

MAIDSTONE BOROUGH COUNCIL

COMMUNITIES, HOUSING AND ENVIRONMENT COMMITTEE

MINUTES OF THE MEETING HELD ON TUESDAY
18 OCTOBER 2016

Present: Councillor Mrs Ring (Chairman), and
Councillors Barned, M Burton, Joy, D Mortimer, Perry,
Mrs Robertson, Webb and Webster

71. APOLOGIES FOR ABSENCE

There were no apologies for absence.

72. NOTIFICATION OF SUBSTITUTE MEMBERS

There were no Substitute Members.

73. URGENT ITEMS

The Chairman advised that there had been an urgent update to the report of the Head of Environment and Public Realm – Community Toilet Scheme and an Urgent Report of the Head of Environment and Public Realm relating to Litter Enforcement – Update.

The Chairman also stated that she intended to take the Urgent Report relating to Litter Enforcement after the Community Toilet Scheme.

74. NOTIFICATION OF VISITING MEMBERS

There were no Visiting Members.

75. DISCLOSURES BY MEMBERS AND OFFICERS

There were no disclosures by Members and Officers.

76. DISCLOSURES OF LOBBYING

Councillors Barned and D Mortimer stated that they had been lobbied on Agenda Item 12 – Community Toilet Scheme.

77. EXEMPT ITEMS

RESOLVED: That the exempt item on the agenda be taken in private as proposed.

78. MINUTES OF THE MEETING HELD ON 20 SEPTEMBER 2016

RESOLVED: That the minutes of the meeting held on 20 September 2016 be approved as a correct record and signed.

79. PRESENTATION OF PETITIONS (IF ANY)

There were no petitions.

80. QUESTIONS AND ANSWER SESSION FOR MEMBERS OF THE PUBLIC (IF ANY)

There were no questions from members of the public.

81. COMMITTEE WORK PROGRAMME

The Committee considered the Communities, Housing and Environment Committee Work Programme.

It was noted that the Crime and Disorder Committee would now be held before the December Committee meeting.

Officers were requested to investigate when updates to the Parish Charter and Low Emissions Strategy would be presented to this Committee and include these in the programme for the next meeting.

82. REPORT OF THE HEAD OF ENVIRONMENT AND PUBLIC REALM - COMMUNITY TOILET SCHEME

The Committee considered the report of the Head of Environment and Public Realm relating to the Community Toilet Scheme.

The Street Scene Operations Manager advised that a review of the Community Toilet Scheme had been undertaken to take into account new businesses within the town and to ensure that those toilets offered under the scheme were of good quality and easily accessible.

Members noted that Officers had worked closely with One Maidstone to identify such businesses and they had agreed to speak with businesses on a business to business level to gain support for the scheme.

As a result of the review, it was noted that:-

- ten toilets had been identified as being suitable, both in terms of quality, provision and location with the Town Centre;
- a further three businesses had yet to confirm whether they would be willing to take part in the scheme.
- five toilets from the original scheme had been removed; and
- one business had declined to be part of the scheme due to their entry policy.

The Street Scene Operations Manager confirmed that the Community Toilet Scheme would be advertised through the Council's website and

leaflets would be available in prominent places throughout the town centre in perspex holders. In addition a large sticker would be put on the front doors of the premises participating in the scheme so members of the public would be able to easily identify them.

During the ensuing debate, the following comments were made by Members:-

- the Community Toilet Scheme had been a token response to the closure of the public toilets in Maidstone
- what agreement is made with the businesses signed up, i.e. what can we expect from them?
- why are we paying these businesses when there are already up to 15 retailers/eateries already providing toilet facilities within the town centre, as defined by using toilet apps such as 'Flush' or 'Toilet Finder', do we need to pay these other businesses, this could be a saving?
- the scheme disadvantages the elderly, the young, MBC staff (on the road), utility people etc, did Officers carry out an Equalities Impact Needs Assessment?
- will there be any new signage for these toilets?
- there is a national campaign to provide disabled facilities so will there be a changing places facility for Maidstone?
- the toilet facilities within the scheme have differing opening times.
- the review seems to increase costs to £1,500, why?
- could new public conveniences be built in the town?
- the scheme was a very effective way of dealing with the situation and provided good value for money
- this is a very pragmatic solution and promotion of the scheme is important.
- how many complaints had been logged where visitors to the town could not find a toilet facility?

In response the Officer advised that:-

- the cost of cleaning a Council owned toilet block was £15,000 per annum, this did not include the maintenance of the building. The total cost to the Council was extremely significant. In a majority of cases the toilet blocks were in poor condition and anti-social behaviour did cause further issues.

- an agreement with the businesses would require them to achieve an acceptable level of cleanliness and should this not be achieved, there would be a mechanism for them to be withdrawn from the scheme and for payment to cease.
- if a business is participating in the scheme, the customer would feel more confident about going in there and not having to buy something.
- the Council is investigating whether the equipment for the changing places that was in the Gateway offices could be reused elsewhere assuming it could be accommodated in existing facilities.
- an Equalities Impact Needs Assessment was carried out in March 2016 when the previous report was presented to Committee, but another copy could be provided for Members if they wished.
- The original finger signage for the community toilets got lost amongst all the others, so alternatives would be introduced such as the leaflets in prominent places and large A0 signs depicting the location of the toilets would be cited in prime locations.
- Any provision of new public conveniences would need to be considered as part of the future development of the town.
- There had been 4 complaints received where visitors could not find a toilet facility.

RESOLVED:

- 1) That the work which has been carried out to refresh the Community Toilet Scheme be noted; and
- 2) That the 10 community toilets to replace those previously part of the scheme be noted.

Voting: For: 9 Against: 0 Abstentions: 0

83. REPORT OF THE HEAD OF PUBLIC REALM AND ENVIRONMENT - LITTER ENFORCEMENT UPDATE

The Committee considered the report of the Head of Public Realm and Environment relating to the Litter Enforcement Update.

Members noted that the service had been outsourced to a private contractor since 2010. This was due to the number of cigarette ends being littered in the Town Centre which had impacted on the level of street cleansing resource required. It had also coincided with the Smoke Free Legislation which came into force in 2007.

The Head of Environment and Public Realm advised that the main benefits of outsourcing the service was that the financial risk passed to the

Contractor not the Council. In addition the value of the fixed penalty notices were split between the contractor and the Council. Therefore if no fixed penalty notices are issued, there is no cost to the Council.

It was noted that cigarette ends were a major contributor to littering and is a criminal offence. Members were advised that on average 73.5% of penalty charge notices are paid within the required time.

There was a lot of anecdotal evidence from the cleansing team and local stakeholders to suggest that the street littering enforcement had had a positive impact on the town. By outsourcing this service, it had allowed officers to deal with other campaigns such as dog mess and noise nuisance.

In relation to the three issues that had recently attracted media attention, a penalty charge notice had not been issued. The Officers have since undergone an extensive retraining programme.

In response to Members questions, the Head of Environment and Public Realm advised that:-

- In the event that a person refuses to give their name and address, the Police are called and their timely response had been appreciated.
- Where a person throws litter from a moving car, unless there is a clear description of the person committing the offence and the registration number is given of the car, it can be very difficult to follow this up.
- When the current contract comes up for renewal, a review would be undertaken before a decision is made.

RESOLVED: That the contents of the report are noted and the rationale for the use of a private contractor for litter enforcement.

Voting: For: 9 Against: 0 Abstentions: 0

84. REPORT OF THE HEAD OF HOUSING AND COMMUNITY SERVICES - HOMELESSNESS PERFORMANCE QUARTER 2

The Committee considered the report of the Head of Housing and Community Services relating to the Homelessness Performance Quarter Two 2016/17.

The Housing and Inclusion Manager advised Members that there had been a year on year increase in the number of homelessness applications, from 84 in 2010/11 to 630 in 2015/16.

Between April and June 2016, 212 households had met the threshold to make a homelessness application, 208 decisions were made. In the same

quarter in 2015/16 there were 178 decisions made. 357 decisions had been made this year, compared to 313 in the same period last year.

It was noted that the number of homelessness applications continued to have an impact on the amount spent on temporary accommodation. However, as a result of the work carried out by Housing and the Revenues & Benefits Teams, the percentage of charges recovered for rent in the last quarter stood at 87%.

In response to questions from Members, the Director of Regeneration and Place advised:-

- In terms of Star House, the Council were aware that a couple of London Boroughs had been bidding for some of the apartments to accommodate their tenants. When Officers looked into the leasing arrangements, it did not represent good value for money so it was not pursued. However, the Council did have discussions with those London Boroughs direct and the need to work effectively with Kent County Council to ensure that the households were looked after effectively. As a result of those discussions the Council had managed to secure five of the apartments for temporary accommodation.
- That, unless there are no alternatives, no children would be accommodated in bed and breakfast premises overnight.
- Difficult to say how long long term accommodation would be as it would depend on when suitable accommodation became available.
- That the Council was working on a new Temporary Accommodation Strategy. Part of that strategy would be to help bring down the cost of nightly accommodation and to improve the quality. The Council's portfolio is growing and it is hoped that with current purchases, it can bring the number of units up to 50/60.
- The Council does still have to accommodate people in Medway due to the lack of larger accommodation available in the Maidstone area.

RESOLVED: That the performance for quarter two 2016/17 be noted.

Voting: For: 9 Against: 0 Abstentions: 0

85. REPORT OF THE HEAD OF HOUSING AND COMMUNITY SERVICES -
ADOPTION OF BYELAWS FOR COSMETIC PIERCING AND SEMI-
PERMANENT SKIN COLOURING

The Committee considered the report of the Head of Housing and Community Services relating to the adoption of byelaws for cosmetic piercing and semi-permanent skin colouring.

The Food and Safety Team Leader advised that the Local Government Act 2003 extended the range of activities which are required to be registered with the Council to include cosmetic piercing and skin colouring, and treatments that also have the potential to transmit communicable diseases.

It was noted that over the years those activities had grown in popularity and were not covered by the existing byelaws in Maidstone. Therefore there was a need to adopt the new byelaws to give people the protection against infections.

Members were advised that the new byelaws would be based on models provided by the Department of Health and cover cosmetic piercing and semi-permanent skin colouring. The adoption of the additional byelaws would require the approval of Full Council and then confirmation by the Secretary of State for Health.

RESOLVED: That it be **Recommended to Council** that Maidstone Borough Council adopts byelaws for registering businesses involved in the cosmetic piercing and semi-permanent skin colouring by implementing Section 120 and Schedule Six of the Local Government Act 2003.

Voting: For: 9 Against: 0 Abstentions: 0

86. REPORT OF THE HEAD OF HOUSING AND COMMUNITY SERVICES - MAIDSTONE HEALTH INEQUALITIES ACTION PLAN 2016

The Committee considered the report of the Head of Housing and Community Services which related to the Maidstone Health Inequalities Action Plan – Progress Report.

The Housing and Health Officer advised Members that the report updated the Committee on the progress of the action plan and confirmed the Council's commitment going forward in tackling the borough's health inequality.

Members noted that in 2012 Kent County Council adopted the Kent Health Inequalities Action Plan titled 'Mind the Gap Building Bridges to better health for all' 2012-2015. In 2014 the Council adopted its own Health Inequalities Action Plan, which runs until 2020, to demonstrate how the County wide objectives could be delivered locally.

The Action Plan had been refreshed as there was a need to review progress to ensure priorities are still relevant and the Council was working to meet the needs of its communities.

In response to Members' queries, the Housing and Health Officer advised that:-

- The Data used was from Public Health England and some was presented in national terms, whilst others were presented in

regional terms.

- That the next progress report would detail the commitments from the Chief Executive and Leader.
- All new housing developments have provision for affordable housing, 40% in the rural areas and 35% in the town centre. Two thirds of those would be affordable housing and one third would be low rent.

RESOLVED:

- 1) That the progress of the Maidstone Health Inequalities Action Plan to date be noted;
- 2) That the future priorities for the Maidstone Health Inequalities Action Plan be agreed; and
- 3) That the refreshed action plan be adopted.

Voting: For: 9 Against: 0 Abstentions: 0

87. **REPORT OF THE HEAD OF HOUSING AND COMMUNITY SERVICES - KCC ADULT SOCIAL CARE CONSULTATION**

The Committee considered the report of the Head of Housing and Community Services which related to the KCC Adult Social Care Strategy Consultation.

Members noted that the new strategy explained the KCC's vision for how adult social care would be delivered over the next five years.

The aims of the strategy were to 'help people to improve or maintain their well-being and to live as independently as possible'. The strategy was broken down into three themes that cover the whole range of services provided for people with social care and support needs and their carers:-

- Promoting well-being – supporting and encouraging people to look after their health and well-being to avoid or delay them needing adult social care
- Promoting independence – providing short-term support so that people are then able to carry on with their lives as independently as possible
- Supporting independence – for people who need ongoing social care support, helping them to live the life they want to live, in their own homes where possible, and do as much for themselves as they can

RESOLVED: That the draft response to the KCC Adult Social Care Strategy consultation as set out in Appendix A to the report of the Head of Housing and Community Services be agreed.

Voting: For: 9 Against: 0 Abstentions: 0

88. REPORT OF THE HEAD OF HOUSING AND COMMUNITY SERVICES - MBC SAFEGUARDING POLICY FOR CHILDREN AND VULNERABLE ADULTS

The Committee considered the report of the Head of Housing and Community Services which related to the Council's Safeguarding Policy for Children and Vulnerable Adults.

Members noted that the Council had a statutory and moral responsibility to safeguard those at risk of harm. The policy had been written to give staff, contractors and elected Members guidance around relevant legislation, signs and types of abuse and details of what to do next to refer the concern to the most appropriate agency so that the subject of concern could receive suitable help.

It was also noted that an audit review of the Council's safeguarding arrangements were undertaken in October 2015 and whilst the Council was satisfying its statutory obligations and had no immediate concerns to report, Internal Audit gave the controls a 'weak' rating and stated that 'further improvements are needed to provide greater resilience to these arrangements and to ensure safeguarding risks are being adequately managed'.

It was noted that the new policy would be made available to staff with relevant training provided on the basis of the level of contact with members of the public.

In addition a Safeguarding Forum would be created to oversee the Council's safeguarding policy and practice.

In response to Members' questions, the Community Partnerships and Resilience Manager advised:-

- That the training sessions would not be open to Parish Councils, they would be encouraged to have their own safeguarding practices in hand
- A Workshop would be set up for all Members
- The Forum would include the Safeguarding Champion

Members expressed concern that they had not received any details on the roles and responsibilities of the Safeguarding Champion and whilst the Committee would be happy to support such a role in principle it would not make a decision on who this would be until it had received the documents provided. The Community Partnerships and Resilience Manager undertook to produce the documents concerned.

RESOLVED:

- 1) That the safeguarding policy to be used by the Council be adopted and that delegated authority be given to the Head of Housing and Community Services to make any necessary operational amendments in consultation with the Chairman and Vice-Chairman of the Communities, Housing and Environment Committee;

Voting: For: 9 Against: 0 Abstentions: 0

- 2) That the formation of the MBC Safeguarding Forum be approved which will oversee the implementation of the policy and be responsible for reviewing it on an annual basis to ensure that changes in legislation or working practices are included;

Voting: For: 9 Against: 0 Abstentions: 0

- 3) That the Head of Housing and Community Services reports back to a future meeting on the training that should be undertaken by Councillors and takes this opportunity to refresh the training assessment for officers and report back on the appointment of Designated Officers within relevant teams; and

Voting: For: 9 Against: 0 Abstentions: 0

- 4) That the Committee appoints Member Safeguarding Champions in principle.

Voting: For: 9 Against: 0 Abstentions: 0

89. **EXCLUSION OF THE PUBLIC FROM THE MEETING**

RESOLVED: That the public be excluded from the meeting for the following item of business because of the likely disclosure of exempt information for the reason specified having applied the Public Interest Test:

**Head of Schedule 12A and
Brief Description**

Report of the Head of Housing and Community Services – Brunswick Street and 180-188 Union Street Redevelopment

Paragraph 3 – Information re financial/business affairs

90. **Report of the Head of Housing and Community Services - Brunswick Street and 180-188 Union Street Redevelopment**

Members considered the exempt report of the Head of Housing and Community in regards to Brunswick Street and 180-188 Union Street Redevelopment.

The Director of Regeneration and Place advised that the report provided an update to the Committee on further work that had taken place for the proposed redevelopment of the Brunswick Street Car Park and 180-188 Union Street sites.

Members noted that a procurement exercise had been carried out and it was in the processes of appointing Consultants (an Architect and Employers Agent) to facilitate the development of both sites in accordance with the Council's Contract Standing Orders.

In response to questions from Members, the Director of Regeneration and Place advised:

- That the cost of the developments was a benchmark and could reduce or increase.
- A third of the properties would be for affordable housing and a social housing provider would manage them direct.
- Although it should not be ruled out altogether, the Council would not want to own its own housing stock at present, it would be more prudent to deliver the objectives better with others.

RESOLVED:

- 1) That the procurement exercise that has been carried out in order to appoint an Architect and Employers Agent (in accordance with the Council's Contract Standing Orders), to help facilitate the development of Brunswick Street car park and 180-188 Union Street be noted;
- 2) That the Head of Mid Kent Legal Services be authorised to complete the contract documentation required for the appointments on the terms as agreed by the Director of Finance and Business Improvement; and
- 3) That a further report be brought to this Committee and the Policy and Resources Committee to approve the final schemes and necessary financial commitments associated with the development and management of the sites.

Voting: For: 9 Against: 0 Abstentions: 0

91. DURATION OF MEETING

6.30 p.m. to 8.45 p.m.