public engagement with the projects would benefit with maintaining enthusiasm behind the projects, to keep up morale with the public. Officers replied that information for hoardings will be provided to inform the public of the timeline for delivery;
- Officers expanded upon the subject of timescales and acknowledged the frustration that this caused. They explained that the grant funding was allocated on a bidding basis and that local authorities had short time frames in order to make those bids, which were often based on speculation. Following this, officers created business cases with different designs and costs before moving into the delivery phase. Also a factor in this was the previous years of high inflation which caused further pressure;
- Councillors acknowledged that when there was an announcement of extra funds, that sometimes members of the public were unaware that it was for an allocated purpose;
- Councillors asked what the general impact of inflation was on these projects. Officers replied that when they were checking across the Ramsgate program, a number of schemes were somewhere between 20-30%;
- Officers explained that each project was looked at differently on the basis of what they were for and how income was generated. An example of this was the clock house, which had a café facility;
- Councillors brought up the subject of Social Profit and how these projects affect the general public, especially volunteers providing their time on them. Councillors expressed their desire for a way of documenting Social Profit;

Councillors had no further recommendations and agreed the report to go to Cabinet.

9. EXTENSION TO THE ALCOHOL PUBLIC SPACE PROTECTION ORDER

Penny Button, Head of Neighbourhoods, presented this report and made the following points:

- The Council's antisocial behaviour PSPO and alcohol PSPA were due to expire on 31 July 2024;
- This resulted in a positive impact in Thanet, reducing the numbers of negative behaviours.

The Panel discussed the report, made comments and asked questions as follows:

- Councillors asked how Thanet District Council worked with the police on these issues, as they cited an experience when street drinking was reported, but the police were busy at the time. Officers replied that they work with the police to focus on different hot spots as well as working with the Forward Trust, Rise Team and other mental health services. This was to tackle the problem from a holistic point of view, rather than an enforcement one;
- Councillors mentioned that they had issue with the vagueness behind the definition of Section 7 of the report, which was defined as "All persons prohibited from using language or behaviour causing or likely to cause harassment or alarm, or distress to any other person" as they had a problem defining more specifically what that meant as they believed this could be applied to anyone who decided to be part of a protest. Officers informed Councillors that this definition did not cover protests, but did apply to a congregation of two or more people being abusive,

threatening, alarming, insulting, harassing and distressing as identified in legislation;

- Legal officers mentioned that the way the order was drafted needed further review due to some of the provisions that were too wide. Changes had been made to it, covering a significant change to the restricted area, which no longer covered the whole of Thanet, but only areas where the Council had evidence that those activities were being restricted. Also the restriction behind antisocial congregation was narrowed and defined as what was previously stated. The misuse of public space restriction has also been narrowed, to apply to only areas where the public space is not being used as intended. The restriction for abusive language was also narrowed to only apply to the use of foul or abusive language, that is used in such a manner which is loud, can be heard by others and causes offence, upset, alarm or distress. The consumption of alcohol restriction was also narrowed to apply to those consuming alcohol in restricted areas and behaving in a way to cause nuisance, harassment, alarm and distress. The restriction behind the requirement for someone to surrender their container of alcohol had also been narrowed, to apply to someone who is intoxicated and is causing a nuisance, alarm or distress. These restrictions have also been defined to apply to the use of legal psychoactive substances as well;
- Councillors expressed their desire to have other teams and services more involved with this rather than just the police and enforcement, for example with the look of the town when it came to cosmetics, such as flower beds. They asked if signage could be looked at as well as further public engagement in order to open up discussion with the offenders themselves, in order to help improve their situations;
- Councillors asked about the strategy behind auditing how effective these measures were and how well they were enforced. Officers replied that they did surveys with the public and engaged with the public to get feedback on their point of views and look at statistics provided by the police themselves in order to carry out the Council's strategic assessment. They went on to say that this was an approach to educate the public;
- Councillors asked what the Council's way of approaching the task force itself was, in order to focus them on a particular problem. Officers replied that this would come down to the Community Safety Partnership and could be done through Penny Button herself or through her team;
- Councillors made note that they were keen to be involved in as many ways as possible to help support their wards in dealing with these issues. This can involve engaging the public through surveys and working closer to the Neighbourhoods team;
- Councillors asked if it was just the police who could enforce PSPOs and how many enforcement officers did the Council have. Officers replied that there were five officers under Jo-Anna Taylor, with some more in the street enforcement team and beach enforcement team. They went on to say that only employees of Thanet District Council or the police can enforce these measures;
- Councillors asked if there were any plans to go into schools to inform them of the PSPO and restrictions. Officers replied that schools were involved in the consultation period itself, including the TDC Youth Council.

The Panel agreed that they had concerns regarding resources for enforcing the PSPOs, but were happy to send the report to Cabinet.

10. TRANSITION OF SHARED SERVICES

Chris Blundell, Director of Corporate Services and Section 151 Officer, introduced the report and made the following points:

- The report was being presented to Cabinet to ratify a decision that was taken back in January, the decision to set up a new local authority trading company to replace the contract that the Council had in place currently with Civica for the provision of revenues, benefits and customer services;
- The decision was made in principle, subject to technical documents which include shareholder's agreements, the articles association and the business plan;
- The documents had been backed by the Legal team and were worked on in previous months with help from Ingrid Brown, Head of Legal and Democracy & Monitoring Officer and the other Monitoring Officers from Canterbury and Dover, along with input from the legal firm, Blake Morgan;
- The Council were not initially looking to exit the contract with Civica as they took the decision to exit the market and focus primarily on software as that is where they have the majority of their income;
- Civica were taken over by a different firm as part of a merger, who made the decision to focus primarily on software;
- The service with Civica was reflected positively with both officers and members of the public;
- The Council wanted to move the contract to a service akin to the Local Authority Trading Company in order to move it back in house, instead of going to a third-party company;
- Officers expressed their interest in moving further toward this model in order to give the Council opportunity to trade and generate commercial income from ancillary services, customer services as well as revenues and benefits;
- The Council were also looking to retain some of the existing terms and conditions, with the focus of maintaining key staff;
- What was being proposed was a "lift and shift model", in order to maintain the conditions that staff were enjoying, in such a way as to secure senior staff positions;
- He informed the Panel that monthly meetings were carried out with senior Councillors from the three Councils, including the Leaders, Deputy Leaders and portfolio holders of those authorities in order to provide them with information on the progress;
- The Cabinet in Canterbury already approved this report, with Thanet District Council bringing it to the next Cabinet meeting and Dover following shortly after;
- Once all three Cabinets of the three authorities approved the decision, then the report would go to the East Kent Service Committee on 13 August 2024, to ratify the decision;
- The Council was aiming to have the service go live and be operational by January 2025;

The Panel discussed the report, made comments and asked questions as follows:

- Councillors expressed their approval of the working together with the other two authorities, in order to standardise the way of working across the three districts. However, there were concerns about moving away from a face-to-face with the public approach as there could be disapproval from the public regarding centralising these services. Officers replied that this was the chosen approach to maintain the service delivery that the Council preferred to have. They went on to say that to focus primarily on going local only would disaggregate the service and bring it in hour as a standalone service, which would cause an extreme cost pressure which was avoided in the first place by establishing this joined service. Officers reminded Councillors that any phone numbers or emails used by the public would be local to their areas;
- Councillors asked if the Council's senior team members had considered the amount of responsibility needed in order to take on the running of a secondary trading company and if there were any concerns about losing access to any innovative new technologies that may have come from having an outside

contract. Officers replied that the primary new responsibilities would fall to the company board, in terms of appointing a new director and the representatives of each of the three authorities. Andreea Plant, Head of Property, was the selected representative for Thanet District Council. This decision was made as a statutory officer would have possibly presented a conflict of interest with their current roles. The other chosen officers from the other two authorities were chosen specifically in order to get a range of diverse expertise. In relation to the question regarding technology, Thanet District Council did benefit from the system in place, used by Civica and the intention is to keep using that system as it was a good fit for the Council;

- Councillors asked if going this route would result in a cost saving and more scope for joined-up working and bringing other services back in house for the Council. Officers replied that there were some cost savings that have already been built into the existing budget, Thanet District Council itself stood to save approximately £100,000, with the possibility of getting closer to £200,000. They went on to say that the primary objective with moving this service back in house was to keep the transition as seamless as possible, but longer term, there would be opportunities to look at generating income from the areas that could also be brought back into house, an example would be the provision of ICT services being brought to a smaller organisation.

Councillors had no further recommendations and agreed the report to go to Cabinet.

11. REVIEW OF THE SCRUTINY PROJECTS SCORING MATRIX

The Chair introduced the item and invited the Councillors to make comments on the report:

- There were some immediate concerns that this new approach would narrow the process for Councillors. It was explained that the new scoring matrix would work to help score and prioritise subjects that came to the Overview & Scrutiny Panel in a more straightforward approach;
- Whilst Councillors approved of the removal of the amount of time a subject appeared on the list of subjects, but still had some doubts regarding the officer involvement for subjects that they would like to bring to the Panel;
- Councillors expressed their approval of the new scoring system and the ways that it helped officers in guiding the Councillors themselves and the possibility of removing political bias and holding Cabinet to account;
- Councillors discussed that there was two items left on the list of subjects which the Overview & Scrutiny Panel wanted to bring to the Panel, which were Health and Wellbeing as well as the Cost of Living;
- Councillors welcomed the idea of some updated training with use of the new scoring matrix to be featured;

Councillors agreed to adopt the new scoring matrix to be used as a guide going forward.

12. REVIEW OF OVERVIEW & SCRUTINY PANEL WORK PROGRAMME FOR 2024/25

There were no comments or recommendations regarding this item.

13. FORWARD PLAN & EXEMPT CABINET REPORTS LIST

There were no comments or recommendations regarding this item.

Meeting concluded: 8:55pm