

MAIDSTONE BOROUGH COUNCIL

COMMUNITIES, HOUSING AND ENVIRONMENT COMMITTEE

MINUTES OF THE MEETING HELD ON TUESDAY 19 JULY 2016

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

Also Present: Councillors Brice, Newton,
Prendergast and Round

26. APOLOGIES FOR ABSENCE

There were no apologies for absence.

27. NOTIFICATION OF SUBSTITUTE MEMBERS

There were no Substitute Members.

28. URGENT ITEMS

The Chairman stated, in her opinion, that the Urgent Exempt Report of the Head of Housing and Community Services regarding a property acquisition for homeless households should be taken as an urgent item.

29. NOTIFICATION OF VISITING MEMBERS

It was noted that the following Members were present as Visiting Members:-

Councillor Brice – for Agenda Item 14

Councillor Newton – for Agenda Item 14

Councillor Prendergast – observing but reserved her right to speak on Agenda Items 18, 19 and 20.

Councillor Round – for Agenda Items 13, 18, 19 and 21

30. DISCLOSURES BY MEMBERS AND OFFICERS

There were no disclosures by Members and Officers.

31. DISCLOSURES OF LOBBYING

It was noted that the following Members had been lobbied in regard to Agenda Item 14:-

Councillors M Burton, Mrs Joy, D Mortimer, Perry, Mrs Ring and Mrs Robertson.

32. EXEMPT ITEMS

RESOLVED: That the items on Part II of the agenda be taken in private as proposed.

33. MINUTES OF THE MEETING HELD ON 21 JUNE 2016

RESOLVED: That the minutes of the meeting held on 21 June 2016 be approved as a correct record and signed.

34. PRESENTATION OF PETITIONS (IF ANY)

There were no petitions.

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

There were no questions from members of the public.

36. COMMITTEE WORK PROGRAMME - JULY 2016 ONWARDS

The Committee noted the Committee Work Programme. A Member requested that an update on the review of public conveniences be presented to the September meeting of the Committee.

37. REFERENCE FROM LICENSING COMMITTEE - HACKNEY CARRIAGE SPECIFICATIONS

The Committee considered the Reference from Licensing Committee which recommended that the Hackney Carriage and Private Hire Licensing Policy be amended to include the Peugeot E7 within the definition of approved vehicle.

RESOLVED:

- 1) That the Hackney Carriage and Private Hire Licensing Policy be amended to include the Peugeot E7 within the definition of approved vehicle; and remove Section 5 relating to the turning circle requirement of Appendix 5A of the Policy; and
- 2) That the Hackney Carriage and Private Hire Licensing Policy be amended to give delegated authority to the Head of Housing and Community Services to add or remove vehicle types to those that are approved for licensing, on the condition that the vehicle has EC Whole Vehicle Type Approval.

Voting: For: 8 Against: 0 Abstentions: 0

38. REFERENCE FROM PLANNING COMMITTEE - 16/502060 - CHANGE OF USE FROM A KITCHEN SHOWROOM (A1 USE) TO A MIXED CLASS COFFEE SHOP (A1/A3 USE) AND INSTALLATION OF SHOP FRONT - 27 HIGH STREET, HEADCORN, KENT

The Committee considered the Reference from Planning Committee relating to 16/502060 – Change of Use from a Kitchen Showroom (A1 use) to a Mixed Class Coffee Shop (A1/A3 Use) and Installation of Shop Front – 27 High Street, Headcorn, Kent.

Councillor Round, attending as a Visiting Member, addressed the Committee to appraise them of some history related to this item.

He advised that when the application was discussed at a recent Planning Committee meeting, a Member raised the issue that past experience had shown that where a retail unit of this type had been introduced in an area, there was an increase in litter.

Members of the committee felt that there was adequate provision of litter bins in Headcorn High Street and as it was a requirement for Costa to keep their area clear from litter, there should not be an issue. However, it was agreed that a good working relationship should be established with the Manager of Costa at the outset by the Parish Council and local Ward Members to ensure a standard are maintained and any resolutions to issues could be expedited. The Council's Street Scene Team would also offer relevant support when needed.

RESOLVED: That the local Ward Members and the Parish Council should be encouraged to engage in early discussions with Costa on the standard to be maintained and how best that can be achieved.

Voting: For: 8 Against: 0 Abstentions: 0

39. REPORT OF THE HEAD OF ENVIRONMENT AND PUBLIC REALM - STREET CLEANSING ASSET MANAGEMENT PLAN - REVIEW OF LITTER AND DOG WASTE BINS

The Committee considered the report of the Head of Environment and Public Realm relating to a review of all litter and dog waste bins.

Members were advised that the review had identified that a large number of dog waste bins were no longer fit for purpose and to replace these bins would exceed the budget available.

Councillors Brice and Newton, attending as Visiting Members, addressed the Committee.

Councillor Brice expressed her concerns that should the dog bins be taken away and not replaced with a litter bin, this could mean that the dog owners could be searching for another bin to put the dog waste in.

In response the Head of Environment and Public Realm advised that there would be a consultation with Ward Members, Parish Councils and appropriate local community groups on the phased removal of the dog waste bins should Members accept option 1 within the recommendations.

A phased operation would then be carried out to remove the dog waste bins and where possible a litter bin would replace a dog waste bin if there was not another litter bin within 400 metres.

Councillor Newton expressed his concerns over the poor state of the dog waste bins in Mallards Way and the fact that they were always overflowing.

In response the Head of Environment and Public Realm advised that there was only one operative who specifically emptied the dog waste bins around the borough but should the phased removal of these bins be approved then the service would be greatly enhanced as there are many more operatives who empty litter bins on a daily basis.

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

- If Parishes want to fund some dog waste bins, this would remain an option
- There would be a high profile publicity campaign stating that dog waste could be put in normal litter bins

RESOLVED:

- 1) That the work being undertaken to record all bins on a street cleansing asset register be noted; and
- 2) That Option 2 be approved subject to the installation of the larger comingled bins where appropriate and required.

Voting: For: 8 Against: 0 Abstentions: 0

40. REPORT OF THE HEAD OF HOUSING AND COMMUNITY SERVICES - HOMELESSNESS PERFORMANCE QUARTER ONE

The Committee considered the report of the Head of Housing and Community Services relating to the Homelessness Performance Quarter One.

It was noted that between April and June this year 176 households had met the threshold to make a homelessness application. 149 decisions were made. In the same quarter in 2015/16 there were 150 applications and 132 decisions made.

RESOLVED: That the report be noted.

41. REPORT OF THE HEAD OF HOUSING AND COMMUNITY SERVICES - HOUSING ASSISTANCE POLICY 2016-2020

The Committee considered the report of the Head of Housing and Community Services relating to a revised Housing Assistance Policy.

Members noted that the policy succeeded the previous policy that was adopted in 2014 and has now ended. The revised policy would run until 2020 and set out how the Council would use its powers under the Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 which set out how it intended to apply its discretion to develop schemes having regard to the needs of the borough, the availability of funding and the Council's priorities.

The scheme included the provision of mandatory disabled facilities grants that are delivered by the Council under the Housing Grants, Construction and Regeneration Act 1996 (as amended).

Members were appraised of the schemes that are contained within the Housing Assistance Policy which included the Home Hazard Grant, Disabled Facilities Grant, Home Assistance (Draft Scheme) and Empty Property Grant.

RESOLVED:

- 1) That the revised Housing Assistance Policy as set out in Appendix 1 to the report of the Head of Housing and Community Services be approved;
- 2) That delegated authority be given to the Head of Housing and Communities to make minor amendments to the policy if required following the completion of the BRE stock condition survey and for the allocation of the capital budget to achieve the outcomes identified in the housing assistance policy; and
- 3) That the action plan as set out in Appendix II to the report of the Head of Housing and Community Services be approved.

Voting: For: 8 Against: 0 Abstentions: 0

42. REPORT OF THE HEAD OF HOUSING AND COMMUNITY SERVICES - HOUSING ENFORCEMENT POLICY 2016-2020

The Committee considered the report of the Head of Housing and Community Services relating to the Housing Enforcement Policy.

Members were advised that the current Housing Enforcement Policy had been updated to take account of new legislative responsibilities of the Council. These were the Redress Scheme for Lettings Agency work and Property Management Work (Requirement to Belong to a Scheme etc) (England) Order 2014 and The Smoke and Carbon Monoxide Alarm (England) Regulations 2015.

These regulations had introduced the use of penalty charge notices for non-compliance with the regulations.

It was noted that where a tenant makes a genuine complaint about the condition of their property that has not been addressed by their landlord, and their complaint has been verified by a local authority inspection, and the local authority has served either an improvement notice or a notice of emergency remedial action, a landlord cannot evict that tenant for 6 months using the 'no fault' eviction procedure.

It was also noted that the Government gave the Kent Fire and Rescue Service a large number of smoke and carbon monoxide alarms to give to landlords. Should a landlord not fit a smoke alarm on each storey of the premises on which there is a room used wholly or partly as living accommodation, there is ultimately a maximum fine of £5,000 that can be made against the landlord by the Council.

RESOLVED:

- 1) That the adoption of the draft revised Housing Enforcement Policy 2016, as set out in Appendix 1 to the report of the Head of Housing and Community Services be approved, including the statement of principles for determining financial penalties under The Smoke and Carbon Monoxide Alarm (England) Regulations 2015; and
- 2) That delegated authority be given to the Head of Housing and Community Services to hear mitigation for non-compliance of a landlord's responsibilities under The Smoke and Carbon Monoxide Alarm (England) Regulations 2015 to reduce the level of fine imposed as set out under the statement of principles.

Voting: For: 8 Against: 0 Abstentions: 0

43. EXCLUSION OF THE PUBLIC FROM THE MEETING

RESOLVED: That the public be excluded from the meeting for the following items of business because of the likely disclosure of exempt information for the reasons specified, having applied the public interest test.

Head of Schedule 12A and Brief Description

Report of the Head of Housing and Community Services – Sites of Significant Interest: Matrix Scoring	Paragraph 7 – Information re the prevention, investigation and prosecution of crime
Report of the Head of Housing and Community Services – Property Acquisition – Accommodation for Homeless Households	Paragraph 3 – Information re financial/business affairs

44. REPORT OF THE HEAD OF HOUSING AND COMMUNITY SERVICES - SITES OF SIGNIFICANT INTEREST: MATRIX SCORING

Members considered the report of the Head of Housing and Community Services which related to the scoring completed by a multi-agency group on sites that were causing a significant impact on the community and/or damage to the environment.

The Head of Housing and Community Services referred to the action plan relating to the three sites as set out in the exempt appendix.

At the risk of exempt information being divulged accidentally during the debate in the public part of the meeting, Members agreed to move to private session of the meeting.

RESOLVED:

- 1) That the scoring completed by the multi-agency working group be noted; and
- 2) That the actions set out in the Exempt Appendix to the report of the Head of Housing and Community Services be approved subject to this remaining within existing budgets and where this cannot be achieved, the Head of Housing and Community Services be instructed to report to the Policy and Resources Committee to approve the funding requirement.

Voting: For: 6 Against: 1 Abstentions: 1

45. REPORT OF THE HEAD OF HOUSING AND COMMUNITY SERVICES - PROPERTY ACQUISITION – ACCOMMODATION FOR HOMELESS HOUSEHOLDS

The Committee considered the exempt report of the Head of Housing and Community Services which updated Members on the progress of a number of opportunities to purchase properties to use as temporary accommodation.

RESOLVED:

- 1) That the officers' decisions to not proceed with the property acquisitions as detailed in the exempt report of the Head of Housing and Community Services be noted; and
- 2) That a follow up report be presented to Committee once officers have successfully identified and negotiated the purchase of suitable alternative properties for use as accommodation for homeless households.

Voting: For: 8 Against: 0 Abstentions: 0

46. DURATION OF MEETING

6.30 p.m. to 8.45 p.m.