

## CABINET

**Minutes of the meeting held on 15 June 2023 at 7.00 pm in Council Chamber, Council Offices, Cecil Street, Margate, Kent.**

**Present:** Councillor Rick Everitt (Chair); Councillors Whitehead, Albon, Duckworth, Keen and Yates

**In Attendance:** Councillors Austin, Bambridge, J Bayford, Davis, Donaldson, Garner, Kup, Pugh and Rogers

### **5. APOLOGIES FOR ABSENCE**

There were no apologies for absence made at the meeting.

### **6. DECLARATIONS OF INTEREST**

There were no declarations of interest made at the meeting.

### **7. MINUTES OF PREVIOUS MEETING**

Councillor Everitt proposed, Councillor Yates seconded and Members agreed to take as read, the minutes of the meeting held on 16 March 2023.

### **8. MINUTES OF THE EXTRAORDINARY MEETING**

Councillor Everitt proposed, Councillor Yates seconded and Members agreed to take as read, the minutes of the extraordinary meeting held on 21 March 2023.

### **9. WESTGATE DRAFT NEIGHBOURHOOD PLAN**

Cabinet considered the Westgate Draft Neighbourhood Plan. Under the Localism Act 2011, neighbourhood plans could be prepared by local communities and were led by Town or Parish Councils, or a Neighbourhood Forum in areas which do not have a Town or Parish Council. If Thanet Council adopted a neighbourhood plan it would have the same significance as other Development Plan Documents (e.g. the Local Plan) for the district.

Westgate-on-Sea Town Council prepared this draft neighbourhood plan. It was published, formally submitted to the Council and had subsequently been assessed by an Independent Examiner. The Examiner's report had also been published. It supported the proposed Neighbourhood Plan, with some minor modifications, and recommended that it be subject to a referendum.

The Council now had to issue a Decision Statement as to whether or not it accepted the recommendations in the Examiners report, and, if not, what actions would be necessary. The Council also had to consider whether the draft Plan met the "basic conditions" for a Neighbourhood Plan. The report also set out relevant issues in the Examiner's report for Cabinet's decision which would form the basis of the Decision Statement.

The draft Neighbourhood Plan was generally supported by the Town Council as it had been positively prepared and included policies that generally conform to the adopted Local Plan. It was encouraging to see that the Town Council had included policies which, although too detailed or too specific for the Local Plan, do generally support the delivery of the local plan and had a good evidence base. For example, the Neighbourhood Plan

identified important seafront characteristics and designated Seafront Character Zones to protect those characteristics.

Councillor Donaldson spoke under Council Procedure Rule 20.1.

Councillor Everitt proposed, Councillor Yates seconded and Cabinet agreed:

1. That the draft Neighbourhood Plan be modified as set out in this report

and

2. That the Council issues a Decision Statement that it accepts the recommendations in the Examiners report, and the draft Neighbourhood Plan can proceed to referendum.

## **10. AMENDMENT TO AIR QUALITY MANAGEMENT AREA**

Cabinet discussed the proposal for the revocation of existing urban wide Air Quality Management Area (AQMA) and declaration of a small defined Air Quality Management Area (AQMA) from High Street St Lawrence to Shah Place, Ramsgate. Thanet District Council (TDC) was committed to improving the environment for the local residents and reducing health inequalities often associated with air pollution.

Air quality had improved across Thanet in the last 5 years. There had been no exceedances of national air quality objectives across the district during this period. Government guidance and DEFRA appraisal of the Local Authority's Annual Air Quality Status reports recommend that TDC considers revocation of the Air Quality Management Area, advising that no AQMA should remain where there have been 5 years of compliance with the air quality objectives.

A Detailed Assessment of two former pollution hot spots was undertaken using traffic data and dispersion modelling to predict levels across the entire area. The report indicates a risk of exceeding guideline levels at a number of properties between High Street St Lawrence and Shah Place, Ramsgate.

The Council had increased monitoring within this area to determine whether real world measurements do reflect the modelled exceedances. The declaration of the smaller, more defined AQMA would give appropriate weight and focus for improvement measures within the subsequent Action Plan

Councillor Austin spoke under Council Procedure Rule 20.1.

Councillor Keen proposed, Councillor Yates seconded and Cabinet approved the revocation of the Urban AQMA Order (Annex 3 to the report) and approved the declaration of a smaller defined St Lawrence AQMA (Annex 4 to the report) and authorised the application of the Common Seal to the Order.

## **11. BUILDING SAFETY ACT 2022**

Members discussed the Building Safety Act 2022, which was a new legislation that enhanced the safety of high rise residential buildings. The Act introduced new duties relating to fire and building safety. It was applicable to the Council's Tenant and Leasehold Service and the Council's management of its social housing stock. This new legislation was designed to enhance the safety of high rise residential buildings; something that was of enormous importance, and significance, both in relation to the timing of this report, coming as it does one day after the anniversary of the terrible events at Grenfell, and in relation to the greater protections that the Council could bring to its

high rise stock. The Council owned 6 high rise residential buildings over 18 metres in height that fell into the scope of this new legislation.

The Act also introduced the requirement of a 'building safety case'. The building safety case was all the information about how the risk of fire spread and the structural safety of a building were managed. The case had to be submitted annually to the new Regulator for building safety to ensure that guidance was being followed. The new Regulator for Building Safety was the Health and Safety Executive. This legislation applied to all high rise buildings, not just those in social housing stock, and tenants in privately owned high rises could and should seek assurances from their landlord/leaseholder that this legislation was being followed, and could contact the Council's Private Sector Housing team if they had concerns.

The building safety case should demonstrate the following:

- Measures being taken to keep the building safe;
- How the measures in place prevent and limit the consequences of a major incident in the building;
- Identify potentially harmful events that show the measures in place would stop or reduce the impact of a major incident (i.e. fire spread or structural failure);
- The approach to ongoing management of the building that ensured those measures remained effective.

The purpose of a building safety case was to collate and record all information about how the risk of fire spread and the structural safety of a building were managed. This was something that the Council already did for each of its high rise buildings, but the Act required a particular format and this information now had to be submitted annually to a new regulator for building safety, which provided further external structure to the internal processes that the Council had been following for some time to guarantee resident safety.

The Act also introduced two new roles and responsibilities for landlords or building owners and these were the Accountable Person and Principal Accountable Person. A recommendation was made on who these should be. Some changes had therefore been made within the Housing team to accommodate the new requirements and these were:

- The introduction of a new post: Building Safety and Compliance Manager - allowing the focus required to ensure the Council was complying with the requirements;
- A review of the council's Fire Risk Assessment Policy due to the building safety Act and changes to the Regulatory Reform Order 2005, in relation to fire safety;
- Enhancements made to the current compliance database to hold new information required by the act.

Members were further advised that the Act also strengthened existing Fire Safety Orders including buildings over 11 metres in height; there were 17 of these within the Council's housing stock. Reflecting the Council's corporate priorities established when the Housing service was brought back in-house, the Act required a significant level of focus on resident involvement and engagement, to ensure that residents feel safe, secure and heard.

Cabinet acknowledged the importance of the ongoing focus on resident involvement with the Resident Involvement Strategy 2022 - 2025 which addressed the requirements of the Building Safety Act 2022. However further engagement and strengthening of that involvement was desirable. Cabinet would be creating a new high rise tenant and leaseholder group, to ensure that the voices of those living within the Council's high rise buildings were heard, and would continue to consult regularly with the existing Tenant

and Leaseholder Group, so that opportunities to feed into these processes were visible, flexible and promoted equality of access.

Councillor Jill Bayford spoke under Council Procedure Rule 20.1.

Councillor Whitehead proposed, Councillor Yates seconded and Cabinet agreed the following:

1. To approve the recommendation to name Thanet District Council as the Accountable person, as described in the Building Safety Act 2022;
2. To approve the recommendation to name the Director of Place as the Principal Accountable Person, as described in the Building Safety Act 2022;
3. To approve the adoption of the revised fire risk assessment policy;
4. To delegate authority to the Director of Place to approve future minor amendments required to the fire risk assessment policy.

## **12. LOCAL AUTHORITY HOUSING SUPPORT FUND**

Members discussed the Local Authority Housing Support Fund and were advised that the Government had recently announced details of a national £500 million scheme to enable local authorities to purchase properties in their area to accommodate both Ukrainian and Afghan refugee households for an initial period of three years. The resettlement of refugees from both Ukraine and Afghanistan had in many ways, lacked the central focus that would provide good support. Adequate funding needed to have been given to Councils with statutory housing obligations to provide for refugees in a way that could provide reliable housing and support those who had experienced war and disruption. This was more so especially in the case of the resettlement schemes linked to Afghanistan where those who provided support to British forces need our support now.

This lack of a foundational approach proved difficult for many Councils to manage, as it had resulted in complex homelessness cases and the use of accommodation that could be considered to be unsuitable to provide for individuals and families whilst they are under the care of the Home Office. The national £500 million scheme would go some way towards remedying this situation. The funding allocation was offered to 182 local authorities in England. Any properties acquired would form part of the Council's housing stock, with the income and expenditure managed within the Housing Revenue Account. The homes could subsequently be used to accommodate households from the Council's housing waiting list. Providing a new and permanent supply of accommodation would help to address local housing and homelessness pressures.

Thanet District Council (TDC) was one of these local authorities, and central government is funding 35 - 40% of the cost of providing 9 properties for this purpose. A Memorandum of Understanding was returned to the Department for Levelling Up, Housing and Communities (DLUHC) in March 2023 which registered the council's interest in the scheme. In order to utilise the grant it would be necessary to match fund the acquisitions with £1.996m of additional borrowing within the HRA capital programme. Members were advised that the properties had to be purchased by 30th November 2023. Any properties acquired would form part of the Council's housing stock, with the income and expenditure managed within the Housing Revenue Account. The fund also supported the growth of the council's housing portfolio in general, which would allow TDC to support more residents in the long term as the homes would subsequently be used to accommodate households from the Council's housing waiting list. This would provide a new and permanent supply of accommodation would also help to address local housing and homelessness pressures.

As a Council, and as a community, the district had a moral duty to do its best to house those who were most vulnerable and Cabinet would do its best to discharge that duty. Currently the Council had 3,470 properties within its housing portfolio, all general needs housing, all used by residents who had been on the housing list. What was being proposed in this report, relating to the very specific requirements of a particular governmental fund, was the purchase of nine homes, all of which would eventually become general needs housing. However initially this accommodation would be for the current usage of refugees from both the Ukraine and Afghanistan, who had arrived in the UK as part of the following government led schemes:

- The Afghan Citizen Resettlement Scheme (including eligible British Nationals under this scheme) (ACRS);
- The Afghan Relocations and Assistance Policy (ARAP);
- The Ukraine Family Scheme (UFS);
- Homes for Ukraine (HFU);
- Ukraine Extension Scheme (UES).

The Council was expected to match fund the balance of acquisitions costs through its own resources. It was proposed that the Council should utilise additional housing revenue account borrowing to match fund the additional homes. The Council had been allocated a provisional grant sum of £1.19 million to facilitate the purchase of nine homes in the district. At least two of these homes were required to have 4 bedrooms. The remaining, up to seven homes were required to be 2 or 3 bedroom homes.

Discussions had taken place with a local housing developer to purchase 6 x 3 bed units and 3 x 4 bed units. The units would be an 'off the shelf' purchase with no refurbishments or adaptations needed. They were nearing completion and would be ready by the end of June 2023. The mix of units met the requirements of the grant, as at least two were four bedroom homes.

Councillor Bayford spoke under Council Procedure Rule 20.1.

Councillor Whitehead proposed, Councillor Yates seconded and Cabinet agreed:

1. To recommend to the Full Council that the £1.19m of grant and £1,996m HRA match funding is included in the HRA capital programme;
2. To receive a further report to approve the expenditure and the acquisition of 9 homes.

**POST MEETING NOTE:** Please note that Recommendation 1 in the report has a clerical error. It should read "To recommend to the Full Council that the **£1.19m** of grant and £1,996m HRA match funding is included in the HRA capital programme" and **NOT** "To recommend to the Full Council that the **£1.119m** of grant and £1,996m HRA match funding is included in the HRA capital programme."

### **13. VEHICLE REPLACEMENT PROGRAMME**

Cabinet considered a recommendation to approve the spending from the agreed £2.115m of allocated budget for 2023/24 on the purchase of 4 x 12tonne replacement refuse vehicles that had reached the end of their useful life. These purchases had been considered in line with the Council's agreed Net Zero strategy. Where possible and based on advances in technology, the council would have allowed for electric vehicles and the additional associated cost of these. However due to constraints related to the current infrastructure, vehicle range and requirements, it would not be possible to purchase these particular vehicles as diesel alternatives.

The vehicle replacement programme for this financial year assumed where possible, that electric vehicles would be acquired. This would mean purchasing tried and tested vehicles that had proven to be fit for purpose. In this particular phase this would predominantly be car derived vans and other smaller vehicles up to 7 and a half tonnes. A further, more detailed report on this would be brought back to Cabinet in due course. To support this approach, work was currently underway to establish the full extent of the infrastructure investment required to support the electrification of the Council fleet moving forward.

Councillor Rogers and Councillor Austin spoke under Council Procedure Rule 20.1.

Councillor Albon proposed, Councillor Yates seconded and Cabinet approved Option 1 of the report to purchase 4 x 12t vehicles from the allocated £2.155m from this year's approved capital programme budget on the purchase of replacement vehicles.

#### **14. UK SHARED PROSPERITY FUND UPDATE**

Cabinet discussed the update report on UK Shared Prosperity Fund and acknowledged that Thanet was allocated just over £1.1m to spend until March 2026 to deliver the proposals within the UK Shared Prosperity Fund. The Cabinet noted the inclusion of the capital element into the Council's capital programme.

This funding programme was meant to be replacing the EU funds, which Thanet previously benefited from and the funding allocation was via an agreed formula. Members also noted that it was likely that further funding would be required to ensure that the impact of the funding made a difference to local communities.

Members further considered the priorities for the funding which were linked directly back to the guidance set out by central government. The budget would be re-profiled and the mapping work that was being commissioned would inform this process. A Members briefing session on Tuesday, 20 June 2023 would be held where officers would present further information about the programme and what the next steps would be.

Members were requested to help inform the voluntary, community and social enterprise mapping through advising on who was in their respective wards and share widely the information that the council was going to forward to Members.

Councillor Pugh and Councillor Austin spoke under Council Procedure Rule 20.1.

Councillor Duckworth proposed, Councillor Yates seconded and Cabinet agreed the following:

1. To note the amended capital programme including the capital element of the UK Shared Prosperity Fund;
2. The commencement of procurement activities that exceed £250,000 in order to deliver the UK Shared Prosperity Programme as outlined in Section two - Thanet's UK Shared Prosperity Fund programme;
3. That the Head of Regeneration and Growth is authorised to agree appropriate contracts and spend in collaboration with the Cabinet Member for Regeneration and Property in order to deliver the projects within the Council's processes and procedures.

#### **15. PROCUREMENT OF A CCTV INSTALLATIONS, REPAIR AND PREVENTATIVE MAINTENANCE CONTRACT**

Cabinet considered proposals for the procurement of a CCTV installation, repair and preventative maintenance contract. Thanet District Council was committed to improving the environment and improving community safety. Directly relating to this commitment was the Council's ability to reduce crime and the impact of criminality on the district and address anti-social behaviour and related fly tipping complaints. An operational CCTV system was central to delivering this commitment with 533 CCTV cameras across towns, housing stock and council owned sites.

The current CCTV contract that covered installations, planned and preventative maintenance that was awarded through a Crown Commercial Service Framework was due to expire. The Council would like to make use of Crown Commercial Service Framework again as the method to procure services for CCTV in relation to Public Space Surveillance Systems along with housing CCTV and council building CCTV.

The value of the contract under the duration of terms was £650,000 (six hundred and fifty thousand pounds). Cabinet was asked to exercise its powers and approve the recommendation for use of a Crown Commercial Service Framework as the method to place a direct award to British Telecommunications plc in relation to CCTV services inclusive of installations and Repairs/Maintenance for a minimum period of three years.

Councillor Keen proposed, Councillor Yates seconded and Cabinet agreed that the use of Crown Commercial Service Framework (RM3808) LOT 12 be agreed as the method to place a direct award to British Telecommunications plc in relation to CCTV services around Public Space Surveillance Systems/ housing stock CCTV and corporate asset CCTV inclusive of installations and Repairs/Maintenance for a minimum period of 3 years.

## **16. CORPORATE PERFORMANCE Q4 2022-23**

Cabinet received the corporate performance report for Quarter 4 (as at end of March 2023). This report set out, as part of the council's corporate performance process, 39 key performance indicators which were monitored to provide an indication of how the council is performing. These indicators do not look at every aspect of the Council's services and the data that the Council collected provided an overview of progress against the Council's key corporate priorities. Other data was also collected and monitored at a service level.

Performance management was a key part of the corporate governance process and adds value by helping to ensure accountability of the performance of the Council's services against the corporate objectives. This helps to encourage enhanced accountability and continuous corporate improvement. The data for most of the corporate indicators was now available to view [on our website](#) at any time.

Six monthly reports of the Council's Corporate Performance were regularly shared with the Overview and Scrutiny Panel and the Cabinet to provide an opportunity to more regular reviews of the direction of travel of the Council's key service areas. This would allow sufficient time for actions and issues to be resolved between committee meetings and as the data for the corporate performance indicators was on the website.

The data is captured within a format which aims to provide the public with clear and easy to access information on how key services are performing. Detailed graphs are also included to give a wider view of the direction of travel for each indicator. The Overview and Scrutiny Panel reviewed this report at their meeting on 30 May.

Councillor Everitt proposed, Councillor Albon seconded and Members agreed to note the latest corporate performance for Quarter 4 (March 2023).

## **17. Q3 AND Q4 TENANT AND LEASEHOLDER PERFORMANCE REPORT**

Cabinet considered the tenant and leaseholder services quarterly report. This report was also considered by the Overview and Scrutiny panel as was required by the Council's Landlord Compliance Policies and allowed the opportunity for early intervention should any performance issues arise. Members were advised that performance for 5 of the 6 Landlord Health and Safety Compliance work-streams remained steady at 100%. These work streams operated as business as usual and the teams worked to complete outstanding actions within set timeframes.

The compliance for domestic electrical safety certificates had remained at around 90% for most of this financial year. The service had ensured that certificates were renewed at the end of their 5 year cycle, but had struggled to completely clear the backlog of certification works. Access to properties had been an issue and a cause of delays in certification, and processes were now in place to ensure that certifications would be completed. Additional resources and stronger contract management had been deployed to address the backlog and the position is starting to improve during Q3 and Q4. Operational performance had seen some success and there were areas that were being actively improved.

Q3 saw the usual trend of a fall in performance for partnering contractors and their customer satisfaction, due to increased demand over the winter months. Both contractors recovered in Q4, Mears finishing the year with 90.3% customer satisfaction. The contract with Gas Call, the partnering contractor for gas appliance repairs and gas compliance programme, came to an end on 31/3/23. A new contractor was successful in the recent procurement exercise and BSW started as the new gas contractor on 1/4/23.

The capital budget spend had been disappointing this year, due to key contractors going into administration. The team was procuring replacement contracts which were set to be in place this financial year. There had been significant success in improving void turnaround performance and in reducing arrears. This was a huge success for the team who had steadily reduced arrears despite a very difficult operating environment; meaning arrears were 2% lower now than when the service transitioned from East Kent Housing in October 2020 which indicated outstanding support for residents and performance from the team considering the significant financial and cost of living challenges that have marked the last year.

Councillor Bayford spoke under Council Procedure Rule 20.1.

Councillor Whitehead proposed, Councillor Yates seconded and Cabinet agreed to note the contents of the report.

Meeting concluded: 7.57 pm