

## OVERVIEW & SCRUTINY PANEL

Minutes of the meeting held on 21 November 2023 at 7.00 pm in Council Chamber, Council Offices, Cecil Street, Margate, Kent.

**Present:** Councillor Phil Fellows (Chair); Councillors D Green, Bright, Britcher, Currie, Davis, Kup, Packman, Pope and Wing

**In Attendance:** Councillors Albon and Keen

### 6. APOLOGIES FOR ABSENCE

Apologies were received from the following Members:

Councillor d'Abbro;  
Councillor Farooki, substituted by Councillor Boyd;  
Councillor Austin, substituted by Councillor Garner.

### 7. DECLARATION OF INTERESTS

Councillor Packman declared an interest on agenda item 9 (Purchase of 24 Homes at Tothill Street, Minster for Affordable Rent).

### 8. MINUTES OF EXTRAORDINARY MEETING

Councillor Britcher proposed, Councillor Davis seconded and Members agreed the minutes to be a correct record of the extraordinary Panel meeting held on 19 September 2023.

### 9. MINUTES OF PREVIOUS MEETING

A Member asked for an update regarding the request by the Panel that they get regular updates through a Gantt Chart to report progress regarding the implementation of Levelling Up Funds projects in the district.

The Chair said that he had not received any response from officers regarding the Panel request and agreed to follow up on this request with officers.

Councillor Green proposed, Councillor Davis seconded and Members agreed the minutes to be a correct record of the Panel meeting held on 26 September 2023.

### 10. MINUTES OF EXTRAORDINARY MEETING

Councillor Currie proposed, Councillor Kup seconded and Members agreed the minutes to be a correct record of the extraordinary Panel meeting held on 24 October 2023.

### 11. CABINET MEMBER PRESENTATION - TDC POLICY REGARDING BROKEN BINS AND GREEN BINS RENEWAL POLICY FOR HOUSEHOLDS

Councillor Albon, Cabinet Member for Cleansing and Coastal Services gave a presentation to the Panel and made the following key points:

- The Waste Collection Team currently collects from over 70,000 properties throughout the district;
- There were 57,000 properties that were classed as curbside collections;

- The Council had two delivery teams that consisted of a single driver;
- Over the course of a fortnightly collection cycle our crews collect over 250,000 of these containers;
- In 2022/23 the Council had received 6,639 reports of damaged wheeled bins;
- Replacement bins were delivered Mondays to Fridays and 35 to 45 bins were delivered each day;
- The lead time for replacement was four to 5 weeks;
- Over the last two years the Council had spent £406,750 on bin replacement;
- The option of removing and replacing bin lids was time consuming;
- Members were asked to note that bins changed shape over time due to weather conditions and wear and tear;
- Bins also changed shapes due to manufacturer changing the styles. That would mean new parts would not fit on old style bins;
- Broken bins were recycled to make more bins because not all damaged bins could be repaired;
- The body and lip of the bins were not repairable. Only the wheels and the lid could be replaced;
- Bin replacement resulted in overspend on the budget.

#### Green Bins Presentation

- The service was run as a fortnightly collection service;
- Two vehicles were used for each collection cycle and that was increased to three vehicles in summer;
- The service cost £67.50 in 2022/24 and this would be £71.50 in 2024/25;
- Currently there were 12,374 customers;
- Last year there were 136,114 collections and there were 1,077 missed green bin collections;
- Between September 2022 and August 2023, 4,241 tonnes were collected.

#### Members asked questions and made comments as follows:

- The Council seemed to be in favour of not repairing bins. If a resident reported that a bin was damaged during collection, would they get a replacement free of charge?
- Was £19.95 the cost that the Council paid per bin?
- How many bins were recycled per year?
- Were there any bins currently at the Margate depot?
- There was an environmental cost to the collection of bins;
- Would it be possible for the Council to come up with an arrangement where residents could collect parts from the Council and repair bins on their own?
- The Council could start with a pilot scheme for residents to repair their broken bins. This would include the Council setting up a safe place to collect spare parts;
- In 2022/23 the Council spent £186k on bin replacement. Why is this expenditure up by 20% to the previous year's expenditure?
- How often were purchases made?
- There was a broken bins pandemic across the country. Did the Council check how other Councils were managing this issue?
- Did other councils have similar problems?
- Should the Council spend more on purchasing better quality bins that lasted longer?
- Had the Council worked out the cost of repairing bins to replacing them?
- How many broken bins had been charged to residents?
- The overspend was worrying. When did the Council introduce black bins?
- Should the Council be thinking about purchasing new type of containers?
- How was the Council managing the extra cost of bins?

- What was the ratio of broken bins between the small bins and the large ones?
- If the ratio was small why would the Council not opt to have all large bins instead of the present mix of large and small bins?

#### Green Waste Bins Presentation

- A whole street lost the green bins collection service when the service was withdrawn. Could this service be brought back to the street?
- Could the Council consider this service as a growth area where income could be generated?
- Could the Council consider distributing some of the green waste for some use for residents' gardens?
- The Council generated about £800k per year, what was that money used for?
- What did the Council do with the collected green waste?
- There was a team within the Council that was responsible for open spaces (gardening). Why could the green waste not be deposited at a designated compost site for use sale?
- Why was the Council unable to purchase a truck that would be able to manoeuvre all streets in the district?
- Did the Council make a surplus?

Mike Humber, Director of Environment, Matt Elmer, Head of Cleansing Services and Councillor Albon responded to Member questions and comments as follows:

- The Council paid £19.95 as the cost of purchasing each bin;
- Currently the Council did not charge residents for a bin replacement. If residents were to be charged it would be more than the £19.95 as transport charges would have to be added;
- Bins for recycling were only keep them if there was a full load to transport;
- The Council would not be able to set up a spare parts facility at the depot due to health and safety reasons;
- Replacement bins cost £45 for small and £57 for the large ones and this included transport costs;
- The expenditure was not linear as there were times when the Council would buy a large number of bins than at other times;
- The overspend was always managed through the budget monitoring and virementing to cover areas of over expenditure;
- The life span of a bin was eight to ten years and during that period the bashing they get during collection required that they get replaced;
- The bins came from a manufacturing industry leader and these bins were of a good quality;
- By spending on replacement the Council maintained a good record of health and safety measures;
- If more money was allocated to the service area, then the service would be able to employ more staff to deploy to the bin repairs section. Currently it was not possible to recruit more staff for that purpose;
- The Council had not charged residents for a bin replacement as yet;
- Government was looking at standardizing bins through the new Environmental Act. However, this had been pushed back for now;
- The current collection methods were introduced in 2012 and the Council would continue to invest in bin replacement;
- New housing development was charged on an ad hoc basis and to date £30k had been received and would be used back in waste and recycling;
- Seagull proof bins were mostly used in Ramsgate where there were multiple occupancies;
- There were not that many replacements for seagull proof bins;

- The Council now encouraged more recycling and not waste. As a result, the Council would therefore not increase the size of black bins;

#### Green Waste Bin Presentation

- The Council would soon be purchasing green waste collection vehicle;
- The vehicle would be smaller and should be able to navigate smaller spaces;
- Without additional resources the Council would not be able to expand this service;
- All of the income generated by the service would be spent on the service;
- Garden waste would be collected by a waste company who would then compost it for their commercial use;
- For the Council to set up a compost site, would require a business case to get the funding for such a project;
- Any surplus generated would go back into the service.

The Panel thanked Councillor Albon for his presentation.

## **12. BUDGET MONITORING 2023/24: REPORT NO.2**

Matt Sanham, Head of Finance and Procurement introduced the report and made the following comments:

- There was overspend on temporary accommodation;
- This was not unusual at this time of the period under review;
- There was a forecast of £1.4million surplus for the Housing Revenue Account (HRA);
- Cabinet had proposed budget changes and sought Full Council consent to those recommendations.

Members asked questions and made comments as follows:

- Why was the Council expecting car imports this when this had not happened in the previous year?
- The Maritime Services budget of £330k was creating false expectations;
- Basing expectations that were based on windfall of unconfirmed opportunities was not a viable financial planning approach;
- Was the significantly high expenditure for the Homelessness budget driven by greater number of people appearing on streets due to increased evictions?
- Was the largest proportion of this expenditure due to cost of temporary accommodation?
- If the cost of temporary accommodation was significant on the budget expenditure the council should consider purchasing more housing;
- How were the ongoing issues regarding the bridge impacting operations at the Ramsgate Port?
- Were costs for the Berth 4/5 available?
- The expected levels of inflation had dropped. Would this impact the overspend?

Matt Sanham and Mike Humber responded to Member questions and comments as follows:

- If there were no car imports, new ad hoc opportunities would bring in income;
- Homelessness was also driven by evictions. The Council would need to put measures in place to mitigate the impact of this aspect of the budget;
- The work on Berth 4/5 including the electrics were completed, ready for use by Bretts;

- The bridge was out of service as some repairs were going on hoping that it would back in service by Christmas;
- Costs would be recovered from the contractor who did the original works;
- The council built the budget based on known assumptions.

Members noted the report.

**13. ADOPTION OF A COMBINED SURVEILLANCE/CCTV/IMAGE RECORDING TECHNOLOGIES POLICY**

Eden Geddes, Enforcement & Multi-Agency Task Force Manager introduced the report and made the following comments:

- CCTV and the use of image recording is now commonplace;
- From town centre CCTV to building security cameras to dash cams, ring doorbells and mobile phones;
- The council's use of CCTV is governed by a profusion of legislation, codes of practice and central government guidance;
- New and emerging technologies and capabilities such as Artificial Intelligence, biometrics, or advances in IT system integration must consider the increased risk to individual rights and privacy and ensure that the council continues to be compliant;
- In response the council has developed this policy which is intended to regulate the council's operation and use of image recording systems across all areas of the council;
- This policy also introduces minimum standards as a guide to all departments planning to procure or utilise these types of technologies.

Members asked questions and made comments as follows:

- Once information was collected by the Council through the CCTV system where was it stored?
- Would individuals be able to check if their personal information had been destroyed and not kept for longer than was required by law?
- Who gave authorisation for the use of the CCTV?
- Was the Council still operating temporary mobile CCTV systems or where these now permanently positioned?
- Were the Council's CCTV manned 24 hours a day?
- Was Kent Police able to access the Council's CCTV?
- Could Cabinet look at the authorisation to use cameras for the new CCTV system?
- Who ensured that the cameras were used for the identified purposes?
- Who made the decision for the setting up the system?
- There was a camera that broke down in one street. However, the crime stats in that area could not be used to justify the re-installation of the camera in that street. The camera was not replaced;
- Being policy compliant was important for the installation and use of CCTV.

Eden Geddes and Penny Button, Head of Neighbourhoods responded to Member questions and comments as follows:

- Recorded information was retained in the Operations Room for a maximum of 90 days, after which it would be destroyed;
- Individuals would be able to check if such information had indeed been destroyed;
- Depending on the size of the CCTV systems, in some cases managers would authorise spending on the use of a small system;

- If large systems which cost about £250k were to be purchased, that would be considered a key decision and would therefore require a Cabinet decision;
- The mobile system was coming to the end of its life span. New ones were being trialed;
- The Council's CCTV system were monitored 20 hours a day, but would continue to run even when not monitored;
- The system was accessible to Kent Police, once given access by the Council;
- The policy clearly stated that where cameras were set up only authorised persons could access these cameras;
- Proportionality assessment would be carried out to determine whether the cameras should be set up or not;
- Crime stats were used to justify setting up CCTV systems. The policy ensured that the ad hoc establishment of cameras was prohibited;
- The Head of Service and Director were responsible for making the decision to install the CCTV system.

Penny Button offered the Panel and Members agreed to conduct a tour of the CCTV Operations Room.

There being no further comments, Members noted the report.

#### **14. PURCHASE OF 24 HOMES AT TOTHILL STREET, MINSTER FOR AFFORDABLE RENT**

Councillor Packman left the Council Chamber after declaring a significant interest as he worked for a Housing Association.

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

- Council had recently approved an accelerated affordable rented housing development programme of at least 400 new homes, constructed or acquired, by 2027;
- Officers were contacted by BDW Barretts, who were required to deliver 24 new affordable homes, as part of their development at Tothill Street, Minster. This requirement was set out in the section 106 obligations for the development. They had been unable to secure an affordable housing provider to deliver these homes;
- The capital cost for the 24 homes was £3.2m and £50k for associated costs;
- Paragraph 2.5 to the report demonstrated the cash flow deficit from year one of £30.99k with a breakeven point in year 15;
- As the homes had been designated as affordable homes in the planning consent and section 106 agreement, they had been designed specifically for that purpose and accordingly were considered appropriate for the HRA, in line with the needs of households on the Council's register or those living in temporary accommodation. There was a significant level of need for one bedroom homes, as well as for larger family homes;
- The unit sizes and the mix of dwellings were as follows:
  - 8 x 1 bed units
  - 16 x 2 bed units
- The Panel was asked to review the proposals to Cabinet for the new homes to be let in accordance with the council's adopted allocations policy.

Members asked questions and made comments as follows:

- It was concerning that housing associations were not planning to take over affordable housing in new development projects that were coming up;
- Two hundred and fourteen houses were planned for the housing development in question;
- 30% of that development was allocated for affordable housing. This meant that 40 houses were set aside for affordable housing;
- That also translated to 28 houses being set aside for affordable rent and 12 for shared ownership;
- The affordable housing units were later reduced to 24 and 16 were now set aside for shared ownership. These changes were something that the Council needed to review;
- The Council had pledged to build 400 homes in 4 years. Was the rate at which the council was buying or building new homes the pace at which these developments should be considering the cost of borrowing?
- For sites like Pegwell Bay, should the Council be not considering engaging housing associations?
- Was the Council satisfied with the deal for these new properties?
- It was agreed that there would be no water supply hook-up for the new properties until there was an agreement with Southern Water;
- Could the Council give guarantee that all these houses were delivered to the highest standards for all the properties being developed at these sites;
- How many of these properties were disability friendly or age proof?
- Would these properties have solar energy?
- Previously there were five houses at Reading Street that were offered to the Council. Did this mean that sites were not able to deliver social housing for developments under 300 units? Should the Council be not stopping such developments?

Ashley Jackson responded to Member questions and comments as follows:

- Housing Associations were not delivering less than 100 units on site as that would mean not getting any grants from government;
- These new sites where the Associations were offering new units to the Council were six to 12 months in development;
- The Council was not in competition with any housing provider. Instead the Council was the last resort considered by the housing developers;
- Officers were happy with the deal. Finance had assisted with identifying the minimum and maximum ranges to offer;
- Green site was nearly ready and the rest were not yet ready. They were twelve months;
- All units were laid out as per Section 106 Agreement;
- These units to be purchased by the Council were integrated. Smaller units were usually in close proximity;
- These units were disability friendly and age proof and were A-rated energy buildings;
- The Council should not stop such development because that is how the market was currently.

After the meeting, Ashley Jackson was going to forward written responses to the Panel to some of the questions posed by Members.

There being no further comments, Members noted the report.

Councillor Packman was invited back into the Council Chamber.

## **15. REVIEW OF OVERVIEW AND SCRUTINY WORK PROGRAMME FOR 2023/24**

The Chair advised Members that the Parking Review was still an item to be reviewed by the Panel.

Mike Humber gave the update that with regards to the Parking Strategy, officers were ready to award a contract to a consultant for the review of the Strategy. Dates would be set up for the public consultation as part of this review. Councillor Keen, Portfolio Holder for Neighbourhoods would be invited to the 16 January 2024 Panel meeting to discuss the Strategy proposals with the Panel.

Members made comments as follows:

- Could Democratic Services chase for an update regarding the Panel request for regular updates in relation to the implementation of Levelling Up Fund projects;
- Could the Overview and Scrutiny Panel monitor the output of the recently established officer Governance Working Group;
- Members requested for a follow up on the Panel request for one-off reports for three review topics that had been identified by Members earlier in the year;
- Another Member requested for the Panel to look at how residents can get access council services through face to face support from council officers. They further said the Gateway was usually empty most of the time. Could this facility be used for such face to face service?

Members noted the report.

## **16. FORWARD PLAN AND EXEMPT CABINET REPORT LIST**

Members noted the report.

Meeting concluded: 8.38 pm