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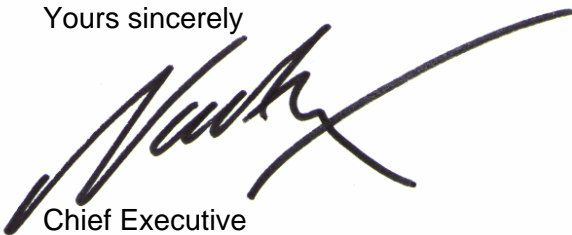
25 August 2011

Dear Councillor

NOTICE IS HEREBY GIVEN THAT a meeting of the **CABINET** will be held at these Offices (Council Chamber) on Monday 5 September 2011 at 11.05 am, or at the conclusion of the previous meeting, whichever is the later, when the following business will be transacted.

Members of the public who require further information are asked to contact Kate Batty-Smith on (01304) 872303 or by e-mail at kate.batty-smith@dover.gov.uk.

Yours sincerely



Chief Executive

Cabinet Membership:

| | |
|-------------------------|--|
| Councillor P A Watkins | Leader of the Council |
| Councillor S S Chandler | Deputy Leader and Portfolio Holder for Community, Housing and Youth |
| Councillor N J Collor | Portfolio Holder for Access and Property Management |
| Councillor M D Conolly | Portfolio Holder for Corporate Resources and Performance |
| Councillor P G Heath | Portfolio Holder for Health, Well-Being and Public Protection |
| Councillor N S Kenton | Portfolio Holder for Environment, Waste and Planning |
| Councillor C J Smith | Portfolio Holder for Skills, Training and External Relations |

AGENDA

1. **APOLOGIES**
2. **DECLARATIONS OF INTEREST**

Members are required to disclose the existence and nature of a personal interest under this item of business or when the interest becomes apparent. An explanation in general terms of the interest should also be given to the meeting. If the interest is also a prejudicial interest, the Member should then withdraw from the room or chamber.

3. **DECISIONS** (Pages 5-18)

The Decisions of the meetings of the Cabinet held on 4 July 2011 and 27 July 2011 numbered CAB 22 to CAB 36 (inclusive) are attached.

4. **ISSUES ARISING FROM OVERVIEW AND SCRUTINY OR OTHER COMMITTEES** (Page 19)

- Tenant Representative Budget and ICT Provision

To consider any issues arising from Overview and Scrutiny or other Committees not specifically detailed elsewhere on the agenda.

EXECUTIVE – KEY DECISIONS

5. **COMMON HOUSING ASSESSMENT FRAMEWORK** (Pages 20-51)

To consider the attached report of the Director of Community and Development.

Responsibility: Portfolio Holder for Community, Housing and Youth

6. **REFUND OF PARKING FEES TO USERS OF THE DISTRICT'S TWO LEISURE CENTRES** (Pages 52-56)

To consider the attached report of the Director of Environment and Corporate Assets.

Responsibility: Portfolio Holder for Access and Property Management

7. **YOUTH HOMELESSNESS STRATEGY REVIEW AND UPDATE 2011-2013** (Pages 57-82)

To consider the attached report of the Director of Community and Development.

Responsibility: Portfolio Holder for Community, Housing and Youth

EXECUTIVE – NON-KEY DECISIONS

8. **DOVER'S OLYMPIC AND PARALYMPIC CELEBRATION ARRANGEMENTS** (Pages 83-95)

To consider the attached report of the Director of Governance.

Responsibility: Portfolio Holder for Community, Housing and Youth

9. **PROPERTY LEVEL FLOOD PROTECTION** (Pages 96-101)

To consider the attached report of the Director of Environment and Corporate Assets.

Responsibility: Portfolio Holder for Access and Property Management

10. **COMMENTS ON SHEPWAY CORE STRATEGY SUBMISSION VERSION** (Pages 102-107)

To consider the attached report of the Director of Community and Development.

Responsibility: Portfolio Holder for Environment, Waste and Planning

11. **PERFORMANCE REPORT – QUARTER 1, 2011/12** (Pages 108-123)

To consider the attached report of the Director of Governance.

Responsibility: Portfolio Holder for Corporate Resources and Performance

12. **DECISIONS TAKEN BETWEEN CABINET MEETINGS** (Pages 124-130)

| <u>Reference</u> | <u>Subject</u> | <u>Date</u> |
|------------------|---|-------------|
| U04 | The Council's response to Kent County Council's consultation on the Kent Minerals and Waste Development Framework | 25.7.11 |
| U05 | Amendment of the Scheme of Officer Delegations in relation to executive functions, to authorise both the Director of Community and Development and the Head of Development Management to negotiate and enter into Planning Performance Agreements | 25.7.11 |

13. **EXCLUSION OF THE PRESS AND PUBLIC** (Page 131)

The recommendation is attached.

MATTER WHICH THE MANAGEMENT TEAM SUGGESTS SHOULD BE CONSIDERED IN PRIVATE AS THE REPORT CONTAINS EXEMPT INFORMATION AS DEFINED WITHIN PART 1 OF SCHEDULE 12A OF THE LOCAL GOVERNMENT ACT 1972 AS INDICATED AND IN RESPECT OF WHICH THE PROPER OFFICER CONSIDERS THAT THE PUBLIC INTEREST IN MAINTAINING THE EXEMPTION OUTWEIGHS THE PUBLIC INTEREST IN DISCLOSING THE INFORMATION

EXECUTIVE – KEY DECISIONS

14. **DECISIONS TAKEN BETWEEN CABINET MEETINGS** (Paragraph 3 – Information relating to the financial or business affairs of any particular person) (Pages 133-139)

| <u>Reference</u> | <u>Subject</u> | <u>Date</u> |
|------------------|---|-------------|
| U03 | The Sale of St Nicholas House, Ash | 24.6.11 |
| U06 | Acquisition of Fanum House, Russell Street, Dover (P&O) | 5.8.11 |

Access to Meetings and Information

- Members of the public are welcome to attend meetings of the Council, its Committees and Sub-Committees. You may remain present throughout them except during the consideration of exempt or confidential information.
- All meetings are held at the Council Offices, Whitfield unless otherwise indicated on the front page of the agenda. There is disabled access via the Council Chamber entrance and a disabled toilet is available in the foyer. In addition, there is a PA system and hearing loop within the Council Chamber.
- Agenda papers are published five clear working days before the meeting. Alternatively, a limited supply of agendas will be available at the meeting, free of charge, and all agendas, reports and minutes can be viewed and downloaded from our website www.dover.gov.uk. Minutes are normally published within five working days of each meeting. All agenda papers and minutes are available for public inspection for a period of six years from the date of the meeting. Basic translations of specific reports and the Minutes are available on request in 12 different languages.
- If you require any further information about the contents of this agenda or your right to gain access to information held by the Council please contact Kate Batty-Smith, Democratic Support Officer, telephone: (01304) 872303 or email: kate.batty-smith@dover.gov.uk for details.

Large print copies of this agenda can be supplied on request.

Record of the decisions of the meeting of the **CABINET** held at the Council Offices, Whitfield on Monday, 4 July 2011 at 11.00 am.

Present:

Chairman: Councillor P A Watkins

Councillors: S S Chandler
N J Collor
M D Conolly
N S Kenton
C J Smith

Also Present: Councillor G Cowan
Councillor S R Nicholas
Mr S Pritchard (BPP)

Officers: Chief Executive
Director of Environment and Corporate Assets
Director of Finance
Solicitor to the Council
Head of Inward Investment
Leadership Support & Corporate Communication Manager
Regeneration Delivery Manager
Solicitor (Regeneration & Procurement)
Senior Infrastructure & Delivery Officer
Senior Planning Officer
Leadership Support Officer
Democratic Support Officer

DECISIONS

The Decisions of the meetings of the Cabinet held on 2 June and 6 June 2011 as detailed in decision numbers CAB 17 to CAB 21 were approved as correct records and signed by the Chairman.

The formal decisions of the Executive are detailed in the following schedule.

Record of Decisions: Executive Functions

| Decision Status | Record of Decision | Alternative options considered and rejected (if any) | Reasons for Decision | Conflicts of interest (if any) declared by decision maker(s) or consultees (if any) |
|--|---|--|--|---|
| CAB 22 4.7.11 Open Key Decisions No Call in to apply Yes Implementation Date 12 July 2011 | <u>ISSUES ARISING FROM OVERVIEW AND SCRUTINY OR OTHER COMMITTEES – PERFORMANCE TARGETS 2011/12</u> It was agreed: (a) That the Scrutiny (Policy and Performance) Committee's endorsement of Cabinet decision CAB 19, made at its meeting held on 21 June 2011, be acknowledged. (b) That the Scrutiny (Policy and Performance) Committee's recommendation (b), made at its meeting held on 21 June 2011, be approved, as follows: That key service delivery partnerships be reviewed using the partnership evaluation criteria and this information be included in the Performance Report. (c) That Cabinet decision CAB 19 be reaffirmed. | None. | The Scrutiny (Policy and Performance) Committee, at its meeting held on 21 June 2011, endorsed Cabinet decision CAB 19 of 6 June 2011 and made an additional recommendation. | |

| Decision Status | Record of Decisions | Alternative options considered and rejected (if any) | Reasons for Decision | Conflicts of interest (if any) declared by decision maker(s) or consultees (if any) |
|--------------------------|--|--|---|---|
| CAB 23 4.7.11 Open | <u>ISSUES ARISING FROM OVERVIEW AND SCRUTINY OR OTHER COMMITTEES – REFUND OF PARKING FEES TO USERS OF THE DISTRICT'S TWO LEISURE CENTRES</u> It was agreed: | None. | The Scrutiny (Policy and Performance) Committee, at its meeting held on | |

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| Key Decisions Yes Call-in to apply Yes Implementation Date 12 July 2011 | (a) That the Scrutiny (Policy and Performance) Committee's endorsement of Cabinet decision CAB 18, made at its meeting held on 21 June 2011, be acknowledged. (b) That Cabinet decision CAB 18 be reaffirmed. | | 21 June 2011, endorsed Cabinet decision CAB 18 of 6 June 2011. | |
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| Decision Status | Record of Decisions | Alternative options considered and rejected (if any) | Reasons for Decision | Conflicts of interest (if any) declared by decision maker(s) or consultees (if any) |
|--|--|--|---|---|
| CAB 24 4.7.11 Open Key Decisions No Call-in to apply Yes Implementation Date 12 July 2011 | <u>APPOINTMENT OF INVESTMENT ADVISORY GROUP 2011/12</u> It was agreed that the membership of the Investment Advisory Group be established as follows for the Council year 2011/12: Portfolio Holder for Corporate Resources and Performance (and Chairman); Chairman of the Governance Committee; Chairman of the Scrutiny (Policy and Performance) Committee and two non-executive Members, one from the Conservative Group (Councillor K E Morris) and one from the Labour Group (Councillor M R Eddy). | None. | There is a need to convene a meeting of the Investment Advisory Group (IAG) and Cabinet is therefore requested to determine the membership of the IAG for the Council year 2011/12. | |

| Decision Status | Record of Decisions | Alternative options considered and rejected (if any) | Reasons for Decision | Conflicts of interest (if any) declared by decision maker(s) or consultees (if any) |
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| CAB 25 4.7.11 Open | <u>AFFORDABLE HOUSING SPD ADDENDUM</u> (a) It was agreed that the recommendation made by the Project Advisory Group (Local Development Framework), at its meeting | None. | Part of the Council's adopted Core Strategy deals with | |

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| <p>Key Decisions No</p> <p>Call-in to apply Yes (a) No (b)</p> <p>Implementation Date (a) 12 July 2011 (b) 28 July 2011</p> | <p>held on 8 June 2011, be approved.</p> <p>(b) It was agreed to recommend to Council that the Affordable Housing Supplementary Planning Document Addendum be adopted and made available.</p> | | <p>affordable housing contributions for developments of 5 to 14 dwellings. The SPD Addendum sets out the formula for securing financial contributions for affordable housing.</p> <p>At its meeting held on 6 December 2010, Cabinet approved a draft SPD Addendum for public consultation (CAB 58) and is now requested to approve the final version for adoption.</p> | |
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| Decision Status | Record of Decisions | Alternative options considered and rejected (if any) | Reasons for Decision | Conflicts of interest (if any) declared by decision maker(s) or consultees (if any) |
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| <p>CAB 26 4.7.11 Open</p> <p>Key Decisions No</p> | <p><u>STATE OF THE DISTRICT 2010/11</u></p> <p>It was agreed to recommend to Council:</p> <p>(a) That the current State of the District report, including key economic indicators relating to median full-time earnings, be noted, subject to the amendment/clarification of information relating to failed</p> | <p>None.</p> | <p>The annual State of the District report was first introduced in May 2010 and analyses the Council's activities and the</p> | |

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| Call-in to apply Yes Implementation Date 12 July 2011 | <p>enterprises (pages 3 and 9); description of rural areas (page 7), link between housing and jobs (page 7) and rural deprivation (page 39).</p> <p>(b) That the information contained in the report be considered in any refresh of the Corporate Plan and progression of partnership working.</p> | | state of the District during the preceding year. | |
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| Decision Status | Record of Decisions | Alternative options considered and rejected (if any) | Reasons for Decision | Conflicts of interest (if any) declared by decision maker(s) or consultees (if any) |
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| CAB 27 4.7.11 Open Key Decisions No Call-in to apply Yes Implementation Date 12 July 2011 | <p><u>KENT ENVIRONMENT STRATEGY AND ADAPTATION PLAN</u></p> <p>It was agreed:</p> <p>(a) That the Kent Environment Strategy, insofar as it is consistent with this Council's corporate priorities and to the extent that resources will permit, be adopted.</p> <p>(b) That the Kent Adaptation Plan, and the adoption of such actions which are relevant to this authority and will contribute to the joint actions where applicable and resources permit, be adopted.</p> <p>(c) That the proposed development of a Local Action Plan to take forward relevant and appropriate environmental actions and improvements in support of the Kent Environment Strategy and Adaptation Plan, be noted.</p> <p>(d) That it be noted that a further report concerning the New Nottingham Declaration would come to Cabinet for consideration in due course.</p> | None. | Cabinet is requested to adopt the Kent Environment Strategy and Adaptation Plan which have been developed by Kent County Council in partnership with the twelve district councils. These strategies will be implemented in accordance with the Council's policies and where resources permit. | |

| Decision Status | Record of Decisions | Alternative options considered and rejected (if any) | Reasons for Decision | Conflicts of interest (if any) declared by decision maker(s) or consultees (if any) |
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| <p>CAB 28 4.7.11 Open</p> <p>Key Decisions No</p> <p>Call-in to apply Yes</p> <p>Implementation Date 12 July 2011</p> | <p><u>PREPARATION OF A COMMUNITY INFRASTRUCTURE LEVY CHARGING SCHEDULE</u></p> <p>It was agreed that the reallocation of resources within the Local Development Framework budget in order to prepare a Community Infrastructure Levy Charging Schedule, the use of external specialist consultants and the priority level of the project as recommended in the report, be approved.</p> | <p>To not agree the report's recommendation.</p> | <p>At its meeting held on 6 April 2010, Cabinet agreed in principle that there was a need to prepare a Community Infrastructure Levy Charging Schedule (CAB 101) in advance of the introduction in April 2014 of new regulations which restrict the use of developer contributions or Section 106 agreements to provide local or sub-regional infrastructure.</p> | |

| Decision Status | Record of Decisions | Alternative options considered and rejected (if any) | Reasons for Decision | Conflicts of interest (if any) declared by decision maker(s) or consultees (if any) |
|-----------------------------------|--|--|--|---|
| <p>CAB 29 4.7.11 Open</p> | <p><u>APPOINTMENT OF MEMBER REPRESENTATIVES TO OUTSIDE BODIES 2011/12 – MUNICIPAL CHARITIES OF DOVER</u></p> <p>It was agreed:</p> | <p>None.</p> | <p>At its meeting held on 23 May 2011, and on the basis of advice received</p> | |

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| <p>Key Decisions No</p> <p>Call-in to apply Yes</p> <p>Implementation Date 12 July 2011</p> | <p>(a) That the appointment of Councillor K E Morris as a nominative trustee to Municipal Charities of Dover, made by Cabinet at its meeting held on 23 May 2011 (CAB 5), be withdrawn.</p> <p>(b) That the appointment of Councillors S R Nicholas, D G Smallwood and P M Beresford to serve as nominative trustees to Municipal Charities of Dover be confirmed.</p> | | <p>from Municipal Charities of Dover, Cabinet appointed four Members to serve as nominative trustees on Municipal Charities of Dover (CAB 5). However, the Council has since been advised that only three appointments are appropriate, and it is therefore necessary to withdraw one of the appointments made.</p> | |
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| Decision Status | Record of Decisions | Alternative options considered and rejected (if any) | Reasons for Decision | Conflicts of interest (if any) declared by decision maker(s) or consultees (if any) |
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| <p>CAB 30 4.7.11 Open</p> <p>Key Decisions No</p> <p>Call-in to apply Yes</p> | <p><u>DECISIONS TAKEN BETWEEN CABINET MEETINGS</u></p> <p>It was agreed that Decision Notice U02 (Delegation of Executive Functions) be received and noted.</p> | <p>None.</p> | <p>To note the decision taken by the Leader of the Council pursuant to Section 3 of Part 3 (Responsibility for Executive Functions) of the Constitution.</p> | |

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| Implementation Date 12 July 2011 | | | | |
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| Decision Status | Record of Decisions | Alternative options considered and rejected (if any) | Reasons for Decision | Conflicts of interest (if any) declared by decision maker(s) or consultees (if any) |
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| CAB 31 4.7.11 Open Key Decisions No Call-in to apply Yes Implementation Date 12 July 2011 | <u>NOTICE OF DELEGATED DECISIONS</u> It was agreed that Delegated Decision Notice DD01 (The naming of a new street at a residential development at Park View Close, Goodnestone) be received and noted. | None. | To note the delegated decision taken by the Portfolio Holder for Access and Property Management pursuant to Section D1 (Specific Powers Delegated to Members of the Executive) of Part 3 (Responsibility for Functions) of the Constitution. | |

| Decision Status | Record of Decisions | Alternative options considered and rejected (if any) | Reasons for Decision | Conflicts of interest (if any) declared by decision maker(s) or consultees (if any) |
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| CAB 32 4.7.11 Open Key Decisions No | <u>EXCLUSION OF THE PRESS AND PUBLIC</u> That, in accordance with the provisions of the Local Authorities (Executive Arrangements) (Access to Information) (England) Regulations 2000, the press and the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in paragraph 3 of Schedule 12A of the | None. | | |

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| Call-in to apply Yes | 1972 Act. | | | |
| Implementation Date Immediate | | | | |

| Decision Status | Record of Decisions | Alternative options considered and rejected (if any) | Reasons for Decision | Conflicts of interest (if any) declared by decision maker(s) or consultees (if any) |
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| CAB 33 4.7.11 Exempt Key Decisions No Call-in to apply Yes (a) No (b) Implementation Date (a) 12 July 2011 (b) 28 July 2011 | <u>ST JAMES'S AREA DEVELOPMENT</u> (a) It was agreed: <ul style="list-style-type: none"> (i) That the Head of Inward Investment, in consultation with the Leader of the Council, the Portfolio Holder for Corporate Resources and Performance and the Director of Finance, be authorised to complete the Heads of Terms. (ii) That a target be set for the completion of the Development Agreement and supporting Agreements by the end of July. (iii) That the Head of Inward Investment, in consultation with the Solicitor to the Council and the Leader of the Council, be authorised to settle any outstanding matters associated with the suite of Agreements. (iv) That, when a suitable position has been reached within the Planning process, interested parties and landowners located within the scheme boundaries be notified of the Council's intentions to proceed with a Compulsory Purchase Order once the Development Agreement and Compulsory Purchase Order Indemnity Agreement are completed. | None. | The regeneration of Dover Town Centre has been a key corporate objective for the Council for many years, and Council resolved at its meeting held on 3 November 2010 that further work be undertaken in relation to the St James's area (Minute No 291). Design proposals for a mixed use redevelopment of this area are well advanced and there is now a need for various legal agreements to be signed | |

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| | <p>(v) That the recommendations made by the Cabinet Advisory Group (St James's Area Development), at its meetings held on 10 and 20 June 2011 (Minute Nos 3 and 10 respectively), be approved.</p> <p>(b) It was agreed to recommend to Council that it notes:</p> <p>(i) The report and progress made.</p> <p>(ii) That the emerging plans, which were the subject of the presentation to the Cabinet Advisory Group (St James's Area Development) on 10 June 2011, should form the basis for a new planning application.</p> | | <p>between Dover District Council and its development partner in order to progress the scheme further, including the submission of a planning application.</p> | |
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| Decision Status | Record of Decisions | Alternative options considered and rejected (if any) | Reasons for Decision | Conflicts of interest (if any) declared by decision maker(s) or consultees (if any) |
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| <p>CAB 34 4.7.11 Exempt</p> <p>Key Decisions No</p> <p>Call-in to apply Yes</p> <p>Implementation Date 12 July 2011</p> | <p><u>CAPITAL APPRAISALS – REGENERATION PROJECTS 2011-12</u></p> <p>It was agreed:</p> <p>(a) That the capital appraisals for the ongoing delivery of agreed regeneration projects be approved.</p> <p>(b) That additional funding for the demolition of properties within the Yorkgate site be approved.</p> | <p>None.</p> | <p>In accordance with Council procedures, a capital appraisal must be provided when it is intended to spend capital on a project. Cabinet approval is sought for the use of capital resources to deliver several regeneration projects approved previously.</p> | |

The meeting ended at 12.25 pm

Record of the decisions of the meeting of the special **CABINET** held at the Council Offices, Whitfield on Wednesday, 27 July 2011 at 5.00 pm.

Present:

Chairman: Councillor P A Watkins

Councillors: S S Chandler
N J Collor
M D Conolly
P G Heath

Also Present: Councillor B W Bano
Councillor P J Hawkins
Councillor A S Pollitt

Officers: Director of Finance
Director of Governance
Democratic Support Officer

Apologies for absence were received from Councillors N S Kenton and C J Smith.

The formal decisions of the Executive are detailed in the following schedule.

Record of Decisions: Executive Functions

| Decision Status | Record of Decision | Alternative options considered and rejected (if any) | Reasons for Decision | Conflicts of interest (if any) declared by decision maker(s) or consultees (if any) |
|--|--|--|---|---|
| <p>CAB 35 27.7.11 Open</p> <p>Key Decisions No</p> <p>Call-in to apply Yes</p> <p>Implementation Date 4 August 2011</p> | <p><u>SHARED WORKING PROTOCOL BETWEEN DOVER DISTRICT COUNCIL AND SHEPWAY DISTRICT COUNCIL FOR THE APPOINTMENT OF A JOINT CHIEF EXECUTIVE</u></p> <p>It was agreed:</p> <p>(a) That the report be received and noted.</p> <p>(b) That the Council withdraws from the shared working protocol.</p> | <p>None.</p> | <p>At meetings held on 28 February and 23 March 2011, Cabinet and Council respectively agreed that the Council should enter into a shared working protocol with Shepway District Council for the appointment of a joint chief executive.</p> <p>The Joint Appointments Committee met on 5 July 2011 to appoint a joint chief executive but was unable to reach agreement on the appointment, and it is therefore considered appropriate for</p> | |

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| | | | both councils to withdraw from the shared working protocol. | |
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| Decision Status | Record of Decision | Alternative options considered and rejected (if any) | Reasons for Decision | Conflicts of interest (if any) declared by decision maker(s) or consultees (if any) |
|--|--|--|--|---|
| <p>CAB 36 27.7.11 Open</p> <p>Key Decisions No</p> <p>Call-in to apply No</p> <p>Implementation Date 28 July 2011</p> | <p><u>COMMISSIONING OF UPGRADE TO IDOX PLANNING SOFTWARE SYSTEM</u></p> <p>(a) It was agreed:</p> <p>(i) That the replacement of the obsolete 'Acollate' module of the Planning system with the IDOX MS module be approved.</p> <p>(ii) That the Chairman of the Council be requested to suspend call-in in order for the replacement module to be acquired at a favourable price ahead of the 29 July 2011 deadline.</p> <p>(b) It was agreed to recommend to Council that funds be provided for the replacement of the obsolete 'Acollate' module of the Planning system with the IDOX DMS module.</p> | <p>To not agree the report's recommendations.</p> | <p>The current 'Acollate' module of the IDOX Planning software system is no longer supported by the supplier and must be replaced with a newer module which will enable the Council to continue to accept and publish electronic images of planning applications and drawings.</p> <p>The Chairman of the Council is requested to suspend call-in in order for the Council to acquire a replacement at a more favourable</p> | |

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| | | | price before the 29 July deadline. | |
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The meeting ended at 5.12 pm.

ISSUES ARISING FROM OVERVIEW AND SCRUTINY OR OTHER COMMITTEES

TENANT REPRESENTATIVE BUDGET AND ICT PROVISION

Responsibility: Portfolio Holder for Community, Housing and Youth

Report of: Not applicable

Decision Route

| | | |
|---|------------------|---------------|
| Scrutiny (Community & Regeneration) Committee | 13 July 2011 | Minute No 112 |
| Cabinet | 5 September 2011 | |

Scrutiny (Community and Regeneration) Committee Recommendations

The Scrutiny (Community and Regeneration) Committee, at its meeting held on 13 July 2011, made the following recommendations to Cabinet:

- (a) That the review into the effectiveness of tenant participation be welcomed.
- (b) That the budget reductions set out in the report not take place until the review has been undertaken.
- (c) That immediate steps be taken to spend the environmental works budget.
- (d) That the feasibility of full scrutiny review of the effectiveness of Dover District Council's tenant participation processes be explored.

REPORT OF THE DIRECTOR OF COMMUNITY AND DEVELOPMENT

RESPONSIBILITY – PORTFOLIO HOLDER FOR COMMUNITY, HOUSING AND YOUTH

KEY DECISION

EXECUTIVE

CABINET – 5 SEPTEMBER 2011

COMMON HOUSING ASSESSMENT FRAMEWORK

Recommendation

Cabinet is recommended to approve the Kent Common Housing Assessment Framework attached at Appendix A for consultation.

Contact Officer: Paul Whitfield, extension 2258

Reasons why a decision is required

1. The proposed Kent Common Housing Assessment Framework would replace the Council's current points system for determining housing applicant's relative priority for social housing, with a banding system. Under this banding system applicants will be placed within a priority band which reflects their assessed housing need. Priority within each of the bands will then be based on waiting time. This has the benefit of being simple, transparent and easy to understand.
2. Working with other Kent local housing authorities provides scope for achieving efficiencies in the development, consultation and implementation of the proposals.
3. The implementation of the Framework could lead to some cost savings through the development of on-line application and housing need assessment processes.

Options available to the Council with assessment of preferred option

4. The options available are:
 - (1) To approve the Kent Common Housing Assessment Framework for consultation and implementation.
 - (2) Not to approve the Kent Common Housing Assessment Framework for consultation and implementation and to retain the Council's existing, points based assessment system.
5. Option 1 is the preferred option as it will enable the introduction of a fairer and easier to understand assessment system which has the potential to deliver efficiency savings.

Information to be considered in taking the decision

Introduction

6. The draft Kent Common Housing Assessment Framework has been developed by the Kent Housing Group in conjunction with the 13 local authorities in Kent. The Framework sets out to provide a simplified system for assessing the needs of housing applicants that can be adopted across Kent.
7. In particular the document aims to implement a framework that:
 - Creates a simple system that people will understand, will consider to be fair and will have confidence in.
 - Prioritises people who are in the greatest housing need in accordance with statutory requirements.
 - Will have regard to local needs and provides local flexibility.
 - Maximises the use of the social housing stock in the district and improves tenant mobility by providing them with the opportunity of transferring to a more suitable home.
8. The Framework document makes it clear that councils are free to shape their own allocation policies according to the needs of the district. Decisions on housing homeless families, transfers and local lettings plans such as those that incentivise working families will all be made at a local level.

Implications for Dover District

9. The Kent Common Housing Assessment framework document proposes to simplify the assessment of housing needs within the district by the introduction of system that places all applications for housing into one of five bands. Within each band, the date of application will determine where each application is placed.
10. Applications placed in Band A will be regarded as having an urgent need for housing. Bids from these applicants will be considered first for each vacant home that is advertised through the Kent Homechoice choice based lettings scheme. Bands assessed in B, C and D will have gradually less priority, with applications in Band E having no priority for a move.
11. The Council currently assesses housing applications with a points system. The main differences between the current assessment system and the proposed Common Housing Assessment framework are as follows.
12. The proposed changes to the current scheme for housing needs assessment conforms to legislative requirements and is in response to the statutory guidance '*Fair and Flexible*' published in 2009 and the proposed Localism Bill currently going through Parliament. The main priorities and explanations for each of the five Bands are set out in the following table:

| Band | Description | Priorities |
|-------------|-----------------------|---|
| Band A | Urgent housing needs | <ul style="list-style-type: none">• Urgent medical or welfare needs• Management transfer |
| Band B | Serious housing needs | <ul style="list-style-type: none">• People occupying very overcrowded housing or otherwise living in very |

| Band | Description | Priorities |
|--------|--------------------------|---|
| | | unsatisfactory housing conditions |
| Band C | Reasonable preference | <ul style="list-style-type: none"> • People who are homeless • People occupying insanitary or overcrowded housing or otherwise living in unsatisfactory housing conditions • People who need to move on medical or welfare grounds, including grounds relating to a disability • Mobility |
| Band D | General | <ul style="list-style-type: none"> • People who are intentionally homeless, or who have deliberately worsened their housing circumstances • People who are homeless by another local authority • Priority but no local connection • Non urgent priority but able to afford home purchase |
| Band E | General without priority | <ul style="list-style-type: none"> • No priority and no local connection • No priority and able to afford home purchase |

13. The Framework document also states who is eligible to join the council's waiting list. Applications must come from persons aged 16 or over, they cannot have a suitable home elsewhere, they cannot be persons from abroad subject to immigration control, and they must not be guilty of unacceptable behaviour serious enough to make them unsuitable to be a tenant.
14. The Kent Housing Group proposes that all participating councils in Kent conduct a joint consultation exercise with registered providers, partners, tenants, residents and other interested parties. This should enable the council to efficiently fulfil its legal duty to involve, as consultation documentation and planning will be pooled amongst all the Kent councils. The results of the consultation exercise in respect of the Common Housing Assessment Framework will be reported to Cabinet for consideration.
15. Implementation of a Common Housing Assessment Framework has the potential for making significant efficiency savings to the council. By working with our partners in Kent Homechoice, a more effective housing needs administration system will be developed. Other choice based lettings schemes, such as the Greater Haven Gateway in Essex, have seen costs reduce through less reliance on application forms, less need for manual data input and reductions in manual housing assessments.

Allocation Policy

16. The Common Housing Assessment Framework does not replace the Council's Allocations Policy which covers such matters as:

- What households are eligible to apply for social housing
- The criteria used for determining what size of accommodation is appropriate to meet the households needs
- How any priority due to overcrowding is assessed
- How additional priority in respect of health or social factors is assessed

17. However, implementation of the Framework will require amendments to be made to the Allocation Policy and related statutory guidance sets out a clear expectation that Council's will engage widely with their local communities in the development of their allocation policies. The Council will use this opportunity to consult on other proposed changes to the Allocation Policy which will be the subject of another report.

Background Papers

None.

Resource Implications

| Requirement from Current Budget | Requirement for Additional Budget | |
|---|-----------------------------------|-----------|
| | Current Year | Full Year |
| £1,500 to cover the cost of transferring data from the Anite housing management system to the Locata Kent Homechoice system. This can be met from existing budgets. | None | None |

Comments from Finance

The funding can be met from existing budgets (BW).

Communication Statement

Kent Housing Group has established a Project Team comprising representatives of local authorities involved in developing the project and the Project Coordinator for Kent Choice Based Lettings. This Team will be involved in the development of a communication and consultation strategy. KHG may also be able to assist with the cost of producing generic consultation material. It is envisaged that individual local authorities will be able to adapt a generally agreed approach to consultation to their own specific requirements.

Impact on Corporate Objectives and Corporate Risks

The proposed new Framework will enable vulnerable people to continue accessing good quality housing they can afford and will introduce a simpler, more transparent system that should help reduce complaints and minimise the risk of legal challenge.

Customer Access Review

The Framework should not significantly affect the relative priority that applicants from protected groups are currently given under the existing points based system and a CAR screening appears to support this. The identification of any potential impact on protected groups will form part of the consultation that will be undertaken and appropriate measures will be developed to address any issues that the Council would be expected to have due regard to.

Comments from Equalities Officer

Equality considerations were built in to the development of the framework, a CAR. Screening has been done to ensure that no part of the changeover will have any adverse effect on protected groups. Potential equality impact will form part of further consultation and issues will be addressed as part of that process.

Attachments

Appendix A – Common Housing Assessment Framework Document
Appendix B – Implementation Plan

MICHAEL G DAWSON

Director of Community and Development



KENT HOUSING GROUP

**COMMON HOUSING ASSESSMENT
FRAMEWORK DOCUMENT**

April 2011

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BACKGROUND TO COMMON HOUSING ASSESSMENT

Statutory guidance on social housing allocations was issued in December 2009. Called 'Fair and flexible', the guidance is in part a reaction to the House of Lords judgement in the case of *R (on application of Ahmad) v. Newham LBC*. The main implications of the judgement are:

- Cumulative preference is no longer required within allocation schemes. Banding schemes have until now struggled to provide for cumulative preference.
- Waiting time can be used as the main factor in determining priority between people who have a reasonable preference.
- Councils can let a small proportion of their homes to social housing transfers who do not have reasonable preference.

The guidance makes it clear that social housing should still be prioritised to those who are in the greatest housing need, that is people who qualify under the reasonable preference categories. However, it goes on to tell councils that they should seek to achieve other outcomes, such as providing greater choice and mobility, produce policies which are fair and create more sustainable communities.

The proposals outlined in the Department of Communities and Local Government consultation paper, 'Local decisions: a fairer future for social housing' has reaffirmed that the reasonable preference categories will remain unchanged. The paper also supports increasing mobility which is an objective of Common Housing Assessment.

By producing this common housing assessment framework the Kent Housing Group aims to build on the success of the Kent Choice Based Lettings Partnership, the largest in the UK, and take advantage of the opportunities this offers. In this harsh financial climate common housing assessment would provide for substantial efficiencies, leading to reduced costs and better outcomes for customers.

However, the proposals contained in this document still gives scope for local decision making around lettings policies, allowing authorities to allow for the best use of the housing stock in their area.

CONSULTATION ARRANGEMENTS

Local authorities have a statutory duty to consult with their housing association partners when proposing changes to their allocation policies. Also, statutory guidance published in 2008 places a 'duty to involve' interested parties in local government decisions. Part 6 of the Housing Act 1996 (s168(3)) states that anyone likely to be affected by a major change to an allocation scheme must be notified of it.

The 'Fair and flexible' guidance goes further, stressing that councils need to properly engage and involve local communities in the development of their allocation policies. By doing so local authorities will achieve a greater sense among local people that social housing is being allocated fairly, and therefore reduce myths and misunderstandings about the allocation process.



Community engagement can be delivered by various methods. It is important to remember that one size doesn't fit all, that targeting particular groups may involve different forms of communication. The Kent Housing Group, as well as consulting partners, stakeholders, staff and elected members, will also involve the wider community including housing applicants, tenants and residents.

The Chartered Institute of Housing practice brief, 'Allocations and Local Flexibility' gives a comprehensive guide to the principles of community engagement.

- Raise awareness of the opportunities to engage, breaking down barriers through lack of knowledge
- Engage people in setting priorities
- Tell people why we are seeking their views
- Help vulnerable and disadvantaged groups get involved, by offering practical assistance such as transport or interpreting services
- Understand that people need to have adequate knowledge to allow them to get involved in a constructive way
- Let people choose how they wish to be consulted by offering a range of methods, drawing on partners' expertise
- Tell people how their views have shaped the policy



KENT HOMECHOICE AND CROSS BOUNDARY MOBILITY

All 13 local authorities responsible for housing in Kent operate the choice based lettings scheme, Kent Homechoice. Together with local, regional and national housing associations, Kent County Council and the HomeBuy Zone Agent, they are members of the Kent Choice Based Lettings Partnership, which incorporates a total of 38 full partners.

Research has shown that social housing tenants are far less mobile than residents living in other tenures. A recent study concluded that 'people can get locked into a particular property' due to a lack of mobility. The partnership is committed to providing an element of cross boundary mobility to its customers. Our funding proposal submitted to develop the choice based lettings scheme made clear that cross boundary mobility would be an important feature of the partnership.

'The traditional ways of allocating local authority and RSL homes stifles mobility and restricts the opportunities for people to find employment.....It is intended to pilot the scheme by making 10% of lettings available to bids from across the sub region. Safeguards will be built in initially to protect the interests of different local authorities.....The ultimate aspiration would be to remove all geographical restrictions within the scheme.'

Statutory guidance for choice based lettings was produced in August 2008. Chapter 7 of the Code of Guidance lays out the criteria for regional and sub-regional schemes. The Code expects sub-regional choice based lettings schemes, such as Kent Homechoice, to incorporate cross boundary mobility.

Councils are keen to ensure that local vacancies are offered to those who can demonstrate a connection with the area such as those working or seeking employment in the area, or have a care need or support network within the locality, with social housing tenants receiving priority. The priority band system explained in pages 11-13 provides the means for local authorities to help people move across district boundaries. Such persons who can demonstrate a local connection described above would have their applications placed in priority band C, either through criteria 3, medical and welfare grounds, or 4, mobility.

It is for local authorities themselves to decide on quotas for social housing transfers and when they implement cross boundary mobility.

SCOPE OF THE KENT HOUSING GROUP COMMON HOUSING ASSESSMENT

The aim of this document is to deliver a common form of housing assessment across all the local authorities in Kent. It does not aim to introduce a common allocation policy, as this would fail to recognise the distinct and different priorities of social housing landlords in Kent, and would not properly allow for local flexibilities. The legal context for common housing assessment is as follows:

- Part VI of the Housing Act 1996 as amended by the Homelessness Act 2002 concerns the *allocation* of housing, whether this is directly into the local authority's own stock or via a nomination to a housing association.
- The statute prescribes those persons who are ineligible to be allocated social housing.
- The local authority must adopt an allocation scheme that sets out the policy for determining priorities and the procedures for assessing and allocating accommodation.
- The statute sets out the circumstances under which certain categories of person are given preference, or no preference under the allocation scheme.
- A local authority cannot contract out the adoption or alteration of its allocation scheme.

It is possible to separate the assessment of housing applicants from the allocation of accommodation. Each council has to adopt its own allocation scheme therefore it is possible to replicate elements of the scheme to effectively have a common method of assessment. There are two main elements that form the basis of common housing assessment, and would allow for a common application form.

1. Prioritisation between housing applicants using a simple banding scheme that includes homeseekers and transfer applicants.
2. De-prioritisation for housing applicants who have no local connection or have excessive income or equity.

Areas that are outside the scope of common housing assessment include the allocation of accommodation by size and type, the use of quotas, and access to designated schemes such as sheltered, local lettings plans and rural exception schemes.

COMMON HOUSING ASSESSMENT

The aims of the common housing assessment are:

- Create a simple system of housing assessment that people will understand, will consider to be fair, and will have confidence in.
- To prioritise people who are in the greatest housing need in accordance with our statutory obligations.
- Have regard to local needs and build in local flexibilities.
- Maximise the use of the social housing stock and improve mobility by providing the opportunity for tenants to transfer to a more suitable home.

1. EQUALITY AND DIVERSITY

We are committed to delivering a service that is accessible and equitable to all the communities that we serve. We will ensure that people will be treated with respect and dignity. We will monitor access to the housing list, and the assessment of need in accordance with our equality impact assessment. We will make certain that no-one is discriminated against on the grounds of:

- Race
- Sex (gender)
- Disability
- Sexual orientation
- Age
- Religion or belief
- Gender reassignment
- Pregnancy and maternity

We will regularly review our vulnerable person's strategy to help people with support needs.

2. ELIGIBILITY

All 'qualifying persons' are eligible to join the housing list. Part VI of the Housing Act 1996 as amended by the Homelessness Act 2002 confirms that the Secretary of State may prescribe who are or are not qualifying persons.

The following persons can join the housing list:

- Any person aged 16 or over, and
- Their current home is their only home, or sole residence, and
- They do not have access to a suitable home elsewhere, and
- They are not already on the housing list, either on their own or with someone else, and
- They are not ineligible for housing assistance under section 160A(1) and (3), and 185(2) of the Housing Act 1996, or any regulation prescribed by the Secretary of State. Guidance on who is ineligible for housing assistance can be found in Appendix one.

In general terms a person from abroad who is subject to immigration control is ineligible for housing assistance. And

- They, or a member of their household, have not been guilty of unacceptable behaviour serious enough to make them unsuitable to be a tenant. Behaviour means it was so serious that, had they been a tenant of the local authority, the authority would have been entitled to a possession order, not suspended, against them by virtue of the behaviour. This relates to an entitlement to possession on the following grounds:

- rent arrears
- breach of tenancy agreement
- nuisance or annoyance to neighbours
- conviction of using for immoral or illegal purpose
- damage or neglect
- conviction for arrestable offence committed in the locality
- domestic violence causing other to leave
- false statement to induce grant of tenancy
- premium paid for assignment
- tied accommodation when dismissed for misconduct

Where a person has previously been found ineligible due to unacceptable behaviour but now believes this should no longer be held against him, he can make a fresh application. The local authority can also allow an application if they are satisfied that the person's behaviour has improved.

3. PRIORITY BANDS

Persons who join the housing list will have their application placed into one of five bands, in accordance with the 'Fair and flexible' statutory guidance. The bands will be called 'A to E', with applications in band A being afforded the highest priority on the housing list, B the next highest, then C, then band D, with band E being the lowest priority on the list.

Band A – urgent housing needs

Applications from persons who meet the following criteria:

1. Urgent medical or welfare needs.

Where an urgent medical need has been agreed with the local authority or a high priority referral has been accepted by the local authority under the Kent Agency Assessment procedure.

2. Management transfer.

Where the social landlord requires the tenant to move or the tenant needs to move due to violence, harassment, intimidation or threats of violence likely to be carried out, major works or other urgent management reason.

Band B – serious housing needs

Applications from persons where none of the above in Band A applies but who meet the following criteria:

1. People occupying very overcrowded housing or otherwise living in very unsatisfactory housing conditions.

Where a household is suffering from major overcrowding or living in supported housing and needs to move.

Band C – reasonable preference

Applications from persons where none of the above in band A or band B applies but who meet the following criteria:

1. People who are homeless.

Where the local authority have accepted a rehousing responsibility under Part VII of the Housing Act 1996 (as amended), or determined

that the person does not have a priority need for accommodation, or the household will be homeless soon.

2. People occupying insanitary or overcrowded housing or otherwise living in unsatisfactory housing conditions.

This would apply, for example, if a person was lacking basic facilities, or was overcrowded or under-occupying. A full list of categories is listed in Appendix Two.

3. People who need to move on medical or welfare grounds, including grounds relating to a disability.

Where a medical need has been agreed with the local authority or a priority referral has been accepted by the local authority under the Kent Agency Assessment procedure. A list of criteria for priority to be given on medical and welfare grounds can be found in Appendix Two.

4. Mobility.

People who need to move to a particular locality in the district of the local authority, where failure to meet that need would cause hardship to themselves or to others. For example, to give or receive care, or to take up employment.

Band D – general

Applications from persons where none of the above in band A, band B or band C applies, or:

1. People who are intentionally homeless, or who have deliberately worsened their housing circumstances.

Where a decision has been made by the local authority under Part VII of the Housing Act 1996 (as amended) or, where a person has deliberately worsened their housing circumstances and would have been found to be intentionally homeless if an application under Part VII had been made.

2. People who are homeless by another local authority

This applies where a duty is owed by another local authority under section 190(2), 193(2) or 195(2) of the Housing Act 1996, or who are occupying accommodation secured by another local authority under section 192(3).

3. Where band A, B or C applies but they have no local connection with the district.

4. Where band B or C applies but they meet or exceed the financial threshold for HomeBuy. This threshold will change during time but as a guide persons will need to have access to (or savings of) £5,000 to cover the initial costs. They will also need to be in full time employment on a regular income that is sufficient to sustain a mortgage and/or rent payments.

Band E – general without priority

Applications from persons where none of the above in band A, band B or C applies, and:

1. They have no local connection with the district, and/or,
2. They meet or exceed the financial threshold for HomeBuy.

4. WAITING TIME

The simplest way of determining priorities between people with a similar level of housing need, and consequently those who are in the same priority band, would be to take into account the length of time which applicants have been waiting for an allocation. The housing list will differentiate between people who are in the same priority band according to their waiting time, taking into account the following:

- For new applicants, the date of their completed application.
- An application will only be completed once all the data required by the local authority to make an assessment has been provided.
- For transferring tenants, the date they applied for a transfer, and have provided all the data required by the local authority to make an assessment.
- For existing applicants or tenants, the date they notified the local authority of a significant change in their circumstances, that is, one which will improve their priority band. For changes that lower their priority band, the date of application applies. As above, the date will be from when all data required has been provided.

5. CIRCUMSTANCES OUTSIDE OF COMMON HOUSING ASSESSMENT

People who apply to join the housing list are assessed in accordance with the provisions of Part VI of the Housing Act 1996 (as amended). There are a number of circumstances where people will be assessed outside of common housing assessment and will have their applications managed by the local authority and/or housing association separately. These circumstances are:

- Mutual exchange.
- An application made under Part VII of the Housing Act 1996 (as amended) (Homelessness) and consideration for temporary accommodation under this Part.
- Transfers involving a temporary decant for major works, or other management reason not involving an application from the tenant.
- Where a local authority secure the provision of suitable alternative accommodation under the Land Compensation Act 1973, section 39.
- The grant of a secure tenancy under the Housing Act 1985, section 554 or 555, regarding a defective home.
- Any duties arising from an application made under the Rent (Agriculture) Act 1976, section 27 or 28.
- Where a secure tenant dies, the tenancy is a periodic one, and there is a person qualified to succeed the tenant under the Housing Act 1985, section 89.
- Where a secure tenant with a fixed term tenancy dies and the tenancy remains secure by virtue of the Housing Act 1985, section 90.
- Where a secure tenancy is assigned to someone who would be qualified to succeed to the tenancy if the secure tenant died immediately before the assignment.
- Where a secure tenancy vests or is otherwise disposed of in pursuance of an order made under:

the Matrimonial Causes Act 1973, section 24 (property adjustment orders in connection with matrimonial proceedings);

the Matrimonial and Family Proceedings Act 1984, section 17(1) (property adjustment orders after overseas divorce); or

the Children Act 1989, Schedule 1, paragraph 1 (orders for financial relief against parents), or

- Where an introductory tenancy

becomes a secure tenancy on ceasing to be an introductory tenancy:

vests under the 1996 Act, section 133(2) (succession to an introductory tenancy on death of tenant); or

is assigned to someone who would be qualified to succeed the introductory tenancy if the introductory tenant died immediately before the assignment; or

meets the criteria in the previous paragraph (disposal)

6. MAKING AN APPLICATION

Persons wishing to apply for housing should complete a housing application form. The simplest way to do this is to visit the Kent Homechoice website at www.kenthomechoice.org.uk and choose the Registration tab. An application and assistance can also be obtained from the local authority.

It is important that the application is completed fully and any evidence requested on the form is provided to the local authority. Waiting time will not accrue until all the data required by the council to make an assessment has been provided.

Once the form has been completed and all the information has been provided, the local authority may make additional enquiries into an application. They may conduct a credit reference check in certain circumstances. They could also conduct a home visit as part of their verification process.

A tenancy granted on the basis of information subsequently found to be false or because material information has been withheld, may be terminated and legal action taken by the landlord to recover possession of the property. In addition the applicant may commit a criminal offence if:

- He knowingly or recklessly makes a statement which is false and may lead the council to award priority for

housing if the statement was relied on when assessing the application.

- He knowingly withholds information which the local authority has reasonable required him to give in connection with his application for housing

A person guilty of an offence, as stated above, is liable on summary conviction to a fine not exceeding scale 5 (currently £5,000) on the standard scale.

7. PERSONAL DATA AND INFORMATION SHARING

We will share data provided by a person applying for housing in accordance with the Information Sharing Protocol agreed by the Kent Choice Based Lettings Partnership. When completing an application form, either using a paper copy of the form or on-line, the person is asked to provide their consent to the sharing of personal data between the parties to the protocol. Personal data can be shared provided the person has given informed consent and the sharing is for the purposes for which consent is given. Informed consent means that the person has the capacity to give consent, is aware of what information is to be shared, whom it is to be shared with and what it is to be used for.

Personal information is only disclosed to other parties with the person's consent or in exceptional circumstances where disclosure without consent is necessary. These reasons are:

- Where there are overriding legal, social or public interest considerations, for example there is a risk of seriously harm to the person themselves or to others if the information is not disclosed.
- Where the information is required by a local authority department or external auditors to carry out a statutory function.
- Where the information is required by the police as part of a criminal investigation.

People have the right to see and confirm the accuracy of any information held electronically about them. On receipt of a written request, local authorities have 40 days to provide details to a person of any personal information held. Third party documents will require the prior consent of the third party. If the person considers the personal information they have received is inaccurate, they may request that it is amended or removed from their records. If this is accepted by the council, appropriate action will be taken to amend the

records. In the event of a disagreement, the information will remain and the person's comments will be recorded on file.

Disclosure of information may be denied by the local authority in the following circumstances:

- The information could prejudice criminal proceedings.
- Legal professional privilege could be claimed.
- A care professional is of the opinion that disclosure could result in a risk of serious harm to the person or others as a result of disclosure.



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APPENDIX ONE – ENTITLEMENT TO HOUSING ASSISTANCE

Persons subject to immigration control (PSIC)

Under section 160A(1) and (3), and 185(2) of the Housing Act 1996 a person from abroad who is subject to immigration control (PSIC) cannot be allocated social housing and is ineligible for housing assistance, unless s/he is of a class prescribed in regulations made by the Secretary of State. A PSIC is defined as someone who requires leave to enter or remain in the UK (whether or not such leave has been given).

A number of persons from abroad are not subject to immigration control, these are primarily European Economic Area (EEA) nationals and British nationals who have been living abroad. EEA nationals do not require leave to enter or remain in the UK if they have a right to reside in the UK that derives from European Community (EC) law. The question of whether an EEA national (or family member) has a right to reside in the UK will depend on their circumstances, particularly the economic status of the EEA national, for example whether he or she is a worker, self-employed, a student, or economically inactive.

Thus the existence or otherwise of a person's right to reside in the UK is the starting point in establishing their eligibility for housing.

Ineligible EEA nationals

The Secretary of State has prescribed that certain persons from abroad who are not subject to immigration control are also ineligible for housing assistance by virtue of sections 106A(5) and 185(3) of the 1996 Act. Regulations 4 and 6 of the Eligibility Regulations 2006 determine which persons from abroad who are not subject to immigration control are nonetheless ineligible for housing assistance in respect of applications made on or after 1 June 2006.

Broadly, EEA nationals are excluded from housing assistance if they fall into the following categories:

- Those who are not habitually resident in the Common Travel Area (CTA) unless they are workers or self employed EEA nationals, or family members of such EEA nationals.
- A person whose only right to reside in the UK:

i) is derived from his/her status as a jobseeker or the family member of a jobseeker; or

ii) is an initial right to reside for a period not exceeding three months under regulation 13 of the EEA Regulations; or

- A person whose only right to reside in the CTA is a right equivalent to one of those mentioned in i) or ii) above which is derived from the Treaty establishing the EC.

Eligible EEA nationals

EEA nationals who are not habitually resident in the UK may be eligible for housing assistance if they are in the UK and have a right to reside because they are:

- A worker;
- A self employed person;
- A person who is an accession state worker requiring registration who is treated as a worker for the purposes of regulation 6(1) of the 2006 EEA Regulations as amended;
- A person who is a family member of a person referred to above;
- A person with a right to reside permanently in the UK by virtue of regulation 15(c) (d) or (e) of the 2006 EEA Regulations.
- A person who left the territory of Montserrat after 1 November 1995 because of the effect on that territory of a volcanic eruption; and
- Here as a result of his/her deportation, expulsion or other removal by compulsion of law from another country to the UK.

EEA nationals and habitual residence

Some EEA nationals will be persons from abroad who have not been specifically included as eligible for housing assistance under Regulation 6(2) of the 2006 eligibility Regulations but who nonetheless are eligible because they satisfy all elements of the habitual residence test. Habitual residence is not defined in legislation. There are two requirements that need to be met for habitual residence to be established:

- An appreciable time must have elapsed before a person can be considered to be habitually resident.

- The claimant must have a settled intention to reside in the UK.

There are also a number of categories of persons from abroad who have a right to reside under Directive 2004/38/EC and The Immigration (European Economic Area) Regulations 2006 “the EEA Regulations”, who are neither excluded by Regulation 6(1)(b) and (c) of the 2006 eligibility Regulations nor included by Regulation 6(2). These persons must satisfy the habitual residence test under Regulation 6(1)(a) in order to be eligible for assistance. Fundamentally these include non-economically active people, that is:

- An EEA national who is a student;
- A family member of an EEA student;
- An EEA national who is self-sufficient within the definition of the 2006 EEA Regulations;
- A family member of an EEA self-sufficient person;
- Extended family members (Regulations 7(3) and 8 of the 2006 EEA Regulations);
- An EEA national who has resided in the UK in accordance with the EEA Regulations for a continuous period of five years (permanent right of residence under Regulation 15 (1)(a) of the 2006 EEA Regulations);
- A family member of an EEA national who is not an EEA national but who has resided in the UK with the EEA national in accordance with the EEA Regulations for a continuous period of five years (permanent right of residence under Regulation 15 (1)(b) of the 2006 EEA Regulations);
- A person who (i) has resided in the UK in accordance with the EEA Regulations for a continuous period of five years; and (ii) was, at the end of that period, a family member who has retained the right of residence (permanent right of residence under Regulation 15 (1)(f) of the 2006 EEA Regulations).

Accession state nationals (A8)

Nationals of the ‘A8’ accession states (Estonia, Latvia, Lithuania, Poland, Czech Republic, Slovakia, Hungary and Slovenia) who enter the UK as workers are required (with certain exceptions) under the Accession (Immigration and Worker Registration) Regulations 2004 (SI 2004/1219) to register their employment with the Home Office until they have accrued a period of 12 months’ continuous employment. If they remain both registered and in work for 12 months they are treated as having a right to reside and therefore may be eligible for housing assistance.

To demonstrate eligibility for housing assistance accession state workers requiring registration should be able to:

- Provide a valid worker registration card and a valid worker registration certificate showing their current employer; or
- Where the worker has applied to register but not yet received a certificate, provide a copy of their application to register; or
- Show they have been working for their current employer for less than one month.

While looking for work (or between jobs) these nationals have a right to reside that is conditional on them being self-sufficient and not imposing an unreasonable burden on the UK social assistance system. Thus while looking for work they are ineligible for housing assistance. These conditions cease to apply once they have worked in the UK continuously for 12 months.

Bulgarian & Romanian nationals (A2)

On 1 January 2007, Bulgaria and Romania joined the European Union. The UK decided to impose restrictions on the right of these 'A2' nationals to work in the UK after accession. These restrictions go considerably further than those imposed on nationals of the A8 states. A Home Office press notice explained:

'The UK has decided to limit access to its labour market following the European Commission's recommendation to permit Bulgaria and Romania to join the EU on 1 January 2007. From that date Romanians and Bulgarians will have the right to travel throughout the EU.'

In the UK low-skilled workers from Romania and Bulgaria will be restricted to existing quota schemes to fill vacancies in the agricultural and food processing sectors. There will be no net increase in these existing schemes and workers will be required to have an authorisation document.

Skilled workers will be able to work in the UK - as now - if they get a work permit or qualify under the Highly Skilled Migrant Programme, if they are a student, are self employed or as their dependents.

These new arrangements will be reviewed within 12 months and the Government's proposed new Migration Advisory Committee will assist in this process taking account of the needs of our

labour market, the impact of the A8 accession and the positions adopted by other EU countries.

Employers and employees will have a duty to abide by the new rules and there will be controls in place for rogue employers and illegal workers, including fixed penalty notices.'

These restrictions on attaining worker status also have an impact on the ability of the A2 nationals to attain a right to reside in the UK and thus attain eligibility for housing assistance.

The Allocation of Housing and Homelessness (Eligibility) (England) (No.2) Regulations 2006 (SI 2006/3340) were laid before Parliament on 15 December 2006 and came into force on 1 January 2007. These regulations provide that nationals of Bulgaria and Romania who are treated as a 'worker' for the purposes of the 2006 EEA Regulations (as modified) are exempted from the requirement to be habitually resident in the UK (or wider Common Travel Area) in order to be eligible for an allocation of accommodation under Part 6 of the 1996 Housing Act.

The Department of Communities and Local Government (CLG) issued a note to the Chief Officers of all local authorities in England on the position of A2 nationals in respect of housing assistance in December 2006:

'For a transitional period, the Government proposes to allow Bulgarian and Romanian nationals access to the UK labour market only in limited circumstances. Broadly, access will be limited to those who are already working here lawfully, those who qualify to come here under the Highly Skilled Migrant Programme, and low skilled workers who obtain authorisation to work in the food processing or agriculture employment sectors (and are working in accordance with that authorisation).

The Government's policy is that EEA nationals who are working lawfully in the UK should have access to an allocation of accommodation under Part 6 of the Housing Act 1996 and to homelessness assistance under Part 7 of the 1996 Act, in accordance with their rights under EU law.

Under the EEA Regulations, those Bulgarian and Romanian nationals who have already worked lawfully in the UK for 12 months on 1 January 2007, or who enter the UK under the Highly Skilled Migrants programme, will have the same rights as other workers from the countries in the European Economic Area ("the EEA"). Such persons will be eligible for an allocation of accommodation or for homelessness assistance on 1 January by virtue of regulations 4(2)(a) and 6(2)(a) of the Eligibility Regulations.

However, the Accession Regulations 2006 modify worker status under the EEA Regulations for those nationals of Bulgaria and Romania requiring authorisation to undertake low skilled work. Consequently, the Amendment Regulations provide that those nationals of Bulgaria and Romania who are subject to worker authorisation and who are working lawfully in the UK in accordance with the Accession Regulations will also be exempted from the requirement to be habitually resident in the Common Travel Area in order to be eligible for an allocation or for homelessness assistance.

Since the number of Bulgarian and Romanian nationals who will be allowed to work lawfully in the UK during the transitional period will be limited, it is anticipated that the number of persons affected by the Amendment Regulations will be small.

From 1 January 2007, the Eligibility Regulations will apply to nationals of Bulgaria and Romania who come here in some other economic capacity (e.g. self employed or self-sufficient) in the same way as they apply to all other EEA nationals (subject to the modifications for workers outlined above).'

On 31 October 2007 the Government announced that the restrictions on A2 nationals in terms of working in the UK would remain in place at least until the end of 2008. These restrictions have continued.

APPENDIX TWO – CRITERIA FOR REASONABLE PREFERENCE

Insanitary, overcrowded and unsatisfactory housing conditions

Living in insecure housing, for example short term private renting
Lacking bathroom or kitchen
Lacking inside WC
Lacking cold or hot water supplies, electricity, gas, or adequate heating
Overcrowding (see Appendix Three)
Sharing living room, kitchen, bathroom/WC
Property in disrepair, with a Category 1 hazard
Property unfit
Poor internal or external arrangements
Under-occupation

People who need to move on medical or welfare grounds (criteria may apply to any member of the household)

A mental illness or disorder
A physical or learning disability
Chronic or progressive medical conditions (for example MS, HIV/AIDS)
Infirmity due to old age
The need to give or receive care
The need to recover from the effects of violence (including racial attacks) or threats of violence, or physical, emotional or sexual abuse
Ability to fend for oneself restricted for other reasons
Young people at risk
People with behavioural difficulties
Need for adapted housing and/or extra facilities, bedroom or bathroom
Need improved heating (on medical grounds)
Need sheltered housing (on medical grounds)
Need ground floor accommodation (on medical grounds)
Need to be near friends/relatives or medical facility on medical grounds

APPENDIX THREE – OVERCROWDING

When considering whether a household is suffering from overcrowding, a local authority will take into account two standards:

1. The bedroom standard
2. The space standard

For the bedroom standard a separate bedroom shall be required for the following:

- a) a person living together with another as husband and wife (whether that other person is of the same sex or the opposite sex)
- b) a person aged 21 years or more
- c) two persons of the same sex aged 10 years to 20 years
- d) two persons (whether of the same sex or not) aged less than 10 years
- e) two persons of the same sex where one person is aged between 10 years and 20 years and the other is aged less than 10 years
- f) any person aged under 21 years in any case where he or she cannot be paired with another occupier of the dwelling so as to fall within (c), (d) or (e) above

The space standard is contravened when the number of persons sleeping in a property is in excess of the permitted number, having regard to the floor area of the rooms of the property available as bedrooms, or could be used as bedrooms. Children under the age of 5 years old will be regarded as half a unit, with a person aged 5 or over will be regarded as one unit.

| Floor area of room | Number of persons |
|---|--------------------------|
| 110 square feet or more | 2 |
| 90 square feet or more, but less than 110 square feet | 1.5 |
| 70 square feet or more but less than 90 square feet | 1 |
| 50 square feet or more but less than 70 square feet | 0.5 |

APPENDIX FOUR – LOCAL CONNECTION

Local connection is defined in Part VII of the Housing Act 1996 as:

- Those who are normally resident in the area. Local Government Association guidelines define this as having resided in the area for six of the last twelve months, or three of the last five years, where residence has been out of choice;
- Those who are employed in the area– the Local Government Association guidelines define this as employment other than of a casual nature;
- Those who have family connections – the Local Government Association guidelines define this as immediate family members who have themselves lived in the area for five years;
- Special circumstances at the discretion of the local authority. We could accept a local connection for those who grew up in the area but moved away and no longer meet the normal residence conditions or those who need to move to the district for urgent social reasons such as to receive/give support or to escape violence. This is not a definitive list and we will be able to exercise discretion under this heading.

The Housing and Regeneration Act 2008, section 315, removes the exemptions for serving or former members of HM armed forces in relation to local connection based on residence or employment.

| <u>Kent Housing Group</u> | | | | |
|---|--|---|---|---|
| <u>Common Housing Assessment</u> | | | | |
| <u>Implementation Plan</u> | | | | |
| Month | Main Task | Responsible | Other Tasks | Responsible |
| July 2011 | Agree final draft of Common Housing Assessment framework prior to consultation | Project Team | Commence formal approval process with Members | Local Authorities |
| August | | | Agree Consultation Strategy | Project Team |
| September | Agree I.T. requirements and costs with contractor | Project Team, Kent Housing Group | Agree detailed procedures and definitions | Project Team Sub Group |
| October | Formal consultation process begins | Project Team, Partners | Sign off final CHA | Kent Housing Group |
| November | Evaluate consultation and amend CHA | Project Team | Final approval of CHA by Members | Local Authorities |
| December | Adopt CHA into Allocation Policies | Local Authorities | Devise Kent Housing Application Form and develop on-line version with I.T. contractor | Project Team |
| January 2012 | | | | |
| February | Test systems | Project Team, Local Authorities | Agree Communication Strategy and produce publicity | Project Team |
| March | Implement Communication Strategy | Project Team | Staff Training | Project Team, Local Authorities, Partners |
| April | Go live with CHA | Project Team, Local Authorities, Partners | Monitor go live | Project Team |
| May | Evaluate implementation of CHA and produce report for Kent Housing Group | Project Team | | |

REPORT OF THE DIRECTOR OF ENVIRONMENT AND CORPORATE ASSETS

RESPONSIBILITY – PORTFOLIO HOLDER FOR ACCESS AND PROPERTY MANAGEMENT

KEY DECISION

EXECUTIVE

CABINET – 5 SEPTEMBER 2011

REFUND OF PARKING FEES TO USERS OF THE DISTRICT'S TWO LEISURE CENTRES

Recommendation

1. *To withdraw the current scheme for the refund of parking fees to users of the Tides and Dover Leisure Centres, after consideration of the public response to the consultation opportunity.*
2. *In order to do this, it is recommended that Cabinet then vary the Dover District Council (Off Street Parking Places) Order 2010 so as to revoke the current scheme for the refund of parking fees to users of the Tides and Dover Leisure Centres.*
3. *That in the event that Cabinet determines to proceed with the making of an Off-Street Parking Places Order, that the Director of Environment and Corporate Assets be authorised to take all necessary steps to implement the making of the Order on the terms as set out above.*

Contact Officer: Christopher Allen, extension 2054.

Reasons why a decision is required

1. Dover District Council currently finances the refunds by Vista Leisure of parking fees to users of the leisure centres in Dover and Deal. This report recommends withdrawal of this scheme.
2. In accordance with the previous cabinet decision dated 6th June 2011 notice of the proposals to revoke the current scheme for the refund of parking fees to users of the Tides and Dover Leisure Centres has been published and consultation undertaken. A total of 152 representations have been received. Due to the number of representations, they are not set out in full but are summarised at Appendix 1. A ring-binder of the representations received is available for reference by members in the members' room.
3. Cabinet is asked to consider the representations and to determine the action to be taken in the light of them.

Options available to the Council with assessment of preferred option

4. (1) Proceed to make the variations to the Dover District Council (Off Street Parking Places) Order 2010 as advertised

- (2) Do not proceed to make the variations to Dover District Council (Off Street Parking Places) Order 2010 as advertised
 - (3) Amend the proposed variation
5. In view of the number of representations received and the need for the Cabinet itself to consider them and to determine the actions to be taken in the light of them, this report is not suggesting a preferred option.
 6. Members will be aware that Vista Leisure will be taking account of this measure when considering their future financial plans.

Further Information to be considered in taking the decision

7. Following on from the original report to cabinet, more detailed analysis of the income and refunds from the three car parks has been undertaken and is illustrated in the table below and in a graph attached at Appendix 2:

| Income per Financial Statements (Net of VAT) | | | |
|---|-------------------|-------------------|-------------------|
| | 2008/09 | 2009/10 | 2010/11 |
| Townwall | 21,462.23 | 26,485.18 | 28,283.16 |
| Woolcomber | 74,759.13 | 79,728.06 | 78,796.65 |
| Tides | 75,787.87 | 76,002.57 | 82,849.63 |
| Total | 172,009.23 | 182,215.81 | 189,929.44 |
| Refunds to VISTA (Net of VAT) | | | |
| Dover Leisure Centre | 81,965.18 | 94,317.81 | 95,405.57 |
| Tides | 69,193.44 | 68,196.77 | 75,024.30 |
| Total | 151,158.62 | 162,514.58 | 170,429.87 |
| Balance (contribution to DDC Net of VAT) | 20,850.61 | 19,701.23 | 19,499.57 |

Background Papers

None.

Resource Implications

| Requirement from Current Budget | Requirement for Additional Budget | |
|---|-----------------------------------|-----------|
| | Current Year | Full Year |
| <ul style="list-style-type: none"> • Renew signage on tariff boards • Conversion of Pay and Display machines to provide linear charging | £500. £140. | |

Comments from Finance

The data provided in the report is a true reflection of the Collections and Refunds attributable to the Leisure Centre Car Parks, as extracted from the financial records. The estimated savings have already been reflected in the 2011/12 Budget approved by Council (KBE)

Communication Statement

If authority is given to progress this issue, the relevant notices required by legislation will be published.

Impact on Corporate Objectives and Corporate Risks

Corporate Objectives – Value for money and efficiency.

Corporate Risks – The risks to our reputation and adverse publicity.

Customer Access Review

Comments from Equalities Officer

There could be Equality implications in this proposal, especially for the protected groups Age and Disability. In order to meet our duty under the Equality Act 2010 it is recommended that discussion take place with representative groups or individuals to find a way of making reasonable adjustment to accommodate their needs.

Attachments

Appendix 1 – Proposed timetable for implementation.

Appendix 2 – Detailed analysis of the income and refunds from the three car parks

ROGER WALTON

Director of Environment and Corporate Assets

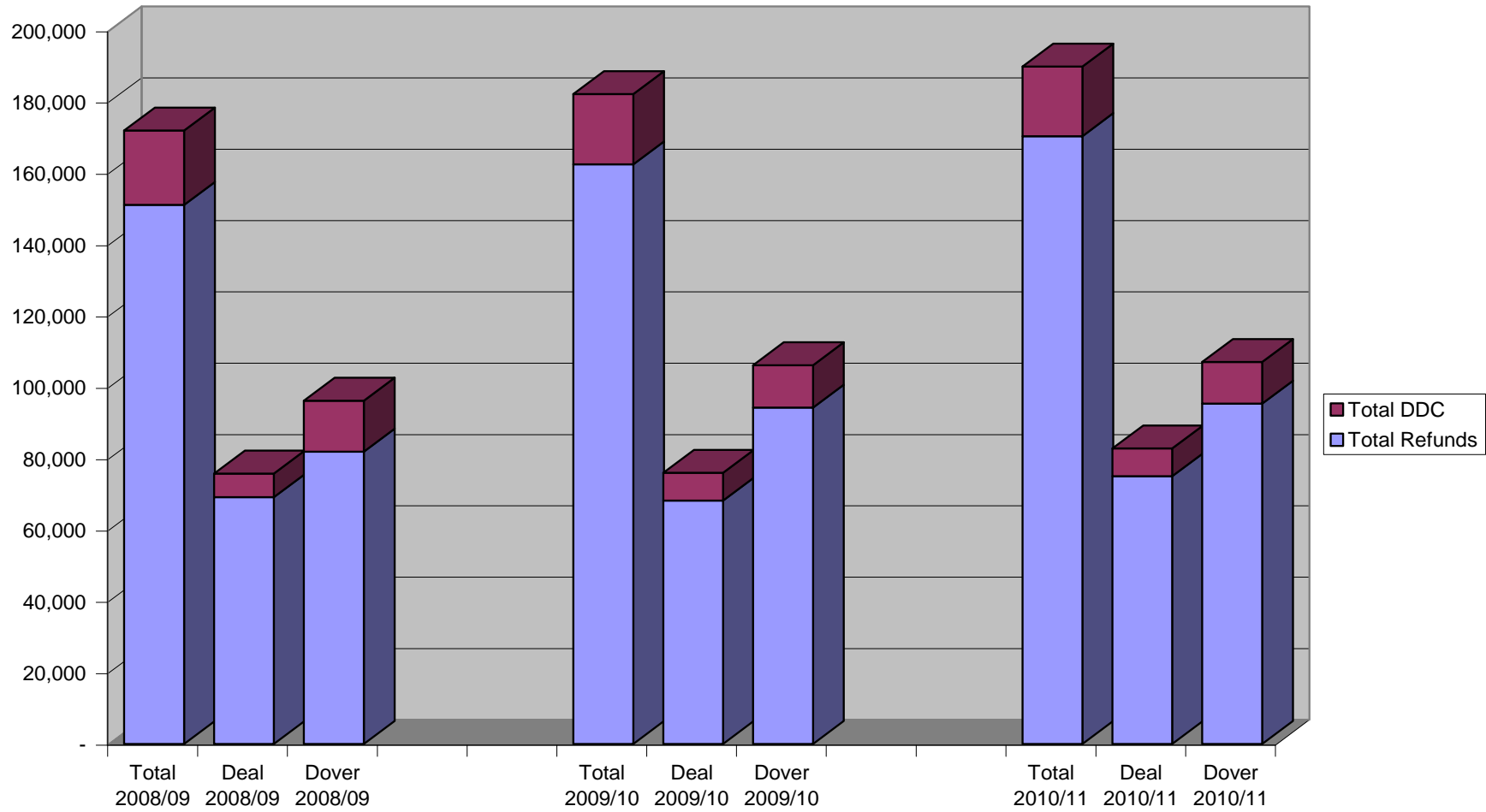
APPENDIX 1

Grounds

| | No. | Finance | Health | Safety | Disc. Use | Unfair | Other |
|---------------------|------------|----------------|---------------|---------------|------------------|---------------|--------------|
| Corporate Responses | 6 | 1 | 1 | 1 | 1 | 2 | 1 |
| Pensioners | 32 | 27 | 4 | 0 | 3 | 0 | 0 |
| Others | 103 | 65 | 6 | 2 | 11 | 3 | 11 |
| | 141 | 93 | 11 | 3 | 15 | 5 | 12 |

Note: some respondents did not give a reason for their objection whilst others gave more than one reason for objecting. This is why the totals do not match the number of submissions.

Income 2008-2011



REPORT OF THE DIRECTOR OF COMMUNITY AND DEVELOPMENT

RESPONSIBILITY – PORTFOLIO HOLDER FOR COMMUNITY, HOUSING AND YOUTH

KEY DECISION

EXECUTIVE

CABINET – 5 SEPTEMBER 2011

YOUTH HOMELESSNESS STRATEGY REVIEW AND UPDATE 2011-2013

Recommendation

| |
|---|
| <i>That Cabinet approves the Review and Update of the Youth Homelessness Strategy attached at Appendix A.</i> |
|---|

Contact Officer: Paul Whitfield, extension 2258.

Reasons why a decision is required

1. The current Youth Homelessness Strategy and action plan was adopted by the Council in 2008 and was for a period of 3 years to 2011. Youth homelessness continues to be a significant issue and therefore it is considered necessary to review the Strategy, recognise achievements and identify new actions that will enable the Council to continue addressing the problem.

Options available to the Council with assessment of preferred option

2. The options available are to:
 - (1) To approve the Review and Update of the Youth Homelessness Strategy
 - (2) To make amendments to the Review and Update of the Youth Homelessness Strategy
 - (3) To reject the Review and Update of the Youth Homelessness Strategy
3. The preferred option is Option 1 which will enable the Council to implement the actions which will help it continue tackling the problem of youth homelessness in the district.

Information to be considered in taking the decision

4. In October 2008 Dover District Council adopted a Youth Homelessness Strategy 2008/09-2010/11 which was accompanied by a two-year action plan. The strategy review and update considers the strategic objectives in the light of changes to the policy and funding context and proposes a new action plan.
5. The review and update has been undertaken by Johanna Holmes an independent consultant specialising in youth homelessness. Johanna had also been involved in the preparation of the original Strategy.

6. The strategy review and update has determined that the objectives set out in the original strategy remain valid and relevant and should remain unchanged. These are:
 - Preventative work
 - Improving our first response
 - Providing a greater range of support and accommodation
 - Improving longer term options
7. The strategy review and update considers the progress that has already been made against these objectives and new actions that will help the Council stay on course to achieve the objectives.
8. The strategy review and update has received support from strategic partners and stakeholders represented on the Council's Youth Homelessness Forum.
9. Housing and homelessness is one of the priorities identified in the draft Local Children's Trust Board Plan for Dover and the importance of the Council's strategic approach in this area is recognised by the Plan. The focus of the Plan and the action plan proposed by the Youth Homelessness Strategy Review and Update are mutually supportive.

Background Papers

Youth Homelessness Strategy 2008/9-2010/11

Resource Implications

| Requirement from Current Budget | Requirement for Additional Budget | |
|---|-----------------------------------|-----------|
| | Current Year | Full Year |
| None. Consultancy costs have been met from the Youth Homelessness Grant for 2010/11 | None | None |

Comments from Finance

The consultancy costs have been met from the Youth Homelessness Grant (BW).

Communication Statement

The current Strategy was developed following wide ranging consultation with statutory agencies and voluntary sector organisations through the Council's Youth Homelessness Forum together with consultation with former young homeless clients and the Dover Youth Forum. The key objectives identified through this consultation process have not changed as part of the review and update. Consultation on the review and update has been undertaken through the Youth Homelessness Forum.

Impact on Corporate Objectives and Corporate Risks

The Strategy review and the actions arising from it help deliver the Council's corporate objective of developing communities where 'children and young people matter' and ensuring the provision of good quality housing to meet residents' needs, including the most vulnerable households.

Customer Access Review

A Customer Access Review was undertaken for the Youth Homelessness Strategy 2008/9-2010/11. The fundamental aims and objectives of the strategy review and update have not changed. This previous review did not identify any differential or adverse impact that the Strategy would have on protected groups. All staff involved in the implementation of the updated strategy and action plan have received equal opportunities training, a need identified in the original CAR. A CAR screening of the strategy update is currently being undertaken and this will cover all the groups now protected by the Equality Act 2010.

Comments from Equalities Officer

The CAR screening of the strategy update should identify any new issues for protected groups and appropriate action taken.

Attachments

Appendix 1 – Youth Homelessness Strategy Review & Update 2011-13

MICHAEL G DAWSON

Director of Community and Development

The officer to whom reference should be made concerning inspection of the background papers is the Housing & Community Manager or Housing Needs Manager, Dover District Council, White Cliffs Business Park, Dover, Kent CT16 3PJ. Telephone: (01304) 821199, Extension 2258/2259.

DOVER DISTRICT COUNCIL
YOUTH HOMELESSNESS STRATEGY
Review and Update 2011-13

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Appendices

- I Youth Homelessness Strategy Action Plan 2011/12 – 2012/13

1. **Executive Summary**

1.1 In 2008 Dover District Council adopted a Youth Homelessness Strategy accompanied by a two-year programme of action. This document reviews the strategic objectives in the light of a changed policy and funding context, and proposes a new action plan.

1.2 The objectives of the original strategy remain unchanged:

Preventative work

To support children, young people and their families in planning transitions to independence: Young people and their families have information, advice and support to reduce crisis-led homelessness to the minimum consistent with young people's safety and to promote safe and helpful pathways to independent life;

Improving our first response

To prevent homelessness wherever possible when young people present themselves in crisis: All possible alternatives to the disruptive and potentially damaging experience of statutory homelessness and long waits in temporary accommodation are explored with young people and their families when they first approach the local authority with an application for housing;

Providing a greater range of support and accommodation

To provide effective and supportive pathways to independence for young people accommodated through the strategy: Homeless young people are supported in making a successful transition to sustainable adult life in accommodation where they can be independent. The use of bed and breakfast accommodation is eliminated.

Improving longer term accommodation options

To enable young people who have been homeless but are ready for and need their independence to access sustainable housing accommodation in the social or private markets: Access to appropriate and affordable move-on accommodation in the private or public sector keeps pace with the needs of young people to move on from supported accommodation when they are ready.

1.3 However, although real progress has been made in the implementation of the action plan which derived from this strategy, three major factors prompt an interim review at this stage, and possibly a refocusing of effort:

- the economic downturn, together with the election of a new Government in 2010, presages public spending cuts which may affect local authority budgets for Supporting People and Homelessness activity, and budgets for capital spending on housing;
- County-wide and County Council initiatives in meeting the needs of vulnerable young people including:
 - adoption of a revised Joint Protocol to address the needs of homeless young people aged 16-21 in Kent, which complies with the government guidance issued in April 2010 following the so-called "Southwark judgement" on the respective responsibilities of Children's Services and Housing Services in responding to 16 and 17 year olds claiming to be homeless: multi-agency training on the new joint protocol was delivered in Dover in December 2010;

- publication of a new Supporting People commissioning strategy for Kent, which prioritises services for vulnerable young people;
- proposals led by a partnership between Kent Youth Services and Kent Children's Fund Network to develop a new youth service in Dover.
- The temporary nature of a specialist Young Persons Housing Adviser post, funded by additional Homelessness Grant made available to Dover District Council by Communities and Local Government: the initial, 2 year, period of this post is likely to be extended for 1-2 years more, but there is a need, during this extension period, to complete and mainstream the working methods which the postholder develops.

1.4 This document reviews the strategic context, summarises the progress which has been made in each of the original strategic aims, considers the implications of the factors outlined above, and proposes a new Action Plan as set out in Appendix 1.

2. The strategic context

2.1 Since the original Dover Youth Homelessness Strategy was developed in 2008, three significant developments have taken place in the Kent-wide (and national) strategic context. Where previously Dover DC's strategy towards youth homelessness, particularly among 16 and 17 year olds, was largely unilateral, the local strategy now needs to be harmonised with Kent-wide strategy and implemented in closer partnership with County-teams, including Children's Services and Supporting People.

Local Needs

2.2 The characteristics of the local community outlined in the original Dover youth homelessness strategy in 2008 continue to be evidenced by the relatively high proportion of 16 and 17 year olds towards whom a duty is found under the homelessness provisions of the Housing Act 1996. Table 1 below shows that over the 12 month period from January to December 2010, 16 and 17 year olds formed between 9% and 27% of all acceptances.

| | 31/03/10 | 30/06/10 | 30/09/10 | 31/12/10 |
|---|-----------------|-----------------|-----------------|-----------------|
| Acceptances of duty under Housing Act 1996 whose primary priority need was that they were 16 or 17 | 2 | 1 | 2 | 3 |
| Percentage these formed of all acceptances | 15% | 9% | 20% | 27% |
| Number of 16/17 year olds for whom Housing duty has been accepted accommodated in bed and breakfast at end of quarter | 2 | 12 | 6 | 6 |

This rate is significantly higher than that experienced elsewhere in Kent, where, over the same period, 16 and 17 year olds formed approximately 8% of all households to whom a Housing duty was found to be owed by District housing authorities.

2.3 From the same set of data extracted from P1E returns to Communities and Local Government it can also be suggested that:

- Dover lacks suitable temporary accommodation for 16 and 17 year olds towards whom the Council owes a housing duty: the number of such young people in bed and Breakfast at the end of each quarter is among the highest in England, and comprises well over half of all those thus accommodated across Kent;
- more speculatively, Dover has yet to see the effects of closer working with Children's Services: in Medway, a unitary authority delivering both Housing and Children's Services, where joint working is more advanced than in the "two-tier" Kent County Council and District authorities, the proportion of 16 and 17 year olds among households accepted as homeless has reduced from 9% (24 young people) to 0% over the course of the year.

2.4 Tables 2 and 3 below compare these two key indicators for Dover with neighbouring authorities in Kent, and with the highest in South East, South West and East Regions. The results in Table 2 demonstrate that coastal Kent has the highest rates of

acceptance of 16 and 17 year olds in the South East region. It is difficult to identify significant points of comparison with authorities in other regions.

| Table 2: Comparisons with Dover: Percentage of all acceptances under Housing Act 1996 where the primary reason for priority need was that they were aged 16 or 17 | | | |
|--|--------------|----------------------------------|------------------------------|
| Calendar year 2010 * | | No. YP 16/17 accepted | % all acceptances |
| Dover and neighbouring authorities in Kent | Dover | 8 | 18% |
| | Canterbury | 17 | 7% |
| | Shepway | 12 | 27% |
| | Thanet | 1 | 2% |
| 3 Highest % in SE Region: | Shepway | 12 | 27% |
| | Gravesham | 20 | 24% |
| | Dover | 8 | 18% |
| 3 Highest % in SW Region | East Dorset | 2 | 29% |
| | Bristol | 62 | 26% |
| | Sedgemoor | 8 | 17% |
| Highest % in E Region | Thurrock | 14 | 18% |
| | Castle Point | 2 | 8% |
| | Peterborough | 12 | 6% |

* When these tables were compiled, not all authorities had completed P1E returns to 31/12/10

Table 3 demonstrates that very few authorities make greater use of bed and breakfast accommodation than Dover, and that those that do are considerably larger in terms of geographical area and/or population.

| Table 3: Comparisons with Dover: Number 16/17 year olds in Bed and Breakfast accomm. | | | | |
|---|--------------------------|-----------------|--------------------------|-------------------------|
| | 31/03/10 | 30/06/10 | 30/09/10 | 31/12/10* |
| Dover | 2 | 12 | 6 | 6 |
| Canterbury | 0 | 0 | 0 | 1 |
| Shepway | 0 | 0 | 0 | Not known |
| Thanet | 0 | 0 | 0 | 0 |
| Highest in SE Region | Reading | Dover | Brighton Dover | Brighton Dover |
| | 5 | 12 | 6 | 6 |
| Highest in SW Region | Cornwall | Cornwall | Cornwall | Exeter |
| | 9 | 9 | 11 | 3 |
| Highest in E Region | Chelmsford Huntingdon | Huntingdon | Huntingdon St Edmun'y | Huntingdon S Norfolk |
| | 2 | 2 | 1 | 1 |

* When these tables were compiled, not all authorities had completed P1E returns to 31/12/10

Supporting People in Kent: research and strategy

2.5 The revised Kent Supporting People Strategy, covering the period 2010-2015, identified a number of groups of people for whom increased services are needed. Young people are prioritised and it is proposed to:

- commission short-term accommodation-based support exclusive to the client group where there are gaps in provision;
- consider decommissioning poor performing providers and commissioning alternative providers;

- consider redesigning services for other client groups into services for young people at risk;
- consider restricting access to services that are designed to meet the needs of 25 year olds plus in order to safeguard vulnerable young people;
- link young people at risk into mediation services in order to try and reconnect them to the family home;
- ensure that all services for young people at risk have access to a concierge service (this is considered to be non-housing related support);
- consider decommissioning all supported lodgings services.

2.6 Key issues contributing to this re-focusing of effort included:

- many SP funded accommodation-based services cannot meet the needs of young people with complex needs and chaotic life styles (of those entering Supporting People services across Kent in 2008/09, only 30% were in education, training or work, while 95% of homeless young people had committed an offence at some point in their lives and 50% of them linked offences with drug use);
- many young people who need support find it difficult to access some accommodation-based services because they do not meet the eligibility criteria of services, for example supported lodgings;
- many vulnerable young people access services that are designed to meet the needs of older service users;
- there is a lack of client-specific services in the areas of most need (in 2009/10 Supporting People in Kent was investing approximately £2.5m in services for young people at risk across the County, none of which was invested in services specific to this needs group in Dartford, Dover or Shepway).

Despite significant reductions in the Kent SP budget for the years from 2011/12 onwards, young people remain a strategic priority and the plans remain substantially unchanged.

3 **Objective 1 Preventative work:** *Supporting children, young people and their families in planning transitions to independence*

Original Plan

3.1 The 2008 Strategy provided for work to be taken forward with a spectrum of partners engaged in a range of work with children and their families:

- Advice agencies and helplines (*Priority outcome 1.1*)
- Outreach work in communities at risk of high rates of youth homelessness (*Priority outcome 1.2*)
- Preventive work within a network of concerned agencies (*Priority outcome 1.3*)
- Engaging social housing landlords (*Priority outcome 1.4*)

3.2 A review of the action plan undertaken last year resulted in some actions being combined to eliminate duplication and for the purposes of management and reporting within the Dover Youth Homelessness Forum, as follows:

| |
|---|
| Map agencies, professionals, advicelines and venues which may be frequented by young people or their parents needing advice |
| Consult with stakeholders (incl YP) and design and roll out advice infrastructure: a (suite of) leaflet(s), FAQs, scripts for advicelines and possibly web-based material for sites accessed by young people and their parents |
| Add Youth Homelessness web page to DDC website |
| Investigate, develop and roll out programmes and materials for work in schools and youth centres |
| Engage with local social housing managers (DDC and RSL) to ensure all deliver best practice in identifying and assisting young people and their families with multi –agency support (E.g. ASB and eviction processes, family tenancy support activity of young people, estate inspection and safer neighbourhoods work |

Progress and impact

3.3 A large number of key actions have been completed:

- Local agencies have been identified and mapped.
- A suite of materials has been produced in consultation with young people which will provide a range of information for young people for use by agencies across Kent:
 - "What to do if you are homeless" General info leaflets drafted by Dover Young Persons Adviser;
 - FAQs to be included in suite of leaflets

- The preparation of scripts for advice line is being addressed through Joint Arrangements Group, to ensure consistency of approach and advice;
 - A Youth Homelessness page has been added to the Dover DC website and a suite of web pages has been produced;
 - A DVD for use in schools and youth centres has been produced and piloted.
- 3.4 While there has not been a noticeable reduction in the numbers of young people seeking advice and assistance from the Dover Housing Options Team, it is felt that some impact has been made upon the expectations of young people and their families.

Revised action plan

- 3.5 Further work is necessary to manage expectations among young people and their parents, including:
- building a relationship with the providers of the proposed new youth service in Dover and ensure the information prepared so far is used and promoted by them and the advice they offer is consistent with existing multi-agency strategy;
 - working with Children's Services to identify and tackle potential family breakdown at an earlier age / before crisis point;
 - continuing to monitor the penetration and impact of information and advice leaflets and other media, through the Dover Youth Homelessness Forum;
 - designing and deliver a programme to roll out the DVD and other material through schools and other appropriate services for young teenagers.

This has been included in the new Action Plan.

4 **Objective 2: Improving Our First Response** *Preventing homelessness when young people present themselves in crisis*

Original Plan

4.1 This objective was at the heart of the 2008 Strategy and comprised a range of initiatives to strengthen and focus the District Council's response to young people, and to harness the skills and resources of partner agencies in the statutory and voluntary sectors. Fundamental elements of the strategy were to:

- appoint a dedicated young persons adviser to lead on the early prevention work outlined under Objective 1 and lead improvements and consistency in the response to young homeless people;
- revise the process of assessing young people's applications, increasing support and signposting to other support services and ensuring that all accommodation possibilities are discussed with them and with their parents or concerned adults;
- review the effectiveness of this approach and seek funding for a further three years' specialist work in this area;
- in line with Government guidelines, eliminate the use of bed and breakfast accommodation (except in emergency, and then for no longer than 6 weeks) and introduce an alternative, whether a crashpad, nightstop, dedicated emergency bedspaces in existing services, or supported lodgings, to accommodate young people in an emergency who cannot safely return home, or where they and/or their family need a cooling off period before returning.
- develop family intervention services to be delivered during the initial assessment period, and of ongoing support to young people who are not accepted as homeless (and their families) but who remain at risk of homelessness;
- secure a 50% reduction in the proportion of 16/17 year olds accepted as homeless from 27% in 2007/08 to 13% in 2009/10.
- assess whether there are factors in Dover which tend to result in higher levels of youth homelessness, and to do this we will select two or three benchmark/pace-setter authorities with whom to compare operating contexts, experience and effective practice. If appropriate we shall adjust the target for years beyond 2008/09.

4.2 In the Action Plan monitored by the Dover Youth Homelessness Forum these initiatives were subsequently amended and reinforced as follows:

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| No young person is accepted as homeless without a thorough investigation, involving their parents or carers, of their housing options |
| Appoint a Young Persons Housing Options Adviser for initial period of 2 years |
| Investigate good practice elsewhere and introduce appropriate assessment forms / criteria |
| Young people in crisis can be safely accommodated during assessment if they cannot/will not return home, without recourse to bed and breakfast accommodation |

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| Explore options for emergency accommodation alternative to bed and breakfast |
| Support is offered to young people who do not leave home and their families |
| Strengthen and develop joint working with other agencies (KCC Youth Services, YOT, Health, DAT, Connexions, social housing landlords) using the existing Kent protocol |
| Monitor effectiveness of new multi agency housing team to agreed indicators. |
| Review effectiveness of YPA post and seek further 3 year funding |

Progress and impact

4.3 A number of critical elements of this part of the strategy have been implemented:

- a Young Persons Adviser was employed by the District Council for an initial 2 year period, commencing in March 2009.
- a young person's assessment form has been adopted and is in use by the Young Persons Adviser;
- integrated working has been established with the local Children's Services team (which has introduced a designated young people's service), which includes joint initial interviews with young people claiming homelessness and joint case review;
- a Homeless Home Visit procedure is in place;
- a working partnership between the Dover Young Persons Adviser and Connexions has been established:
 - Connexions put in place referrals for floating support when a young person approaches them as homeless
 - referrals to the Family Services unit of Shepway and Dover Mediation can be made via Connexions;
 - Connexions offer advice and information to young people which is integrated with the Housing Options and Children's Services joint working;
- a common database has been established of young people who have approached Connexions, Housing or Children's Services claiming homelessness, which is maintained by the Young Persons Adviser;
- a local procedure for integrated assessment has been prepared to supplement and augment the Kent-wide Joint Protocol to address the needs of homeless young people aged 16 to 21 (adopted August 2010);
- Supporting People funding has been secured, and a provider (Casa Support) appointed for an "Off Site Service" of support to young people accommodated as an emergency in bed and breakfast, for the period during the assessment of their circumstances by Children's Services and Housing;

- funding has been secured which will enable continued employment of an officer specialising in youth housing issues within the Dover Housing Options Team.

4.4 However, a number of elements of the strategy are either still being developed or have not yet been achieved:

- in the 12 months to December 2010 16/17 year olds accounted for 18% of all acceptances in Dover, which means that, although considerable progress has been made, our target has not been achieved: in 2007/08 16 and 17 year olds represented 27% of all acceptances in Dover and our target was to reduce this by half, to 13% (still a greater proportion than many authorities):
- the multi-agency housing team, comprising Housing, Children's Services and Connexions, is successfully preventing homelessness in many cases – approximately 40% of enquiries are offered advice but not taken further – but is nevertheless dealing with a very large number of applications for assistance under the Housing and Children Acts. A total of 54 applications by 16 and 17 year olds for assistance under the Housing Act were taken during the 7 month period February to September 2010. The fact that this level of applications leads to a relatively small number of acceptances under the Housing Act (8 in the whole of 2010) is the result of three factors: successful preventive work, Children's Services taking responsibility for the accommodation of 16 and 17 year old children in need, and the breakdown of relationships between the young person and statutory agencies.
- bed and breakfast is still the only accommodation option for young people who cannot or will not stay at home or with other family / friends while their circumstances are being assessed by the multi-agency housing team – 30 16 and 17 year olds were placed in Bed and Breakfast between February and September 2010;
- through the activity of the multi-agency housing team we have greatly improved our understanding of the factors contributing to youth homelessness in Dover, and have assembled data which can map it. However, value for money considerations has meant we have not taken forward the original strategy's proposal to undertake more detailed research on the factors which contribute to Dover's exceptional position in national comparisons.

Relevant New factors

4.5 Since the original strategy was prepared, joint working between Connexions, the Young Persons Advisor and Children's Services (the multi-agency housing team) has been established, including a common database, regular reviews of young people's cases and pathways and joint initial interviews. Children's Services have re-structured to establish an Adolescent Team in the locality to address the needs of 16-21 year olds to whom duties are, or may become, owed under the Children Act 1989 and subsequent leaving care legislation and guidance. In December 2010 the Kent Joint policy and Planning Board delivered multi-agency training in Dover on the operation of the newly-published Joint Protocol to address the needs of homeless young people aged 16 to 21 in Kent. The challenge now is to adjust joint working in Dover to comply with the Joint Protocol and Children's Services' new structure, and to utilise the combined strength of the multi-agency approach to prevent crisis-driven homelessness in the younger age group (16 and 17 year olds).

Revised action plan

4.6 Key actions included in our new action plan are:

- utilise arrangements now in place for family mediation where appropriate, and monitor the use and effectiveness of this service through the Youth Homelessness Forum;
- develop alternatives to and/or improve safety and support in emergency/short term Bed and Breakfast for both Housing and Children's Services placements of 16 and 17 year olds in housing crisis – this might involve joint commissioning of a service focused on family reconciliation, development of the embryonic "off-site" support service delivered by CASA, use of Nightstop/Supported Lodgings-style accommodation);
- in partnership with the Children's Services Adolescent Team, develop clarity about working practice and agencies' roles and powers in order to inform young people and their families about the process, risks, and consequences of seeking assistance under the Housing Act 1996;
- ensure working practices comply with the Kent Joint Protocol and monitor this through the Dover Youth Homelessness Forum, reporting as required by the Joint Protocol to the Joint Planning Manager of the Kent Joint Policy and Planning Board;
- reinforce advice and information about this process and its consequences, given at the Dover Gateway to young people who may seek assistance under the Housing Act 1996.
- review relevant staff roles within the Housing Options Team with a view to reinforcing the homeless prevention role. (see section 7 below):

5 **Objective 3: Providing a greater range of support and accommodation:**
Providing effective and supportive pathways to independence for young people accommodated through the strategy

Original Plan

5.1 A second core objective of the 2008 strategy was to meet the Government target of eliminating the use of bed and breakfast accommodation for young people aged 16 or 17, except in an emergency, and then for a period of no more than 6 weeks. This could only be achieved by securing a more diverse range of suitable emergency and temporary accommodation and support, and by making progress against Objective 4 (facilitating move-on to more settled accommodation). Key elements of the strategy included:

- replacing bed and breakfast accommodation with a pool of between 10 and 20 additional places suitable for a young person with access to sufficient support, exploring the options of:
 - supported lodgings;
 - extended use of Council temporary accommodation or other social housing
 - private sector leasing
- initiate formal discussions with the Kent Supporting People team and liaise with them in future reviews of needs and the preparation of the SP strategy 2010-2015.

5.2 These aims were adjusted and simplified at an early stage in the implementation of the strategy, as follows:

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| Ensure existing B&B accommodation, for use in an emergency, is of an appropriate standard (ensure accommodation is inspected on a regular basis) |
| Explore options, develop and introduce additional emergency (short term) accommodation alternative to bed and breakfast |
| Introduce additional schemes of (longer term) accommodation for YP |

Progress and impact

5.3 Considerable progress has been made in all parts of the strategy:

- Supporting People finance has been obtained for a new service in Dover:
 - a supported housing service to provide temporary accommodation for homeless 16 and 17 year olds, with support geared to enabling them to live independently in more settled accommodation within 12-18 months;

- a support service to 16 and 17 year olds accommodated as an emergency measure, while their circumstances are assessed by Children's Services and Housing, with the aim wherever possible of avoiding homelessness.
 - the service provider (CASA) has secured time-limited (3 years) accommodation for the first of these services in Dover, into which the first young people moved in August 2010;
 - discussions have been held with the proprietor of one of the better bed and breakfasts with a view to the District Council "block-booking" the accommodation for a period until longer-term premises can be found for the emergency service. In the meantime, CASA are providing the emergency/preventive support service to young people while they are accommodated in bed and breakfast (the "off site service");
 - a search for permanent accommodation for both services has started, and some possibilities have been identified;
 - a system of regular inspection and review of bed and breakfast accommodation used as emergency accommodation is in place.
- 5.4 Nevertheless, the use of bed and breakfast, both as an emergency, and for longer than 6-8 weeks, has not yet been eliminated, and this seems likely to be the case for some time to come. Dover's use of bed and breakfast accommodation continues to be among the greatest in Kent.

Relevant New factors

- 5.5 Joint working on the initial response to young people aged 16 and 17 who present themselves as homeless has demonstrated that both Housing and Children's Services lack both range and numbers of suitable support and accommodation options for young people to whom a duty is found to be owed, whether under the Children Act 1989 or under the Housing Act 1996.
- 5.6 It has become clear that an accommodation-based service entirely for emergency use is impractical. Therefore alternative approaches outlined in 4.5 above must be investigated.
- 5.7 From the start of 2011/2012 a new funding regime will apply to affordable housing provision, essentially reducing the level of grant which is available through the Homes and Communities Agency for new provision. Recent guidance published by CLG and the HCA encourages Registered providers to include proposals for new supported housing provision within the offers they will be submitting in respect of the 2011-15 Affordable Homes Programme, particularly in respect of schemes identified by local commissioning bodies as a priority.
- 5.8 Despite reductions to the overall Supporting People budget for Kent, the new priority given to services for vulnerable young people by the Kent Supporting People commissioning strategy remains a Kent commitment. This includes supporting historic shortages of supported accommodation for young people, compared with need, in Dover, Dartford and Shepway.

Revised action plan

5.9 Continued investment of effort and resources is necessary to:

- secure a replacement for Folkestone Road for the longer term;
- find additional accommodation options for young people for whom the Folkestone Road service is not appropriate, including Children in Need who have accepted Children's Services assistance under Section 20;
- resolve issues of joint usage of support and accommodation services between Housing and Children's Services, including exploring joint commissioning;
- maintain strategic relationship with Kent Supporting People team in order to deliver strategic priorities in Dover in the context of diminishing financial resources.

6 **Objective 4: Improving longer term accommodation options: *Enabling young people who have been homeless but are ready for and need their independence to access sustainable housing accommodation in the social or private markets***

Original Plan

6.1 In order to optimise the effectiveness of initiatives to accommodate and support homeless young people temporarily, a range of measures to facilitate their moving on into more settled accommodation are necessary. Our original plan was simplified at an early stage into five core activities:

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|--|
| Collate and provide information for young people about practical arrangements for moving to their own accommodation Evaluate option of introducing conditions for young applicants (e.g. completion of life skills / tenancy-ready certificate) before awarding additional points on allocations scheme, and introduce if viable |
| Engage local authority and RSL social housing managers in programmes of action to improve sustainability of vulnerable young people's tenancies (early days support, debt advice, eviction policy, signposting to support networks, etc.) |
| Achieve a situation where realistic information on young people's longer term housing options reaches 100% of client group |
| Ensure that homeless young people are engaged with and effectively using the new CBL system. |
| Engage private sector landlords in a discussion of the obstacles to young people's entering the private rented sector and work to overcome these. |

Progress and impact

6.2 Some progress has been made:

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| The Young Persons Adviser has produced a resource pack now incorporated into the Council's Move On Accommodation Strategy, to which all partners subscribe. |
| 25 young people were referred to Money Skills workshop which took place at Connexions in 2009/10. |

The following procedure has been introduced in relation to lettings of DDC and PSH properties to young people:

At sign-up, the Young Persons Adviser:

- is present (to help explain responsibilities, etc.)
- helps the young person with paperwork, incl HB claim, and ensures Floating Support is in place and the young person is supported by relevant agencies

After six weeks in the property, the young person is visited by the Young Person's Adviser to follow up.

The 4 main RSLs with social housing stock in the district (Town & Country, Southern Housing Group, Orbit and Sanctuary) have been consulted and will be confirming their agreement to support this procedure in due course.

CBL was introduced in November 2008. All homeless households are being monitored by Housing Options staff in respect of homeless households and Young Homeless people known to us, but there will be further monitoring of new homeless applicants.

Relevant New factors

6.3 The supported housing service provided by CASA in Dover has introduced both new opportunities and new pressures:

- the programme provided by CASA to the young residents of the Dover scheme to develop their readiness for independence forms a valuable potential basis for training other young people, and a resource to co-ordinate other agencies' input to a wider training programme;
- the need to ensure that the Dover service remains accessible to young people who need this particular system means that effective move-on strategies are vital.

Revised action plan

6.4 The action plan is focused on supporting young people who have experienced homelessness to hold a sustainable tenancy in more settled accommodation, and move on to independent adult lives.

- Implement a "tenancy-ready" package of training for young people, linking up agencies and young people's access to training opportunities;
- Reinforce procedures for signing up young tenants with the 4 main RSL partners.

7 Procedures and resources

The Dover District Youth Homelessness Forum

7.1 The Youth Homelessness Forum has developed into a regular meeting, well-attended by representatives of the key agencies involved in delivering this strategy, including, recently, Children's Services. In the 2008 strategy it was anticipated that its role would include reviewing a number of indicators and targets of the performance of services in delivering this strategy, including comparison with other Kent Districts and the Kent average, including:

- SP Client Records data concerning the origins and pathways of young people engaged with SP services;
- SP Client Records outcomes data;
- Indicators supplied by Dover District Council Housing Options Team relating to:
 - operation and effectiveness of the Joint Protocol to address the needs of homeless 16/17 year olds;
 - prevention of homelessness among 16/17 year olds presenting under the Homelessness Acts;
 - the proportion of households accepted as homeless where the head of the household is aged 16/17;
 - the number of young people (16/17 and 18-25) accommodated in bed and breakfast accommodation, and their length of stay.

7.2 In practice, the Youth Homelessness Forum reviews data which can be supplied by the Housing Options Team and by the Young Persons Adviser, together with progress against the action plan resulting from the 2008 strategy.

Revised action plan

7.3 The Youth Homelessness Forum will continue in its present form and approach, but will:

- undertake, in addition to current work, specific monitoring of the application of the Kent Joint Protocol and local joint working arrangements;
- actively seek attendance by a suitable representative of the local Children's Services Adolescent Team, and reports from them on the outcomes from assessment, accommodation and support issues, etc. addressed in the Protocol and in this strategy.

Engagement with young people

7.4 The 2008 strategy action plan anticipated that the Youth Homelessness Forum would actively develop a reference group of local young people who have experienced homelessness and some of the services delivered locally, with whom the Forum would:

- review the strategy periodically;
- identify shortfalls in provision and design improvements;
- develop services which are accessible and relevant to young people at risk of homelessness and those actually homeless.

7.5 To some extent this has already been implemented in so far as the Young Persons Adviser has been actively involving young people in the development of information leaflets, the DVD and other information for young people locally and across Kent.

Revised action plan

7.6 There is no doubt that the input of young people has improved those areas of our service where their participation has been sought. For the future, we will prioritise work to:

- get feedback and suggestions for improvements from young people who have experienced our services;
- ensure that young people who are making decisions about their accommodation which will have significant impact on their lives and their life chances, fully understand the options available to them and implications of their decisions.

Resources

7.7 The role of the Young Persons Adviser has been crucial to the delivery of strategic objectives in respect of:

- owning and delivering many of the actions related to the 2008 strategy;
- promoting and enabling joint working, especially between Connexions, Children's Services and since July 2010, CASA.

However, the role has yet to demonstrate impact in reducing youth homelessness. At the same time, although the input of the Young Persons Adviser certainly improves the quality of young people's experience of the Housing Options Service, this is overshadowed by the critical shortage of suitable accommodation with support for those young people towards whom a duty is owed, resulting in them remaining in bed and breakfast accommodation.

7.8 There is an argument now for changing the role of the Young Person's Adviser, bearing in mind that this appointment was intended to be for a relatively short, intensive period of improvement. It would be possible, and in many ways desirable, to redistribute the tasks to "normalise" within the Housing Options Team the 'first contact' response to young people approaching the Council. This could help to clarify roles between Housing and Children's Services at the initial reception, advice, referral and application stage, allowing the Young Person's Adviser to be more engaged with 16 and 17 year olds whose needs are being assessed, or to whom an accommodation duty has been established whether under the Children Act or under the Housing Act. The table below suggests that approximately half the postholder's time could, if freed from the large number of opportunistic enquiries and initial

reception work, be devoted to improving the pathway for those 16 and 17 year olds who are homeless and in need of assistance to a sustainable, independent life.

| During 2010 the Young Persons Adviser's time was distributed approximately between activities as follows | |
|---|-----|
| Administration (including YP database) | 15% |
| One to one contact (inc drop-in surgery) | 40% |
| Preventative work including Home visits | 15% |
| Case Meetings inc Child in Need | 5% |
| Investigative work and Decision Making | 15% |
| Joint Assessments | 5% |
| Follow up work | 5% |

Targets associated with the revised role would be focused on:

- 16 and 17 year olds to whom an accommodation duty is accepted having a sustainable accommodation and support package and regular reviews of their progress;
- young people moving to suitable more settled accommodation within 18 months of a duty being accepted (or 2 years at the latest);
- achieving a reduction in the incidence of breakdown of the pathway.

7.9 In addition to work with young people, this role would involve:

- putting joint working on a firm, long term foundation between Housing, Children's Services, Connexions and other agencies at a time when resource pressures could have an undermining effect;
- collecting data, monitoring outcomes for young people and helping to design accommodation and support solutions for young people towards whom Housing and/or Children's Services owe an accommodation duty;
- ensuring delivery of the action plan appended to this strategy.

Revised action plan

7.10 The roles of the Housing Options Team and the Young Person's Adviser will be reviewed to enable the working arrangements developed so far to be mainstreamed and embedded and to improve the outcomes for young people.

YOUTH HOMELESSNESS STRATEGY

APPENDIX I

ACTION PLAN

2011/12 to 2013/14

| Actions | Timescale | Lead/Reference | Resource implications |
|--|---------------|---|--|
| OBJECTIVE 1: PREVENTATIVE WORK <i>Supporting children, young people and their families in planning transitions to independence</i> | | | |
| Build a relationship with the providers of the proposed new youth service in Dover and ensure the information prepared so far is used and promoted by them and the advice they offer is consistent with existing multi-agency strategy | 2011 onwards | Dover DC | Officer time |
| Work with Children's Services to identify and tackle potential family breakdown at an earlier age / before crisis point. | 2011 onwards | Dover DC, CS | Officer time |
| Continue to monitor the penetration and impact of information and advice leaflets and other media, through the Dover Youth Homelessness Forum | 2011 onwards | Dover DC and Youth Homelessness Forum | Officer time |
| Design and deliver a programme to roll out the DVD and other material through schools and other appropriate services for young teenagers. | June 2011 | Dover DC and Youth Homelessness forum | Officer time |
| OBJECTIVE 2: IMPROVING OUR FIRST RESPONSE <i>Preventing homelessness when young people present themselves in crisis</i> | | | |
| Monitor the use and effectiveness of the family mediation service through the Youth Homelessness Forum | 2011 onwards | Dover DC and Youth Homelessness forum | |
| Develop alternatives to and/or improve safety and support in emergency/short term Bed and Breakfast for both Housing and Children's Services placements of 16 and 17 year olds | June 2011 | Dover DC, CASA, Kent CS | Officer time, Social Housing Grant, Supporting People funds. |
| Ensure Gateway advice and information about consequences of seeking assistance under Housing Act is clear (including Children's Act process and implications) | 2011 onwards | Dover DC | |
| Monitor compliance with, and effectiveness of, the Joint Protocol through the Dover Youth Homelessness Forum, | 2011 onwards | Dover DC and Youth Homelessness forum | Officer time |
| OBJECTIVE 3: PROVIDING A GREATER RANGE OF SUPPORT AND ACCOMMODATION <i>Providing effective and supportive pathways to independence for young people accommodated through the strategy</i> | | | |
| Secure a replacement for Folkestone Road for the longer term and expand range of suitable accommodation and support options for 16 and 17 year olds to whom an accommodation duty is owed. | December 2011 | Dover DC, CASA, Kent Supporting People, Kent CS | Social Housing Grant, Supporting People funds, CS budgets. |

| Actions | Timescale | Lead/Reference | Resource implications |
|--|--------------|--|-----------------------------------|
| Resolve issues of joint usage of support and accommodation services between Housing and Children's Services, including exploring joint commissioning | June 2011 | Dover DC, Kent CS | Officer time |
| Maintain strategic relationship with Kent Supporting People team | 2011 onwards | Dover DC, Kent Supporting People | Officer time |
| OBJECTIVE 4: IMPROVING LONGER TERM ACCOMMODATION OPTIONS <i>Enabling young people who have been homeless but are ready for and need their independence to access sustainable housing accommodation in the social or private markets</i> | | | |
| Implement a "tenancy-ready" package of training for young people, linking up agencies and young people's access to training opportunities | 2011 onwards | Dover DC, CASA, Youth Homelessness Forum | Officer time |
| Reinforce procedures for signing up young tenants with the 4 main RSL partners | 2011 onwards | Dover DC | Officer time |
| RESOURCES | | | |
| Include monitoring of Joint Protocol in Dover Youth Homelessness Forum agenda and seek reports/input from Children's Services representative | 2011 onwards | Dover DC, Kent CS | Officer time |
| Get feedback and suggestions for improvements from young people who have experienced our services | 2011 onwards | Dover DC | Officer time |
| Ensure that young people who are making decisions about their accommodation which will have significant impact on their lives and their life chances, fully understand the options available to them and implications of their decisions | 2011 onwards | Dover DC, Kent CS, Connexions | Officer time |
| Overhaul the roles of the Housing Options Team and the Young Person's Adviser to mainstream the working methods developed so far and improve the outcomes for young people. | April 2011 | Dover DC | Officer time, Homelessness Grant. |

| | |
|--------------------------|---|
| Subject: | DOVER'S OLYMPIC TORCH RELAY EVENING CELEBRATION ARRANGEMENTS |
| Meeting and Date: | Cabinet – 5 September 2011 |
| Report of: | David Randall, Director of Governance |
| Portfolio Holder: | Councillor Sue Chandler, Portfolio Holder for Community, Housing and Youth |
| Decision Type: | Non-Key |
| Classification: | Unrestricted |

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| Purpose of the report: | To raise awareness of the Olympic Torch Relay Evening Event, recognise the Council resources committed, appoint members of the Executive to the Co-ordinating Group and Transport and Community Engagement Sub Groups and authorise the Chief Executive to enter into legal agreements in connection with the event on behalf of the Council. |
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|------------------------|--|
| Recommendation: | <ol style="list-style-type: none"> 1. Cabinet to approve the organisational and governance arrangements. 2. Cabinet to appoint the Portfolio Holder for Community, Housing and Youth to the Dover District Council Olympics Co-ordinating Group. 3. Cabinet to appoint the Portfolio Holder for Access and Property to the Transport Sub Group. 4. Cabinet to appoint the Portfolio Holder for Skills, Training and External Relations to the Community Engagement Sub Group. 5. Cabinet supports the need for external funding and sponsorship to be secured by the end of 2011 to enable the world class concept to be designed and successfully delivered. 6. Cabinet authorises the Chief Executive to enter into negotiations with potential funding and sponsorship 'partners' and, acting in consultation with the Portfolio Holder for Community, Housing and Youth, to approve the Council entering into any necessary legal agreements with regard to both the funding of Dover's Olympic Torch Relay Evening Celebration Arrangements and, in connection with the Olympic arrangements generally. |
|------------------------|--|

1. Summary

Dover is an official host of an Olympic Live Site and Dover Town will be hosting a free of charge Olympic Torch Relay evening celebration on 18 July 2012. This will be a very high profile event, which in the Olympic ethos will look to create a positive atmosphere right across the town attracting an overall crowd of up to 50,000 to the town. This report outlines the project planning arrangements and the resources to be committed by this Council, and to be sought from others, in order to deliver a world class evening celebration event in partnership with London Organising Committee of the Olympic Games and Paralympic Games (LOCOG).

2. Introduction and Background

2.1 Dover has been selected by London 2012 as an evening celebration host venue, for the Olympic Torch Relay, the date of the event is Wednesday 18 July and it is proposed that the free of charge event will be held on the seafront at Dover which has an estimated capacity of 25,000.

2.2 There is also a desire from partners to have the event screened on the Live Site which could hold up to a further 3,000 people. The Torch will also be taken on a tour of Dover town and this is estimated could bring the total number of people who interact with the Torch on 18 July to over 50,000 people. This is more than attended The Open Golf on the Friday, but unlike the expansive Royal St George's, is over a much shorter timescale and restricted into a smaller 'live' area, although it is anticipated that smaller community events will also take place along the route of the torch relay and across the town.

2.3 This Council along with other agencies, including Kent County Council, Kent Police, Kent Fire and Rescue Service, Eastern Coastal PCT, Kent Ambulance, KCC Emergency Planning, Kent Highways and the Environment Agency, worked effectively in supporting the highly successful Open Golf Championship at Royal St George's during July 2011. This process was supported by effective planning, organisation and governance arrangements including an Executive Board, Transportation, Security, Emergency Planning and Safety Advisory Sub Groups allowing effective arrangements to be put in place enabling close to 200,000 spectators to enjoy the event.

2.4 We must replicate these arrangements with our multi-agency partners, to address as a matter of urgency the event management, together with associated transportation, communications, security, hygiene and emergency planning issues for the evening celebrations to ensure a successful and spectacular evening that everybody remembers but above all that is safe and efficiently managed.

2.5 Although following the 2010 Delivering Effective Service Review, "events" has been classified by the Council as a bronze priority service, it was always recognised that the Open Golf and Olympic Games celebrations would be special projects involving the Council in a multi-agency response.

2.6 Key areas to address include:

- (a) Overall event management in partnership with LOCOG
- (b) Transportation
 - (i) Public transport and pedestrian access and egress

- (ii) Car parking, road signage and closures
 - (c) Crowd management including portals, fencing, security and safety.
 - (d) Operational issues for local neighbouring businesses around the events and in and around the port, in order to maintain the required access.
 - (e) Emergency/contingency planning.
 - (f) Full risk assessments.
- 2.7 As part of the LOCOG timetable, two meetings of the Olympic Torch Evening Celebration Steering Group (Community Task Force) have already taken place, highlighting a range of issues that now need to be fed via a structured approach into various sub-groups, including a safety advisory group, all overseen by a co-ordinating management group/board.
- 2.8 With the support of the London Organising Committee of the Olympic Games (LOCOG), the relay presenting partners and our multi-agency partners, the aim is to deliver a world class event alongside the main Olympic event in London. In particular, the aim is to enable an event which all people of this District can be justifiably proud and leaves a legacy for 'brand' Dover. Key to the success of the event is securing funding and sponsorship, as alone DDC's contribution is modest £15k (2011/12) and £15k (2012/13). Although this money will enable us to meet our responsibilities and contractual obligations to LOCOG, without substantial additional external funding it would constrain the scale of the event. Therefore, funding bids have already been made to the Heritage Lottery Fund and the Arts Council, with the result of this process being known by the end of 2011. Securing this funding will enable planning to match aspirations and to ensure that the event is a truly spectacular experience.
- 2.9 The purpose of the evening celebration is to allow our communities to share the excitement of the Olympic Games as part of the nation's count down to the opening ceremony. The aims are to:
- (a) Ensure that the Olympic Flame and the values of the Olympic Games (friendship, respect and excellence) are at the centre of our celebration;
 - (b) Create a community event that celebrates the culture and characteristics of our communities and generates enthusiasm and excitement for the Games; and
 - (c) Provide a show case for our district to the UK and the rest of the world.
- 2.10 A large number of DDC officers and Members will be actively involved in the event:
- Councillor Sue Chandler, Portfolio Holder for Community, Housing and Youth Co-ordinating Group (Chairman)
 - Nadeem Aziz, Chief Executive Co-ordinating Group and Community Task Force Steering Group (Chairman)
 - David Randall, Director of Governance Co-ordinating Group and Safety Advisory Group (Chairman)

- Mike Dawson, Director of Community and Development Co-ordinating Group
 - Gillian Gayton, Events Co-ordinator Community Task Force Steering Group
 - 4 x experienced DDC officers Management of event sites
 - Chris Allen, Community Safety, CCTV and Parking Manager Security Sub Group (Chairman) and Safety Advisory Group
 - Martin Leggatt, Building Control Manager Safety Advisory Group
 - East Kent HR Partnership Safety Advisory Group
 - Gordon Measey, Highways and Parking Manager Transport Sub-Group
 - Councillor Nigel Collor, Portfolio Holder for Access and Property Management Transport Sub Group
 - Michelle Farrow, Leadership Support and Corporate Communication Manager Communications Sub-Group (Chairman)
 - Diane Croucher, Environmental Enforcement and Protection Manager Safety Advisory Group and Emergency Planning Sub-Group
 - Sue Carr, Complaints/Corporate Resilience Officer Emergency Planning Sub-Group
 - Paul Whitfield, Housing and Community Manager Community Engagement Sub-Group (Chairman)
 - Sheila Tait, Principal Community and Leisure Officer Community Engagement Sub-Group
 - Councillor Kit Smith, Portfolio Holder for Skills Training and External Relations Community Engagement Sub-Group
 - Jon Iveson, Museums and Tourism Manager Culture Sub-Group
 - Maureen Pearce, PA
 - Kerry Scott, PA
- Agenda distribution, minute taking and meeting management for the Communications, Security and Community Engagement sub groups, the Safety Advisory Group and the Community Task Force Steering Group

2.11 Once the project objectives and programme management arrangements are in place, each sub-group will agree its own terms of reference based on the LOCOG

guidance, co-ordinate its programme of meetings and reporting lines. The Community Task Force and the DDC Co-ordinating Group will oversee these arrangements, ensure that the project and all of the sub groups are efficiently and effectively managed and co-ordinated and seek the necessary assurances as the project develops.

3. Identification of Options

3.1 As Dover has been selected by London 2012 as an evening celebration host venue, for the Olympic Torch Relay, the options are now, realistically, limited to the extent to which DDC supports and manages the event.

3.2 The options are therefore:

- (a) Host the event to a minimum level, within the £30k budget available, which meets the Council's minimum obligation as a live site location.

This is not the preferred option, as DDC has signed a community celebration agreement with LOCOG, who have in turn allocated Dover a torch evening stopover and not to participate would result in a missed opportunity to promote the town, district and county to the rest of the UK and the world.

- (b) With LOCOG, stage a world class evening celebration event which promotes Dover, and secure the additional external funding and sponsorship required to deliver this option.

This is the recommended option. Dover's relay event will be last televised torch celebration prior to the torch arriving in London. It will be the biggest event in the South East and will attract a great deal of local, national and international interest.

4. Evaluation of Options

4.1 Appendix 1 provides some outline details about the event, highlighting the opportunity for community involvement alongside the evening celebrations and live site event, plus the potential for continental interest in the torch relay and evening event due to its close proximity. DDC members and officers working with LOCOG and its presenting partners are currently finalising the detail of the event.

4.2 Appendix 2 provides details of the Community Task Force Steering Group and the sub-groups required to plan and deliver this event and DDC's contribution in terms of resources. The arrangements also recognise that this District is also a major conduit to the Olympic Park.

4.3 It has been established at the outset that the evening event and torch relay are to be managed as two separate events, recognising that there is some overlap when the torch reaches the live site via the Castle. However, the command structures deployed by Kent Police means that it is not feasible to combine the planning of these events into one governance structure.

5. Resource Implications

| <i>Revenue Implications</i> | <i>2011/12 £000</i> | <i>2012/13 £000</i> | <i>2013/14 £000</i> | <i>On-Going £000</i> |
|---|-------------------------|-------------------------|-------------------------|--------------------------|
| Expenditure | 15 | 15 | 0 | 0 |
| Income | 0 | 250 | 0 | 0 |
| Net Revenue Implications | 15 | 15 | 0 | 0 |
| Increase/(decrease) in budget requirement | 0 | 0 | 0 | 0 |

- 5.1 Expenditure: Current budget provision – £15k (2011/12) and £15k (2012/13).
- 5.2 Income: Estimated income, subject to successful bids, which have been made to the Heritage Lottery Fund and Arts Council. The event is currently sustainable, but to make it world class the additional sponsorship needs to be secured.

6. Corporate Implications

- 6.1 Comment from the Director of Finance (linked to the MTFP): The Medium Term Financial Plan includes a Major Events reserve and this includes £30k allocated to support the Live Site Torch Relay Event the proposed expenditure by DDC is therefore already provided in the MTFP.

However, to achieve a world class event as proposed, also requires circa £250k of funds from partners and sponsors. This has not yet been secured, although bids have been submitted to the Heritage Lottery Fund and Arts Council.

- 6.2 Comment from the Solicitor to the Council: (including exemption paragraph): The Solicitor to the Council has been consulted in the preparation of this report and has no further comments to make.
- 6.3 Other Officers: Equalities Officer: Plans are in place to involve and liaise with the community at all stages of the process and Equality Implications will be addressed if they arise. A member of the Equality group is part of the Community Engagement Sub-Group.

7. Risks

- 7.1 The detailed event project plan and associated risks will be reported to the Co-ordinating Group/Board, as part of the programme management, as the planning of the event becomes more advanced.
- 7.2 At present the key risk is that DDC with partners is unable to secure any or all of the required additional funding. This would mean that although the event is sustainable it would not be delivered to a world class standard. The risk of this occurring is low, but the impact would be high.

8. Appendices

Appendix 1 – Provisional Event Details

Appendix 2 – Planning/Governance Arrangements

Appendix 3 – Meetings schedule

Appendix 4 – Terms of Reference

9. **Background Papers**

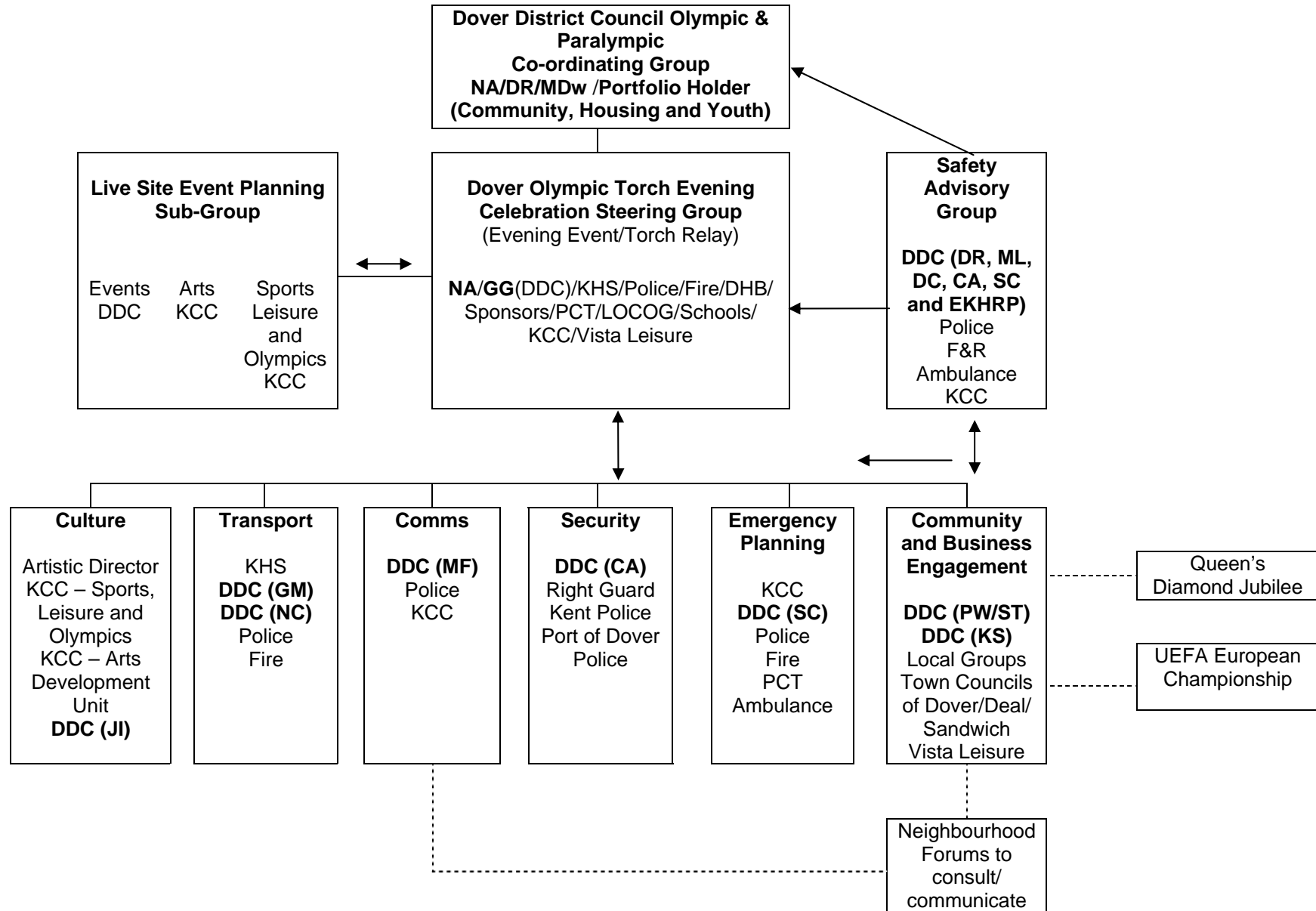
None

Contact Officer: David Randall, Director of Governance

Provisional Event Details

1. 18 July 2012 – Torch will be in Dover overnight – live site event.
2. An event for Dover to remember and to give local people chance to interact with torch. Evening celebration venue will be Dover Seafront but not finalised location of stage. Will be working with 'World Famous' to close show. Believe torch will be arriving in Dover about 6:30 pm and arrive on stage about 7:20 pm. Arrival yet to be finalised point of the Torch in Dover is yet to be finalised.
3. Route for torch not yet finalised but it is proposed that it will have a tour of the town and then go to the seafront for the evening event
4. Not to underestimate how popular the torch route event would be – "lessons learnt" from Vancouver.
5. A free ticketed event to ensure Health and Safety requirements are met. The remainder of the torch route is free to all members of the public to access this will be published by LOCOG closer to the date of the arrival in Dover.
6. Timing for seafront is from about 4:00 pm until 10:30 pm. This will change depending on the final capacity and the final artistic concept for the event.
7. Could be a figure in excess of 20,000 on the seafront – plus large crowd dynamics along the whole route.

DOVER OLYMPIC TORCH RELAY EVENING CELEBRATION ARRANGEMENTS



MEETINGS SCHEDULE

| Month | Dates | Sub Groups | Steering Group/SAG | Co-ordinating Group | Sub Group |
|----------------|-------------------|---|---|---------------------|---------------|
| September 2011 | 15 September 2011 | Culture Transport Security Emergency Planning Community & Business Engagement | | | |
| | 29 September 2011 | | Steering Group Safety Advisory Group | | |
| | 3 October 2011 | | | Co-ordinating Group | Communication |
| October 2011 | 13 October 2011 | Culture Transport Security Emergency Planning Community & Business Engagement | | | |
| | 20 October 2011 | | Steering Group Safety Advisory Group | | |
| | 24 October 2011 | | | Co-ordinating Group | Communication |
| November 2011 | 10 November 2011 | Culture Transport Security Emergency Planning Community & Business Engagement | | | |
| | 17 November 2011 | | Steering Group Safety Advisory Group | | |
| | 28 November 2011 | | | Co-ordinating Group | Communication |
| December 2011 | 8 December 2011 | Culture Transport Security Emergency Planning Community & Business Engagement | | | |
| | 15 December 2011 | | Steering Group Safety Advisory Group | | |
| | 19 December 2011 | | | Co-ordinating Group | Communication |
| January 2012 | 12 January 2012 | Culture Transport Security Emergency Planning Community & Business Engagement | | | |
| | 19 January 2012 | | Steering Group Safety Advisory Group | | |
| | 23 January 2012 | | | Co-ordinating Group | Communication |
| February 2012 | 10 February 2012 | Culture Transport Security Emergency Planning Community & Business Engagement | | | |
| | 17 February 2012 | | Steering Group Safety Advisory Group | | |
| | 27 February 2012 | | | Co-ordinating Group | Communication |
| March 2012 | 8 March 2012 | Culture Transport Security Emergency Planning Community & Business Engagement | | | |
| | 15 March 2012 | | Steering Group Safety Advisory Group | | |
| | 26 March 2012 | | | Co-ordinating Group | Communication |
| April 2012 | 12 April 2012 | Culture Transport Security Emergency Planning Community & Business Engagement | | | |
| | 19 April 2012 | | Steering Group Safety Advisory Group | | |
| | 23 April 2012 | | | Co-ordinating Group | Communication |

| Month | Dates | Sub Groups | Steering Group/SAG | Co-ordinating Group | Sub Group |
|-----------|--------------|---|---|---------------------|---------------|
| May 2012 | 10 May 2012 | Culture Transport Security Emergency Planning Community & Business Engagement | | | |
| | 15 May 2012 | | Steering Group Safety Advisory Group | | |
| | 21 May 2012 | | | Co-ordinating Group | Communication |
| June 2012 | 14 June 2012 | Culture Transport Security Emergency Planning Community & Business Engagement | | | |
| | 21 June 2012 | | Steering Group Safety Advisory Group | | |
| | 25 June 2012 | | | Co-ordinating Group | Communication |

DOVER OLYMPIC AND PARALYMPIC CELEBRATION ARRANGEMENTS

TERMS OF REFERENCE

1. Co-ordinating Group

To oversee the project plan and budget management and ensure adequate DDC resources are made available for preparation and delivery on 18 July 2012

2. Community Task Force Steering Group

Co-ordinate all aspects of the community level planning for the evening celebrations

Support LOCOG in identifying the torch route in the district and the evening celebration event(s) sites

Plan with LOCOG the detailed programme for the arrival of the torch and for the seafront and live site events

Plan and organise the entertainment to be provided by the local community within the LOCOG guidelines

Plan and organise community facilities that support the event, including toilets, barriers and waste management

Obtain all necessary approvals for the event

To co-ordinate the work of and liaise with the sub groups

To secure the necessary funding for the whole event(s)

To deliver a quality event(s) on schedule

3. Safety Advisory Group

To provide a forum for the Steering Group to develop a co-ordinated approach to spectator safety for the event(s) including calculation of crowd numbers, ingress and egress arrangements

To advise the local authority in the enforcement of any statutory provisions

To advise on plans prepared by the sub groups

To monitor any matters reported to the Steering Group

4. Sub Groups

(a) Culture

To develop the cultural element of the event(s) within an agreed budget

To ensure that the cultural element fits seamlessly into the overall programme of events

To deliver events that leave a culture/sport legacy

(b) Transport

Develop a traffic management plan for the area of the event, including obtaining the necessary approvals and road closure or traffic management orders

To determine and then work with other agencies to deliver the infrastructure requirements, including traffic flows, route diversions, parking

Effective engagement with the Highways Agency, DHB and transport providers

(c) Communications

Provide LOCOG with local information and stories for the media

Promote the Olympic event

Provide timely and relevant event information

(d) Security

Determine the security arrangements

Arrange the security for the event, including procurement of specialists from within an agreed budget

Liaise with the Safety Advisory Group as appropriate

(e) Emergency Planning

As multi agency Cat 1 responders prepare appropriately resourced contingency plans to mitigate identified risks

Provide emergency plans and support for the wider Olympic event, including plans that address Dover strategic position as a key artery/conduit to the Olympic Park from the continent

(f) Community and Business Engagement

Act as facilitators for the delivery of local community events that support/complement the main events on the seafront and live site

Seek involvement from community groups, local councils, schools and other bodies

| | |
|--------------------------|---|
| Subject: | PROPERTY LEVEL FLOOD PROTECTION - DOVER |
| Meeting and Date: | Cabinet – 5 September 2011 |
| Report of: | Roger Walton, Director of Environment and Corporate Assets |
| Portfolio Holder: | Councillor Nigel Collor, Portfolio Holder for Access and Property Management |
| Decision Type: | Non-Key |
| Classification: | Unrestricted |

| | |
|-------------------------------|--|
| Purpose of the report: | To raise awareness of the fully grant funded flood defence project for properties identified at risk in Dover and to include the project within the Medium Term Capital Plan |
|-------------------------------|--|

| | |
|------------------------|--|
| Recommendation: | <ol style="list-style-type: none"> 1. Cabinet to approve the fully grant funded project. 2. Cabinet to approve the inclusion of the project within the Medium Term Capital Plan. |
|------------------------|--|

1. Summary

1.1 In May 2011 Dover District Council (DDC) was awarded £112,500 from the Environment Agency to protect properties located in Maison Dieu Road, East Street and Folkestone Road which are at risk from flooding. All of these properties have a recent history of flooding for which no larger scale measures are feasible. This report outlines the project and the resources to be committed by this Council to deliver the desirable outcomes by March 2012.

2. Introduction and Background

2.1 The award of this grant followed a Surface Water Management Plan (SWMP) that DDC has jointly undertaken with Kent County Council (KCC) and other partners in Kent, including Southern Water and the Environment Agency. The SWMP focused primarily on the surface water flood risk in Dover, which was identified by Defra as being particularly susceptible to this type of flooding. As part of the SWMP, 30 properties with a significant, recent history of surface water flooding were identified. The properties are located in Maison Dieu Road, East Street and Folkestone Road.

2.2 Given the flood history, these properties were eligible for a grant from the Environment Agency for property level flood protection measures, which DDC and KCC have successfully applied for. DDC will be responsible for delivering this grant locally, with support from KCC.

2.3 Fitting flood protection measures to a property can have a number of benefits. It can reduce the risk of flooding and therefore the damage and time to recover from a flood event. It can reduce insurance premiums or the insurance excess for flooding, or in cases where the flood history is bad, it can mean that insurance for flooding is available where previously insurance companies would not insure for this risk.

2.4 In order to receive this grant the scheme must be delivered by March 2012, after this date the funds will no longer be available. The grant is entirely discretionary.

2.5 Key areas to address to deliver the project include:

- (a) Engage with the local community
- (b) Undertake surveys and tender for suppliers
- (c) Agree contracts with suppliers and fit products
- (d) Confirm work identified as required by the survey
- (e) Provide reports and audit certificates
- (f) Claim grant money from the Environment Agency

3. **Identification of Options**

3.1 A view could be taken that the grant aid is not accepted and is consequently returned. This is not considered to be an option

3.2 Dover District Council and its partners have been successful in securing grant funding for this project; the only identifiable option is to deliver the project in accordance with conditions of the grant aid.

This is the recommended option.

4. **Evaluation of Options**

4.1 Evaluating the recommended option the project will meet the following criteria:

Corporate Objective – The Vision of the Council's Corporate Plan states that "Our top priority, working with partners, is to regenerate our district in a sustainable way that gives our residents world class future".

4.2 The Corporate Plan also:

- (a) Identifies the need to provide a world class economy to improve the quality for all our residents.
- (b) Identifies the need to provide a world class economic environment, maintaining properties that meet the aims of the Council.

4.3 Community Impact – Approval has been given by the Environment Agency to undertake this work and the implementation of surveying 30 properties identified in the surface water management plan. Recommendations will be submitted via a report to the Environment Agency and the local residents will be consulted with at each stage of the process until completion of works and final accounts.

4.4 Customer Access Review – The works will consist of recommending mitigation and resilience flood measures to protect the identified properties from surface water flooding ie floodgate doors, raising the threshold, waterproof rendering, non-return valves, and flood barriers for deployment.

- 4.5 The objectives of the proposed works are to manage the risk of flooding in order to reduce the potential consequent flood impacts to local residents of the Dover midtown. To undertake mitigation measures recommended from the survey report that will help properties defend against flooding to an acceptable standard and prevent more expensive remedies to local residents in the near future.

5. Resource Implications

| <i>Capital/Major Revenue Project Expenditure</i> | <i>2011/12 £000</i> | <i>2012/13 £000</i> | <i>2013/14 £000</i> | <i>Total £000</i> |
|---|-------------------------|-------------------------|-------------------------|-----------------------|
| Expenditure | 112.5 | Nil | Nil | 112.5 |
| Income | 0.00 | Nil | Nil | Nil |
| Net Capital Investment | 0.00 | Nil | Nil | Nil |
| Proposed to be financed from [specify, receipts, revenue reserves, grants, etc] | 112.5 | Nil | Nil | 112.5 |
| Provision for the project which was included in the Medium Term Financial Plan | 0.00 | Nil | Nil | 0.00 |

6. Corporate Implications

- 6.1 Comment from the Director of Finance (linked to the MTFP): This project brief is being forwarded to seek an approval to carry out the project. Please note that external funding has already been secured and the performance of this project will not have an impact on DDC budget Framework
- 6.2 Comment from the Solicitor to the Council: The Solicitor to the Council has been consulted in the preparation of this report and has no further comments to make.
- 6.3 Comment from the Equalities Officer: There may be equality implications for residents who are old or who have disabilities, but provided that the planned consultation with residents takes this into account and reasonable adjustments are considered, there should be no other equality issues.

7. Risk

- 7.1 The grant award stipulates that all work must be completed by the 31 March 2012. There are sufficient staff resources within Property Services to delivering the project within the required timescale. The risk of not delivering the project is low but the impact would be high.

8. Appendices

Appendix 1 – Project Brief

9. Background Papers

None

Contact Officer: Keith Watson, Corporate Estate and Coastal Engineer, Extension 2399

CAPITAL AND SPECIAL REVENUE

PROJECT BRIEF

FOR

PROPERTY LEVEL FLOOD PROTECTION - Dover

Statement from Accountancy: This project brief is being forwarded to seek an approval to carry out the project. Please note that external funding has already been secured and the performance of this project will not have an impact on DDC budget Framework.

DDC Department: Property Services

Project Officer: Keith Watson

Ext: 2399

Email: keith.watson@dover.gov.uk

Role of Project Officer: Corporate Estate and Coastal Engineer

Portfolio Holder: Councillor Nigel Collor, Portfolio Holder for Access and Property Management

PROJECT DESCRIPTION, OBJECTIVE AND BACKGROUND:

The EA approved full funding of 112,500K to DDC to carry property flood protection works to 30 properties identified in 3 streets of Dover town, Maison Dieu Rd, East Street, and Folkstone Rd. The conditions of this grant would be that DDC would have to deliver this project and commit the 112,500k by 31st March 2012. Each property is therefore capped to receive no more than £3,750 spent on these protection works. The works will involve: Going to consultation with the 30 residents, Survey the properties, Produce a report for each property with recommendations of the correct mitigation / resilient measures, Further consult with the residents and EA, Tender the works, Select contractor, Procure works, and final accounts for the grant claim FRM3 and FRM5.

DURATION: 1st April 2011 – 31st March 2012

PROPOSED START DATE: Sep / Oct 2011

ESTIMATED COMPLETION DATE: March 2012

PROPOSED BUDGET: £112,500

ESTIMATED LIFETIME OF THE PRODUCT / ASSET: 40 years

Other Project Contacts:

| Name | Address | Telephone | Email |
|--------------------|----------------|---------------------|---|
| Max Tant | KCC | 01622 221691 | max.tant@kent.gov.uk |
| Andy Crates | EA | 07881511844 | andrew.crates@environment- agency.gov.uk |

Recommendation to CMT:

To approve this project for inclusion on the MTCP for approval by Council

This is currently the first year that the EA have made capital grant funding readily available to local authorities for property flood level protection from surface water flooding in urban areas. DDC have been fortunate enough to qualify for its own surface water management plan, which has provided great scope in applying and eventually delivering this scheme successfully. Funding has already been applied for through the coastal medium term plan to carry out the same study in Deal, and if approved this will give the opportunity for DDC to apply for further schemes and help benefit more residents from surface water flooding.

Summary of Resource Implications for Dover District Council

| Requirement | Previous Year(s) (a) £ | Current Year (b) £ | Future Year(s) (c) £ | Full Duration Total a+b+c £ |
|--|---|---------------------------------------|---|--|
| Proposed Capital Budget | 00.00 | 112,500 | 00.00 | 112,500 |
| Revenue Budget Implication | 00.00 | 00.00 | 00.00 | 00.00 |
| Total Financial Requirement | 00.00 | 00.00 | 00.00 | 00.00 |
| | | Year of Completion £ | Next Year £ | Future Years p.a. £ |
| Post Implementation Annual Revenue Operational Costs | | 00.00 | 00.00 | 00.00 |
| Income (EA Grant) | | 112,500 | 00.00 | 112,500 |

Financed by: (Grants, Capital Receipts etc.):

Environment Agency

Compliance with Corporate Objectives:

Corporate Objectives

The Vision of the Council's Corporate Plan states that "Our top priority, working with partners, is to regenerate our district in a sustainable way that gives our residents world class future".

The Corporate Plan also:

- (a) Identifies the need to provide a world class economy to improve the quality for all our residents;*
- (b) Identifies the need to provide a world-class economic environment, maintaining properties that meet the aims of the Council.*

Risk:

The risk of this project is that all the works require to be completed by the end of March 2012 in order to claim the full grant of 112,500k.

Community / Service Impact:

Approval has been given by the Environment Agency to undertake this work and the implementation of surveying 30 properties identified in the surface water management plan. Recommendations will be submitted via a report to the Environment Agency and the local residents will be consulted with at each stage of the process until completion of works and final accounts. The above service should therefore see the community benefit from surface water protection and obtain insurance against future flooding events.

Impact of not going ahead:

Possible further flooding to the properties identified, and risk of danger to members of the public.

Service Standard (gold/silver/bronze/tin):

Gold

Statutory Implications:

As a local authority DDC have accepted the grant approval for the property flood level protection scheme from the Environment Agency and will be required to submit a report of each survey of the 30 properties identified, and the EA require DDC to have the scheme completed by March 2012 to be eligible for acceptance of the full grant.

REPORT OF THE DIRECTOR COMMUNITY AND DEVELOPMENT

RESPONSIBILITY – PORTFOLIO HOLDER FOR ENVIRONMENT, WASTE AND PLANNING

NON- KEY DECISION

EXECUTIVE

CABINET – 5 SEPTEMBER 2011

COMMENTS ON SHEPWAY CORE STRATEGY SUBMISSION VERSION

Recommendation

Cabinet agrees that the following representations be made on the Shepway Core Strategy Submission Document:

1. *The proposals on Green infrastructure are supported.*
2. *A concern is raised regarding the potential impact of the Strategy's development proposals on Dover District's water resources. Additional details should be provided within the Water Cycle Report to confirm that there would be no, or little, impact on neighbouring authorities and their plans for growth.*
3. *That Policy CSD10 Implementation Strategy be re drafted to exclude any reference to neighbouring authorities in monitoring and assisting with the delivery of their Core Strategy.*

Contact Officer: Elizabeth Rix - extension 2065

Reasons why a decision is required

1. Shepway District Council (SDC) are seeking views on their Core Strategy Submission Version. During this consultation period any representations made will be submitted to the Secretary of State prior to the Examination in Public. Representations need to be submitted to SDC by 23 September 2011 and this provides an opportunity for the Council to express any cross-boundary issues.

Options available to the Council with assessment of preferred option

2. The Council could decide to not express any views. This is not the preferred course of action given that SDC's Core Strategy needs to have adequately considered all cross-boundary issues.

Information to be considered in taking the decision

3. SDC's Core Strategy sets out the long term strategy for the future, covering a 20 year period. As a neighbouring district we are primarily concerned with any elements of the strategy which could have implications for Dover District.
4. SDC have taken on board all the cross-boundary comments made at the Preferred Options stage (Appendix A). We are supportive of the joint working arrangements in

connection with Green Infrastructure and the evidence base documents on this topic which sit alongside the Core Strategy.

5. The Council previously commented on the issue of water supply and waste water treatment infrastructure given that SDC have chosen a growth scenario based on higher housing numbers than those contained within the South East Plan. This is important since the water company that serves the Shepway area also serves the southern part of Dover District, including Dover town.
6. We welcome the production of a Water Cycle Report (2011), specifically Chapter 5 which examines the issue in more depth. We have had oral confirmation from the water company that the additional growth which SDC proposes does not alter the number of years until the deficit is reached (approximately 22-23 years time) by more than a year. We would suggest this is made explicitly clear in the Water Cycle Report in order to give us the assurance that we require for our future plans.
7. Lastly, Policy CSD10 entitled Implementation Strategy sets out the manner in which SDC will use powers available to ensure the necessary infrastructure is provided alongside growth. We are concerned with final paragraph of this policy which states:

“If the Policies within the Core Strategy, and indeed other local development documents in the LDF, are to be implemented successfully, this responsibility will fall not only to the District Council as the local planning authority, but also upon the Council’s partners and stakeholders, including the County Council, neighbouring districts and public and private sector organisations” (emphasis added)

8. We are concerned about the current way in which this is drafted. It would seem to imply that if SDC’s housing delivery rates and associated infrastructure provision does not come forward in line with the suggested milestones then the onus could rest on DDC to help implement the policies and proposals as set out in the Core Strategy. We query whether this notion is enforceable or, legal, given that SDC has no control over DDC’s priorities. It is questionable whether a neighbouring authority would even wish to assist in such matters given their own remit and the need to satisfy their individual corporate priorities. We would be happy to work jointly though on implementing matters of common interest, such as a Green Infrastructure Strategy.

Next Steps

9. Once the public consultation has closed SDC will take into consideration any views that have been received and may choose to propose minor revisions to the document prior to formal submission to the Secretary of State. There is an opportunity for consultees to request to speak at the Examination in Public, although ultimately an Independent Planning Inspector will make this decision.

Background Papers

None,

Resource Implications

| Requirement from Current Budget | Requirement for Additional Budget | |
|---|-----------------------------------|-----------|
| | Current Year | Full Year |
| Consultation costs are contained within the current Forward Planning Budget | None | None |

Comments from Finance

The Director of Finance has been consulted and has no comments to add (MD).

Customer Access Review

The report concerns the Council's response to SDC's consultation. There is no need for the Council to undertake its own consultation on this matter or to undertake a Customer Access Review.

Comments from Equalities Officer

This document is a response to Shepway's proposals and their own Equality Impact Assessment should highlight issues that they need to consider.

Attachments

Appendix A – Correspondence sent to SDC in response to the Core Strategy Preferred Options document dated 21 July 2009.

Appendix B – Extract of CSD10 Implementation Strategy taken from the Proposed Submission Version of the Shepway LDF Core Strategy.

MICHAEL G DAWSON

Director of Community and Development

**Appendix A – Letter sent in response to Shepway’s
Core Strategy Preferred Options Consultation**

**Forward Planning
White Cliffs Business Park
Dover
Kent CT16 3PG**

Telephone: **(01304) 821199**
Fax: **(01304) 872416**
DX: **6312**
Minicom: **(01304) 820115**
Website: **www.dover.gov.uk**

Mr Mark Aplin
Planning Policy
Shepway District Council
Civic Centre
Castle Hill Avenue
Folkestone
Kent. CT20 2QY

Contact: Elizabeth Rix
Direct line: (01304) 872065
E-mail: Elizabeth.Rix@dover.gov.uk
Our ref:
Your ref: CSpoS
Date: 21st July 2009

Dear Mark

**Shepway Local Development Framework – Core Strategy Preferred Options
consultation**

Thank you for your letter dated 5th June inviting comments at the Preferred Options stage of the Core Strategy. Set out below are a number of comments, which it is hoped that you will find helpful as you move from this stage to Submission. Cross-boundary issues are considered first, before making some general observations.

Cross-boundary Issues

It is hard to judge the impact of the plan on Natura 2000 sites. According to the list on page 60 a Habitat Regulations Assessment (HRA) has not been carried out. If you have undertaken a HRA then reference needs to be made to the document, but if you have not then we would recommend that this is necessary and needs to form part of the evidence base.

Taking Green Infrastructure more widely, the general commitment in policy GS1 is welcome and we are willing to work jointly to ensure an integrated cross-boundary network. It is hard to make any further comment as there is no spatial information provided on the current network and future possibility. We would suggest that there is a need to develop a Green Infrastructure audit and strategy.

It is noted that the preferred strategic housing provision for the plan period is above the figure contained in the South East Plan. Both water supply and waste water treatment infrastructure is shared by our Districts. Our Water Cycle Study only took account of the Shepway housing figures contained in the South East Plan. Therefore, it is necessary to provide assurance –both as part of the evidence base to the Core Strategy and to assure us, that the potential additional 33% of housing has no implications for the water infrastructure. We would suggest that would be part of a Water Cycle Study to form part of your evidence base.

General Observations

It would be helpful if the Submission version of the Core Strategy more clearly shows (through diagrams and a Key Diagram) how the spatial distribution of development has been informed by environmental and other factors e.g. flood risk, nature conservation, green infrastructure, settlement hierarchy, transport and accessibility and so forth. Some information is provided, but it needs to be more coherent.

Whilst it is accepted that there is no agreed protocol of how a Core Strategy document should be structured, from our own experience we suggest that the document should first set out the issues in each area. These should inform the strategy. It is not clear how the Strategic Allocations are linked to the overall strategy.

On reflection of your Settlement Hierarchy together with the strategic sites and housing distribution set out in the plan, we recommend that the text should give greater emphasis of the link between the hierarchy and the level of development. For example, in one of the lower levels of the settlement hierarchy (Secondary Rural Settlements) Stanford/Westenhanger is defined as a strategic site for 400+ homes. There appears to be limited rationale for this, especially since the strategy states that focus is on the urban areas of Folkestone and Hythe. In addition, Folkestone is termed a 'Strategic Urban Settlement'; however, we believe that this terminology should reflect that of the South East Plan, namely a 'Secondary Regional Centre'.

In terms of the Strategic Allocations it is not clear how these are considered strategic, especially since there are some nine. Are these all essential to delivering the strategy?

The document produced is for the 'Preferred Options' stage. Whilst it is interesting to see the thought behind how each policy has come about, we are concerned that you show a number of alternatives presented after each policy. In some cases the policies are very lengthy and not precise. Although we can only comment from our own experience, and are supportive of the general aims of the document, we are anxious that some of these alternatives proposed are not realistic. For example, Option GS2b (p66) states "The opposite approach would be to promote development in areas that the Strategic Flood Risk Assessment has identified at greater risk/and irregardless of impact on water quality". We do not think that such an approach should be stated as an alternative as this is clearly not practicable.

Finally, in relation to policy GS3 – Sustainable Construction – it is not clear how much evidence there is to support the policy. The supplement to PPS1 does ask for any policy to be justified by local evidence. It is unclear why developments over 10 units should achieve Code Level 4 'by' 2011 (quite onerous), yet there is no requirement to reach Level 5/6 water targets within the plan period, even when water scarcity is such an important issue.

Thank you for the opportunity to raise these issues, and should you require any further explanation then please do not hesitate to contact me.

Yours sincerely

Elizabeth Rix
Senior Planner

Appendix B – Extract from the Shepway Core Strategy Submission Version

Policy CSD10: Implementation strategy

The council will implement the policies and proposals of the Core Strategy to meet milestones (Table 5.2) and seek to ensure that the necessary infrastructure is secured to support regeneration by:

- Working with partner organisations on LDF delivery and in development management of planning applications;
- Producing further LDF plans with a focus on specific sites, delivery/funding arrangements and detailed planning policies
- Preparing Annual Monitoring Reports to review the effectiveness of policies and the collection of resources for infrastructure projects, utilising the indicators in Appendix 3;
- Undertaking pre-application discussions with developers and involving partner organisations where appropriate,
- Utilising other powers, including negotiating S106 obligations, and non-planning capabilities;
- Taking a corporate lead in place-shaping through aligning with Shepway District Council's own activities and internal strategies.

If the policies within the Core Strategy, and indeed other local development documents in the LDF, are to be implemented successfully, this responsibility will fall not only upon the District Council as the local planning authority, but also upon the council's partners and other stakeholders, including the County Council, neighbouring districts and public and private sector organisations.

REPORT OF THE DIRECTOR OF GOVERNANCE

RESPONSIBILITY – PORTFOLIO HOLDER FOR CORPORATE RESOURCES AND PERFORMANCE

NON-KEY DECISION

EXECUTIVE

CABINET – 5 SEPTEMBER 2011

SCRUTINY (POLICY AND PERFORMANCE) COMMITTEE –20 SEPTEMBER 2011

PERFORMANCE REPORT – QUARTER 1 2011/12

Recommendation

| |
|---|
| <i>The Council's Performance Report and Actions for the 1st Quarter 2011/12 be noted.</i> |
|---|

Contact Officer: David Randall, extension 2141.

Reasons why a decision is required

1. Following the Delivery Effective Services review, performance management was prioritised as a bronze status service. This new report format reflects the priority status. Monitoring of performance against key objectives is key to the achievement of the Council's aims and objectives. The Performance Report provides the cornerstone of the Performance Management Framework

Options available to the Council with assessment of preferred option

2. Not applicable.

Information to be considered in taking the decision

3. The Performance Report has been circulated separately to all Members containing information relating to the performance of the Council against key corporate indicators. The Performance report considers the performance of a range of indicators against previous years performance. Due to the abolition of many of the National Indicators and the previous Best Value Indicators it is becoming increasingly difficult to obtain benchmarking information, so this element of the report has been removed.
4. CMT considered the report at its meeting on 16 August 2011 and is committed to maintaining service levels in line with the identified status. The report identifies areas of success and the continual improvement achieved throughout the first quarter of 2011/12, whilst recognising the need for further improvements in some areas. Overall the Council's service divisions scored amber, as to achieve an overall green status all indicators must meet or exceed key corporate/service targets.
5. In addition a section has been added to show performance within the Shared Services against key indicators. A more comprehensive set of indicators for East Kent Services and East Kent Housing are monitored through Client side meetings,

with any areas of significant concern being capable of escalation into this quarterly monitoring report, if required.

Background Papers

None.

Resource Implications

| Requirement from Current Budget | Requirement for Additional Budget | |
|---|-----------------------------------|-----------|
| | Current Year | Full Year |
| No specific implications from this report | 0 | 0 |

Communication Statement

The Performance Report is made available to all Members and Officers via the Intranet

Impact on Corporate Objectives and Corporate Risks

The Performance Report covers all key aspects of the Council's performance.

Attachments

Performance Report

DAVID RANDALL

Director of Governance

The officer to whom reference should be made concerning inspection of the background papers is the Corporate Support Manager, Dover District Council, White Cliffs Business Park, Dover, Kent CT16 3PJ. Telephone: (01304) 821199, Extension 2118.

Dover District Council Performance Report For the Quarter Ending – 30 June 2011

| PI | Description | Outturn 2010/11 | DDC Target 2011/12 | Q1 | Q2 | Q3 | Q4 | Current Cumulative figure | Direction of Travel | RAG Status |
|--|--|--------------------|--------------------------|--------|----|----|----|---------------------------------|------------------------|---------------|
| <p>Community & Development Director's comments</p> <p>This has been a busy period of transition for the Directorate as the new teams and ways of working came into being and whilst problems have been encountered, staff have responded well.</p> <p>The performance figures for processing planning applications are mixed. Whilst the outcome for Majors is below the 60% target, it refers to only 7 applications of which 4 were determined in time. However, the period coincided with an exceptional period of work relating to the processing and reporting of both major Whitfield applications to Planning Committee, following the adoption by Council of the SPD in April. The performance for the "Others" is disappointing and probably reflects the decrease in staffing coupled with the impacts associated with the Majors but is under detailed examination to see how performance can be restored. Quality of decision as indicated by appeal outcomes remains good.</p> <p>The figure relating to households in temporary accommodation is a snapshot on the last day of the quarter. Success in finding permanent accommodation for a number of households at the end of the quarter has resulted in the target being exceeded.</p> <p>We have not collected information previously in respect of Disabled Facility Grant applicants waiting more than 12 months. While the figure at the end of the first quarter is within target we expect the figure to increase each quarter as new applications are received and our inability to deal with them because of budgetary pressures.</p> <p>Museum activities have included a temporary exhibition about the 1980's in conjunction with BBC Domesday Reloaded project opened, the Grand Shaft was opened in conjunction with Western Heights Preservation Society and Museum enquiries have increased. In addition, the Doris Salter costume collection was photographed, packed and moved to a new costume store</p> <p>On the tourism front, the unique visitors to websites and visits to the VIC increased in comparison with 2010/11. The tourism brochure had to be reprinted due to increased demand. The VIC also provided booking service and organised inspection of temporary accommodation providers for Open Golf</p> | | | | | | | | | | |
| NI 157a (was BV109a) * | Percentage of planning applications determined in line with the Government's new development control targets to determine 60% of major applications in 13 weeks (excluding section 106 agreements) | 59.38% | 60% | 42.86% | | | | 42.86% | ▼ | <i>Red</i> |

| PI | Description | Outturn 2010/11 | DDC Target 2011/12 | Q1 | Q2 | Q3 | Q4 | Current Cumulative figure | Direction of Travel | RAG Status |
|------------------------------|---|-----------------|--------------------|--------|----|----|----|---------------------------|---------------------|------------|
| NI 157b (was BV109b) * | Percentage of planning applications determined in line with the Government's new development control targets to determine 65% of minor applications in 8 weeks | 74.58% | 65% | 65.31% | | | | 65.31% | ▼ | Amber |
| NI 157c (was BV109c) * | Percentage of planning applications determined in line with the Government's new development control targets to determine 80% of other applications in 8 weeks. | 78.06% | 80% | 62.35% | | | | 62.35% | ▼ | Red |
| BV204 | The number of planning appeal decisions allowed against the authority's decision to refuse on planning applications as a percentage of the total number of planning appeals against refusals of planning applications | 23.50% | 25% | 20% | | | | 20% | ▲ | Green |
| NI156 | Number of households living in Temporary Accommodation | 41 | 50 | 33 | | | | 33 | ▲ | Green |
| LP220 | Number of DFG applicants waiting more than a year for a grant approval | N/A | 70 | 17 | | | | 17 | ▼ | Amber |
| BV170b | The number of visits to the museum in person per 1,000 population | 264.2 | 270 | 81.23 | | | | 81.23 | ▲ | Green |
| BV170c | The number of pupils visiting museums and galleries in organised school groups)in respect of the museum function | 10,089 | 10,500 | 2,578 | | | | 2,578 | ▶ | Green |
| LP034 | Number of TIC enquiries at Dover in respect of tourism | 198,142 | 205,000 | 61,977 | | | | 61,977 | ▲ | Green |

Environment & Corporate Assets Director's comments

An excellent performance has continued to be maintained against the Environmental Health indicators in the first quarter of this year. Service standards for the Out of Hours Noise Service were reviewed as part of the budget process and it has been operating at a 45% reduction in cost since April 2011 without any significant issues. In addition, following negotiations, a new provider is now delivering a reduced Dog Warden service. Response time standards have been maintained throughout the transition period.

| PI | Description | Outturn 2010/11 | DDC Target 2011/12 | Q1 | Q2 | Q3 | Q4 | Current Cumulative figure | Direction of Travel | RAG Status |
|----|---|--------------------|--------------------------|----|----|----|----|---------------------------------|------------------------|---------------|
| | <p>There have been significant changes to the management and staffing arrangements of the licensing team this quarter. The working practices and reporting mechanisms are being systematically reviewed and overhauled with the aim of improving robustness, efficiency and transparency of the administration and enforcement functions. The first quarter has been a transition period during which new systems have been put in place to enable accurate performance monitoring to be reported on in future quarters.</p> <p>The Community Safety Unit saw the conclusion to a lengthy and complex ASB investigation with the conviction of a person for harassment offences resulting in the imposition of a stringent restraining order. The Unit has exceeded its performance targets this quarter. The Community Safety Partnership has carried out two Operation Clean Sweeps, in London Road and Folkestone Road. Both were widely supported, particularly amongst the communities.</p> <p>Two members of staff in the Parking Administration unit now job share, and the resulting vacancy has been filled by a DDC member of staff who had been "at risk." The unit is preparing to move to the DDC offices at Whitfield. Following a review of CEOs, there is now one supervisor responsible for 12 CEOs. There are two CEO vacancies and the recruiting process to fill these is under way. The CCTV staff now comprises one supervisor and three operators (one of whom is on maternity leave until December 2012). Opening hours have been reduced and brought more in line with demand. The link between the control room and the Police FCC has been restored at no cost to DDC.</p> <p>Organisational change has impacted upon the Corporate Property Services team with setting up of East Kent Housing and the work in reorganising the Whitfield Office complex resulting in the relocation of sections and individual teams. Services standards have been maintained with the delivery of the new Deal Indoor Tennis Centre and work is progressing on the integration of the VIC and Dover Museum. Corporate Property Services are providing support to East Kent Housing and are the lead in delivering a flood protection project in Dover. Service standards for grounds maintenance have been implemented as part of the budget process and the planned / response maintenance works have been adjusted to reflect the funds available. Work is on going in the redrafting of the Council's Asset Management Plan. Corporate Property Services are working with external partners in the delivery of the Shoreline Management Plan and the Sandwich Bay Sea Defences.</p> <p>Working with Vista, Corporate Property Services are seeking alternative ways of delivering leisure and community services. Investment in play is on going supporting the Community Section and aiding the delivery Playing Pitch and Play Area Strategies to determine future Section 106 funding from potential developers through significant regeneration/development projects. On going discussions regarding the management of Dover Town Hall.</p> <p>The new East Kent joint waste contract with Shepway District Council and Kent County Council for recycling and waste collections and street cleansing has just undergone a six month review. Although there are minor issues to be addressed overall the standards of service have been maintained. The enhanced recycling and waste service is currently being rolled out in the Shepway District and survey work is currently being carried out in the Dover District to identify where wheeled bins can be used, for the roll out due to commence in September. A communication campaign funded by WRAP (Waste Resources Action Programme) is helping to support residents through the changes within both district.</p> | | | | | | | | | |

| PI | Description | Outturn 2010/11 | DDC Target 2011/12 | Q1 | Q2 | Q3 | Q4 | Current Cumulative figure | Direction of Travel | RAG Status |
|--------|--|------------------------|--------------------|-------------------------|----|----|----|---------------------------|---------------------|------------|
| NI191 | Residual household waste per household | 532.05 kg (at 30/9/10) | TBA | 492.6kg (estimated) | | | | 492.6kg (estimated) | ▲ | Green |
| NI192 | Household waste sent for reuse, recycling or composting | 32.63% (at 31/12.10) | 35% | 32.56% (estimated) | | | | 32.56% (estimated) | ▶ | Amber |
| NI195a | Improved street and environmental cleanliness : litter | 4% | 5% | Reported every 4 months | | | | N/A | N/A | N/A |
| NI195b | Improved street and environmental cleanliness : detritus | 8% | 10% | Reported every 4 months | | | | N/A | N/A | N/A |
| LP005 | Number of collections missed per 100,000 collections of household waste. | 29.65 | 45 | 32.01 | | | | 32.01 | ▼ | Green |
| LP018 | Percentage of ASB cases resolved within 30 days | 95.00% | 91% | 98.15% | | | | 98.15% | ▲ | Green |
| LP062 | Number of penalty charge notices for car parking issued during the year per 1,000 population | 148.78 | 140 | 44 | | | | 44 | N/A | N/A |
| LP080 | Percentage of victims reporting an anti-social behaviour incident who say they will report any future incidents (ASB) | 100% | 90% | 100% | | | | 100% | ▶ | Green |
| LP081 | Average number of days taken to remove fly tips | 1.40 | 1 | 1.40 days | | | | 1.40 days | ▶ | Amber |
| LP127 | Percentage of pest control visits to complainants carried out within the appropriate response times (6 hours for emergency calls and within 3 days for all others) | 99.80% | 95% | 99% | | | | 99% | ▶ | Green |

| PI | Description | Outturn 2010/11 | DDC Target 2011/12 | Q1 | Q2 | Q3 | Q4 | Current Cumulative figure | Direction of Travel | RAG Status |
|-------|---|-----------------------|----------------------------------|--------------------------|----|----|----|---------------------------|---------------------|------------|
| LP131 | Percentage of calls regarding strays and fouling investigated within 3 working days | 99.90% | 95% | 100% | | | | 100% | ▶ | Green |
| LP134 | Percentage of calls regarding nuisance responded to within 5 working days | New indicator 2011/12 | 95% | 100% | | | | 100% | N/A | N/A |
| LP200 | % of unopposed Licensing Act 2003 Licenses (excluding TEN's) issued within 5 working days | New indicator 2011/12 | 90% | New to be reported in Q2 | | | | N/A | N/A | N/A |
| LP206 | Building Deterioration: To monitor the corporate stocks condition in respect of the building maintenance categories: Good, Satisfactory, Poor and Bad and to show an annual improvement in all categories of at least 1% in all categories on the previous year | New indicator 2011/12 | 1% improve ment on previous year | New to be Reported in Q2 | | | | N/A | N/A | N/A |

Governance Director's comments

- Continuing to work to implement the various efficiency savings identified in the Delivering Effective Services programme.
- Lead the Open Golf Multi agency safety advisory group and provided significant input to the contingency group in preparation for the event
- Introduced updated emergency planning and business continuity plans
- Continued governance, HR and legal support is being provided to East Kent Shared Services, East Kent Housing and the shared services project.
- Significant support to the regeneration agenda
- The combined polls of the District and Parish Council Elections with the Referendum on the Alternative vote held in May were successfully delivered and there was no legal challenge. The turnout was 50% higher than for the previous District and Parish Council Elections in 2007.
- The Induction Programme for the new Members has been completed as has the majority of the Year 1 Member Training Programme
- Continued provision of frontline service to administer the increasing number of Freedom of information requests (40% up on last year)

| PI | Description | Outturn 2010/11 | DDC Target 2011/12 | Q1 | Q2 | Q3 | Q4 | Current Cumulative figure | Direction of Travel | RAG Status |
|--|--|--------------------|--------------------------|--------------|----|----|----|---------------------------------|------------------------|---------------|
| and dealing with sensitive customer complaints <ul style="list-style-type: none"> Sickness figures for the quarter are higher than expected due to a number of long term illnesses. Short term sickness is below the anticipated level. | | | | | | | | | | |
| BV012 | The number of working days/shifts lost due to sickness absence. | 8.75 days | 8 days | 2.42 days | | | | 2.42 days | ▼ | Red |
| LP161 | Number of working days/shifts lost due to long term sickness absence | 4.46 days | 4 days | 1.81 days | | | | 1.81 days | ▼ | Red |

Finance Director's Comments

1. There has been a significant period of change in the opening months of 2011/12, including staff restructures and the start of operations by East Kent Services and East Kent Housing. These changes are still bedding down and spending patterns and variances, both favourable and adverse, will require further work to resolve.
2. The General Fund has a projected outturn overspend of £185k, a significant proportion of which is due to slippage in the implementation of the recent restructure. This slippage is a timing issue rather than an on-going structural budget problem. The council is also facing significantly increased electricity costs. However, General Fund balances are projected to be maintained at £1.89m, which is above the forecast of £1.79m for 2011/12 in the March Medium Term Financial Plan.

Performance Summary – General Fund, HRA and Capital

| General Fund Budget (at 30 th June 2011) | Original Budget £000 | Projected Outturn £000 | Total Variance £000 |
|--|-------------------------|---------------------------|------------------------|
| Net Budget Requirement | 14,891 | 15,267 | 376 |
| Financed by: | | | |
| Revenue Support Grant | 1,915 | 1,915 | 0 |
| NDR | 6,195 | 6,195 | 0 |
| Council Tax | 6,395 | 6,395 | 0 |
| Council Tax Freeze Grant | 161 | 161 | 0 |
| New Homes Bonus | 294 | 294 | 0 |
| | 14,960 | 14,960 | 0 |
| (Surplus)/Deficit before supplementary items | (69) | 307 | 376 |
| Supplementary Approvals ¹ | 15 | 0 | (15) |
| Carry Forwards ¹ | 176 | 0 | (176) |
| Financing of Carry Forwards from General Fund Balances Brought Forward | (176) | (176) | 0 |
| Budget (Surplus)/Deficit | (54) | 131 | 185 |
| Balances Brought Forward | | (2,197) | |
| Financing of Carry Forwards | | 176 | |
| Budget Deficit | | 131 | |
| Projected Year End Balances | | 1,890 | |
| Summary of Variations ² | | | |
| Chief Executive | | | (1) |
| Finance | | | 1 |

| | | | |
|--|--|--|------------|
| Community & Development | | | 3 |
| Environment & Community Assets | | | 3 |
| Governance | | | 2 |
| Shared Services (DDC-hosted) | | | 0 |
| Delivering Effective Services Restructure: | | | |
| Net cost of posts retained | | | 96 |
| Posts retained temporarily/redundancy delay | | | 118 |
| Interest Receivable | | | 6 |
| Reduced reimbursement to Special Projects ³ | | | (43) |
| Total variations | | | 185 |
| ¹ Supplementary items are within Net Budget Requirement in Projected Outturn. ² Variations stated net of reserve use, supplementary items & restructure transfers. ³ Reduced redundancy costs funded by Special Reserve Use in 2010/11. | | | |

HRA

3. The HRA shows an adverse variance of £190k, largely due to application of an additional £100k for capital projects and a revised estimate for interest on balances.

| Housing Revenue Acct Budget (30 th Jun '11) | HRA Total Variance £000 |
|--|-------------------------------|
| Original budget surplus | (516) |
| Supplementary Approvals | 0 |
| Approved budget surplus | (516) |
| Budget variations | 190 |
| Projected budget surplus | (326) |
| | |
| Balances Brought Forward | (8,608) |
| Projected Year End Balances | (8,934) |

Capital

4. The budgets for SEEDA & HCA grant funded projects have been increased following receipt of interest and income received during 2010/11 relating to sites acquired using the funding.
5. Rostrum is a call management system for improved customer relationship management and electronic services in Customer Services.

| Capital Budgets (at 30th June 2011) | Current Year £000 |
|---|------------------------------|
| Original budget | 9,602 |
| Increase in HCA & SEEDA funded projects | 113 |
| Rostrum Call Management System | 45 |
| Other minor projected variations | (7) |
| | |
| Total Capital Programme – projected spend | 9,753 |
| | |

Shared Services Performance

| PI | Description | Outturn 2010/11 | DDC Target 2011/12 | Q1 | Q2 | Q3 | Q4 | Current Cumulative figure | Direction of Travel | RAG Status |
|---|--|-----------------------|--------------------|------------|----|----|----|---------------------------|---------------------|------------|
| East Kent Services Comments – Mike Davis | | | | | | | | | | |
| <p>Of the 14 indicators in the EKS performance report, 11 are green, showing targets being reached or exceeded. The indicator for queue monitoring is amber, as current month performance is marginally below target, although performance for the year to date is above target, and current performance now indicates that EKS are on track to deliver the year end target. The indicator for fraud sanctions issued is red (not shown in the table below). Performance is below target due to staff uncertainty around the re-structure and redundancies, but current performance now indicates that the year end target is likely to be met. No performance can be given for face to face waiting time. This is a new target for Dover and new queuing software is required to monitor performance.</p> <p>Overall, as the shared services project has evolved, it has become clear that there are differences in working practices that need resolution. The EK Services recruitment process is now complete and they are starting to move forward as 'one team'. This will enable them to align processes and procedures by re-profiling resources to ensure maximum performance</p> | | | | | | | | | | |
| EKS13d | Pay benefit quickly | 13.92 days | 13.92 days | 11.53 days | | | | 11.53 days | ▲ | Green |
| EKS18d | The percentage of council taxes due for the financial year which were received in year by the authority. | 98.37% | 98.37% | 41.76% | | | | 41.76% | ▲ | Green |
| EKS01d | Percentage of incidents resolved within agreed target response time - ICT | New indicator 2011/12 | 95% | 90.3% | | | | 90.30% | N/A | Amber |
| EKS03d | Availability of network | New indicator 2011/12 | 98% | 100% | | | | 100% | N/A | Green |
| EKS07d | Percentage of calls answered within 20 seconds | New indicator 2011/12 | 69% | 69.3% | | | | 69.30% | N/A | Green |

East Kent Housing Comments – Mike Dawson

- Regular monthly operational liaison meetings taking place between DDC officers and EKH.
- First quarterly performance management report produced by EKH to be discussed at performance management meeting in August. Relevant portfolio holders involved.
- Majority of actions within the Annual Delivery Plan have been achieved by the due date.
- Important performance targets in relation to void turnaround times and repair response have not been achieved but I believe this is a legacy of contractor issues which existed before the transfer of the service. This has recently been resolved and I would expect to see performance improving over the rest of the year.
- EKH is currently consulting on restructuring proposals

| | | | | | | | | | | |
|---------|--|------------|---------|------------|--|--|--|------------|---|-------|
| BV212 | Average time taken to re-let council dwellings | 30.68 days | 23 days | 31.07 days | | | | 31.07 days | ▼ | Red |
| LP147 | Percentage of total responsive jobs completed on time | 91.88% | 95% | 86.54% | | | | 86.54% | ▼ | Red |
| LP148 | Percentage of properties with a valid gas safety certification | 99.98% | 99.50% | 100% | | | | 100% | ▲ | Green |
| New LPI | Rent arrears as % of annual debit | 1.68% | N/A | 2.08% | | | | 2.08% | ▲ | N/A |

Regeneration

| Project | Risk | Priority | Notes |
|--|-------|----------|---|
| Regeneration Projects - DDC as Lead | | | |
| Aylesham | Amber | Gold | The Deed of Variation to the original development agreement should be signed by the autumn. The S106 obligations have already been agreed. This will be followed by minor amendments to the scheme to ensure its ongoing viability with anticipated pre-commencement works beginning in 2012. The Homes and Communities Agency had confirmed that the scheme has been awarded affordable housing grant to ensure the previously agreed number of affordable units will be provided. |
| DTIZ | Amber | Gold | <p>A progress report was taken to Council on 27 July. This followed-up the requirement set out in the report to Council on 3 November 2010 and outlined how the new scheme was being prepared. Revised Heads of Terms have been entered in to with Bond City following agreement by Cabinet on 4 July. Legal Agreements, comprising the Development Agreement, Lease Agreements, Car Parking Management Agreement and Compulsory Purchase Agreement have been progressed and are due for completion. The acquisition of the Lidl site and demolition of the building has been completed and further opportunities for other sites are in process.</p> <p>Detailed design work is being undertaken as a precursor to the submission of a new planning application by the end of September.</p> |
| Open Golf | Green | Gold | <p>A successful Open Golf Championship was held. This attracted circa 180,000 visitors to the event, with 37,000 being carried on the High Speed Train direct to Sandwich (South Eastern has recently announced that the new service to Deal and Sandwich will start a month early in September on the back of the success with the Open).</p> <p>Economic Impact work is in progress and reviews and debriefs are being undertaken by the Sub Groups feeding in to an overall event report.</p> <p>The structure of the management of the Open and activities undertaken is being used to inform the planning for the Olympic Torch Event and Relay.</p> |
| Yorkgate | Red | Bronze | A draft Heads of Terms, providing the developer with a land purchase option dependent on development certainty, has been submitted to the developer for consideration. This recognises the strategic position of this site, the need for collaboration with adjoining development schemes and ensures the Council secures best value for its land assets. |

| Project | Risk | Priority | Notes |
|--|-------|----------|---|
| Regeneration Projects - DDC as Lead | | | |
| Connaught Barracks (HCA) | Amber | Bronze | The HCA has recently announced that Connaught Barracks is to be taken forward as part of their national programme of “accelerated site” development. A scoping meeting has been held with the HCA and further discussions are to be held on the process for preparing the master planning documents and the options for site disposal. It is intended that there will be a two stage marketing programme; the first seeking expressions of interest from the market which in turn will dictate how the HCA take the second stage forward. The HCA is aiming for the first stage to commence in December so that they are able to meet the accelerated disposal timetable. |
| River Dour Cycle Route (KHS) | Green | Bronze | <p><u>Phase 1 Buckland Bridge to Park Street</u> The route from Buckland Bridge through to Park Street is substantially completed. There are a number of minor works still outstanding comprising works at the Asda site (the link between Charlton Green and Crafford Street), the provision of direction signing along the entire route, improvements to the London Road crossing and River Dour crossing (both at Buckland Bridge). These should be completed by the end of this financial year. Cycle counters due to be placed out along the route next month should give an indication of the numbers of cyclist using the new route. Early feedback from the public using completed sections of the Greenway route have been favourable.</p> <p><u>Phase 2 Park Street to Dover Seafront</u> Proposals for the next phase of the route have begun. Proposed plans are being drawn up ready to undergo a preliminary consultation with a focus group of stakeholders later this year. Following on from this, more detailed plans will be drawn up ready for the scheme to undergo a full consultation with all stakeholders in the early half of next year (2012).</p> |
| Dover Waterfront – including Interreg | Red | Silver | <p>The application for Interreg funding was unfortunately not successful – it being held that the project was not offering sufficient transnational benefits although passing the technical approvals.</p> <p>DDC has completed Legal Agreements with Dover Harbour Board (DHB) allowing objections to the Harbour Revision Order to be withdrawn in favour of obligations for the provision of early infrastructure and access arrangements such as the new junctions on the A20 forming part of the enabling works packages for T2. All statutory other statutory objections to the HRO have been resolved and determination now rests with the Department for Transport.</p> <p>DDC has been participating in design workshops with DHB, examining the finer grain of capacity appraisals for the LDF Core Strategy allocation at the Waterfront.</p> <p>The Secretary of State for Transport has also announced revised criteria for the Sale of Trust Ports following a six week consultation earlier in the year. This places stronger emphasis on community participation as part of the wider process.</p> |

| | | | |
|-----------------------|-------|--------|---|
| Dover Mid-town | Red | Bronze | No further progress on this site although K College are understood to be examining future operational needs. |
| North Deal | Green | Silver | It is understood that the development at Minter's Yard is shortly due to commence following approval of outstanding matters. The first stage of the Cannon Street development has been completed, with the Doctor's Surgery, Community Facility now open and a number of residential units being sold. |
| Betteshanger/Hadlow | Red | Silver | The Round 2 RGF submission was undertaken in the prescribed timescales and is now being considered. A recent announcement from the Department for Business Industry and Skills confirms that there have been 492 submissions under the second round RGF programme. The bids are currently being evaluated which announcements expected in the Autumn. The RGF2 bid incorporates private sector support – this being one of the main programme expectations. |
| Whitfield Development | Green | Gold | Planning Committee has resolved to approve the two planning applications for Phase 1 and Phase 1A of the Whitfield Development subject to completion of legal agreements and resolution of conditions. This is now being progressed. |

Risks

Red = significant chance of project not achieving targets
Amber = chance that project will not meet its full expectations
Green = Project is on target

Priorities

Gold = Top priority
Silver = Medium Priority
Bronze = Low Priority



| COMMITTEE SECTION ONLY | |
|--|-----------------|
| Decision No: | <u>U04</u> |
| Notification Date: | <u>25/07/11</u> |
| Implementation Date: (unless called-in) | <u>26/07/11</u> |
| Call-in: | <u>No</u> |

**Notice of Decision Taken by Portfolio Holder/Leader of the Council
Between Meetings of the Cabinet**

(Please read the attached guidance notes before completing this notice)

A. Decision taken by: Councillor Nicholas Kenton, Portfolio Holder for Environment
Waste and Planning

B. Part of the Constitution authorising decision:

Part 3 (Responsibility for Functions); Section 3c; paragraph 13 (Responsibility for Executive Functions)

C. (a) Subject (including whether it is a Key Decision and included within the Forward Plan):

- The Council's response to Kent County Council's consultation on the Kent Minerals and Waste Development Framework.

This is not a Key Decision.

(b) Is the decision likely to disclose exempt information?

No

~~Yes~~ under paragraph(s) _____ of Part 1 of Schedule 12A of the ~~Local Government Act 1972.~~

D. Decision:

The Kent Minerals and Waste Development Framework sets out the County Council's strategy and planning policies for mineral extraction, importation and recycling as well as waste management of all the waste streams that are generated or managed in Kent. The County is currently consulting on three documents which will form part of the Development Framework. These are:

- The Core Strategy - Strategy and Policy Directions Consultation.
This document sets out the overarching strategy and policies for the County and is at the second of three public consultation stages. It considers the County's preferred options for the Strategy and policies.
- Waste Sites Development Plan Document – Options Consultation
This document lists potential Waste sites and is at the first consultation stage.

- Minerals Sites Development Plan Document – Options Consultation
This document lists potential Mineral sites and is also at the first consultation stage.

The District Council is a statutory consultee and has been invited to make representations. Attached is a brief summary of the main issues in each of the documents and suggested responses to them.

E. Reason(s) for decision (including why the decision cannot wait until the next meeting of Cabinet (or Council where appropriate)):

The consultation periods for all three documents closes on the 26th July 2011. There was insufficient time to submit a report for consideration at the Cabinet meeting held on 4th July 2011. Given that the next Cabinet meeting is not until 5th September 2011, over a month after the consultation deadline, it is necessary for the decision to be taken between meetings.

F. Details of alternative options considered and rejected:

There are two alternative options that have been considered.

The first option considered is not to respond to the consultation. This was rejected because the Kent Minerals and Waste Development Framework documents include policies and proposals that have implications for the Dover District. It is important to make representations to ensure that the Council can influence the content of the final documents.

The second option considered was to wait until the next Cabinet meeting on 5th September and send late representations to Kent County Council. This option was rejected because there is no duty on Kent County Council to consider late representations.

G. Any personal or prejudicial interest declared by the Portfolio Holder/Leader of the Council when the decision was taken:

None.

H. Background Documents:

Kent Minerals and Waste Core Strategy – Strategy and Policy Directions Consultations
Mineral Sites Development Plan Document – Options Consultation
Waste Sites Development Plan Document – Options Consultation

I. Decisions within the Budget or Policy Framework taken by the Portfolio Holder (or Leader of the Council) between Meetings of the Cabinet (Part 3, Section 3C, paragraph 13 - General Responsibilities Delegated to All Members of the Executive)

I confirm that the decision-taker has taken the decision in consultation with me.

Signed: _____ Dated: _____
(Leader/or Deputy)

J. Decisions outside the Budget or Policy Framework taken by the Portfolio Holder (or Leader of the Council) between Meetings of the Council (Part 4, paragraph 4 – Budget and Policy Framework Procedure Rules)

I have given my consent to the decision being taken as a matter of urgency.

Not applicable.

Signed: _____ Dated: _____
(Chairman of the relevant Scrutiny Committee)

K. Urgent decisions not subject to call-in

I confirm that this decision is an urgent one and should not, therefore, be subject to call-in.

Yes/No

Signed: _____ Dated: _____
(Decision-taker)

On the advice of the decision-taker, I agree that the decision is reasonable in all the circumstances and, as a matter of urgency, should not be subject to call-in.

Yes/No

Signed: _____ Dated: _____
(Chairman/Vice-Chairman/Head of Paid Service or their nominee)

(Please note that L-N relate to Key Decisions not in the Forward Plan (Part 4; Rules 15 and 16 of the Access to Information Procedure Rules))

L. Reason(s) for General Exception/Special Urgency (i.e. why the decision was not included in the current Forward Plan and why it would be impracticable to defer the decision until the period covered by the next Forward Plan)

Not applicable.

M. Notice of use of General Exception Procedure (to be followed where at least five clear days will have elapsed between issuing a General Exception Notice and informing the Chairman of the relevant Scrutiny Committee, and the Key Decision being taken)

I have informed the Chairman of the relevant Scrutiny Committee.

Not applicable.

Signed: _____ Dated: _____
(Decision-Taker)

N. Agreement to use of Special Urgency Procedure (to be followed where it is not possible to give five clear days' notice that a Key Decision will be taken)

I agree that the taking of the decision cannot reasonably be deferred.

Not applicable.

Signed: _____ Dated: _____
(Chairman of the relevant Scrutiny Committee)

Not applicable.

Signed: _____ Dated: _____
(Decision-Taker)



COMMITTEE SECTION ONLY

| | |
|--|-----------------|
| Decision No: | <u>U05</u> |
| Notification Date: | <u>25/07/11</u> |
| Implementation Date: (unless called-in) | <u>25/07/11</u> |
| Call-in: | <u>No</u> |

**Notice of Decision Taken by Portfolio Holder/Leader of the Council
Between Meetings of the Cabinet**

(Please read the attached guidance notes before completing this notice)

A. Decision taken by: Councillor P A Watkins, Leader of the Council

B. Part of the Constitution authorising decision:

Part 3 (Responsibility for Functions); Section 6A; paragraph 12(2) (Scheme of Officer Delegations)

C. (a) Subject (including whether it is a Key Decision and included within the Forward Plan):

Amendment of the Scheme of Officer Delegations in relation to executive functions, to authorise both the Director of Community & Development and the Head of Development Management to negotiate and enter into Planning Performance Agreements

This is not a Key Decision

(b) Is the decision likely to disclose exempt information?

No

D. Decision:

That the Scheme of Officer Delegations in relation to executive functions be amended so as to authorise both the Director of Community & Development and the Head of Development Management to negotiate and enter into Planning Performance Agreements.

N.B. As the Leader is exercising functions specifically ascribed to him by statute, namely to make arrangements for the discharge of executive functions, this is not an executive decision which is subject to call-in.

E. Reason(s) for decision (including why the decision cannot wait until the next meeting of Cabinet (or Council where appropriate)):

There is a need from time to time for the Council to enter into Planning Performance Agreements. The Scheme of Officer Delegations currently makes no provision for the discharge of this function by Officers.

By virtue of section 14(2) of the Local Government Act, the Leader of the Council (rather than the Cabinet) is responsible for making arrangements for the discharge of executive functions by Officers.

F. Details of alternative options considered and rejected:

None.

G. Any personal or prejudicial interest declared by the Portfolio Holder/Leader of the Council when the decision was taken:

None.

H. Background Documents:

None.

I. Decisions within the Budget or Policy Framework taken by the Portfolio Holder (or Leader of the Council) between Meetings of the Cabinet (Part 3, Section 3C, paragraph 13 - General Responsibilities Delegated to All Members of the Executive)

I confirm that the decision-taker has taken the decision in consultation with me.

Not applicable.

Signed: _____ Dated: _____
(Leader/or Deputy)

J. Decisions outside the Budget or Policy Framework taken by the Portfolio Holder (or Leader of the Council) between Meetings of the Council (Part 4, paragraph 4 – Budget and Policy Framework Procedure Rules)

Please give reasons why it is not practical to convene a quorate meeting of the Council or General Purposes Committee to take the decision.

Not applicable.

I have given my consent to the decision being taken as a matter of urgency.

Signed: _____ Dated: _____
(Chairman of the relevant Scrutiny Committee)

K. Urgent decisions not subject to call-in

I confirm that this decision is an urgent one and should not, therefore, be subject to call-in.

Yes/No

Signed: _____ Dated: _____

(Decision-taker)

On the advice of the decision-taker, I agree that the decision is reasonable in all the circumstances and, as a matter of urgency, should not be subject to call-in.

Yes/No

Not applicable.

Signed: _____ Dated: _____
(Chairman/Vice-Chairman/Head of Paid Service or their nominee)

(Please note that L-N relate to Key Decisions not in the Forward Plan (Part 4; Rules 15 and 16 of the Access to Information Procedure Rules))

L. Reason(s) for General Exception/Special Urgency (i.e. why the decision was not included in the current Forward Plan and why it would be impracticable to defer the decision until the period covered by the next Forward Plan)

Not applicable.

M. Notice of use of General Exception Procedure (to be followed where at least five clear days will have elapsed between issuing a General Exception Notice and informing the Chairman of the relevant Scrutiny Committee, and the Key Decision being taken)

I have informed the Chairman of the relevant Scrutiny Committee.

Not applicable.

Signed: _____ Dated: _____
(Decision-Taker)

N. Agreement to use of Special Urgency Procedure (to be followed where it is not possible to give five clear days' notice that a Key Decision will be taken)

I agree that the taking of the decision cannot reasonably be deferred.

Not applicable.

Signed: _____ Dated: _____
(Chairman of the relevant Scrutiny Committee)

Signed: _____ Dated: _22 July 2011
(Decision-Taker)

EXCLUSION OF THE PRESS AND PUBLIC**Recommendation**

That, in accordance with the provisions of the Local Authorities (Executive Arrangements) (Access to Information) (England) Regulations 2000, the public be excluded from the remainder of the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in the paragraph of Schedule 12A of the 1972 Act set out below:

| <u>Item Report</u> | <u>Paragraph Exempt</u> | <u>Reason</u> |
|--|-------------------------|--|
| Decisions taken between Cabinet Meetings | 3 | Information relating to the financial or business affairs of any particular person |