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FOLKESTONE AND HYTHE DISTRICT COUNCIL

Minutes for the meeting of the Council held at the Council Chamber - Civic Centre Folkestone on Wednesday, 24 July 2019

30.1 **Answers to supplementary questions**

Please note, these responses did not form part of the meeting proceedings.

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1. From Councillor Whybrow to Councillor Monk, Leader of the Council

Will the council sign up to the Citizen Advice/LGA Council Tax Protocol ie the Collection of Council Tax Arrears Good Practice Protocol.

ANSWER:

The Council does not currently sign up to the protocol. The Council does adhere to much of the content within our own procedures and arrangements included in this documentation.

The protocol has been discussed with the other Kent authorities and it has previously been viewed that much of this was already done.

Some of these elements are more difficult to commit to and therefore it would not be possible to sign up to the agreement and fulfil the agreement. For example, to review all cases to be referred to enforcement agents on an individual basis. Based on volumes and manual workload involved, this would be unrealistic.

Currently Swale Borough Council, Gravesham Borough Council, Tonbridge & Malling Borough Council, Ashford Borough Council, Dover District Council, Thanet District Council and Canterbury City Council have confirmed that they have not signed up to the current protocol and have no immediate intentions to do so.

It should be noted that the Council continues to strive to improve communication in appropriate formats and liaise with vulnerable customers in a variety of ways to ensure that collection is maximised while also supporting those that need help the most. To support this work the Council hold quarterly meetings with local agencies such as Citizen's Advice on keeping everyone up to date with developments and discussing ways to work to improve services and assist residents.

Many elements are currently common practice at the Council, such as training on vulnerability which is currently ongoing within the Revenues and Benefits department. Other actions such as offering multiple payment dates options, the ability to pay over 12 months and information regularly being reviewed on the website to offer advice on Council Tax discounts, exemptions and arrangements including Council designed forms for repayment offers. Appointments, telephone calls and visits can also be arranged to assist customers and share this information. The Council will also complete income and expenditure with customers to work out a manageable payment plan and offer further support, if applicable, under the Council's Exceptional Hardship Policy or section 13A of Council Tax legislation.

I would like to reiterate that the Council is also currently working with the Money Advice Trust to further improve the service and options available to Tax payers.

SUPPLEMENTARY QUESTION:

How many complaints have been made against Bailiffs?

ANSWER:

I will find out for you and respond in writing.

There were 2 complaints made to us regarding enforcement agents in 2018/19.

6. From Councillor Fuller to Councillor Meyers, Cabinet Member for Digital Transformation

The Equality Act 2010 requires that reasonable adjustments be made to allow individuals with a disability to access services provided by the public sector. Currently many of the documents in the Planning Portal appear to be image based pdf files, even where they are predominantly text. Will the council commit to uploading documents in a format that can be read by a screen reader or by software like Adobe Acrobat Reader?

ANSWER:

This is an issue that the Planning Department is actively seeking to resolve as part of the transformation project. At present we are limited by the internal systems we use and it is not currently possible to change the format of documents. Going forward however this will be resolved and improved, with PDFs being uploaded to the portal in a native format. Members of the public will then be able to download the PDFs and search the content and use within a PDF viewer.

SUPPLEMENTARY QUESTION:

What is the timeframe for this?

ANSWER:

I do not have that information to hand. I will provide the answer to you in writing.

The intention is to be live with the new software by the end of the financial year (April 2020).

13. From Councillor Meade to Councillor Monk, Leader of the Council

Can you please clarify where the council is in its investigation of East Kent Housing, including what action is to be taken against P&R who at present seem to have been able to walk away from the situation without penalty?

ANSWER:

The Council considers the health and safety of our tenants to be of the upmost importance. The four Council owners are therefore commissioning a detailed investigation of all aspects of health and safety and compliance across the housing stock managed by East Kent Housing to ensure that the problems that have been identified in terms of gas safety certificates and other compliance issues, do not happen again. Following the identification of potential overcharging during the gas servicing and maintenance contract that ended on the 3 July, I can confirm that a detailed legal investigation is currently underway. The outcome of both investigations will be fully reported to members as soon as they completed. East Kent Housing's Board have also commissioned their own independent investigation into the issues of non-compliance across the stock.

SUPPLEMENTARY QUESTION:

My understanding is that new contractors have been brought in. Will they operate at the same rate, or cost more, and will this be considered in the legal case?

ANSWER:

I will provide you with a written response.

The former contractor P&R gave notice of termination under the contract on 2/4/19 and the contract terminated on 3/7/19. An interim contractor was appointed from that point to ensure service to tenants was maintained and to allow time for the formal procurement process to be concluded with a new long-term contractor. The award of the long-term contract is being considered by Cabinet 31/7/19.

The new contract will have its own rates as it is a new procurement. The cost of the contract is a fixed cost for annual servicing, a variable cost based on expected responsive repairs and a new boiler installation programme. The estimated cost of the new contract is £1,142,764 per annum although this will vary depending on the responsive repairs required and the installation programme completed. The original budget for 19/20 was £906,508 although part of the additional cost is due to the inclusion of a larger boiler installation programme.

The contract was terminated using a standard non-fault break clause with notice, which means the contract was legally ended and any additional costs related to the new contract are not recoverable from the previous contractor. The council is disputing with P&R Ltd alleged overpayments made during the course of the previous contract.

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