



Minutes

Folkestone & Hythe District and Parish Councils' Joint Committee

Held at:	Council Chamber, Civic Centre, Folkestone
Date	Thursday, 19 September 2019
Present	Councillors Graham Allison, Emily Arnold-Newing, Laszlo Dudas, Frank Hobbs, Mrs Jennifer Hollingsbee, Christopher Mason, Terence Mullard, Martin Sweeney and Paul Thomas
Apologies for Absence	Councillor Neil Matthews
Officers Present:	Kate Clark (Committee Services Officer), Amandeep Khroud (Assistant Director) and Andrew Hatcher (Revenues and Benefits Strategic Manager)
Others Present:	

7. **Appointment of chairman**

Councillor Frank Hobbs was appointed Chairman for the meeting.

8. **Declarations of interest**

There were no declarations of interest.

9. **Minutes**

The minutes of the meeting dated 18 July 2019 were submitted, approved and signed by the Chairman.

10. **Council Tax**

Mr Andrew Hatcher, Revenues and Benefits Strategic Manager, gave a short briefing on the range of discounts and benefits relating to council tax. He also provided some information on empty home exemptions.

He explained that discounts, benefit reductions and exemptions are reflected in the annual council tax base calculation for budget setting purposes.

Calculations for the district are based on Band D for council tax as this is considered a national average. He advised that information regarding council tax calculations are on the district's website.

Turning to Empty Home exemptions members were advised of the following:

- Empty and unfurnished properties are chargeable for council tax purposes.
- In addition to this, if a property is empty and unfurnished for two years or more a premium would be levied at 50%. From April 2019 this has now changed to 100%.
- There are exemptions to this charge, for example, if a resident moves to a care home or if an annex of the property is occupied.
- These charges are an incentive to ensure owners occupy or rent their properties and there are various grants available to help bring properties back into use.

Mr Hatcher went on to say that discounts and exemptions are incorporated into the budget setting, negating any perceived shortfall. The Single Occupancy Discount is the most prominent discount.

Council tax arrears are chased and summons issued accordingly.

11. **Councillors' Code of Conduct**

Mrs Amandeep Khroud, Assistant Director and Monitoring Officer, gave a presentation of the Code of Conduct. She expressly relayed to members, that discussions on individual cases will not be part of this meeting and if any members had personal concerns, they were welcome to contact her directly after the meeting.

The presentation is attached to these minutes.

Members raised the following points:

- The process in raising a complaint. The initial step would be to complete a complaint form if the complaint cannot be dealt within the Town or Parish Council. This complaint form is then sent to the Monitoring Officer who will ask for further information if needed. An investigation officer will then be appointed to produce a report and refer back to the MO.
- Training in all aspects of the Code of Conduct for town and parish councillors. An external trainer would be best placed to provide this and Mrs Khroud will forward details of prospective trainers.
- LGA Report 2019 provides an update of the Code of Conduct for Town and Parish Councils which could form part of the training.

12. Joint Transportation Board Membership and voting rights

The Parish/Town representative for the Folkestone and Hythe Joint Transportation Board does not have any voting rights and is unable to add items to the agenda unless through another member. This is reflected in the current agreement with Kent County Council.

Mrs Khroud advised members that a revised version of the agreement has been produced, she will seek confirmation from the Leader, which contains the following:

- Town/Parish Council representatives to have rights to vote and add items to the agenda.
- No less than one voting member and no more than three voting members to sit on the Joint Transportation Board.

On a final note, the Chairman reminded members that the Green Infrastructure survey sent to Town and Parish Councils needs to be completed and returned to the District Council.

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Code of Conduct Training – brief overview

Amandeep Khroud – Assistant Director -
Governance, Law and Regulatory Services and
Monitoring Officer

Structure of local government in Kent

- **Kent County Council:**

- Social Services
- Highways
- Education
- Public Health
- Libraries
- Refuse Disposal
- Consumer Protection
- Transport
- Waste and Mineral Planning



Structure of local government in Kent (cont.)

Folkestone and Hythe District Council:

- Refuse Collection
- Street Cleansing
- Housing
- Environmental Health and Licensing
- Development Control
- Planning Policy
- Elections
- Building Control
- Benefits and Council Tax
- Parks and Recreation



Structure of local government in Kent (cont.)

Parish / Town Councils:

- Bus shelters
- Recreation grounds
- Grants
- Consultee



All holders of public office must uphold the seven principles of public life and these principles underpin and inform the Council's code of conduct. The seven principles are:

- **Selflessness** – Holders of public office should act solely in terms of the public interest.
- **Integrity** – Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work.
- They should not act or take decisions to gain financial or other material benefits for themselves, their family, or their friends. They must declare and resolve any interests and relationships.
- **Objectivity** – Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

- **Accountability** – Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.
- **Openness** – Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.
- **Honesty** – Holders of public office should be truthful.
- **Leadership** – Holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.

When does the Code of Conduct apply to you?

- Code applies to when acting as a Member
- Code does not apply when acting in private capacity
- You are a representative of the Council and your actions / perceived actions impact on how the authority is viewed

With respect to expected behaviour Councillors MUST :

- Treat others with respect
- Act solely in terms of public interest
- Declare interests
- Act in accordance with the Council's policies
- Use resources appropriately
- Promote and maintain high standards of conduct
- Have regard to the LA Code of Publicity
- Consider issues with an open mind

With respect to expected behaviour Councillors MUST NOT :

- disclose information given to you in confidence (exceptions)
- bully any person
- do anything which compromises or is likely to compromise the Council's position
- conduct yourself in a manner which could reasonably be regarded as bringing your authority into disrepute
- place yourself under any financial or other obligation to outside individuals or organisations that might seek to influence you in the performance of your official duties

Breaches of the Code

- If you think there has been a breach of the code then please discuss the matter initially with the Parish or Town Clerk
- You or the Parish/Town Council may wish to refer the matter to the Monitoring Officer (MO) who will investigate the nature of the complaint in accordance with the constitution

What happens if a councillor has an interest?

DPI

- Declare and explain interest
- Cannot participate and vote of the item
- Must leave the room
- Dispensations can be granted
- Criminal offence and breach of the code

OSI

- Declare and explain interest
- Can participate only to same extent that a member of the public can but cannot vote)
- Must withdraw to public gallery
- Dispensations can be granted
- Breach of the code

Meeting - interests

Members may make voluntary announcements of other interests.

These are announcements made for transparency reasons alone, such as:

- membership of outside bodies that have made representations on agenda items, or
- where a member knows a person involved, but does not have a close association with that person, or
- where an item would affect the well-being of a member, relative, close associate, employer, etc. but not his/her financial position.
- Voluntary announcements do not prevent the member from participating or voting on the relevant item

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