

---

## SCRUTINY COMMITTEE

---

**MINUTES** of the Meeting held in the Council Chamber, Swale House, East Street, Sittingbourne, Kent, ME10 3HT on Wednesday, 29 October 2014 from 7.00 - 9.10 pm.

**PRESENT:** Councillors Sylvia Bennett, Andy Booth (Chairman), Lloyd Bowen (Vice-Chairman), John Coulter, Mike Henderson, Peter Marchington, Ben Stokes and Ghlin Whelan.

**OFFICERS PRESENT:** Joanne Hammond, Bob Pullen and Nick Vickers.

**ALSO IN ATTENDANCE:** Councillor Duncan Dewar-Whalley (Cabinet Member for Finance).

**APOLOGIES:** Councillors June Garrad, Mike Haywood and Prescott.

### **309 CONFIRMATION OF COMMITTEE MEMBERSHIP**

The Chairman welcomed Councillor Mike Henderson to the meeting as an appointed Committee Member, following the revised political balance calculations as agreed at Council on 22 October 2014.

### **310 MINUTES**

The Minutes of the Meeting held on 30 September 2014 (Minute Nos. 258 – 267) were taken as read, approved and signed by the Chairman as a correct record.

A Member referred to the tabled responses to the questions raised at the previous Scrutiny Committee meeting, and asked for clarification on when the issues with the track rams would be sorted, and advised that further information had been requested regarding vacant posts within each department.

### **311 DECLARATIONS OF INTEREST**

No interests were declared.

### **312 FEES AND CHARGES**

The Chairman welcomed the Cabinet Member for Finance and the Head of Finance to the meeting.

The Cabinet Member for Finance introduced the Fees and Charges report advising that the proposals were based on sound business management. He reminded Members that some fees and charges were set in legislation, as outlined in paragraph 3.4 of the report, and that no increase was proposed in car parking charges to support local businesses. He advised that Christmas car parking concessions had been announced by the Cabinet Member for Environmental and Rural Affairs. The proposals set out in the report would generate an estimated additional income of £4.5k.

The Chairman went through the report page by page and the following issues were raised:

Were the proposed increases to cover costs incurred in administering the services, or was it to provide additional income for the Council?

The Cabinet Member explained that the estimated additional income was not a significant amount and charges had only been increased by a minimum amount where it was considered reasonable.

A Member advised that the Labour Group would be making a proposal at Council regarding free parking on market days and weekends for a trial period, in-line with Government advice to support town centres and local businesses.

What was the rationale for increasing charges using the Consumer Price Index (CPI)?

The Head of Finance explained that Council contracts used CPI and it was the Government's chosen index for measuring inflation.

Members made the following comments in relation to Appendix I of the report. The Head of Finance undertook to follow up any questions raised with the appropriate Heads of Service and report back to the Committee.

### **Car Parks**

- Why were all long-stay car parking charges consistent except for Cockleshell Walk and Trinity Road, where it was 40p less to park for over four hours?
- What was the rationale for increasing the parking charge from 30 minutes to one hour by more than half?
- Error on page ten of the report - Central Car Park should read Faversham, not Sittingbourne.

### **Car Parks Fixed Penalty Notices**

Discussion ensued regarding the proposed charges; specifically whether they were sufficient enough penalties to encourage people to pay within 14 days, and whether changes to the system would reduce the workload of chasing outstanding payments, and act as a more robust deterrent.

Councillor Mike Henderson moved the following motion:  
"That the charges be amended as set out below:

#### **Lower Penalty System**

Up to 14 Days £25  
14 – 28 days £50  
29 – 56 days £75  
After 57 days £125

#### **Higher Penalty System**

Up to 14 Days £35  
14 – 28 days £70  
29 – 56 days £105  
After 57 days £150"

This was seconded by Councillor Lloyd Bowen.

A Member referred to other Local Authority areas where there were only two charges for up to 28 days, and over 28 days, and suggested this may be a simplified way of administering the system.

A Member raised concern that some members of the public may not be in a position to pay the penalty charges and raising them further was detrimental to residents.

Councillor Stokes proposed the following amendment to the motion: "For the lower penalty system after 57 days to be £100, and for the higher penalty system after 57 days to be £135." The amendment was agreed by the proposer and seconder of the original motion. Upon being put to the vote the amended motion was agreed.

The Head of Finance undertook to confirm if this was a discretionary charge as part of the report back to Cabinet.

### **Street Naming and Numbering**

- Who erects the new street signs and was there any cost to the Council?

### **Gambling Licensing**

- What does "tracks" mean?

### **Scrap Metal Dealers Licensing**

- Are we charging the correct amount, and could this charge be increased?
- Why was the licence renewal £25 less than the original licence?

The Head of Finance reminded Members that this charge was set by the General Licensing Committee. Members agreed that the Licensing Committee should be asked to review the scrap metal dealers licence charge.

### **Stray Dog Collection**

- What happens if the Council cannot identify a stray dog; or if the owner was identified but they chose not to collect the dog, were they still required to pay the charges?

### **Pest Control**

- There was no difference in the charges for clients on benefits – is that correct?

### **Environmental - Fixed Penalty Notices**

Members made the following comments in relation to littering and dog fouling: charges should be increased to act as more of a deterrent; increase charges and subsequent income to employ more wardens; need to publicise fines more; not enough wardens; income was not covering the Council's costs; dog fouling should be a greater charge than littering; and it was a widespread problem across the Borough that needed to be tackled.

Councillor Lloyd Bowen made the following proposal: "That for littering and graffiti and dog fouling, if the charge is paid within 14 days it is £80, after 15 days £320 and for waste carrier offences the charge be increased to £500."

Councillor Mike Henderson proposed the following motion: "That for littering and graffiti, if the charge is paid within 14 days it is £80, after 15 days £160 and for dog fouling, if the

charge is paid within 14 days it is £100, after 15 days £200.” This was seconded by the Chairman and upon being put to the vote it was agreed.

With regard to waste carrier offences, the Committee agreed to ask Cabinet to re-consider the charges to ensure they were a significant enough deterrent.

### **Cemeteries Burial Fees**

- What was the rationale for proposing an increase in these fees?

The Head of Finance explained that these were discretionary charges where an inflationary increase was being applied, and the Council did incur costs in operating this service. He undertook to request more information from the appropriate officer, which would be included in the report back to Cabinet.

### **Beach Hut Charges**

- A significant increase was being proposed for licence fees, was the Council discriminating against beach hut owners, and was there a risk that the increase would lead to a reduction in take-up?

The Cabinet Member for Finance advised that there was a waiting list of 300 residents requesting a beach hut; the lower charges had been for a trial period, as agreed with the Minster Beach Huts Association; and the proposed charges reflected demand and were relative to charges made in other areas.

### **Purchase of Electoral Register**

- Why was the cost of a data format copy more expensive than a hard copy, and how many copies had been sold?

### **Houses in Multiple Occupation Licensing**

- The Council should be strongly supporting accreditation and could there be a bigger difference in the charges for non-accredited and accredited landlords to reflect this?

### **Staying Put Handyperson rates**

- Could further information be provided on the charges and the income received?

### **Pre-Application Planning Advice**

Councillor Henderson made the following proposal: “Householder planning advice charges should be split into two different charges for major and minor, applicable to both meetings and letters; and the Planning Department to decide on the amounts and definitions”.

This was seconded by the Chairman and upon being put to the vote it was agreed.

- Can higher charges be imposed for retrospective planning applications?

### **Appendix II**

In response to questions, the Head of Finance undertook to provide previous years' figures including six month numbers for 2014/15 for the Cabinet meeting to reflect the level of demand for services.

The Chairman thanked the Cabinet Member for Finance and the Head of Finance for attending the meeting.

**Resolved:**

**(1) That the Scrutiny Committee makes the following recommendations to the Cabinet meeting on 5 November 2014:**

- (i) That subject to confirmation that the Car Park Fixed Penalty Notices are a discretionary charge, the Scrutiny Committee recommend the following charges:**

**Lower Penalty System**

**Up to 14 Days £25**

**14 – 28 days £50**

**29 – 56 days £75**

**After 57 days £100**

**Higher Penalty System**

**Up to 14 Days £35**

**14 – 28 days £70**

**29 – 56 days £105**

**After 57 days £135**

- (ii) That for littering and graffiti, if the charge is paid within 14 days it is £80, after 15 days £160 and for dog fouling, if the charge is paid within 14 days it is £100, after 15 days £200.**

- (iii) That Cabinet reconsider the charges for waste carrier offences to ensure that they were a significant enough deterrent.**

- (iv) Householder planning advice charges should be split into two different charges for major and minor, applicable to both meetings and letters; and the Planning Department to decide on the amounts and definitions.**

**(2) That the General Licensing Committee be asked to review the Scrap Metal Dealers Licence fees.**

**313 REVIEWS AT FOLLOW-UP STAGE AND LOG OF RECOMMENDATIONS**

The Chairman drew Members' attention to the tabled paper which provided an update on progress against the log of recommendations.

A Member expressed disappointment that there had been limited take-up by Members of opportunities to shadow service units.

The Chairman agreed and considered that it was important to continue promoting this with Members.

**314 OTHER REVIEW PROGRESS REPORTS**

**Asset Transfer Review**

The Lead Member advised that the Community Asset Transfer (CAT) policy was being presented to Cabinet on 5 November 2014, and he intended to arrange a meeting with the Cabinet Member and Review Group to discuss this.

A Member commented that the recommendation from the Policy Development and Review Committee on the CAT policy, regarding delegated decisions, had been ignored and asked that this be followed up by the Review Group.

### **Contracts and Procurement Review**

The Lead Member advised that this review was still in progress and the Policy and Performance Officer would be arranging meetings for the Review Group.

### **Joint Scrutiny of Mid-Kent Improvement Partnership (MKIP) Governance and Communications**

The Chairman advised that three meetings had been held to-date involving in-depth interviews with a range of senior officers from across all three Councils. Three further meetings were planned and it was proposed that the draft report would be ready by 8 December 2015. A tri-partite meeting of all three Scrutiny Committees was being held on Monday 12 January 2014 at Tunbridge Wells Borough Council to agree the report and all Scrutiny Committee Members or named substitutes were invited to attend.

Discussion ensued regarding communication issues arising from the MKIP arrangements, and a Member raised concern that it would make it increasingly difficult to speak to officers face-to-face.

## **315 CABINET FORWARD PLAN**

Members welcomed the improved level of detail being provided in the Forward Plan and thanked officers for their work on this.

A Member asked for further information on the Members Localism Grants, specifically detail on what organisations have received funding, the amounts, what the funding had been spent on, have the organisations used all the funding provided and do we follow up if it has not been spent?

The Senior Democratic Services Officer advised that this report had been withdrawn from Cabinet as it was for information only and undertook to raise these comments with the Head of Economy and Communities.

A Member referred to the Discretionary Rate Relief Policy and considered that SBC could be doing more to support and attract small local businesses. The Committee agreed that this report should be reviewed at their next meeting in advance of a decision by Cabinet.

A Member requested that Sheppey Court Marshes be advertised robustly to ensure that the Council receives a good price.

### **Resolved:**

**(1) That the Discretionary Rate Relief Policy be reviewed at the next meeting on 27 November 2014 and the Assistant Revenue and Benefits Manager and the Cabinet Member for Finance be invited to the meeting.**

**316 URGENT BUSINESS REQUESTS**

There were no urgent business requests.

**317 COMMITTEE WORK PROGRAMME**

The Chairman referred Members to the Committee Work Programme and offered to be the Lead Member for the Housing Review. Councillors Peter Marchington, Mike Henderson and Lloyd Bowen agreed to assist on the Review Group.

***Resolved:***

***(1) That in addition to the item agreed above, the Committee also receives an update on welfare reform and universal credit at their next meeting on 27 November 2014.***

Chairman

Copies of this document are available on the Council website <http://www.swale.gov.uk/dso/>. If you would like hard copies or alternative versions (i.e. large print, audio, different language) we will do our best to accommodate your request please contact Swale Borough Council at Swale House, East Street, Sittingbourne, Kent, ME10 3HT or telephone the Customer Service Centre 01795 417850.

All Minutes are draft until agreed at the next meeting of the Committee/Panel