

## OVERVIEW & SCRUTINY PANEL

Minutes of the meeting held on 18 February 2021 at 5.30 pm via Online viewing only.

**Present:** Councillor Robert W Bayford (Chairman); Councillors Currie, Boyd, Coleman-Cooke, Hopkinson, Huxley, Keen, Moore, Paul Moore, L Piper, Roper, Rusiecki and Scott

**In Attendance:** Councillors Albon, Ashbee, Bailey, J Bayford, Garner, D Saunders and Whitehead

### 280. ANNOUNCEMENTS

The Chair advised Members of the recent passing of Councillor Peter Campbell. Councillor Campbell first became a Thanet District Councillor in 2007 and served the Central Harbour Ward in Ramsgate for 14 years. Councillor Bayford paid tribute to Councillor Campbell for his work, particularly his contributions to the work of the Overview and Scrutiny Panel (which he was the Vice Chair at the time of his passing), commitment and character.

Members held a minutes silence as a mark of their respect.

### 281. APOLOGIES FOR ABSENCE

There were no apologies received at the meeting.

### 282. DECLARATION OF INTERESTS

There were no declarations of interest made at the meeting.

### 283. MINUTES OF PREVIOUS MEETING

Councillor Coleman-Cooke proposed, Councillor Currie seconded and Members agreed the minutes as a correct record of the meeting held on 19 January 2021.

### 284. ELECTION OF VICE CHAIR

Councillor Keen proposed, Councillor Pat Moore seconded and the Panel agreed that Councillor Currie be the Vice Chair for the remainder of the current municipal year.

### 285. DOG PUBLIC SPACES PROTECTION ORDER AMENDMENTS (PSPO)

Jasmin Vickers, Secondment Director of Environment introduced the report and made the following comments:

- The new PSPO public consultation comments were now being considered before the Order was finalised for consideration by Cabinet;
- The results of the public survey were shared at the meeting via a slides presentation, which is attached as an annex to the minutes;
- Once adopted the PSPO could still be reviewed at any point during the course of the year
- The current PSPO had had a positive impact on Thanet beaches;
- There were user signs at certain locations that show the public where they can or cannot take their dogs to for exercise on the beach;
- Most of what was in the current PSPO would be retained in the amended version.

Members asked questions as follows:

- It would be helpful if the new user maps for dog walking distributed at as many sites as is possible to assist dog owners;
- How did you conduct the public consultation?
- How much work was done to show the public the impact dogs may have on the blue flag status of Thanet beaches?

Ms Vickers responded as follows:

- Public consultation was done through the communications team;
- Targeting emails were used due to the current pandemic environment;
- Moving forward, the team would look to come up with even better approaches to get the most responses;
- The dog owners guide map should be put on rails and most places where the public could see them would be great.

Members recommended the following option to Cabinet:

1. That the current PSPO is altered to support the suggested minor amendments until 2023 and adopted in accordance with the Anti-Social Behaviour (ASB), Crime and Policing Act 2014 to include the following restriction;

District-wide (any place to which the public or any section of the public has access. On payment or otherwise, as a right or by virtue of express or implied permission):

- a. Westbrook Bay - Currently dogs must be kept on a lead change to dog ban in bathing season. As the public voted against this change in the consultation, no amendment or change will be made.
- b. Pegwell Bay - amend to cover upper chalk shore to protect endangered wildlife. Feedback from consultation was positive with regard to this change therefore the PSPO should be amended accordingly.
- c. The activities that could be banned to protect wildlife not in the existing PSPO; Humans and dogs interfering with, trapping or attempting to trap or snare or disturb any wildlife on council owned land. Feedback from consultation was positive with regard to this change therefore we should amend the PSPO accordingly.

## **286. CABINET MEMBER PRESENTATION - AN OVERVIEW OF ESTATES AND ECONOMIC DEVELOPMENT PORTFOLIO AREAS**

Councillor Duckworth led the discussion with an overview of the portfolio areas in her cabinet role and made comments as follows:

- The main areas of the cabinet post included Economic Development, Property Management (also known as Estates), Building Control (which falls under the Planning Department) and Climate Emergency;
- Currently this portfolio area was managing a number of externally funded activities most of which were related to covid funding;
- Most of the activities that fall under this cabinet post operated across a number of council departments;
- The Regeneration Team was also working on government funded activities that were aimed at helping with the reopening of the high street in Margate;
- The Estates Team was responsible for rent income from and rent reviews of council properties;
- The management of foreshore properties was cross departmental responsibility between Estates and Operational Services;

- Estates offered advice to other council departments about property management including advice on major projects.

Member asked questions and made comments as follows:

- Do you have any view on what 2020 might have been like from the point of view of tourism figures?
- Was there an indication that there were some local businesses that may not reopen due to the covid-19 impact?
- Were there any thoughts on how the district would continue to attract visitors to Thanet during winter in order to boost tourism throughout the year?
- Have asset transfers (like Harold Car Park) been affected by the pandemic as well?
- The Foreness Water Ski Club had also come up as an asset for disposal as well. Could Members be given an update on the disposal process for this asset?
- How is the developer contributions calculated and what impact have they had, particularly considering the effects of the current pandemic?
- Was the council satisfied with the current state of the rent reviews for council properties?
- Could external experts be used to conduct rent reviews?

Councillor Duckworth, Louise Askew, Director of Regeneration, Iain Livingstone, Planning Applications Manager and Madeline Homer, CEx responded as follows:

- The pandemic did affect the visitor numbers to Thanet;
- It was a mixed picture as some business adapted to the new operating environment by introducing takeaways as part of their services;
- Other business had closed down during the lockdown;
- A more detailed update on how businesses have performed under the pandemic conditions could be obtained from the economic unit at KCC's Growth Hub. This information would also inform some of the approaches that TDC could use to support local businesses;
- Local businesses could also be approached to find out how they were faring under these conditions;
- It was worth considering indoor leisure as part of boosting local tourism during the winter period;
- The council was looking into how they could join in large campaigns run by other organisations;
- It was highly unlikely that Harold Car Park would come off the disposal list;
- The disposal of some of the assets had been put on hold largely due to the pandemic. However there was currently a budget for disposal of assets next year and the team had identified how the disposals would be done;
- Estates were still working on the disposal list for the new financial year;
- Officers would provide an update to members (by email) regarding the Foreness Water Ski Club disposal;
- With regards to the calculation of developer contributions, there was a slowing down of some stats. This had affected developer contributions as the trigger for that source of revenue was either prior to occupation or prior to starting work on project site;
- This was because most of the development that had been completed in the last six months had been mostly from SME builders. This had led to few triggers of developer contributions;
- An Infrastructure Funding Statement would be announced most likely in the coming month which would provide more detail;

- Some work was still required to bring the rent reviews up to date and Estates were also working with Tim Willis, Deputy Chief Executive and Madeline Homer on how best to address the issue of rent reviews.

Members noted the report.

## **287. CRIME STATS IN THANET**

Chief Inspector Rhiannan Pepper presented her report and highlighted the following:

- Victim based crime was slowly decreasing in volume. In 2018/19 it was 130 reported cases whilst in 2020/21 it was 122;
- Arson and criminal damage, burglary, sexual offences and robbery were decreasing;
- Thanet and county resources had been used as part of the intensification week that was conducted once a month to target crime areas, including organised crime;
- During last year, a number of thefts and destruction incidents of motor vehicles and mopeds was attributed to five youths who had since been arrested and charged for the offences;
- Shoplifting had increased across Kent. There were now town beat officers in each town and at Westwood Cross and it was hoped that this time next year the stats will be lower than they were at the moment;
- With regards to violence against the person, 28% of all calls were from Thanet out of the five policing districts that fall under East Kent policing area and most of those calls relate to domestic abuse. This was disproportionately higher than calls that came from the other districts;
- There was now an eight point engagement plan that was used to engage domestic abuse victims. This had helped secure high charge rate for offenders;
- Anti Social Behaviour was particularly high in 2020/21 with April and May 2020 recording the highest stats;
- In January this year, skateboarders in Leopold Car Park and Arlington Car Park were particularly problematic. Currently there were six PCSOs who were assisting with policing in those two problem areas and the reports were now fewer, but there was a need to look for a long term solution to this problem;
- With regards to night time economy, Ramsgate area still had the highest crime rate and the police were conducting weekly analysis to identify the trends and deal with the problem;
- Hate crime had increased and the police were looking at whether there were repeat hate crime victims and ensure wrap around support was given utilising our new Hate Crime team;
- Stop and searches were being carried out mostly for drug misuse but on occasion in order to identify knife crime;
- There had been a jump in knife crime in December and this was linked to youths being robbed whilst purchasing drugs. (More stats detail was contained in the presentation slides that were attached as an annex to the minutes).

Members asked questions and made comments as follows:

- Was there any specific issues relating to online crime be it about scams or bullying?
- Did the police record Thanet Villages' crime stats?
- Could councillors arrange a street walk down with PCSOs? Westgate councillors would be interested in undertaking such an activity;
- Could Westgate Town Council get crime stats reports at its meetings?

- The Margate Task Force visits to Cliftonville were useful. Could these be resumed?]
- Could the Panel receive a presentation on crime stats that provided a comparison with other districts in the county?

CI Pepper responded as follows:

- There was no online crime that was Thanet specific that the Police were aware of. Kent Police would be conducting school visits for awareness engagement with school children about child sexual abuse;
- Thanet Villages crime stats were recorded and regular meetings were held with Thanet Villages to share this information;
- A presentation could be given to the Panel on domestic violence and what preventive measures the Police had taken to address the issue;
- Once the lockdown was over PCSOs would be encouraged to visit and engage ward councillors and perhaps conduct street walks;
- Moving forward, visits to wards (including in Cliftonville area) by Margate Task Force could resume;
- A presentation on a comparison of crime stats between Thanet and other districts in the county could be brought to a future Panel meeting.

Members noted the report.

## **288. FORESHORE AND COASTAL PUBLIC SPACES PROTECTION ORDER (PSPO)**

Ms Vickers introduced the report and said the following:

- The new PSPO would have in support a new coastal code of conduct for users;
- It will have similar penalty fines to the Dog PSPO for breaches and will be in force for three years. The current fines were £100;
- The code of conduct would help with managing anti-social behaviour by beach users. This code would help business as well that were particularly affected by ASB;
- The Order had been drafted in a way that was more understandable and clear to coastal users;
- This Order was about advising the public on what we expect from them and what they can expect from the council;
- Deploying patrols at beaches to have that presence was a good idea that would be followed through;
- There were also rule changes regarding BBQ at beaches and jet skis;
- An FAQs list would be drawn up for the public to refer to;
- There would be further clarification on obstruction on promenades;
- Targeted enforcement at hotspots like car carks would be considered;
- The use of mobile CCTV was suggested and would be considered as well;
- There would be a dedicated officer in the enforcement team supported by a dog warden focusing on PSPOs;
- There would also be covid wardens who would be focusing on coastal areas;
- Officers were also looking at the unintended consequences of the PSPO, which could be displacement of ASB to other areas of the district.
- Members asked questions and made comments as well:
- Stakeholders were keen to engage the council regarding the content and enforcement of the proposed PSPO;
- Was Pegwell Bay going to receive specific funding to help create public awareness about the conservation matters relating to the area?
- Was there any plan to manage kite surfing in Ramsgate Main Sands?

- One of the reasons for obstruction at promenades was a lack of understanding by users, be they walking, running or cycling;
- Would the council be issuing special BBQ bins for beaches?
- In order to manage the nuisance caused by unauthorised vehicles at beaches and promenades, would pop up barriers be installed?
- How would bonfires be managed using the new Order?
- Will there be a dedicated telephone number that the public can call to report breaches?
- Ms Vickers responded as follows:
  - With regards to Pegwell Bay, the council was trying to engage external agencies to ensure that they increased their presence more frequently in the area;
  - The council was considering increasing signage and informing the public about what was expected of them when they are visiting the bay area;
  - Officers could look into the issue of setting up BBQ bins at beaches;
  - Pop up barriers were set up last year. Extra bollards had been installed during this winter. Officers would be speaking to Your Leisure Council about setting up pop up barriers for Broadstairs;
  - Multi-agency meeting would be held ahead of the coming summer to find the best ways of policing hotspots for unauthorised parties.
  - Members noted the report whose officer recommendation to Cabinet that on 18 March 2021 Cabinet consider and adopt the new beaches and coast PSPO, in accordance with the Anti-Social Behaviour (ASB), Crime and Policing Act 2014.
  - With regards to Pegwell Bay, the council was trying to engage external agencies to ensure that they increased their presence more frequently in the area;
  - The council was considering increasing signage and informing the public about what was expected of them when they are visiting the bay area;
  - Officers could look into the issue of setting up BBQ bins at beaches;
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  - Multi agency meeting would be held ahead of the coming summer to find best ways of policing hotspots for unauthorised parties.

Members noted the report whose officer recommendation to Cabinet that on 18 March 2021 Cabinet consider and adopt the new beaches and coast PSPO, in accordance with the Anti-Social Behaviour (ASB), Crime and Policing Act 2014.

## **289. REVIEW REPORT ON THE COUNCIL'S ABANDONED VEHICLE PROCESS**

Ms Vickers led the discussion and made some comments as detailed below:

- The process for dealing with reported cases of abandoned vehicles was prescribed in law;
- The Refuse Disposal Act 1978 was the one that was used to remove from public land, any abandoned vehicles;
- Fines could be imposed on the owners of such vehicles. In some cases prosecutions could be preferred as well;
- Removal of abandoned vehicles was expensive;
- If the vehicle posed a hazard such as a leak, there was a 24 hour notice that the council could issue before removal of the vehicle;
- In less urgent circumstances a 7 day notice (most commonly used) or a 15 day notice could be used;
- The DVLA would normally be approached to provide the details of the registered keeper who would be given a grace period to remove the vehicle;

- If the vehicle was claimed then there would be no further action to take;
- The Police also had powers to deal with abandoned vehicles as well;
- There was a need to create more awareness on what the public could do to assist with dealing abandoned vehicles problems.

The Chair summed up the discussion by confirming the recommendation that Communications could be strengthened on the council's process to inform residents of the procedures and timescales that the council was confined to under the legislation.

Thereafter Members noted the report.

## **290. PLANNING ENFORCEMENT REVIEW**

Iain Livingstone, Planning Manager introduced the report and made the following comments:

- The enforcement service was a complaints based service and was more reactive to issues being raised with the Enforcement Team. This approach helped to balance resources for the Planning Department;
- When a complaint for a planning permission breach was report, the first stage was to find whether indeed a planning permission was required;
- If the breach was established, an informal process would be used to correct the situation and help bring the issue through a planning process for a proper permission to be granted;
- If no action was taken by the offending party, enforcement action would be taken by the council;
- There were no defined statutory deadlines by which complaints should be resolved. The enforcement focus would always be to try and bring a planning matter back into the planning protocol;
- There were often delays in the enforcement process whose control would be outside the council, for example the appeals process which could take anything between six months up to a year or longer in some instances, during which time enforcement action would be kept in abeyance;
- Thereafter compliance would be from when the decision was made. The grace period given for compliance would be anything between three months and up to fifteen months;
- The council was currently reviewing and updating the 2015 enforcement protocol. The updates would include developing a process map. Planning data would used to integrate planning applications and enforcement information;
- The issue of funding of the enforcement function would also be reviewed with input from Finance.

Members asked questions and made comments as highlighted below:

- The council's enforcement team of two officers was one of the smallest in the county, whilst some neighbouring councils had up to four enforcement officers;
- It was important to review the staffing for the enforcement team as the council was expecting a number of large developments in the district in the coming years. These developments would have tougher bio diversity conditions attached to them. These would require enforcement to ensure compliance to the new planning policies that try to address climate emergency issues;
- There was a need to set up a scrutiny project to review the effectiveness of enforcement in the district;
- Why was the council not penalising those who did not have planning permission in order to deter others from committing breaches?
- Continuity of enforcement - How long could the council keep enforcement in abeyance?

- How long did it take the council to intervene when there was a breach of the planning protocol;
- Information updates by the Enforcement team would be most welcome by the public. Such updates could be published on the council's website
- Some of the conditions that were showing on the planning applications considered by the Planning committee showed landscaping to be done. However when it came to project implementation, not all of the project followed through with the landscaping as reflected in the documents submitted to the council. There was a need to effectively enforce these conditions.

Mr Livingstone responded to questions as follows:

- The issue regarding imposing fines was a statutory function that was the preserve of the government;
- The issue of continuity is important. The council would always work towards ensuring consistency in application of enforcement;
- The council had up to four years from when a breach was committed to take corrective action;
- Southampton City Council had online access to their enforcement activities. The council would be studying the experience from Southampton, before coming up with such an online facility. However it should be noted that there would be a cost implication for setting up such a facility as the current system did not have the capacity to add that in;
- There was a planning assistant who predominantly dealt with planning conditions and worked with the Enforcement team to enforce conditions on major development as was approved.

Members agreed that the Chair would discuss with officers and report back to the Panel on how best and what resources would be required to support a scrutiny review of the effectiveness of planning enforcement.

**291. REVIEW OSP WORK PROGRAMME 2020/21**

Members noted the report.

**292. FORWARD PLAN**

Members noted the report.

Meeting concluded: 8.00 pm