



Agenda

Meeting: **Overview and Scrutiny Committee**
Date: **27 February 2024**
Time: **6.00 pm**
Place: **Council Chamber - Civic Centre Folkestone**

To: **All members of the Overview and Scrutiny Committee**

The committee will consider the matters, listed below, at the date, time and place shown above. The meeting will be open to the press and public.

Members of the committee, who wish to have information on any matter arising on the agenda, which is not fully covered in these papers, are requested to give notice, prior to the meeting, to the Chair or appropriate officer.

This meeting will be webcast live to the council's website at <https://folkestone-hythe.public-i.tv/core/portal/home>. Although unlikely, no guarantee can be made that Members of the public in attendance will not appear in the webcast footage. It is therefore recommended that anyone with an objection to being filmed does not enter the council chamber.

Please note there are 37 seats available for members of the public, which will be reserved for those speaking or participating at the meeting. The remaining available seats will be given on a first come, first served basis.

1. **Apologies for Absence**
2. **Declarations of Interest (Pages 5 - 6)**

Members of the committee should declare any interests which fall under the following categories:

- a) disclosable pecuniary interests (DPI);
- b) other significant interests (OSI);
- c) voluntary announcements of other interests.

Queries about the agenda? Need a different format?

Contact Jake Hamilton – Tel:
Email: committee@folkestone-hythe.gov.uk or download from our
website
www.folkestone-hythe.gov.uk

3. **Minutes (Pages 7 - 12)**

To consider and approve, as a correct record, the minutes of the meeting held on 30 January 2024.

4. **Minutes of the Finance and Performance Sub-Committee (Pages 13 - 18)**

To consider and approve, as a correct record, the minutes of the meeting held on 23 January 2024.

5. **Cabinet Member updates (Pages 19 - 20)**

In accordance with the Constitution Councillor Gary Fuller the Cabinet Member for Resident Engagement and Accountability will be attending the Overview and Scrutiny Committee to provide a verbal update in relation to his portfolio.

Councillor Jim Martin, Leader and Cabinet Member for Otterpool Park and Planning Policy will also be in attending the Overview and Scrutiny Committee to address any queries members may have.

6. **Update from Community Safety Partnership and the new 3 year Plan (Pages 21 - 34)**

The purpose of this report is to provide the Overview and Scrutiny Committee with an update on the Folkestone & Hythe Community Safety Partnership (CSP) and the draft new 3 year plan.

7. **Community Infrastructure Levy (CIL) (Pages 35 - 94)**

This report outlines the background to the Community Infrastructure Levy, which came into effect in August 2016 and the Governance Arrangements that were adopted by Cabinet in June 2020. It also explains what projects the district council will seek to deliver using CIL receipts it controls, as well as summarising those projects that Kent County Council (KCC) will deliver using their proportionate share of CIL receipts as set out in the approved Governance Framework.

8. **2023 Full Council Resolution - Folkestone & Hythe Youth District Council (Pages 95 - 112)**

Full Council of 29 March 2023 resolved to refer to Overview and Scrutiny Committee (OSC) a report on the benefit of establishing a Folkestone & Hythe Youth District Council, referencing the Kent Youth County Council. This report describes the youth councils and youth forum that are run by Kent County Council, Dartford Borough Council, Swale Borough Council and Thanet District Council to highlight to OSC the different approaches that could be taken to establishing a youth council and the likely resource implications.

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Declarations of Interest

Disclosable Pecuniary Interest (DPI)

Where a Member has a new or registered DPI in a matter under consideration they must disclose that they have an interest and, unless the Monitoring Officer has agreed in advance that the DPI is a 'Sensitive Interest', explain the nature of that interest at the meeting. The Member must withdraw from the meeting at the commencement of the consideration of any matter in which they have declared a DPI and must not participate in any discussion of, or vote taken on, the matter unless they have been granted a dispensation permitting them to do so. If during the consideration of any item a Member becomes aware that they have a DPI in the matter they should declare the interest immediately and, subject to any dispensations, withdraw from the meeting.

Other Significant Interest (OSI)

Where a Member is declaring an OSI they must also disclose the interest and explain the nature of the interest at the meeting. The Member must withdraw from the meeting at the commencement of the consideration of any matter in which they have declared a OSI and must not participate in any discussion of, or vote taken on, the matter unless they have been granted a dispensation to do so or the meeting is one at which members of the public are permitted to speak for the purpose of making representations, answering questions or giving evidence relating to the matter. In the latter case, the Member may only participate on the same basis as a member of the public and cannot participate in any discussion of, or vote taken on, the matter and must withdraw from the meeting in accordance with the Council's procedure rules.

Voluntary Announcement of Other Interests (VAOI)

Where a Member does not have either a DPI or OSI but is of the opinion that for transparency reasons alone s/he should make an announcement in respect of a matter under consideration, they can make a VAOI. A Member declaring a VAOI may still remain at the meeting and vote on the matter under consideration.

Note to the Code:

Situations in which a Member may wish to make a VAOI include membership of outside bodies that have made representations on agenda items; 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. It should be emphasised that an effect on the financial position of a Member, relative, close associate, employer, etc OR an application made by a Member, relative, close associate, employer, etc would both probably constitute either an OSI or in some cases a DPI.

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Minutes

Overview and Scrutiny Committee

Held at:	Council Chamber - Civic Centre Folkestone
Date	Tuesday, 30 January 2024
Present	Councillors James Butcher, Laura Davison (Chair), Anita Jones, Alan Martin, Elaine Martin, Connor McConville and John Wing (Vice-Chair)
Apologies for Absence	Councillor Bridget Chapman.
Officers Present:	Michael Bailey (Tenant Engagement & Wellbeing Senior Specialist), Andy Blaszkowicz (Director of Housing and Operations), Ewan Green (Director of Strategy and Resources), Jake Hamilton (Committee Services Officer), Rod Lean (Chief Officer - Place & Growth) and Matt Rain (OD & Engagement Business Partner).
Others Present:	Councillor Jim Martin.

34. **Declarations of Interest**

Councillors James Butcher and John Wing both declared a voluntary interest as Directors of Oportunitas.

35. **Minutes**

The minutes of the meeting held on were submitted, approved, and signed by the Chair.

36. **Minutes of the Finance and Performance Sub-Committee**

The minutes of the meeting held on were submitted, approved, and signed by the Chair.

37. **Change of Membership - Finance and Performance Scrutiny Sub Committee**

The Committee noted the change of membership for the Finance and Performance Scrutiny Sub Committee.

38. Cabinet Member updates

In line with the Constitution Councillor Jim Martin, Leader, and Cabinet Member for Otterpool Park and Planning Policy provided the Overview and Scrutiny Committee with an update which covered various topics, including:

- Planning Performance and Planning Enforcement. - The Leader confirmed there is a real focus on making sure planning applications are dealt with in a timely manner and that performance in this regard is good and improving.
- Otterpool Park. The Leader provided members with an update which outlined the current direction for Otterpool Park.

Following Councillor Jim Martin's update, members raised several points, including:

- An update regarding Otterpool Park Solar Farm – Councillor Jim Martin confirmed that the development of a solar farm on land owned by the Council adjacent to Otterpool Park is progressing. In addition, following the resolution to grant outline planning consent for the Otterpool Park development he is confident that great strides can be made to achieve the council's aspirations to reach net zero.
- Otterpool Park LLP Governance Review – It was noted that progress in delivery of the Governance Action Plan will be reported to Members by East Kent Audit Partnership through regular reports to the Audit and Governance Committee. Councillor Jim Martin advised that positive progress is being made and that this included recent changes to the Otterpool Park LLP team structure.
- Does the council have an indication as to when Members can expect to see the first houses being built? Councillor Jim Martin advised it will probably be 2027/28.
- Does the delay in Otterpool Park have an impact on the Councils' housing targets – It does put additional pressure on the planning system; however, members are aware that central government have introduced flexibility in housing targets.
- Does the Council have a plan b, should a partnership with Homes England not be fulfilled – Yes, the Council has alternative plans.
- What can communities do to make their voices heard in relation to traffic disruption considering the upcoming introduction of biometric passport checks at Euro Tunnel and the Dover Docks – Both the Euro Tunnel and the port of Dover have plans in place. All being well, Euro Tunnel are expecting the new restrictions to result in an 8-minute delay. Members asked whether the Operation Brock could come back to the committee once the review had been finalised.
- Can members have an update regarding Southern Water – Councillor Jim Martin explained that he had attended several meetings and is having discussions with all levels of the organisation and Kent County

Council (KCC). He did however advise members that he and other Leaders from councils across the Southeast are pressing Ofwat and the Environmental Agency (EA) for action to be taken against Southern Water due to its failings.

39. **FABF phase two public engagement feedback**

Matt Rain, OD & Engagement Senior Specialist, provided Members with a presentation and feedback following the 'Folkestone – A Brighter Future' (FABF) phase two engagement.

Following the presentation, members raised several points, including:

- As per the feedback in relation to the location of bus shelters, has this been addressed? – The council is working with Stagecoach to see where amendments can be made.
- How will the nature of Shellons Street being a bit of a 'wind tunnel' be addressed – The council is considering several actions, including side panels for the bus shelters and tree planting to act as a buffer.,
- Is the information from the consultation in relation to bus routes available online and will Stagecoach be in attendance at the next event – Yes, the information is on the website and, officers will extend an invitation to Stagecoach to attend the next consultation event.
- Members raised concerns regarding traffic management and congestion – The proposed plan, should minimise traffic approaching Middleburg Square. Kent County Council (KCC) as the highway authority are examining the plans to ensure that traffic management changes will result in a positive improvement.
- Members also raised concerns regarding anti-social behaviour – The council is working closely with other organisations, including the Kent Police Design Out Crime team, on how they might mitigate these issues.
- Will the next FABF event include more detailed plans – Yes, the aim is to incorporate further detailed updates e (e.g.) the bridge connecting Guildhall Street.
- Will these events include other organisations, such as Cycle Shepway – The Council is working with outside organisations to gather views and seek to ensure accessibility issues are considered in the round for everyone.
- Will an equality impact assessment (EQIAs) be carried out – Yes this is a requirement ([Equality impact assessments \(EQIAs\) | Folkestone & Hythe District Council \(folkestone-hythe.gov.uk\)](https://www.folkestone-hythe.gov.uk/equality-impact-assessments-eqias)).
- How can members of the public provide feedback – Comments can be made via the public engagement events, or alternatively by email. The email address is out the council's website (public.engagement@folkestone-hythe.gov.uk).
- What can the council do to encourage more comments/feedback going forward – The council is always thinking of ways to encourage more feedback. Possible suggestions include incorporating questions into the VR experience, tablets being provided during engagements, Members

suggested providing a way of recording verbal feedback at the engagements may encourage more comments.

- Is there an intention for the project to return to this committee at a later date – Yes, when further updates are available.

40. **2023 Tenant Satisfaction Survey Action Plan**

Michael Bailey, Tenant Engagement & Wellbeing Senior Specialist, introduced the item and outlined the report.

The report presents the findings from the 2023 tenant satisfaction survey, and the resulting draft Action Plan which has been developed in partnership with the Strategic Tenant Advisory Panel.

Following the Tenant Engagement & Wellbeing Senior Specialist's update, Members raised several points, including:

- Members noted that the overall results look excellent and congratulated the team.
- Members asked for clarification regarding 2.5 of the report, Effective handling of complaints and the distinguishment between the council's formal definition of a complaint and a request for service. Members asked whether these could be determined within the survey – The council has analysed the comments within the survey to determine which were service requests and these have been raised with the repairs team.
- Members noted the difference in satisfaction across the wards and highlighted that central wards were more satisfied than rural. The Tenant Engagement & Wellbeing Senior Specialist noted that the council is aware and wants to do more to engage with rural areas.
- It was noted that only 20.4% responded to the survey. Members would like to see an increase in responses. It was mentioned that the council may possibly be employing an external organisation to conduct the 2024 tenant satisfaction survey. It was thought that tenants may engage more with an external organisation and the feedback provided by tenants could be anonymous.
- Members asked whether a breakdown by ward of the 684 responses could be provided – The Tenant Engagement & Wellbeing Senior Specialist, confirmed this could be provided.
- Members noted an error in the report (Maintaining building safety) and the officer confirmed that the report will be updated. The report states that Romney Marsh had the lowest percentage (72%), however, Folkestone East had a lower percentage of 70%.
- As per Appendix 1, page 5, general observations, it was noted in terms of equality, a number of groups showed a slightly lower level of satisfaction. Members asked whether there was any particular reason – The Tenant & Wellbeing Senior Specialist, believed this was due to the groups being a smaller proportion of the council tenants and noted that no comments in the survey pointed to any tenants feeling discriminated against due to their protected characteristics.

- How does this report feed into the wider procurement work – The council is looking to involve residents in the procurement process for the new repairs contract. A key part of The Strategic Tenant Advisory Panel's role will be to looking at the proposed contractor's approach and engagement with residents, i.e. how they work and interact with tenants, keeping appointments and how they improve their tenant satisfaction, etc.
- Members asked when they can expect to receive an update regarding the tenant's action plan. The Tenant Engagement & Wellbeing Senior Specialist, advised they are hoping to provide a further update in May/June 2024.

Proposed by Councillor Connor McConville,
Seconded by Councillor Alan Martin; and,

Resolved:

- 1. To receive and note report OS/23/08.**
- 2. To note the results of the 2023 tenant satisfaction survey attached as Appendix 1**
- 3. To note, and provide any comments on, the draft Tenant Survey Action Plan attached as appendix 2.**

(Voting figures: 7 for, 0 against, 0 abstentions).

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Minutes

Finance and Performance Scrutiny Sub-Committee

Held at:	Council Chamber - Civic Centre Folkestone
Date	Tuesday, 23 January 2024
Present	Councillors Laura Davison, Alan Martin (In place of David Godfrey) and Connor McConville (Chair).
Apologies for Absence	Councillors James Butcher, David Godfrey and John Wing.
Officers Present:	Jake Hamilton (Committee Services Officer), Lydia Morrison (Interim S151 Officer) and Ola Owolabi (Chief Financial Services Officer).
Others Present:	Councillor Tim Prater.

17. **Declarations of interest**

There were no declarations of interest.

18. **General Fund Revenue Budget Monitoring - 3rd Quarter (Q3) 2023/24**

Ola Owolabi, Chief Financial Services Officer introduced the item.

The report set out the financial monitoring information for the Council as at 1 December 2023, i.e., Q3 of 2023/24. The report provided Members with an overview of budget performance, including an overview of reserves and balances, to enable the Committee to take ownership of the budgets and provide robust challenge and scrutiny to Officers on the performance of those budgets. At the end of Quarter 3, there is a favourable end of the financial year projected position of £458k on the Council's revised net revenue expenditure budget, of £22.2m. This position is based on budget activities as at 1 December 2023, projected trends in income and expenditure and changes to Council funding.

Following the Chief Financial Services Officer presenting the report, members raised several points, including:

- Are we expecting the Q2 variants to reduce further come end of year? – The council should expect an improved position.
- Members asked for a further explanation in relation to the earmarked reserves between Q2 and Q3. – When the budget was set back in February 2023 an amount was set aside to deal with those expenditures over the line. However, between Q2 and Q3 there has been movement in those earmarked reserves i.e. transformation reserves, which was set aside to deal with the council restructure and transformation 2.0 project.
- Have any of the overall underspends as outlined in the report caused particular concern for officers? – Both leadership and the S151 officer are satisfied with the outcome.
- Members requested a further explanation on the key changes/direction of the underspends – It was necessary for the council to reduce the outgoings from the reserves in order to balance the budget.
- At what point does the savings from the Star Chamber process come into effect? – Not until year end.

(As there was no dissent the committee approved by affirmation of the meeting to receive and note report C/23/78).

19. **General Fund Capital Programme - Quarter Three (Q3) Budget Monitoring 2023/24**

Ola Owolabi, Chief Financial Services Officer introduced the item.

The monitoring report provided an initial projection of the current financial position for the General Fund capital programme profiled for 2023/24, based on expenditure to 1 December 2023, and identifies variances compared to the latest approved budget.

Following the Chief Financial Services Officer presenting the report, Members raised several points, including:

- On reviewing the Q3 variances as set out in the report, members noted that there is a £8,171,000 variance in capital grants and requested an explanation? – Some of the capital grants are ringfenced for particular projects, i.e. LUF of which certain aspects of the project must be completed by 2025.
- Does the council anticipate any changes from now until year end? – Some projects are due to end before March 2024. Also, ongoing discussion with DLUHC regarding LUF.
- Does the council have a sense of the predicted variance come year end? – The council cannot confirm an exact number at this time.

(As there was no dissent the committee approved by affirmation of the meeting to receive and note report C/23/79).

20. **HRA Budget Monitoring Quarter 3 (Q3)**

Ola Owolabi, Chief Financial Services Officer introduced the item.

The monitoring report provided a projection of the end of year financial position for the Housing Revenue Account (HRA) revenue expenditure and HRA capital programme based on net expenditure to 1 December 2023.

Following the report being presented to members, several points were raised, including:

- Why couldn't the pension costs be accounted for? – The increase in pension interest costs is due to the costs being based on actuals for 2022/23, whereas budget was based on the estimates before the triennial pension revaluation was completed.
- Re-profiling of the £1,747,000 revenue contributions to capital expenditure – The 1,747,000 is a projection come end of year.
- Members asked for clarification on non price per property and the £530,000 Repairs and Maintenance variance – The term non price per property means unexpected/unforeseen costs, outside of the contracts. The increase in repairs and maintenance is largely due to Mears's non price per property being higher than anticipated (2.4 of the report).
- Members asked for an update in relation to the increase in disrepair claims. – This question has been referred to the Chief Officer of Housing.
- Has the increase in heating and services contracts as per 2.5 of the report caused issues? - This question has been referred to the Chief Officer of Housing.

(As there was no dissent the committee approved by affirmation of the meeting to receive and note report C/23/77).

21. **Draft General Fund Budget 2024/25**

Ola Owolabi, Chief Financial Services Officer introduced the item and outlined the report.

The report set out the Council's Draft General Fund budget for 2024/25 and the updated MTFS.

Following the Chief Financial Services Officers outline, members raised several points, including:

- How will the reduction in staff saving impact services, especially frontline services? – Details will/have been presented to the Personnel Committee. But in general terms the council has protected frontline

services, restructured services, removing vacant post and disbanded the corporate case model, providing more efficient services.

- As per Appendix 1, page 64 of the agenda, under the heading 'Place Summary' EE20 Folkestone Sports Centre shows a reduction variance of £50,000, from £150,000 to £100,000, is this correct? – Councillor Tim Prater, Deputy Leader and Cabinet Member for Finance and Governance, confirm this was an error in the report. The Grant finding for Folkestone Sport Centre continues to be £150,000.
- As per the MTFs Gap – Cabinet 13 December 2023 table, at 2.9 of the report, shows an additional growth-waste service of £47,000, however, the budget details show a household waste increase of £281,000 and recycling increase of £200,000? – The £47,000 additional growth to waste services is for the recruitment of an additional post to oversee the management of the waste contract.
- Members noted from the report a reduction of in the members ward grants – This was a reduction discussed in the Star Chamber process, it was proposed that the members ward grant should reduce from £3,000 to £2,500 per councillor. Councillor Tim Prater, Deputy Leader and Cabinet for Finance and Governance, advised members, that both he and the leader will be proposing to Cabinet to cease their SRA's as Deputy Leader and Leader and that monies saved should be reintroduced into the Members Ward Grants.
- Why are the budget lines to Otterpool Park and Westernhanger Castle not recharged to Otterpool Park LLP? – Until they are formally transferred out, Folkestone and Hythe as the proprietor must take ownership. There is guidance on what we can and cannot recharge. However, this is constantly reviewed by the team.
- Members raised concern regarding Connect 38 and the increased pressures.
- Members asked whether there was a more detailed summary of the priority-based budget saving figures? – Councillor Tim Prater, Deputy Leader and Cabinet Member for Finance and Governance, gave a brief outline, however, officers confirmed details can be disclosed in future meetings.

Proposed by Councillor Connor McConville,
Seconded by Councillor Laura Davison; and,

Resolved:

- 1. To receive and note report C/23/83; and,**
- 2. To recommend to Cabinet that they approve, any recommendation brought for the relinquishment of both the Leader and Deputy Leaders SRA's in order for the money saved to be reintroduced to the members ward grants.**

22. Draft Housing Revenue Account Revenue and Capital Original Budget 2024/25

Ola Owolabi, Chief Financial Services Officer introduced the item.

The report set out the Housing Revenue Account ('HRA') Revenue and Capital Budget for 2024/25 for approval and proposes an increase in weekly rents and an increase in service charges for 2024/25 both for approval.

Two typo errors were noted on table 1 of 2.1 of the report; 'Original estimate of balance at 31 March 2023' this should in fact state 31 March 2024 and the last row of the table 'Original estimate of balance at the 31 March 2024' this should state 31 March 2025.

Following the Chief Financial Services Officer update, members raised several points, including:

- As at paragraph 2 (3.2 of the report) if the council were to not agree the proposed rent increase of 7.7%, what is the figure per percentage? – The exact figure could not be provided; however, it is estimated at £100,000 per year.
- Can a further explanation be given in relation to the plan for shared ownership rents? – This question has been referred to the Chief Officer of Housing.
- Members asked for a further explanation in relation to 3.5.2 of the report, Heating Charges in Sheltered Housing, paragraph 3, 'sheltered housing schemes should be set at actual cost of 10% increase' – This question has been referred to the Chief Officer of Housing.
- How often will the HRA business plan be reviewed and updated? – This question has been referred to the Chief Officer of Housing.

(As there was no dissent the committee approved by affirmation of the meeting to receive and note report C/23/85).

23. **Update to the General Fund Medium Capital Programme**

Ola Owolabi, Chief Financial Services Officer introduced the item.

The report updates the General Fund Medium Term Capital Programme for the five-year period ending 31 March 2029. The General Fund Medium Term Capital Programme is required to be submitted to full Council for consideration and approval as part of the budget process.

Members raised several points, including:

- Large amount of funding earmarked for leisure centre funding – These are provision sums, pending project decision. The project would need to be financially sustainable. Members would be asked to approve funding once business cases are brought forward.

- As per table at 4.5 of the report, internal resources to fund MTCP. How will funding go back into reserves? – DLUHC grant money as and when it becomes available.
- As per appendix 1, the comments in the table show certain projects completing this financial year. If completed would these projects be removed from the MTCP? Those projects have been carried forward to 2024/25 in the event of slippage.

(As there was no dissent the committee approved by affirmation of the meeting to receive and note report C/23/84).

Agenda Item 5

In accordance with the Constitution Councillor Gary Fuller the Cabinet Member for Resident Engagement and Accountability will be attending the Overview and Scrutiny Committee to provide a verbal update in relation to his portfolio.

Councillor Jim Martin, Leader and Cabinet Member for Otterpool Park and Planning Policy will also be in attending the Overview and Scrutiny Committee to address any queries members may have.

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This Report will be made
public on 19 February
2024

Report Number **OS/23/10**

To: Overview & Scrutiny Committee
Date: 27 February 2024
Status: Non-Key
Responsible Officer: Andy Blaszkowicz, Director of Housing and Operations
Scott Butler, Community Services Specialist
Cabinet Members: Councillor Mike Blakemore the Cabinet Member for Community and Collaboration.

SUBJECT: UPDATE FROM COMMUNITY SAFETY PARTNERSHIP AND THE NEW 3 YEAR PLAN.

SUMMARY:

The purpose of this report is to provide the Overview and Scrutiny Committee with an update on the Folkestone & Hythe Community Safety Partnership (CSP) and the draft new 3 year plan.

REASON FOR RECOMMENDATION:

This report is presented to the Committee for comments and feedback ahead of the 3-year plan being considered by Cabinet and Council.

RECOMMENDATIONS:

1. To receive and note report OS/23/10.
2. To provide feedback on the 3-year plan ahead of it being considered by Cabinet and Council.

1. BACKGROUND

1.1 The Folkestone and Hythe Community Safety Partnership (CSP) have produced a three year partnership plan covering the period 2024-27. The plan contains an overview of the work of the partnership, how it is structured e.g. its sub groups and cites key supporting legislation.

1.2 The plan also reflects on issues impacting the work of the partnership including new legislation such as the violence reduction bill and Domestic Abuse Act 2021.

1.3 The CSP have also carried out a strategic assessment of crime trends using data from many sources and this restricted document has helped in shaping the priorities of the CSP which are set out together with activities to be carried out by the sub groups. This includes review of the current PSPO.

1.4 The Folkestone & Hythe CSP does have regard to the KCC County Community Safety Agreement (CSA) and they in turn have regard to the priorities contained within District CSP plans. The plan contains some information relating to the county CSA which is also a statutory requirement.

2. AGREEMENT OF THE PLAN

2.1 The draft CSP will be considered by Cabinet in March 2024 and then Council in April 2024. Overview and Scrutiny Committee are asked to provide feedback on the draft plan and this will form part of the report to Cabinet.

3. LEGAL/FINANCIAL AND OTHER CONTROLS/POLICY MATTERS

3.1 Legal

“There are no legal implications arising directly from this report. The Council has a statutory duty to work in partnership to reduce and prevent crime and disorder, including anti-social behaviour and other behaviour adversely affecting the local environment in its area by virtue of the Crime and Disorder Act 1998”. **(NM)**

3.2 Resources

No finance implications are contained within this report. **(TM)**

3.3 Equalities

Naturally, when working to design out crime and antisocial behaviour we work alongside a range of communities. We work to build relationships between these different communities alongside partners to provide safety to all including young people. A range of agencies working together with overlapping priorities to tackle violence, crime and anti-social behaviour will have a positive impact on all in society. **(SB)**

3.4 Communications-

“The community safety plan will be promoted and shared through existing channels and made available for those who cannot access it online” **(JW)**.

CONTACT OFFICER AND BACKGROUND DOCUMENTS

Scott Butler

Community Services Specialist

Tel: 01303 853376

Email: scott.butler@folkestone-hythe.gov.uk

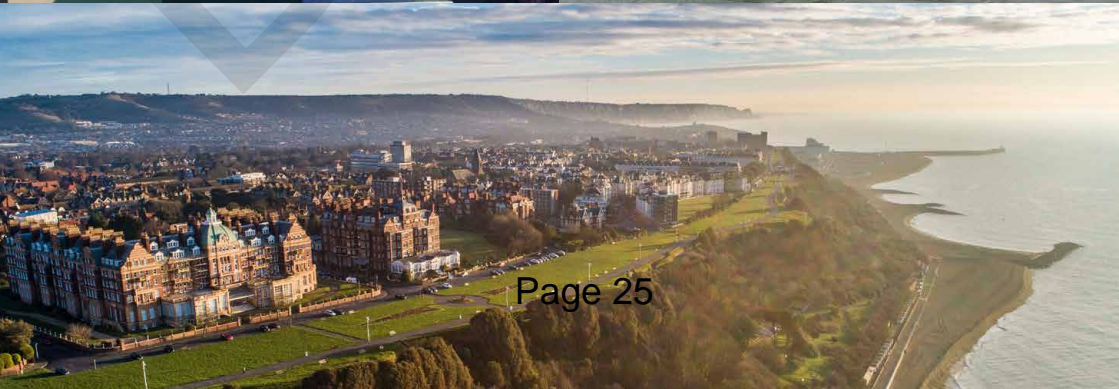
Appendix: Folkestone & Hythe Community Safety Partnership Plan
2023-27

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Folkestone & Hythe District Community Safety Partnership Plan



FOLKESTONE & HYTHE DISTRICT
COMMUNITY SAFETY
PARTNERSHIP

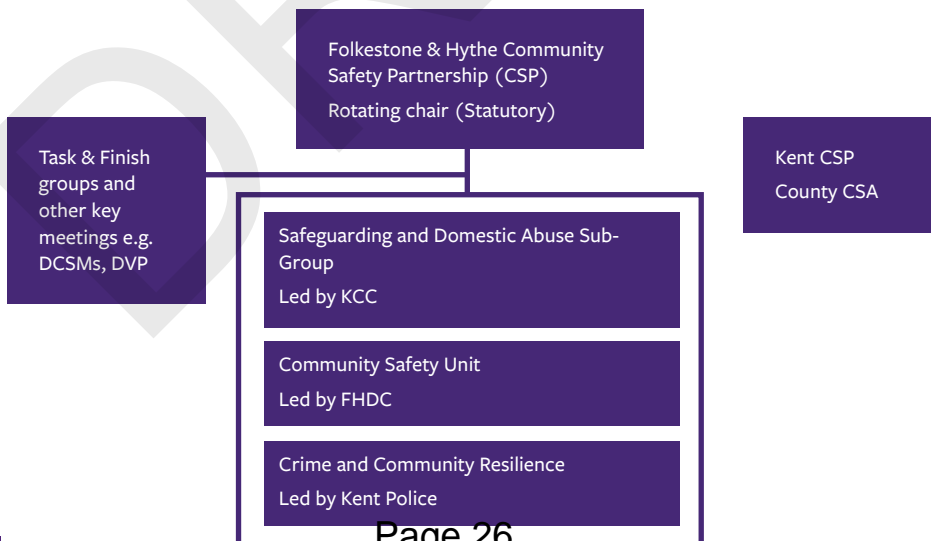


Introduction

Folkestone & Hythe Community Safety Partnership (CSP) is a statutory body bringing together public sector agencies and voluntary and community organisations to tackle safeguarding concerns, abuse, anti-social behaviour, substance misuse and to reduce crime and re-offending.

The Community Safety Partnership is overseen by an executive group, comprising senior managers from the responsible authorities. Sub-groups are responsible for the priorities of the CSP.

The CSP creates a partnership plan for three years which is reviewed annually. The plan is informed by a strategic assessment which is created each year using analysis from intelligence. This identifies the emerging priorities by considering the patterns, trends and shifts relating to community safety.



District Profile

The district has a population of 109,800 according to the most recent data in the 2021 Census.

The Folkestone urban area is home to 48% of the total population whilst 16% of the district's residents live in the Hythe urban area. The remaining 36% live in the more rural areas, including Romney Marsh and Lydd.

The age profile of the population shows that the district has an older age profile compared to the county average, with a greater proportion of people aged over 50 than the average for the Kent County Council (KCC) area.

On the national ranking, the district is 84th out of 317 local authority districts according to data from the Office for National Statistics.

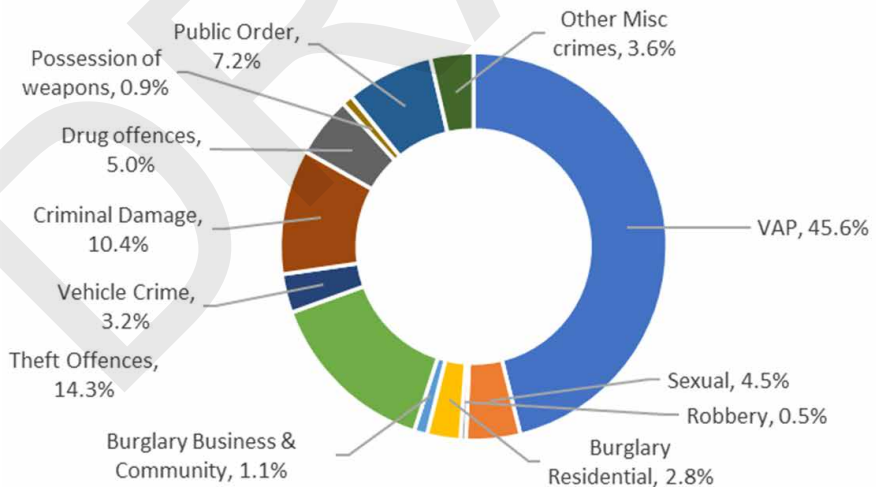
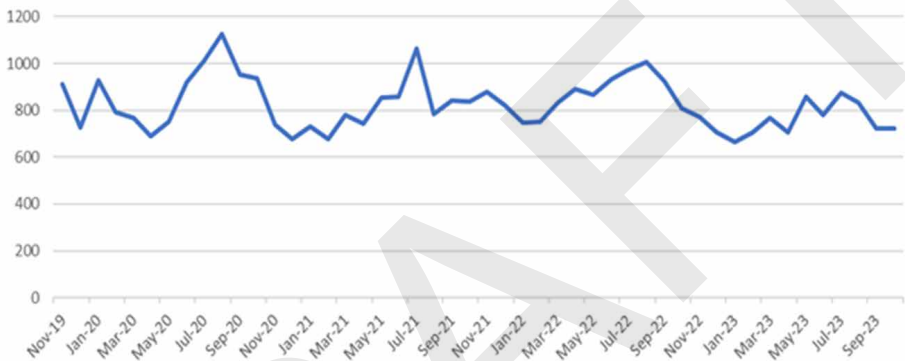
Levels of deprivation vary across the district, with areas in England's top 10% of the most deprived. However, other areas are recorded as the least deprived.

The greatest levels of deprivation are found within the Folkestone town area - Folkestone Harbour, East Folkestone and Folkestone Central wards.

The unemployment rate is currently 3.9% which is higher than both the county average of 3.2% and the national average of 3.7%.

District Crime Profile

The three-year trend of recorded crime in Folkestone and Hythe shows consistent peaks in recorded crime in the summer months, with a significant reduction in this peak shown in 2023.



Legislation

Anti-social Behaviour, Crime and Policing Act 2014

The Anti-social Behaviour, Crime and Policing Act 2014 provides the police, local authorities, and other local agencies with powers that they can use to respond quickly and effectively to antisocial behaviour.

Domestic Abuse

Serious Violence Duty

Prevent Strategy

Police and Crime Commissioner Priorities

The CSP is committed to working closely with the Police and Crime Commissioner (PCC) and aligns its priorities with the PCC's.

- Working with residents, communities, and businesses the CSP aims to prevent crime and anti-social behaviour in areas including:
- Tackling violence against women and girls
- Protecting people from exploitation and abuse
- Combatting organised crime and county lines
- Being visible and responsive to the needs of communities
- Preventing road danger and supporting Vision Zero
- Protecting young people and providing opportunities

 More information on Kent Police and Crime Commissioner's website kent-pcc.gov.uk

CSP Priorities



Safeguarding & Domestic Abuse

Domestic abuse

Mental health

Drugs and alcohol

Safeguarding children and adults

Young People & Places

Missing children



Crime & Community Resilience

Reducing offending and reoffending

Modern slavery and human trafficking

Serious and organised crime

Cuckooing, gangs, county lines and criminal exploitation

Fraud, financial, acquisitive crime

Drug offenses

Integrated Offender Management

Hate crime

Prevent strategy

District Vulnerability Panel – Adult



Community Safety Unit

Anti-Social Behaviour

Public Spaces Protection Order

Events

Hotspot locations

Substance misuse

Diversionary activities

Housing & Homelessness

High risk adults and young people

Community triggers / ASB Reviews

Prison releases

Unauthorised encampments

Environmental crime / health

Licensing



Cross Cutting Themes

Violence reduction, including Serious violence and violence against women and girls (VAWG)

Health & wellbeing

Young People

Safer Streets Project



CCTV Cameras

Creating a stronger network and monitoring of CCTV across Folkestone

Acquiring re-deployable cameras to tackle ASB



ASB and Crime Prevention

Upgrading Folkestone Area Partnership Against Crime (FAPAC) radio network

Creating window wraps and display boards to occupy empty shop frontage and units



Education Programmes

Active Bystander Training

Rising Sun and Homestart joint Violence Against Women and Girls training package

Contextual safeguarding training - In Plain Sight



Safer Parks

Installing gates on alleys

Mapping and signposting the 'lit routes' across the town

Updating the Emergency Trauma packs in key locations

Removing graffiti and litter, working with the Folkestone Town Sprucer team



Public Guardianship

Promoting a safe taxi scheme

Establishing a funded contract with private security to provide taxi marshals

Urban Pastors patrols across designated areas in both day and nighttime economies

Creating a new Neighbourhood Watch area

Promoting the Hollie Guard App as an easy method to report and raise concerns

CSP Delivery

Local Engagement Meetings (LEMs)

Each quarter the CSP holds meetings for the community to engage and receive updates about the CSP and report anti-social behaviour concerns and issues in the local area and across the district.

It is an opportunity for two-way communication, accountability and for agencies to direct resources to areas of need.

'Ask for Angela' Safe Spaces

Anyone that is feeling unsafe or worried can approach employees in organisations and businesses taking part in the scheme and 'Ask for Angela'. Staff will recognise that this is a code-phrase, and that the person requires help and possibly a place of safety. Retailers and organisations taking part will display a sticker in their window.



 Full list of participants can be found on folkestone-hythe.gov.uk/community-safety/safe-space

Safety In Action

Advice and guidance for pupils in the last year of their primary education.

#R U Ok Roadshow

Multi-agency roadshow touring the district's secondary education schools providing valuable advice, guidance, and safety information for year 9 students.

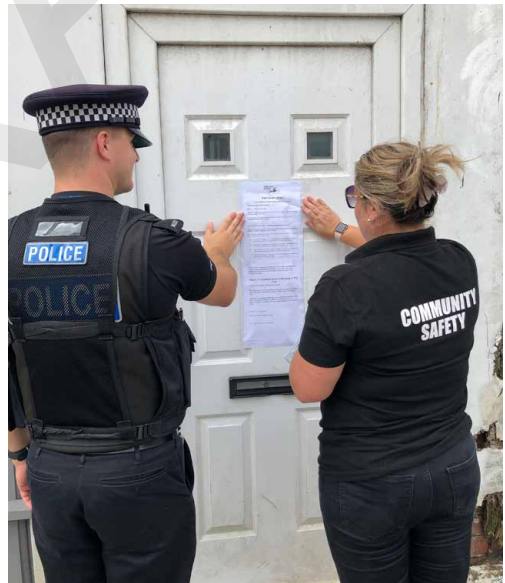
Messages from agencies include advice about substance use, online safety including the Violence Reduction Unit Commitment Pledge, positive relationships and the 'hope not hate' campaign by the Prevent team.

The agencies supporting the roadshows include: We Are With You / Violence Reduction Unit / Prevent, report radicalisation or extremism / Home Start Shepway / Kent Police / Kent County Council Youth Services / NHS Schools / Kent County Council safeguarding / Folkestone & Hythe District Council Community Safety Unit

Online Training packages

Engagement and Signposting

Our Community Safety pop up stand can often be found at district events. CSP officers promote safety campaigns and signpost to information. Targeted engagement events are scheduled for VAWG awareness, a stand at Bouverie Place, Folkestone, was organised during National Adult Safeguarding week.



Folkestone & Hythe District Community Safety Partnership Plan



FOLKESTONE & HYTHE DISTRICT
COMMUNITY SAFETY
PARTNERSHIP



South Kent Coast
Clinical Commissioning Group



Kent Fire & Rescue Service

Kent Surrey & Sussex
Community Rehabilitation Company



National
Probation
Service



This Report will be made public on 19 February 2024



Report Number: **OS/23/07**

To: Overview & Scrutiny
Date: February 2024
Status: Key Decision
Responsible Officer: James Hammond, Strategy & Policy Senior Specialist

Cabinet Member: Cllr Jim Martin, Leader and Cabinet Member for Otterpool Park and Planning Policy

SUBJECT: COMMUNITY INFRASTRUCTURE LEVY

SUMMARY:

This report outlines the background to the Community Infrastructure Levy, which came into effect in August 2016 and the Governance Arrangements that were adopted by Cabinet in June 2020. It also explains what projects the district council will seek to deliver using CIL receipts it controls, as well as summarising those projects that Kent County Council (KCC) will deliver using their proportionate share of CIL receipts as set out in the approved Governance Framework.

REASONS FOR RECOMMENDATIONS:

The matter has been referred to this committee following discussions at the meeting of Cabinet in February 2023 (C/22/87) that considered the Infrastructure Funding Statement 2022, and to provide the administration elected in May 2023 with an overview of those Community Infrastructure Levy (CIL) procedural matters that have previously been adopted by the Council.

RECOMMENDATIONS:

1. To receive and note report OS/23/07
2. To offer reflections on the future allocation of CIL receipts related to the Infrastructure Funding Statement and supporting Infrastructure Schedule.

1. BACKGROUND

- 1.1 Following the Local Elections in May 2023 officers are aware there are a number of members of O&S who may not be totally familiar with the Community Infrastructure Levy (CIL). As a result, this report seeks to provide a brief precis of the Council's approach to inform what would be the normal contents of this report.
- 1.2 The Community Infrastructure Levy (the levy) came into force in April 2010. It allows local authorities in England and Wales to raise funds from developers undertaking new building projects in their area. Legislation designates lower-tier and unitary authorities as charging authorities for CIL (see Appendix 1 for more detail).
- 1.3 The money can be used to help fund a wide range of infrastructure that is needed as a result of development. Accordingly, CIL allows local authorities to secure contributions from new development that can be used to fund a proportion of the strategic infrastructure costs needed by communities - such as transport schemes, schools, community facilities, health and social care facilities, parks, green spaces and leisure facilities.
- 1.4 The Council's first CIL Charging Schedule came into effect in August 2016. Following adoption of the Core Strategy Review in March 2022, the District Council undertook a review of the CIL Charging Schedule in 2022 to update it following amendments to the Community Infrastructure Levy Regulations 2010 in September 2019 and to bring it 'in step' with the District's Core Strategy Review.
- 1.5 The revised CIL Charging Schedule was reported to Cabinet on 22nd March 2023 (report C/22/106) and taken to full Council on 29th March 2023 (A/22/38), where Council resolved to adopt the Council's Modified CIL Charging Schedule and set a commencement date for the continued collection of CIL under the new regime applicable from the 1st April 2023.

2. CIL AS AN EVIDENCE-LED PROCESS

Demonstrating that a funding gap exists

- 2.1 The starting point for preparing a CIL Charging Schedule is for local authorities to demonstrate that there is a funding gap in the provision of infrastructure required to support new development. The National Planning Practice Guidance (NPPG) recognises that there will be uncertainty in pinpointing other infrastructure funding sources, particularly beyond the short-term. The focus should be on providing evidence of an aggregate funding gap that demonstrates the need to levy CIL.
- 2.2 Preparation of the revised Charging Schedule undertaken in 2022 was supported by the following evidence documents:
 - An Infrastructure Funding Gap Statement, which compares the likely CIL income from anticipated new developments with the cost of infrastructure identified in the Infrastructure Delivery Plans;
 - The Infrastructure Schedule which sets out infrastructure requirements to support the delivery of planned development within the adopted Places and Policies Local Plan (adopted 2020) and the Core Strategy
 - Review (adopted 2022) at the time each was compiled;
 - CIL Charging Maps;

- A CIL viability assessment which has been undertaken by consultants, Gerald Eve, on behalf of the council; and
- A background summary note relating to Nickolls Quarry (Martello Lakes) strategic allocation.

The Governance Framework to control the allocation of CIL spend

- 2.3 Having adopted a CIL Charging Schedule in August 2016 it took until August 2017 for the first CIL payment to be received. By the end of the 2019 calendar year a total of 15 CIL payments had been received by the Council totalling £471,096.22.
- 2.4 To ensure public transparency and assurance of the CIL process, officers took the step in early 2020 to formally establish Governance arrangements to set out, publicly, how the CIL receipts it collected would be spent.
- 2.5 The District Council's CIL Governance Framework was adopted by Cabinet on 24th June 2020 (Cabinet report C/20/12¹), so as to ensure the collection and allocation of CIL monies (i.e. the deployment of CIL income) follows clear and appropriate processes.
- 2.6 At the meeting of Cabinet on 24th June 2020 it was resolved that:
- “That the CIL Governance Framework be amended to state that when the IDP is updated members will be consulted along with the other stakeholders.”*
- 2.7 The requirement to consult members when the IDP is updated does not present an issue per se. The only limitation is the fact that historically an IDP is only the subject of updating as part of the Local Plan evidence base work.
- 2.8 Importantly, the Community Infrastructure Levy Regulations that came into force on 1 September 2019 introduced the requirement for the Council to publish an Infrastructure Funding Statement (IFS) annually by 31 December. The District Council published the first IFS in December 2020 relating to the 2019/2020 financial year.
- 2.9 Publication of the IFS on an annual basis includes the revision to the corresponding Infrastructure Schedule through dialogue with internal and external infrastructure providers. The Infrastructure Schedule is itself one-and-the-same as the IDP. Accordingly, members are being consulted each year on the content of the Infrastructure Schedule (IDP), and so the resolution made at Cabinet in June 2020 is being fully adhered to.
- 2.10 In accordance with the adopted CIL Governance Framework, the allocation of CIL monies held by FHDC is authorised by the two Directors, in conjunction with the S151 Officer:
- Director of Strategy and Resources
 - Director of Housing and Operations
- 2.11 The process for decisions to be taken by the District Council on spend of CIL receipts is through the involvement/discussions and agreement between senior officers at the S106 and CIL Officer Group, which meets quarterly, based upon those projects that are referenced within the IFS and corresponding Infrastructure Schedule. Both are

¹ <https://folkestone-hythe.moderngov.co.uk/documents/s33621/Cabinet%20report%20June%202020%20v3.pdf>

monitored regularly and updated annually.

Annual update and publication of the Infrastructure Funding Statement

- 2.12 Under the Community Infrastructure Levy (Amendment) (England) (No. 2) Regulations 2019), local authorities must annually publish Infrastructure Funding Statements (IFS). The IFS provides a summary of all financial and non-financial developer contributions relating to S106s within the district.
- 2.13 The IFS is, therefore, a summary document intended to illustrate how the district council will utilise developer contributions (CIL and S106) to support infrastructure delivery in the district.

The Infrastructure Schedule as the means of maintaining an up-to-date appraisal of infrastructure needs to support growth

- 2.14 In preparing the IFS and supporting infrastructure schedule there is a discussion with the associated infrastructure providers to understand if the infrastructure requirements needed as a result of development (i.e. to support growth) has changed at since publication of the IFS and infrastructure schedule for the previously reported period. Where there are changes, be that the inclusion of new projects, the update of projects already captured (for example with updated costings and/or delivery timescales) or the removal of projects that have been implemented.
- 2.15 For internal officers the content of the infrastructure schedule is informed and updated by the content of the Corporate Plan and supplemented by information on specific projects as reported through the district council's internal processes.

The type of projects that CIL controlled by the district council will support

- 2.16 The majority of CIL funding is directed to projects which have been identified through It is important to make the distinction here that those projects that are captured within the Infrastructure Funding Statement and supporting Infrastructure Schedule that are the subject of annual publication is the output of either future investment in infrastructure that has been the subject of either:
- independent examination by an Inspector through the Local Plan process and the identified infrastructure requirements is necessary to support future growth of the district in a sustainable manner, or
 - information has been developed and assembled by internal officers in respect of those projects that meet the corporate objectives of the Council, and there is then associated reporting, scrutiny and decision making through appropriate Council processes, for example preparation of the Corporate Plan and other reporting via Overview and Scrutiny, Cabinet and Full Council
- 2.17 These types of infrastructure are considered to be of a strategic nature and scale.
- 2.18 Where CIL receipts held by FHDC are to support the delivery of strategic infrastructure, the role of CIL is typically only to provide 'gap' funding support to ensure a project can be implemented.

The timing of CIL payments and relevant exemptions

- 2.19 CIL payments become due when a developer commences development on a site,

although payment by instalments may be allowed for larger developments. CIL charges differ for different areas of the district, with lower charges in areas where land values are lower and development is less viable. Certain types of development are exempt from CIL (including affordable housing, self-build homes and developments below 100sqm floor area). As payment is due on commencement of development, it was some time after the introduction of CIL that the district council began to accumulate CIL receipts.

- 2.20 For clarity, it should be noted that the strategic allocations within the Core Strategy Review, namely the North Downs Garden Settlement (SS6 to SS9) (Otterpool Park) and Sellindge Strategy Phase 2 (CSD9) that was adopted in March 2022 have also been tested against CIL as part of the Core Strategy Review viability assessments. The infrastructure requirements to bring forward these strategic sites are considerable, and these sites will deliver their infrastructure requirements fully through S106/S278 agreements. These sites were exempted from CIL upon the adoption of the revised CIL Charging Schedule in April 2023.

3. THE ROLE OF MEMBERS TO PRIORITISE SPEND OF NEIGHBOURHOOD CIL

- 3.1 District Councillors are positively engaged in and lead on the content of the Corporate Plan, and also bring forward discussion and decision making on key individual projects through Cabinet and Full Council. The IFS and supporting Infrastructure Schedule are also the subject of Member discussion and agreement on an annual basis. Any individual project is also separately approved by Cabinet.
- 3.2 Councillors have always played an important role in deciding how the Council determines where CIL receipts are allocated, particularly in respect of spend locally in the areas they represent to directly benefit local communities. In this regard, it is the CIL Neighbourhood Allocation that is passed on by FHDC to Town and Parish Councils where positive engagement and interaction with local Councillors could and should be taking place. These funds are designed to be spent at a local level on projects that are not necessarily strategically needed to support the development plan.
- 3.3 Data provided in **Table 4.1** sets out that Town and Parish Councils where CIL-liable development has taken place have been transferred not insignificant Neighbourhood CIL sums to date. It is clear from the District Council's records that not all town and parish councils have not taken forward measures to spend the Neighbourhood CIL locally. The funds remain available for local projects.
- 3.4 The District Council prepared a CIL guidance note for town and parish councils in 2018² to provide a framework for Neighbourhood spend to be taken forward through preparation of a Town or Parish Infrastructure Delivery Plan (IDP). A presentation on CIL was delivered at the Parish Forum meeting held on the 8th July 2021 by an officer of the Council (Planning Policy Senior Specialist) to provide an overview of the guidance note and the steps town and parish councils should be taking to ensure the meaningful spend of Neighbourhood CIL.

4. APPORTIONMENT OF CIL INCOME

- 4.1 The Regulations state that the CIL is to be allocated as follows:
- Administrative CIL: 5% of CIL receipts to be retained by FHDC

² <https://www.folkestone-hythe.gov.uk/downloads/file/1133/community-infrastructure-levy-cil-guidance-for-town-and-parish-councils>

- Neighbourhood CIL: 15% or 25% of CIL receipts to be paid to Town and Parish Councils where development has taking place. This is known as the 'meaningful proportion'.
- Strategic CIL: the remaining 70-80% of CIL to be allocated to infrastructure projects by FHDC to support the delivery of important infrastructure in accordance with planned growth. The District Council passes over 35% of CIL receipts from the strategic CIL pot to KCC in accordance with the approved Governance Framework. Projects supported by strategic CIL are not only to be delivered by FHDC and/or KCC, and requests for CIL funding can and will come from other agencies such as the NHS.

Administrative CIL

- 4.2 The Regulations allow the Council to retain up to 5% of annual CIL receipts to be spent on the administrative expenses in relation to the administration and collection of the CIL. Administrative expenses have and will include: examination costs (upfront and possible future costs following review), staff, training, IT software and indexation subscriptions. This money is ring-fenced and has to be reported on annually.

Neighbourhood CIL

- 4.3 In line with the Regulations, 15% of CIL receipts (capped at £100 per Council tax dwelling per annum in the parish area) will be transferred to Town and Parish Councils twice a year, where development has occurred in their area, rising to 25% of CIL receipts (without any cap) for Town and Parish Councils that have made Neighbourhood Plans.
- 4.4 Within the district, St. Mary in the Marsh parish completed (i.e. 'made') a Neighbourhood Plan in 2019. A Neighbourhood area was designated for Lyminge on 22 September 2022 and Lyminge Parish Council is in the early stages of drafting a Neighbourhood Plan. Other parishes within the district designated neighbourhood areas, but did not proceed with producing Neighbourhood Plans.
- 4.5 The Neighbourhood CIL may be spent by Town or Parish Councils on a range of infrastructure projects, as long as it meets the requirement to support:
- the development of the area by funding the provision, improvement, replacement, operation or maintenance of infrastructure; or
 - anything else that is concerned with addressing the demands that development places on the area.
- 4.6 Town and Parish Councils are legally required to produce and publish an annual report detailing all CIL receipts, balances and spending for each financial year. The District Council provides some monitoring of the Town and Parish Council's but responsibility for production and publication for public scrutiny rests with Town and Parish.
- 4.7 To ensure transparency, each financial year the Town or Parish Councils that have received CIL must publish a summary of:
- Total CIL funds received
 - What CIL funds have been spent on each project

- Total CIL funds received at the end of the reported year and any previous years.

4.8 Officers are in the process of reminding Town and Parish Councils of their obligation to publish the requisite information.

4.9 To date FHDC has transferred £531,608.63 to Town and Parish Councils, of which £85,992.76 is the aggregated spend.

Table 4.1. CIL payments made to Town and Parish Councils

Town or Parish Council	Amount transferred	Amount spent	Retained funds
Folkestone Town Council	£186,109.10	£33,859.00	£152,250.10
Hythe Town Council	£162,812.66	£38,547.61	£124,265.05
New Romney Town Council	£56,950.30	£0	£56,950.30
Elmstead Parish Council	£28,577.35	£0	£28,577.35
Stelling Minnis Parish Council	£25,300.00	£0	£25,300.00
Brookland Parish Council	£19,218.74	£0	£19,218.74
Sandgate Parish Council	£16,484.90	£4,277.40	£12,207.50
Brenzett Parish Council	£15,215.92	£5,482.50	£9,733.42
Hawkinge Parish Council	£8,489.70	£0	£8,489.70
Saltwood Parish Council	£5,599.92	£0	£5,599.92
St Mary in the March Parish Council	£3,826.25	£3,826.25	£0
Dymchurch Parish Council	£3,023.80	£0	£3,023.80
Lydd Parish Council	£0	£0	£0
Sellindge Parish Council	£0	£0	£0
Totals	£531,608.63	£85,992.76	£445,615.87

4.10 As detailed above a significant sum of CIL funding is at the disposal of Town/Parish Councils. The spending of which can be influenced at a local level via discussions between residents and their respective Parish/Town Council.

5. ALLOCATION/TRANSFER OF CIL RECEIPTS

5.1 The FHDC's adopted CIL Governance Framework recognises the crucial role played by Kent County Council ('KCC') in the delivery of key strategic infrastructure, and under the agreed arrangements the District Council passes over 35% of CIL receipts

to KCC in order to enable KCC to spend this proportion of the receipts in accordance with agreed priorities for infrastructure delivery within Folkestone & Hythe District.

- 5.2 As of 31st March 2023 (the end of the reporting period for the 2023 IFS), a total of £751,979.02 had been transferred to KCC. To date the total sum is **£1,281,077.22**.
- 5.3 A requirement of the proposed governance arrangements is that the County Council's priority infrastructure schemes shall be recorded within the District's Infrastructure Funding Statement (IFS) and in the preparation of the IFS relevant information is shared between the councils' teams and reported to Members annually through F&HDC published reports made available on the website.
- 5.4 As of 31st March 2023, a total of **£531,608.63** of CIL receipts had been paid to Town and Parish Councils as the Neighbourhood CIL allocation. A breakdown of CIL receipts passed over to KCC, Town and Parish Councils is provided in appendix 3.

6. SPEND OF CIL RECEIPTS BY KENT COUNTY COUNCIL

- 6.1 Kent County Council publishes an IFS³ on an annual basis to provide a summary of all financial and non-financial developer contributions that the County Council have been involved with over the course of a given financial year. Information drawn from the 2022/23 IFS published by KCC in December 2023 is presented below. Only 5 of the 12 Kent authorities (Dartford, Canterbury, Folkestone & Hythe, Maidstone and Sevenoaks) have an adopted CIL regime in place.

Total CIL receipts

4.3. Table 6 outlines the CIL monies that KCC has received during 2022/23.

Table 6 – CIL Monies received during 2022/23

Item	Amount
Folkestone and Hythe CIL transfer	£539,054

CIL retained at end of year

4.4. Table 7 below outlines the CIL monies that KCC has retained at the end of year (31st March 2023). This relates to CIL monies received between 2021 and 2023 that are currently allocated towards Waste projects in Folkestone and Hythe.

Table 7 – CIL Monies retained at end of year

Item	Amount
Folkestone and Hythe – Waste	£609,405

CIL receipts allocated and spent in the year 2022/23

4.5. KCC has spent £318,551 of CIL received from Folkestone and Hythe on improvements to Highways.

Table 8 – CIL Monies allocated and spent during 2022/23

Item	Amount
KCC Highways - Folkestone and Hythe Scanlons Bridge traffic signal improvements, Hythe Zebra Crossing, Dymchurch	£318,551

Amount of CIL spent on administrative expenses

4.6. No CIL receipts were spent on administrative expenses by KCC in 2022/23.

- 6.2 Officer feedback received from KCC colleagues has praised the approach endorsed by FHDC, as the transfer of receipts twice yearly, alongside the forward profiling of probable future receipts year-on-year has instilled confidence in the apportionment of

³ https://www.kent.gov.uk/_data/assets/pdf_file/0019/159013/KCC-Infrastructure-Funding-Statement-2022-2023.pdf

spend by KCC, and KCC are encouraging other CIL authorities to apply the same governance approach that has been applied by FHDC since June 2020.

7. PRIORITISATION OF SPEND OF CIL RECEIPTS BY FHDC

- 7.1 To date only the sum of £20,000 has been spent on the refurbishment works at Radnor Park Lodge that were undertaken in January 2022.
- 7.2 As set out in Cabinet Report C/22/73, a total of £3.15 million of CIL receipts controlled by FHDC had been earmarked as part of the revised financial package to support the delivery of the leisure and strategic play space provision at Princes Parade.
- 7.3 Given the status of the Princes Parade proposal that was reported to Cabinet extensively in 2023, it became necessary to re-assign CIL funding controlled by FHDC to other projects to drive forward meaningful spend.
- 7.4 In accordance with the approved process for scheme prioritisation as set out in the CIL Governance Framework, the District Council has agreed a list of priority projects, as set out in Table 7.1, to represent its top priorities within the IFS 2023. The allocation of these monies was approved via the S106 and CIL Working Group in accordance with the CIL Governance Framework.
- 7.5 As of 1st February 2024, the District Council held the sum of £2,352,679 for which spend allocation falls solely to FHDC.

Table 7.1. Priority projects for the spend of CIL receipts by FHDC

Project name	CIL funding support required	Timescale for delivery	Report reference (where applicable)	Policy requirement
Folkestone: A Brighter Future	£997,170	2025/26 financial year in line with project completion	A/22/15, recorded in the infrastructure Schedule 2023, and agreed at officer group on 10/01/2024 (with a further updated agreed at the officer group meeting on 5 th February 2024)	Policy SS5 District Infrastructure Planning of the adopted Core Strategy Review
Coast Drive Visitor Centre	£300,000	Complete by Spring 2025	C23/70, recorded in the infrastructure Schedule 2023, and agreed at officer group on 10/01/2024	Policy SS5 District Infrastructure Planning of the adopted Core Strategy Review
Landslip – engineering works	£150,000	Spring 2024	Recorded in the infrastructure Schedule 2023, and agreed at officer group on 10/01/2024	Policy SS5 District Infrastructure Planning of the adopted Core Strategy

				Review
F51 Environs and Payers Park	£75,000	Summer 2024	Recorded in the infrastructure Schedule 2023, and agreed at the officer group meeting on 5 th February 2024	Policy SS5 District Infrastructure Planning of the adopted Core Strategy Review
Infrastructure improvements to the Leas (paths, walls and steps)	£150,000	About to be scoped	Recorded in the infrastructure Schedule 2023, and agreed at officer group on 10/01/2024	Policy SS5 District Infrastructure Planning of the adopted Core Strategy Review
Strategic Play Areas as set out in the adopted Play Area Strategy (Leas Coastal Park refresh as priority)	£300,000	About to be scoped. Implementation expected in late '24 early '25	Recorded in the infrastructure Schedule 2023, and agreed at officer group on 10/01/2024	Policy SS5 District Infrastructure Planning of the adopted Core Strategy Review
Rationalisation and capital replacement of litter bin stock	£100,000	Scoped. Implementation expected by spring 2025	C/23/68, recorded in the infrastructure Schedule 2023	Policy SS5 District Infrastructure Planning of the adopted Core Strategy Review
Total	£2,072,170			

7.6 The projected spend and drawdown of CIL funds held by FHDC to deliver those priority projects referenced in Table 7.1 amounts to £2,072,170, which means as much of the budget held on account as of 31st March 2023 will be practically spent by spring 2025.

7.7 Based on the amount held on account as of 1st February 2024, the sum of £280,509 will remain on account when taking account of the spend allocation presented in Table 7.1. This will ensure there are sufficient funds on account to enable the associated transfers to Town and Parish Councils and KCC to proceed at the next date of payment (March 2024).

7.8 The spend of CIL funds that will build up on account from 1st February 2024 will be the subject of discussion at future meetings of the officer group so as to proactively allocate these funds as soon as practicable. It is considered that priority allocation of will be towards the Folkestone: A Brighter Future project.

8. RISK MANAGEMENT

8.1 Matters of risk and risk management are the subject of the report and reflections included in the main body of the report.

9. LEGAL/FINANCIAL AND OTHER CONTROLS/POLICY MATTERS

- 9.1 **Legal Officer's Comments (NM)** - There are no legal implications arising directly from this report.
- 9.2 **Finance Officer's Comments (OO)** - The financial implications have been addressed throughout the report. CIL income is not guaranteed and is subject to economic trends and fluctuations in development activity, including rates of development and the location, size and types of those developments.
- CIL money can only be spent to deliver infrastructure, in accordance with the legal restrictions on the spending of CIL receipts. The regulation allows CIL to be spent on revenue costs, i.e., staff resource associated with the administration of infrastructure and any CIL directed to revenue cannot be spent on capital costs. The regulation is financially prudent because it limits revenue allocation to specified time periods and to projects which can demonstrate future self-sufficiency or other sources of funding and sets triggers to ensure awareness of the proportion of CIL allocation dedicated to revenue spend.
- 9.3 **Diversities and Equalities Implications (GE)** - There are no equality and diversity implications directly arising from this report.
- 9.4 **Climate Change Implications (AT)** – No direct implications. As set out within the Infrastructure Schedule (Appendix 2), CIL receipts have been identified for a wide range of green infrastructure, flood mitigation, public realm improvement and waste management schemes.

10. CONTACT OFFICERS AND BACKGROUND DOCUMENTS

Councillors with any questions arising out of this report should contact the following officer prior to the meeting:

James Hammond – Senior Planning Policy Specialist
Telephone: 01303 853435
Email: James.Hammond@folkestone-hythe.gov.uk

Appendices:

- Appendix 1 – Draft Infrastructure Funding Statement (IFS) 2023 (January 2024)
- Appendix 2 – Draft Infrastructure Schedule (January 2024)
- Appendix 3 – Total CIL monies allocated to KCC and Town & Parish Councils

Infrastructure Funding Statement 2022/2023

Folkestone & Hythe District Council

January 2024

DRAFT

Contents

1. Introduction	4
1.1 Background	4
1.2 CIL	4
1.3 Planning Obligations	5
2. CIL	6
2.1 Community Infrastructure Levy Report	6
2.2 Headline Figures	6
2.3 CIL infrastructure expenditure in 2022/23	7
2.4 Other CIL expenditure in 2022/23	8
2.5 CIL receipts retained (allocated and unallocated)	9
2.6 CIL receipts retained (regulation 59E and 59F)	9
2.7 The (CIL) Infrastructure List	10
3. Section 106	12
3.1 Planning Obligations Report	12
3.2 Headline Figures	15
3.3 Section 106 infrastructure expenditure in 2022/23	16
3.4 Section 106 receipts retained (allocated and unallocated)	18
3.5 Receipts from Planning Obligations transferred to other organisations	18
ANNEX A: The Regulatory Requirements for Infrastructure Funding Statements	20
ANNEX B: List of Schedule 2 requirements for the Infrastructure Funding Statement	21
Community Infrastructure Levy	21
Section 106 planning obligations	23

1. Introduction

1.1 Background

- 1.1.1 This report provides information on the monetary (and some non-monetary) contributions sought and received from developers for the provision of infrastructure to support development in Folkestone & Hythe District, and the subsequent use, or intended use, of those contributions by Folkestone & Hythe District Council (F&HDC). It also provides a statement of the infrastructure projects or types of infrastructure which the Council as CIL charging authority intends will be, or may be, wholly or partly funded by CIL. The report covers the financial year 1 April 2022 – 31 March 2023.
- 1.1.2 F&HDC seeks developer contributions from two sources: through the Community Infrastructure Levy (CIL) and also Section 106 agreements (also known as “planning obligations”) with developers accompanying individual planning applications.

1.2 CIL

- 1.2.1 CIL came into force on 6 April 2010 through the Community Infrastructure Levy Regulations 2010 and has been in operation in the district since 1st August 2016. CIL is a set charge, based on the gross internal area floorspace of buildings, on new residential and supermarket development to help fund the infrastructure needed to address the cumulative impact of planned development. Our CIL Charging Schedule, setting out our CIL charging rates, is available on our website.
- 1.2.2 Local planning authorities must use CIL to fund ‘the provision, improvement, replacement, operation or maintenance of infrastructure to support the development of the area’. There is also a Neighbourhood portion of CIL – ‘Local CIL’ – which is similarly able to fund infrastructure but can also fund *‘anything else that is concerned with addressing the demands that development places on an area’*. Under ‘Local CIL’, a CIL charging authority must pass 15% of local CIL receipts to the Parish or Town council for the area where a CIL liable development takes place, rising to 25% if the parish has a Neighbourhood Plan in place. The St Mary in the Marsh Neighbourhood Plan was adopted following a Cabinet meeting on 30 January 2019. F&HDC has prepared a CIL Advice Note for Parish and Town Councils on CIL.

1.3 Planning Obligations

- 1.3.1 Section 106 of the Town and Country Planning Act 1990 enables a local planning authority to enter into a negotiated agreement – a planning obligation - to mitigate the impact of a specific development, to make it acceptable in planning terms. The planning obligation might, for example, require the provision or contribution to a new or improved road, school, health facility or local green infrastructure. Local planning authorities can also seek planning obligations to secure a proportion of affordable housing from residential developments. In some instances, section 106 planning obligations may require payments to be made to parish councils.

2. CIL

2.1 Community Infrastructure Levy Report

- 2.1.1 Total CIL receipts during reported year which includes any land and infrastructure “payments” received as “In-Kind” CIL payments; any CIL receipts subsequently set aside for CIL administration and ‘Local CIL’ purposes; any CIL surcharges/interest received, and CIL received for any other reason.
- 2.1.2 The District Council has a CIL instalments policy that came into effect in March 2017, which is set out on our website. This allows for CIL to be paid in up to three instalments over a 12-month period, depending on the CIL liability.
- 2.1.3 The CIL Demand Notice, however, sets out the whole sum payable and the instalments required; therefore CIL Demand Notices issued during a particular year do not necessarily equate to the CIL sums likely to be received during that year. In addition, developments can be altered through further planning permissions over time, often resulting in revised Demand Notices needing to be issued. Any such re-issued Notices are not double-counted in this report; if a Demand Notice is issued and then re- issued in the same reporting year, only the re-issued Notice would be included within the figure for CIL invoiced during the year.

2.2 Headline Figures

Table 2.1. Headline CIL figures

Item	Amount
CIL invoiced (set out in Demand Notices) in 2022/23	£1,655,504.65
CIL receipts received in 2022/23	£918,135.36
CIL receipts that CIL regulations 59E and 59F apply to (funds received and retained for Parish Meetings)	£0
CIL expenditure in 2022/23 (as passed to Parish and Town Councils and CIL Admin)	£269,010.28
CIL retained at end of 2022/23 (from all CIL income received since August 2016 to 31 March 2023, as retained for Strategic CIL, CIL Admin and areas with Parish Meetings)	£1,771,242.06
Total CIL passed to town and parish councils (as the Neighbourhood component) since the inception of CIL up to 31 st March 2023	£413,342.81

2.3 CIL infrastructure expenditure in 2022/23

- 2.3.1 As of 31 March 2023, no CIL had been allocated or spent on strategic infrastructure. The sum of £20,000 was allocated towards the refurbishment of Radnor Park Lodge in

January 2022. The allocation of these monies was approved via the S106 and CIL Working Group in accordance with the CIL Governance Framework.

2.4 Other CIL expenditure in 2022/23

2.4.1 In 2022/23 the amount of £50,318.54 was spent on CIL administration.

2.4.2 The District Council passed a proportion of CIL (Neighbourhood or Local CIL) to Parish and Town Councils under CIL regulations 59A and 59B in 2022/23, as set out in the following table:

Table 2.2. CIL monies passed to town and parish councils

Parish/Town Council	CIL amount provided
Brenzett Parish Council	£9,263.00
Folkestone Town Council	£65,704.95
Hythe Town Council	£69,665.89
Sandgate Parish Council	£8,295.26
Stelling Minnis Parish Council	£25,300.00
Saltwood Parish Council	£4,408.22
Dymchurch Parish Council	£2,322.03
Elmstead Parish Council	£14,477.35
Brookland Parish Council	£19,218.74
Total	£218,691.74

2.4.3 In 2022/23 the sum of £539,054.41 was passed to Kent County Council in accordance with the adopted CIL Governance arrangements. CIL was passed to external organisations (other than parish/town councils) under CIL regulation 59(4).

2.4.4 In 2022/23, under Regulation 59E, the District Council did not recover any CIL previously paid to a parish or town council.

2.4.5 Officers of the District Council has engaged with Town or Parish Clerks to direct parties to the CIL guidance note dated February 2018. There is also regular dialogue concerning the payment of the Neighbourhood Allocation to qualifying Town and Parish Councils. A presentation on CIL was delivered at the Parish Forum meeting held on the 8th July 2021 by an officer of the Council (Planning Policy Senior Specialist).

2.5 CIL receipts retained (allocated and unallocated)

2.5.1 'Allocated' means CIL sums retained by the reporting authority which have, or knowingly will be, passed to an internal team to fund a specific infrastructure project or

infrastructure type. 'Allocated' also includes sums which will knowingly be passed to an external organisation but which are yet to be passed.

- 2.5.2 The total amount of CIL receipts, received prior to 2022/23, which had been allocated (to an infrastructure project or item), but not spent, by the end of 2022/23: £467,771.22.
- 2.5.3 The total amount of CIL receipts, received prior to 2022/23, which had not been allocated (to an infrastructure project or item) by the end of 2022/23: £0
- 2.5.4 The total amount of CIL receipts, whenever collected including 2022/23, which were allocated (whether allocated prior to or during 2022/23) but not spent during 2022/23: £1,771,242.06

2.6 CIL receipts retained (regulation 59E and 59F)

- 2.6.1 No notices were served in accordance with regulation 59E (to recover CIL previously passed to a parish or town council).
- 2.6.2 CIL receipts received in 2022/23 retained at the end of 2022/23 (other than those to which CIL regulation 59E and 59F applied): £1,303,470.84
- 2.6.3 CIL receipts received before 2022/23 retained at the end of 2022/23 (other than those to which CIL regulation 59E and 59F applied): £467,771.22
- 2.6.4 CIL receipts received in 2022/23 to which CIL regulation 59E or 59F applied, retained at the end of 2022/23: £0
- 2.6.5 CIL receipts received prior to 2022/23 to which CIL regulation 59E or 59F applied, retained at the end of 2022/23: £0

2.7 The (CIL) Infrastructure List

- 2.7.1 Regulation 121A(1)(a) requires the infrastructure funding statement to include:

“a statement of the infrastructure projects or types of infrastructure which the charging authority intends will be, or may be, wholly or partly funded by CIL (other than CIL to which regulation 59E or 59F applies) (“the infrastructure list”)”
- 2.7.2 A significant role of the IFS is, therefore, to identify those infrastructure projects or types of infrastructure which Folkestone & Hythe District intends will be, or may be, wholly or partly funded by the Community Infrastructure Levy; whilst indicating other sources of funding that can be pooled to fund the same infrastructure projects.
- 2.7.3 In conjunction with the approved process for scheme prioritisation as set out in the District Council's CIL Governance Framework adopted by Cabinet in June 2020, the District Council has identified those projects referenced in Table 2.3 to represent its top priorities.

Table 2.3. Priority projects for the spend of CIL receipts controlled by FHDC

Project name	CIL funding support required	Timescale for delivery	Report reference (where applicable)
Folkestone: A Brighter Future	£350,000 (potentially more support required)	2025/26 financial year in line with project completion	A/22/15, recorded in the infrastructure Schedule 2023, and discussed at officer group on 10/01/2024
Coast Drive Visitor Centre	£300,000	Complete by Spring 2025	C23/70, recorded in the infrastructure Schedule 2023, and discussed at officer group on 10/01/2024
Landslip – engineering works	£100,000	Spring 2024	Recorded in the infrastructure Schedule 2023, and discussed at officer group on 10/01/2024
Refurbishment of the Zig Zag Path, Lower Leas Coastal Park	£300,000	Yet to be scoped	Recorded in the infrastructure Schedule 2023, and discussed at officer group on 10/01/2024
Strategic Play Areas as set out in the adopted Play Area Strategy (Leas Coastal Park refresh as priority)	£300,000	About to be scoped. Implementation expected in late '24 early '25	Recorded in the infrastructure Schedule 2023, and discussed at officer group on 10/01/2024
Rationalisation and capital replacement of litter bin stock	£100,000	Scoped. Implementation expected by spring 2025	C/23/68 C23/70, recorded in the infrastructure Schedule 2023
Grace Hill Library refurbishment project	£25,000	Not scoped. Further discussions needed with KCC	Recorded in the infrastructure Schedule 2023.
Total	£1,475,000		

2.7.4 The projected spend and drawdown of CIL funds held by FHDC to deliver those priority

projects referenced in Table 2.3 amounts to £1,475,000, which is well inside the budget held on account as of 31st March 2023 which stood at £1,771,242.06.

2.7.5 Those projects that have been referenced under scheme prioritisation shall continue to be the subject of discussion at the S106 and CIL Working Group.

2.7.6 The Council shall use as much as the CIL pot assigned under the control of F&HDC as possible to facilitate project delivery, as required. A proportion of future CIL receipts to be collected and controlled by the District Council could be used to repay loans used to support infrastructure, i.e. where the Council has acted to provide forward-funding.

3. Section 106

3.1 Planning Obligations Report

Relevant Local Plan policies

3.1.1 Core Strategy Policy SS5 specifies the Council will through planning condition or obligation (S106) require new developments to secure improvements towards required infrastructure which are necessary to make the development acceptable.

3.1.2 Core Strategy Policy CSD1 (Balanced Neighborhoods) specifies requirements for affordable housing from new development. S106 agreements are used to secure affordable housing either through on- site provision or (off-site) commuted sum.

Items funded or to be funded by S106 monies

3.1.3 The majority of S106 agreements are used to fund delivery of affordable housing, open space provision (off-site), highways transport and education. The table below identifies the type of items that Section 106 monies have been used to fund during the reporting year, alongside those to be funded by Section 106 monies in the future. It includes information on the status of delivery.

3.2 Headline Figures

Table 3.1. Monetary Contributions

Item	Amount
Total money to be provided through planning obligations agreed in 2022/23	£95,153.90
Total money received through planning obligations (whenever agreed) in 2022/23	£1,304,957.88
Total money , received through planning obligations (whenever agreed), spent in 2022/23	£924,564.60

Total money , received through planning obligations (whenever agreed), retained at the end of 2022/23 (excluding “commuted sums” for longer term maintenance).	£2,603,436.01
Total money , received through planning obligations (whenever agreed), retained at the end of 2022/23 as “commuted sums” for longer term maintenance.	£85,020.99

*includes internal transfers and payments to third parties - refer to Table 3.3

Table 3.2. Non-Monetary Contributions

Item	Amount
Total number of affordable housing units to be provided through planning obligations agreed in 2022/23	70 dwellings
Total number of affordable housing units which were provided through planning obligations (whenever agreed) in 2022/23	23 dwellings
Total number of school places for pupils to be provided through planning obligations agreed in 2022/23	0 Secondary school places
Total number of school places for pupils which were provided through planning obligations (whenever agreed) in 2022/23	0 Primary school places

3.3 S106 agreements entered into

3.3.1 Table 3.3 details those S106 contributions entered into by F&HDC during the reporting period.

Table 3.3. S106 obligations entered into by F&HDC during the reporting period (1 April 2022 to 31 March 2023) but not yet triggered

Planning Application reference / Scheme	Infrastructure Item	Monies secured in 2022/23 but not triggered
20/1397/FH Land rear Broad Street, Lyminge	Healthcare	£22,464.00
20/1397/FH Land rear Broad Street, Lyminge	Play space	£22,689.90
20/1397/FH Land rear Broad Street, Lyminge	Public Rights of Way	£50,000
Y16/0794/FH St Saviours Hospital, 71-73 Seabrook Road Hythe	NHS contribution	TBC

Y16/0794/FH St Saviours Hospital, 71-73 Seabrook Road Hythe	Open Space	TBC
Y16/0794/FH St Saviours Hospital, 71-73 Seabrook Road Hythe	Play area	TBC

3.4 Section 106 infrastructure expenditure in 2022/23

3.4.1 Table 3.4 below sets out:

- The items of infrastructure on which money received through planning obligations has been spent in 2022/23
- The amount of money received through planning obligations, spent on each item

Table 3.4. S106 monies spent by F&HDC during the reporting period (1 April 2022 to 31 March 2023)

Planning Application reference / Scheme	Infrastructure Item	Monies spent in 2022/23
Y10/0898/SH	FHDC Affordable Housing	£818,704.95
Y11/0284/SH	Flood defence - Shingle Monitoring (F&HDC)	£3,017.00
Y11/1156/SH	KCC Community Learning	£15,221.91
Y15/0467/SH	FHDC Affordable Housing	£77,715.74
Y17/1377	Community use	£4,405.00
Y14/0873/SH	Monitoring fee	£5,500.00
	Total	£924,564.60

3.5 Section 106 receipts retained (allocated and unallocated)

3.5.1 The total amount of money, received through planning obligations prior to 2022/23, which had not been allocated (to an infrastructure project or item) by the end of 2022/23: £0

3.5.2 The total amount of money, received under any planning obligation in any year, which had been allocated (to an infrastructure project or type) for spending by the end of 2022/23 but which had not been spent: £2,688,457.

3.5.3 Table 3.5 provides a breakdown of S106 monies held by the District Council by general headings to identify what form of infrastructure Section 106 monies will be used to fund in the future.

Table 3.5. Total S106 monies held by F&HDC at 31 March 2023

Planning reference number	Balance 31/03/22	Total KCC	Other 3rd Parties	FHDC Affordable Housing	FHDC Open Space	FHDC Other	Total
Y03/0903/SH	£48,641	£0	£0	£0	£0	£48,641	£48,641
Y06/1079/SH	£318,660	£0	£0	£0	£0	£318,660	£318,660
Y07/1566/SH	£81,307	£0	£81,307	£0	£0	£0	£81,307
Y09/0627/SH	£11,820	£0	£0	£0	£0	£11,820	£11,820
Y09/0627/SH	£5,026	£0	£0	£0	£0	£5,026	£5,026
Y10/0898/SH	£10,561	£0	£0	£0	£0	£10,561	£10,561
Y11/0812/SH	£2,800	£0	£0	£0	£2,800	£0	£2,800
Y11/1156/SH	£9,746	£0	£0	£0	£7,209	£2,537	£9,746
Y12/0980/SH	£5,169	£5,169	£0	£0	£0	£0	£5,169
Y13/0172/SH	£117,745	£0	£0	£0	£0	£117,745	£117,745
Y13/0595/SH (Y12/055/SH)	£5,000	£0	£0	£0	£5,000	£0	£5,000
Y13/1206/SH	£104,343	£1,769	£0	£102,575	£0	£0	£104,343
Y14/0300/SH	£190,276	£2,643	£0	£0	£0	£187,634	£190,276
Y10/0698/SH & Y15/0806/SH	£61,421	£0	£0	£0	£21,022	£40,399	£61,421
Y15/0467/SH	£0	£0	£0	£0	£0	£0	£0
Y15/0581/SH	£135,903	£0	£0	£135,903	£0	£0	£135,903
Y15/0164/SH & Y19/0048/SH	£637,622	£156,475	£75,589	£0	£183,107	£222,450	£637,622
Y15/0741/SH	£52,620	£0	£0	£0	£52,620	£0	£52,620
Y17/1377/SH	£143,454	£0	£0	£0	£0	£143,454	£143,454
Y19/1164/SH	£155,694	£71,355	£24,715	£0	£25,200	£34,424	£155,694
Y14/0873/SH	£327,200	£34,154	£293,046	£0	£0	£0	£327,200
Y17/0710/SH	£258,450	£0	£0	£258,450	£0	£0	£258,450
20/1706/FH	£5,000	£5,000	£0	£0	£0	£0	£5,000
Total	£2,688,457	£276,564	£474,657	£496,927	£296,959	£1,143,350	£2,688,457

3.5.4 Of the £2,688,457 held on account by F&HDC as of 31st March 2023, some £1,937,236 is to be spent on services that are delivered by the District Council. The total outstanding amount to be transferred to Kent County Council (KCC) as of 31 March 2022 stands at £276,564. It should be noted that S106 monies assigned the reference 'Other 3rd parties' is exclusively for the Kent and Medway NHS. These monies will be released in due course in accordance with the Project Management procedures enacted by

Development Management colleagues.

ANNEX A: The Regulatory Requirements for Infrastructure Funding Statements

The Community Infrastructure Levy (Amendment) (England) (No.2) Regulations 2019

Regulation 121A states:

(1) Subject to paragraph (2), no later than 31st December in each calendar year a contribution receiving authority must publish a document (“the annual infrastructure funding statement”) which comprises the following—

(a) a statement of the infrastructure projects or types of infrastructure which the charging authority intends will be, or may be, wholly or partly funded by CIL (other than CIL to which regulation 59E or 59F applies) (“the infrastructure list”);

(b) a report about CIL, in relation to the previous financial year (“the reported year”), which includes the matters specified in paragraph 1 of Schedule 2 (“CIL report”);

(c) a report about planning obligations, in relation to the reported year, which includes the matters specified in paragraph 3 of Schedule 2 and may include the matters specified in paragraph 4 of that Schedule (“section 106 report”).

(2) The first annual infrastructure funding statement must be published by 31st December 2020.

(3) A contribution receiving authority must publish each annual infrastructure funding statement on its website.

Community Infrastructure Levy (CIL) Report – Folkestone & Hythe District Council			
	Requirement	Amount	Comment
1	The matters to be included in the CIL report are—		
a	the total value of CIL set out in all demand notices issued in the reported year	£1,655,504.65	
b	the total amount of CIL receipts for the reported year;	£918,135.36	
c	the total amount of CIL receipts, collected by the authority, or by another person on its behalf, before the reported year but which have not been allocated;	£0	<p>'Allocated' means CIL sums retained by the reporting authority which have, or knowingly will be, passed to an internal team to fund a specific infrastructure project or infrastructure type. 'Allocated' also includes sums which will knowingly be passed to an external organisation but which are yet to be passed.</p> <p>Allocation from the strategic pot (i.e. the balance after accounting for administration and the Neighbourhood component) is in accordance with the CIL Governance arrangements adopted in June 2020 (i.e. the current reporting year)</p> <p>Full amount district and county proportion unallocated (figure provided)</p> <p>Full amount of admin and neighbourhood proportion allocated</p>
d	the total amount of CIL receipts, collected by the authority, or by another person on its behalf, before the reported year and which have been allocated in the reported year;	£0	Admin % collected in previous years that has been allocated in the reported year
		£0	Neighbourhood proportion collected in previous years allocated in the reported year
e	the total amount of CIL expenditure for the reported year;	£539,054.41	Proportionate CIL receipts passed to KCC
		£218,691.74	Town & Parish proportion

			£50,318.54	CIL admin Actual CIL expenditure during the reported year, regardless of when received, including 'Local CIL' allocations both where spent by the charging authority under CIL regulation 59E and 59F, and where passed to parish/town councils under regulation 59A or 59B, whether subsequently spent or not by that council. Also includes CIL passed to external organisations under regulation 59(4) whether subsequently spent or not; CIL spent on administration of CIL; CIL "expenditure" in regard to any land and infrastructure payment received as "In-Kind" CIL payments from the point any development on the land is commenced or completed, and CIL refunded due to overpayments.
f		the total amount of CIL receipts, whenever collected, which were allocated but not spent during the reported year;	£1,771,242.06	
g		in relation to CIL expenditure for the reported year, summary details of—		
	i.	the items of infrastructure on which CIL (including land payments) has been spent, and the amount of CIL spent on each item;	Nil	
	ii.	the amount of CIL spent on repaying money borrowed, including any interest, with details of the items of infrastructure which that money was used to provide (wholly or in part);	Nil	
	iii.	the amount of CIL spent on administrative expenses pursuant to regulation 61, and that amount expressed as a percentage of CIL collected in that year in accordance with that regulation;	£50,318.54	Funding revised CIL Charging Schedule examination and associated work in 2022/23
h		in relation to CIL receipts, whenever collected, which were allocated but not spent during the reported year, summary details of the items of infrastructure on which CIL (including land payments) has been allocated, and the amount of CIL allocated to each item;	Nil	

i		the amount of CIL passed to—		
	i.	any parish council under regulation 59A or 59B; and	For the reported year - £218,691.74 Before the reported year - £194,651.07 Total = £413,342.81	As reported in the IFS 2022 Total CIL receipts passed to Town and Parish Councils since the inception of CIL up until 31 st March 2023
	ii.	any person under regulation 59(4)	£933,735.42	Spending strategy allocates 35% CIL receipts to Kent County Council.
	j.	summary details of the receipt and expenditure of CIL to which regulation 59E or 59F applied during the reported year including—		
	i.	the total CIL receipts that regulations 59E and 59F applied to;	59E (funds reclaimed from parish councils) = NIL 59F (figure retained for parish meetings) = Nil	No funds have been claimed back from parish councils (covered by Reg 59E)
	ii.	the items of infrastructure to which the CIL receipts to which regulations 59E and 59F applied have been allocated or spent, and the amount of expenditure allocated or spent on each item;	Nil	
	k	summary details of any notices served in accordance with regulation 59E, including—		
	i.	the total value of CIL receipts requested from each parish council;	Nil	
	ii.	any funds not yet recovered from each parish council at the	Nil	

		end of the reported year; the total amount of—		
I	i.	CIL receipts for the reported year retained at the end of the reported year other than those to which regulation 59E or 59F applied;	<p>Retained neighbourhood proportion £160,041.77</p> <p>Retained amount in the strategic pot (i.e. F&HDC and KCC) = £1,580,973.20</p> <p>Retained admin proportion £64,990.25£</p> <p>Total = £1,303,470.84</p>	Accruals bases used. Not all CIL invoices had actually been paid by the developer
	ii.	CIL receipts from previous years retained at the end of the reported year other than those to which regulation 59E or 59F applied;	<p>Retained Neighbourhood proportion 3,415.50</p> <p>Retained amount in the strategic pot (i.e. F&HDC and KCC) = £463,217.22</p>	

			Retained admin proportion £1,138.50 Total: £467,771.22	
	iii.	CIL receipts for the reported year to which regulation 59E or 59F applied retained at the end of the reported year;	59E (funds reclaimed from parish councils) = NIL 59F (figure retained for parish meetings) = Nil	received for parish meetings for the reported year (covered by Reg 59F):
	iv.	CIL receipts from previous years to which regulation 59E or 59F applied retained at the end of the reported year.	59E (funds reclaimed from parish councils) = NIL 59F (figure retained for parish meetings) = Nil	

Section 106 planning obligations

Reporting requirement (Schedule 2, Paragraph 3 and (optional) 4)	Sum/ Details
2 (a). the total amount of money to be provided under any planning obligations which were entered into during the reported year;	£95,153.90
2 (b). the total amount of money under any planning obligations which was received during the reported year;	£1,304,957.88
2 (c). the total amount of money under any planning obligations which was received before the reported year which has not been allocated by the authority;	£0

Reporting requirement (Schedule 2, Paragraph 3 and (optional) 4)	Sum/ Details
3 (d). summary details of any non-monetary contributions to be provided under planning obligations which were entered into during the reported year, including details of - <ul style="list-style-type: none"> (i) in relation to affordable housing, the total number of units which will be provided; (ii) in relation to educational facilities, the number of school places for pupils which will be provided, and the category of school at which they will be provided; 	<ul style="list-style-type: none"> (i) 70 (ii) 0 school places
3 (e). the total amount of money (received under any planning obligations) which was allocated but not spent during the reported year for funding infrastructure;	£2,603,564.60
3 (f). the total amount of money (received under any planning obligations) which was spent by the authority (including transferring it to another party to spend i.e. Kent County Council);	£924,564.60
3 (g). in relation to monies (received under planning obligations) which were allocated by the authority but not spent during the reported year, summary details of the items of infrastructure on which the money has been allocated, and the amount of allocated to each item;	

Reporting requirement (Schedule 2, Paragraph 3 and (optional) 4)	Sum/ Details
3 (h). in relation to monies (received under planning obligations) which were spent by the authority (Folkestone & Hythe District Council and Kent County Council)	<p data-bbox="1098 416 1278 454">£924,564.60</p> <p data-bbox="1098 539 1358 609">Refer to Table 3.2 in the main report</p>

INFRASTRUCTURE SCHEDULE – JANUARY 2024

Each project is prioritised as follows:

- Critical: physical constraint to growth - development cannot come forward without it.
- Essential: development cannot come forward in a sustainable/acceptable way without it.
- Important: development can come forward but some sustainability goals will need to be compromised and some adverse impacts accepted.

TRANSPORT

Strategic highways

Infrastructure type	Project	Priority	Interdependence with PPLP &/or CSR	Phase 1 (2022 - 2026)	Phase 2 (2027- 2031)	Phase 3 (2032- 2037)	Delivery body	Body/bodies responsible for ensuring funding and delivery	Indicative cost	Funding position	Expected funding gap
Strategic Highways	Alkham Valley Road roundabout junction	Critical	Specifically required to unlock growth at Otterpool Park Garden Settlement (and thus linked to the Core Strategy Review). Policy SS9 of the adopted Core Strategy Review applies				KCC / National Highways / Otterpool Park LLP / FHDC	Otterpool Park LLP / FHDC / KCC	Up to £10 m	Not funded Contribution to be secured in conjunction with Otterpool Park	£6.5 m
Strategic Highways	A260 Spitfire Way / White Horse Hill / A260 roundabout junction	Critical	Specifically required to unlock growth at Otterpool Park Garden Settlement (and thus linked to the Core Strategy Review). Policy SS9 of the adopted Core Strategy Review applies				KCC / National Highways / Otterpool Park LLP / FHDC	Otterpool Park LLP / FHDC / KCC	Captured above (up to £10 m)	Not funded Contribution to be secured in conjunction with Otterpool Park	Captured above

Notes

Policy SS9 New Garden Settlement - Infrastructure, Delivery, Phasing and Management requires that highways mitigation measures are provided through S106 planning obligations. There shall be no drawdown of CIL towards delivery of strategic highway schemes

Appendix 5 of the adopted Core Strategy Review: New Garden Settlement – Indicative Infrastructure Delivery, Phasing and Management Schedule, provides an indicative infrastructure delivery schedule. It shows the potential infrastructure required for the new garden settlement

Local highways (including pedestrian and cycle connections)

Infrastructure type	Project	Priority	Interdependence with PPLP &/or CSR	Phase 1 (2022 - 2026)	Phase 2 (2027- 2031)	Phase 3 (2032- 2037)	Delivery body	Body/bodies responsible for ensuring funding and delivery	Indicative cost	Funding position	Expected funding gap
Highways	New Romney A259/B2071 junction	Critical	Not directly linked to PPLP sites, but is associated with planning consent granted on 'Broad Location' sites in New Romney				KCC	Developer / KCC	£289,000	Funded	No
Highways	A20/A261/Stone Street junction (Newingreen)	Critical	Former Lympe Airfield site. The scheme is also associated with planning consent granted at Nickolls Quarry (£106 collected by KCC) and Link Park. Linked to Otterpool Park				Otterpool Park LLP / KCC	Otterpool Park LLP / FHDC / KCC	TBC in the context of capacity requirements to serve the Garden Settlement - cost will be circa £3.3 m	Funded for minor works (£330,000), but more significant upgrade proposed. Further contribution to be secured in conjunction with Otterpool Park	No Expected to be delivered in conjunction with Otterpool Park proposal
Highways	Re-alignment of the A20 from south of the M20 J11	Critical	Specifically required to unlock growth at Otterpool Park Garden Settlement (and thus linked to the Core Strategy Review)				Otterpool Park LLP / KCC	Otterpool Park LLP / FHDC / KCC	Up to £5 million	Direct delivery to be secured in conjunction with Otterpool Park	No Expected to be delivered in conjunction with Otterpool Park proposal
Highways	Signalisation of southern arm of new roundabout at northern end of new dualling	Critical	Specifically required to unlock growth at Otterpool Park Garden Settlement (and thus linked to the Core Strategy Review)				Otterpool Park LLP / KCC	Otterpool Park LLP / FHDC / KCC	£500,000	Direct delivery to be secured in conjunction with Otterpool Park	No Expected to be delivered in conjunction with Otterpool Park proposal

Highways	Dualling of A20 south of the roundabout	Critical	Specifically required to unlock growth at Otterpool Park Garden Settlement (and thus linked to the Core Strategy Review)				Otterpool Park LLP/KCC	Otterpool Park LLP / FHDC / KCC	£6,150,000	Direct delivery to be secured in conjunction with Otterpool Park	No Expected to be delivered in conjunction with Otterpool Park proposal
Highways	A20 signals on the Barrow Hill Bridge	Critical	Specifically required to unlock growth at Otterpool Park Garden Settlement (and thus linked to the Core Strategy Review)				Otterpool Park LLP / KCC	Otterpool Park LLP / FHDC / KCC	£200,000	Contribution (or direct delivery) to be secured in conjunction with Otterpool Park	No Expected to be delivered in conjunction with Otterpool Park proposal
Highways	M20 Junction 9 – Improvements to Trinity Road and Fougères Way	Critical	Specifically required to unlock growth at Otterpool Park Garden Settlement (and thus linked to the Core Strategy Review)				Otterpool Park LLP / KCC	Otterpool Park LLP / FHDC / KCC	£373,000	Direct delivery to be secured in conjunction with Otterpool Park	No Expected to be delivered in conjunction with Otterpool Park proposal
Highways	A259 / Dymchurch Road / Military Road double yellow line scheme	Critical	Specifically required to unlock growth at Otterpool Park Garden Settlement (and thus linked to the Core Strategy Review)				KCC	Otterpool Park LLP / FHDC / KCC	£20,000	Contribution to be secured in conjunction with Otterpool Park	No Expected to be delivered in conjunction with Otterpool Park proposal
Highways	Off-site highway schemes required to be delivered in support of growth at Otterpool Park Garden Settlement	Critical	Specifically required to unlock growth at Otterpool Park Garden Settlement (and thus linked to the Core Strategy Review)				KCC / Otterpool Park LLP / FHDC	Otterpool Park LLP / FHDC / KCC	TBC	Contribution (or direct delivery) to be secured in conjunction with Otterpool Park	No Expected to be delivered in conjunction with Otterpool Park proposal

Highways	A260 Canterbury Road / Alkham Valley Road	Critical	Not specifically needed to unlock PPLP sites, but growing traffic pressure from background growth and Otterpool Park (and thus linked to the Core Strategy Review)				KCC / Otterpool Park LLP / FHDC	Otterpool Park LLP / FHDC / KCC	Cost of this scheme within £5-10m range covered under strategic highways	Not funded Contribution to be secured in conjunction with Otterpool Park	Significant proportion of total cost
Highways	A2034 Cheriton Road / A2034 Cherry Garden Avenue	Essential	Not specifically needed to unlock PPLP sites, but growing traffic pressure from background growth The Folkestone Seafront strategic site is required to make a proportionate developer contribution				KCC	Developer/ FHDC / KCC	TBC	Part funded £50,000 (index linked) Junction works could form part of the Active Travel tranche 2 scheme	TBC
Highways	A2034 / A20 / A259 / M20 on slip / M20 off slip (Castle Hill interchange)	Important	Not specifically needed to unlock PPLP sites, but growing traffic pressure from background growth				KCC	Developer/ FHDC / KCC	£190,000 (£250,000 based on 2022 costings) (note 3)	Not funded	Up to £190,000
Highways	Hammonds Corner A259 – New roundabout junction	Important	Not specifically needed to unlock PPLP sites, but growing traffic pressure from background growth				KCC	KCC	£3 million	Not funded (note 4)	£3million
Pedestrian access	Coastal Park HLF project	Important	No directly, but would improve access to residents and visitors to Folkestone and Sandgate				FHDC	FHDC	£598,569	Part funded from Heritage Lottery Fund	£598,569
PROW	Bridge repair and surfacing works across the District	Important	There are 53 outstanding surfacing issues across the district, and we also have 57 bridges missing or out of repair.				KCC	KCC	£200,000	Not funded	£200,000

Cycling	Royal Military Canal greenway scheme	Important	No direct link with PPLP sites, but the project would provide a key component of a strategic cycle route				FHDC / KCC	FHDC / KCC	£500,000	Not funded	£500,000
Cycling	Folkestone Central Rail Station to Cheriton cycle scheme	Important	No direct link with PPLP and CSR sites, although of direct benefit to Otterpool Park. The project would provide a key component of a cycle network within Folkestone	To be delivered in the next 12 months			KCC	KCC	£1,000,000	Fully funded via Tranche 2 of the Active Travel Fund.	No
Public transport	Bus network enhancements (associated with major sites)	Critical	No direct link with PPLP sites, but linked with planning consent at the Shorncliffe Garrison (SS11) New bus route form Hythe to Folkestone West Rail Station Diverted bus route 71/72/73 from Church Road to Royal Military Avenue, North Road and Pond Hill Lane Long-term improvements to bus route 77 operating along Royal Military Avenue and North Road				Stagecoach	Developer / FHDC	£880,000	Funded to “kick start” service enhancements	No
Public transport	Bus service enhancement (Sellindge)	Essential	No direct link with PPLP sites, but linked with planning consent at land adjacent to the surgery, Sellindge (CSD9)				Stagecoach	Developer / FHDC	£30,000	To fund an extension to existing services	No
Public transport	Travel plan and cycle voucher contributions (New Romney)	Essential	No direct link with PPLP sites, but linked with planning consent at New Romney broad location (CSD8)				Stagecoach and local cycle provider	Developer / FHDC	£136,000	Funded	No
PROW	Improvements to public footpaths HF38 and HBX11 to Cheriton High	Essential	Not specifically. Contributions secured against Shorncliffe Garrison site (SS11)				KCC	KCC	£55,000	Funded	No

	Street and public footpath HF55 to Newington										
Footway	Upgrade existing footpath linking Church Road and Cheriton High Street	Essential	Not specifically. Contributions secured against Shorncliffe Garrison site (SS11)				KCC	KCC	£25,000	Funded	No
Cycle routes	Improvement to cycle routes in the vicinity of the Shorncliffe Garrison site	Essential	Not specifically. Contributions secured against Shorncliffe Garrison site (SS11)				KCC	KCC	£25,000	Funded	No

Notes

Note 1: If the 'monitor and manage' approach shows the number of movements at M20 Junction 12-13 is consistent with the trajectory profiling and modelling assumptions, then a design would need to be shared with Highways England (to be formally agreed) in year 10 of build out, with a commitment to complete the works no later than between years 12 and 14 of build out.

Note 2: Combine this improvement with intervention 1.

Note 3: If the 'monitor and manage' approach shows the number of movements at M20 Junction 13 is consistent with the trajectory profiling and modelling assumptions, then a design would need to be shared with Highways England (to be formally agreed) in year 4 of build out, with a commitment to complete the works no later than between years 4 and 6 of build out.

Note 4: KCC have identified a number of schemes that could be funded in part through their (KCC's) proportionate share of CIL receipts

FOLKESTONE PLACE PLAN PRIORITY PROJECTS

Infrastructure type	Project	Priority	Interdependence with PPLP &/or CSR	Phase 1 (2022 - 2026)	Phase 2 (2027- 2031)	Phase 3 (2032- 2037)	Delivery body	Body/bodies responsible for ensuring funding and delivery	Indicative cost	Funding position	Expected funding gap
Improved pedestrian and cycle connections, provision of wayfinding, sustainable transport and mobility, environmental improvements (tree planting)	Station arrival and town centre connections	Important (policy) High Corporate priority					FHDC / KCC Highways / Southeastern / Network Rail	FHDC / Levelling Up Fund (DLUHC)	£3,066,255	To be delivered using Levelling Up Funding awarded in March 2023 – the scheme is Folkestone: A Brighter Future. £350,000 from CIL (as already committed)	n/a
Public realm improvement, transport hub, green civic space	Improved gateway – town centre & Bouverie Square	Important (policy) High Corporate priority					KCC Highways/ FHDC/ Stagecoach/Radnor Estate/ Saga site landowners/NCP	FHDC / Levelling Up Fund (DLUHC)	£17,657,655	To be delivered using Levelling Up Funding awarded in March 2023 – the scheme is Folkestone: A Brighter Future	n/a
Public realm / environmental improvements / civic space / wayfinding / cycling and skateboarding	Sandgate Road and Town Centre public realm	Important (policy) High Corporate priority					FHDC / Folkestone Town Council / Private landowners	FHDC / Levelling Up Fund (DLUHC)	£2,913,962	Not funded	£2,913,962

Public realm / highway layout reconfiguration / active travel (leisure loop)	F51 Environs and Payers Park	Important (policy) High Corporate priority				FHDC / Folkestone Town Council / Shepway Sports Trust / Creative Quarter Strategic Regeneration Group / Private landowner	FHDC / Levelling Up Fund (DLUHC)	£2,391,228	Not funded	£2,391,228
Public realm / walking and cycling network provision	Harbour Line and Tram Road	Important (policy) High Corporate priority				Network Rail / FHDC / KCC Highways	FHDC / Levelling Up Fund (DLUHC)	£20,971,538	Not funded	£20,971,538
Public amenity / water and sea sports use facilities	Sunny Sands	Important (policy) High Corporate priority				FHDC / The Crown Estate (the foreshore?)	FHDC / Levelling Up Fund (DLUHC)	£2,437,305	Not funded	£2,437,305

EDUCATION

Infrastructure type	Project	Priority	Interdependence with PPLP &/or CSR	Phase 1 (2022 - 2026)	Phase 2 (2027- 2031)	Phase 3 (2032- 2037)	Delivery body	Body/bodies responsible for ensuring funding and delivery	Indicative cost	Funding position	Expected funding gap
Primary education	Relocation and Expansion of Seabrook CEPS by 0.5FE	Important	No direct link with PPLP sites				KCC	Developer / KCC / FHDC	£6,000,000	Part funded	TBC
Primary education	Expansion of St Nicholas CEPS to 2FE	Important	No direct link with PPLP sites				KCC	Developer / KCC / FHDC	£500,000	Funded by S106	None
Primary education	Expansion of Greatstone PS to 2FE	Important	No direct link with PPLP sites				KCC	Developer / KCC / FHDC	£500,000	Funded by S106	None
Primary education	Palmarsh Primary 0.5FE expansion to 1FE	Important	No direct link with PPLP sites				KCC	Developer / KCC / FHDC	£2,600,000	Part funded	£1,100,000
Primary education	Palmarsh Primary 0.5FE expansion to 1.5FE	Important	No direct link with PPLP sites				KCC	Developer / KCC / FHDC	£1,100,000	Not funded	£800,000
Primary education	Palmarsh Primary 0.5FE expansion to 2FE	Important	No direct link with PPLP sites				KCC	Developer / KCC / FHDC	£1,100,000	Not funded	£800,000
Primary education	Folkestone West (Shornccliffe) - New 2FE Primary School	Critical	No direct link with PPLP sites				KCC	Developer / KCC / FHDC	£10,200,000	Part funded by S106 Shornccliffe Garrison & Folkestone Seafront	£3,772,000
Primary education	Expansion of Churchill PS (Hawkinge) by 1FE to 3FE	Important	Dependent on housing delivery in Hawkinge				KCC	Developer / KCC / FHDC	£2,800,000	Not funded	£2,800,000
Primary education	0.5FE expansion of Sellindge Primary from 1 to 1.5FE	Critical	Sellindge broad location (policy CSD9) – Dependent on Otterpool				KCC	Developer / KCC / FHDC	TBC	Funded	None (assuming S106 is collected in full from all sites forming broad location)
Secondary education	Secondary 4FE	Important	Various				KCC	Developer / KCC / FHDC	£13,000,000	Not funded	£13,000,000
Secondary education	Harvey Grammar School – 1FE expansion	Essential	Dependent on Otterpool – selective				KCC	Developer / KCC / FHDC	£3,000,000-£4,000,000		TBC

			provision will need to be off-site							
Secondary education	Harvey Grammar School – land for 1FE expansion	Essential	Dependent on Otterpool – selective provision will need to be off-site			KCC	Developer / KCC / FHDC	Land		TBC

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HIGHER AND FURTHER EDUCATION

Infrastructure type	Project	Priority	Interdependence with PPLP &/or CSR	Phase 1 (2022 - 2026)	Phase 2 (2027- 2031)	Phase 3 (2032- 2037)	Delivery body	Body/bodies responsible for ensuring funding and delivery	Indicative cost	Funding position	Expected funding gap
Higher and Further Education	East Kent College - Folkestone Campus - New Campus Frontage (Further Education)	Important	None specifically. Will contribute significantly to town centre regeneration, and provide an improved higher and further education offer for the District Folkestone College scheme approved in accordance with 20/0352/FH				East Kent College (Folkestone)	Developer / Higher Education provider / FHDC	£8,000,000	Funded (part enabling development)	No

GREEN INFRASTRUCTURE / SUSTAINABLE ACCESS AND RECREATIONAL STRATEGY (SARMS)

Infrastructure type	Project	Priority	Interdependence with PPLP &/or CSR	Phase 1 (2022 - 2026)	Phase 2 (2027- 2031)	Phase 3 (2032- 2037)	Delivery body	Body/bodies responsible for ensuring funding and delivery	Indicative cost	Funding position	Expected funding gap
Green Infrastructure	Sustainable Access and Recreational Management Strategy Bird surveys & reporting	Important	The SARMS was developed to mitigate recreational pressure resulting from new developments (within and outside the district) on the Dungeness complex of Natura 2000 sites. Originally identified through the HRA and now set out in Policy CSD4 of the CSR.				FHDC	FHDC	£21,410	Not funded	£21,410
Green Infrastructure	Sustainable Access and Recreational Management Strategy Visitor surveys	Important	The SARMS was developed to mitigate recreational pressure resulting from new developments (within and outside the district) on the Dungeness complex of Natura 2000 sites. Originally identified through the HRA and now set out in Policy CSD4 of the CSR.				FHDC	FHDC	£25,600	Not funded	£25,600
Green Infrastructure	Sustainable Access and Recreational Management Strategy Visitor Interpretation	Important	The SARMS was developed to mitigate recreational pressure resulting from new developments (within and outside				FHDC/EDF/ Fifth Continent	FHDC	£20,550	Some work has been carried out by EDF and	£20,550

			the district) on the Dungeness complex of Natura 2000 sites. Originally identified through the HRA and now set out in Policy CSD4 of the CSR.						the Fifth Continent FHDC not funded	
Green Infrastructure	Sustainable Access and Recreational Management Strategy Access control and Enforcement	Important	The SARMS was developed to mitigate recreational pressure resulting from new developments (within and outside the district) on the Dungeness complex of Natura 2000 sites. Originally identified through the HRA and now set out in Policy CSD4 of the CSR.			FHDC	FHDC	£1,000	Not funded	£1,000
Green Infrastructure	Green & Blue Infrastructure Strategy projects (document currently out to consultation)	Important				FHDC / Parish Councils / Natural England / Environment Agency / White Cliffs Partnership and private landowners	FHDC	TBC	Not funded	TBC

OPEN SPACE AND PLAY SPACE

Infrastructure type	Project	Priority	Interdependence with PPLP &/or CSR	Phase 1 (2022 - 2026)	Phase 2 (2027- 2031)	Phase 3 (2032- 2037)	Delivery body	Body/bodies responsible for ensuring funding and delivery	Indicative cost	Funding position	Expected funding gap
Play space	Cheriton Recreation Ground	Important Strategic (PPA)	Not specifically needed to unlock PPLP sites, but contributions may be sought				FHDC	FHDC	£50,000	Not funded	£50,000
Play space	East Cliff/Jock's Pitch	Important Strategic (PPA)	Not specifically needed to unlock PPLP sites, but contributions may be sought				FHDC	FHDC	£75,000	Not funded	£75,000
Play space	Lower Leas Coastal Park Fun Zone	Important Strategic (PPA)	Not specifically needed to unlock PPLP sites, but contributions may be sought				FHDC	FHDC	£300,000	Not funded	£300,000
Play space	Canterbury Road	Important Strategic (PPA)	Not specifically needed to unlock PPLP sites, but contributions may be sought				FHDC	FHDC	£50,000	Not funded	£50,000
Play space	Brabner Close	Important Strategic (PPA)	Not specifically needed to unlock PPLP sites, but contributions may be sought				FHDC	FHDC	£50,000	Not funded	£50,000
Play space	Princes Parade – located adjacent to proposed leisure centre	Critical Strategic (PPA)	Linked to Princes Parade PPLP site. Will provide for a strategic area of play space				FHDC	Developer / FHDC	£200,000	Funded (assuming through Princes Parade S106)	£0
Play space	Payers Park	Important Strategic (PPA)	Not specifically needed to unlock PPLP sites, but contributions may be sought				FHDC	FHDC	£50,000	Not funded	£50,000

Play space	Upper Radnor	Important	Not specifically needed to unlock PPLP sites, but contributions may be sought				FHDC	FHDC	£50,000	Not funded	£50,000
Play space	Lower Radnor Park Play Area	Important	Not specifically needed to unlock PPLP sites, but contributions may be sought				FHDC	FHDC	£50,000	Not funded	£50,000
Play space	Radnor Park Basketball Court	Important	Not specifically needed to unlock PPLP sites, but contributions may be sought				FHDC	FHDC	£15,000	Part funded	£10,000
Play space	Brockhill Country Park	Important Strategic (PPA)	Not specifically needed to unlock PPLP sites, but contributions may be sought				KCC	FHDC	£50,000	Not funded	£50,000
Play space	Dymchurch Recreation Ground	Important Strategic (PPA)	Not specifically needed to unlock PPLP sites, but contributions may be sought				Dymchurch Parish Council	Dymchurch Parish Council	£50,000	Not funded	£50,000
Play space	Fairfield Recreation Ground	Important Strategic (PPA)	Not specifically needed to unlock PPLP sites, but contributions may be sought				New Romney Town Council	New Romney Town Council	£50,000	Not funded	£50,000
Play space	The Greens	Important Strategic (PPA)	Not specifically needed to unlock PPLP sites, but contributions may be sought				New Romney Town Council	New Romney Town Council	£50,000	Not funded	£50,000
Play space	The Rype	Important Strategic (PPA)	Not specifically needed to unlock PPLP sites, but contributions may be sought				Lydd Town Council	Lydd Town Council	£50,000	Not funded	£50,000
Play space	The Green	Important	Not specifically needed to unlock				Hythe Town Council	Hythe Town Council	£50,000	Not funded	£50,000

		Strategic (PPA)	PPLP sites, but contributions may be sought								
Open space	Seabrook	Critical	Not specifically needed to unlock PPLP sites, but contributions may be sought				FHDC	FHDC	£300,000	Not funded	Not funded
Open space	Western open space and linear park	Critical	Linked to delivery of Princes Parade PPLP site. Will provide for a strategic area of open space				FHDC	FHDC	£1,529,117	Funded	£0
Open space	The Warren	Important	Not specifically needed to unlock PPLP sites, but contributions may be sought				FHDC	FHDC	£200,000	Part funded £200,000 (index-linked) from Folkestone Seafront	TBC
Open space	M20 Screen	Important	Not specifically needed to unlock PPLP sites, but contributions may be sought				FHDC	FHDC	£50,000	Not funded	£50,000
Open space	Folkestone West	Important	Not specifically needed to unlock PPLP sites, but contributions may be sought				FHDC	FHDC	£50,000	Not funded	£50,000
Open space	Rhodes Minnis Recreation Ground	Important	Not specifically needed to unlock PPLP sites, but contributions may be sought				FHDC	FHDC	£50,000	Not funded	£50,000
Open space	Strombers Lane	Important	Not specifically needed to unlock PPLP sites, but contributions may be sought				FHDC	FHDC	£50,000	Not funded	£50,000
Open space	Underwood	Important	Not specifically needed to unlock PPLP sites, but				FHDC	FHDC	£50,000	Not funded	£50,000

			contributions may be sought								
Open space	Shornccliffe	Critical	Committed development with planned play area provision at Shornccliffe Garrison. Classification to be fully confirmed.				To be confirmed once installed. (should be FHDC)	Developer / FHDC	£200,000	Funded	£0

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PUBLIC REALM (FHDC OPERATIONS TEAM)

Infrastructure type	Project	Priority	Interdependence with PPLP &/or CSR	Phase 1 (2022 - 2026)	Phase 2 (2027- 2031)	Phase 3 (2032- 2037)	Delivery body	Body/bodies responsible for ensuring funding and delivery	Indicative cost	Funding position	Expected funding gap
Open spaces, sports, recreation, green infrastructure, public realm / environmental improvement	Radnor Park Basketball Court	Important					FHDC	FHDC	£15,000	Part funded from Radnor Park Community Group (£5,500)	£,9500
Open spaces, sports, recreation, green infrastructure, public realm / environmental improvement	Repairs stone retaining walls and paths at The Leas	Important					FHDC	FHDC	£150,000	Not funded	£150,000
Open spaces, sports, recreation, green infrastructure, public realm / environmental improvement	Refurbishment of the Zig Zag Path, Lower Leas Coastal Park	Critical					FHDC	FHDC	£300,000	Not funded	£300,000
Open spaces, sports, recreation, green infrastructure, public realm / environmental improvement	Landslip – engineering works	Critical					FHDC	FHDC	£100,000	Not funded	£100,000

ENERGY

Infrastructure type	Project	Priority	Interdependence with PPLP &/or CSR	Phase 1 (2022 - 2026)	Phase 2 (2027- 2031)	Phase 3 (2032- 2037)	Delivery body	Body/bodies responsible for ensuring funding and delivery	Indicative cost	Funding position	Expected funding gap
Electricity	Stanford 33/11kV – Retrofit 11kV Switchgear	Essential	To support development generally				UKPN	UKPN	TBC	Funded	None
Electricity	Smeeth 33/11kV Reinforcement	Essential	To support development generally				UKPN	UKPN	TBC	Funded	None
Electricity	Romney Warren 33/11kV Reinforcement	Essential	To support development generally				UKPN	UKPN	TBC	Funded	None
Electricity	New secondary sub-station on sites yielding 50 dwellings or more	Essential	To support development generally Assessment undertaken on a site-by-site basis				UKPN	UKPN	£50,000 per site based on 2015 prices	UKPN/ Developer (so funded)	None

WATER SUPPLY & FLOODING DEFENCES

Infrastructure type	Project	Priority	Interdependence with PPLP &/or CSR	Phase 1 (2022 - 2026)	Phase 2 (2027- 2031)	Phase 3 (2032- 2037)	Delivery body	Body/bodies responsible for ensuring funding and delivery	Indicative cost	Funding position	Expected funding gap
Water Supply	Denge reservoir reinforcement	Essential	New Romney & Littlestone proposed allocations				Affinity Water	Developer / Affinity Water	TBC	Funded (by developer)	No
Water supply	Saltwood reservoir reinforcement	Essential (Monitor)	Saltwood and Hythe site allocations may require significant infrastructure reinforcements dependent on location of developments				Affinity Water	Affinity Water	TBC	Funded	No
Water supply	Paddlesworth reservoir reinforcement	Critical	Directly linked to North Downs Garden Settlement				Affinity Water	Developer / Affinity Water	TBC	To be funded (by developer)	No
Flood defence	Greatstone Dunes Management	Important					Folkestone & Hythe DC	Affinity Water	£75,000	Funded	No
Flood defence	Hythe to Folkestone Beach Management 2020 - 2025	Important	Folkestone and Hythe sites				Folkestone & Hythe DC	Affinity Water	£1.333 m	Funded	No
Flood defence	Hythe to Folkestone Beach Recharge	Important	Folkestone and Hythe sites				Folkestone & Hythe DC	Affinity Water	£5.035 m	Funded	No
Flood defence	Hythe Flood Alleviation Scheme	Important	Hythe sites				Kent CC	KCC	£500,000	Funded	No
Flood defence	Romney Sands Coastal Defences	Important	New Romney and coastal sites				Environment Agency	Environment Agency	£312,500	Funded	No
Flood defence	Lydd Ranges Schemes	Essential	Lydd sites				Environment Agency	Environment Agency	£21.25 m	Funded	No

Flood defence	Littlestone Beach Recharge 2020-21 & 2021/22	Essential				Environment Agency	Environment Agency	£1.2 m	Funded	No
Flood defence	Nailbourne Options Investigation	Important				Environment Agency	Environment Agency	£2.5 m	No	£2.083 m
Flood defence	Romney Marsh Living Landscape Project	Important				Environment Agency	Environment Agency	£40,000	Funded	No

HEALTH & SOCIAL CARE

Infrastructure type	Project	Priority	Interdependence with PPLP &/or CSR	Phase 1 (2022 - 2026)	Phase 2 (2027- 2031)	Phase 3 (2032-2037)	Delivery body	Body/bodies responsible for ensuring funding and delivery	Indicative cost	Funding position	Expected funding gap
Adult Social Care	Assistive technology in Shepway	Important	No direct link	Ongoing			KCC	Developer / KCC	£150,000	Fully funded, to include £24,302 S106 funding secured	None
General provision (New surgery)	New healthcare 'hub' at New Romney	Essential	S106 contributions from site allocations in New Romney				KCC (as landowner)/ NHS Kent and Medway	KCC (as landowner)/ NHS Kent and Medway	£9,000,000	Circa £150,000 secured via S106 £1.52m secured via STP fund (NHS) KCC as landowner is keen to promote the	TBC – not expected to be a gap

									site and retain ownership	
General provision (extension)	Hawkinge Health Centre extension	Essential	Linked to general background growth within catchment			NHS Kent and Medway	NHS Kent and Medway	£300,000	£200,000 to be funded by NHSE BAU capital across 22/23	None
General provision (New surgery)	New Shornccliffe branch health/care centre	Critical	Shornccliffe Garrison site is subject to an allocation in the Core Strategy (2013)			Developer/ NHS Kent and Medway	Developer/ NHS Kent and Medway	£858,600	Funded (direct provision)	None
General provision	Expansion of Oaklands Surgery, Hythe	Critical	Direct link with PPLP sites St Saviours, Smiths Medical and Land at Station Road.			NHS Kent and Medway	NHS Kent and Medway	£250,000	At least part funded by secured S106.	TBC
General provision (New combined GP surgery)	Improvement/ Re-provision of surgeries in central Folkestone. Potential to be linked to the Folkestone town centre regeneration scheme	Important (Strategically necessary)	No direct link in PPLP but contributions could be sought at planning application stage			NHS Kent and Medway / Premier Primarycare Ltd.	NHS Kent and Medway / Premier Primarycare Ltd.	£16,000,000	Funding will be the responsibility of Premier Primarycare Ltd (note 1)	No

Notes

1. Funding will be the responsibility of Premier Primarycare Ltd, as detailed in Folkestone & Hythe Cabinet report (C/21/33) dated 22nd September 2021

WASTE AND RECYCLING

Infrastructure type	Project	Priority	Interdependence with PPLP &/or CSR	Phase 1 (2022 - 2026)	Phase 2 (2027- 2031)	Phase 3 (2032- 2037)	Delivery body	Body/bodies responsible for ensuring funding and delivery	Indicative cost	Funding position	Expected funding gap
Local Waste Collection	No specific projects identified at this stage. Reviewed on an annual basis.	Important	All development	Ongoing as required			FHDC/Biffa	n/a	Unknown	FHDC/Biffa contract funded through Council Tax and KCC Enabling Payment	None
Litter bins	Rationalisation and capital replacement of litter bin stock	Important	To support development generally	To be implemented by spring 2025			FHDC	FHDC	£100,000	Not funded	£100,000
Waste disposal	New Waste Transfer Station – to be located in Folkestone & Hythe	Essential	All development	Ongoing as required			KCC and Waste Contractors	KCC	At least £7.135m required	Otterpool S106 profiled to contribute £1.8m (not secured at this time)	£5.335m

COMMUNITY FACILITIES

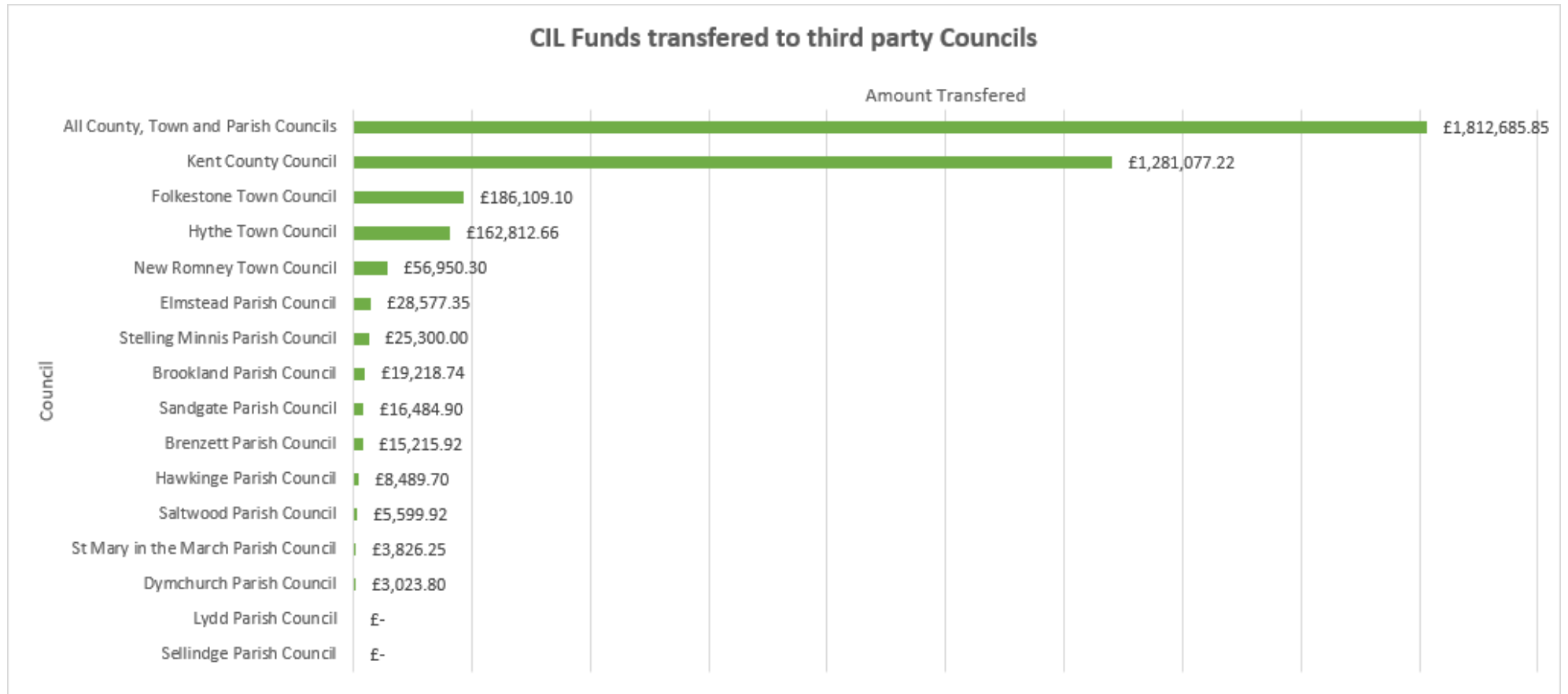
Infrastructure type	Project	Priority	Interdependence with PPLP &/or CSR	Phase 1 (2022 - 2026)	Phase 2 (2027- 2031)	Phase 3 (2032-2037)	Delivery body	Body/bodies responsible for ensuring funding and delivery	Indicative cost	Funding position	Expected funding gap
Libraries	Sandgate Library additional stock, resources and services	Important	Parish Council	2022-2025 delivery			KCC and Parish Council	KCC	£50,000	S106 part-funding	TBC
Libraries	Folkestone Library and Community Services Hub comprising LRA/CLS/Youth	Important	Part of Folkestone town centre asset transformation programme	Project development ongoing			KCC	KCC	£400,000	Part-funded by sale of youth centre	£150,000
Libraries	Library Services at Folkestone Library	Important	None	Ongoing			KCC	KCC	£183,569	Part funded	£75,429
Libraries	Library Services at Cheriton Library	Important	None	Ongoing			KCC	KCC	£117,004	Part funded	£107,104
Police	Potential expansion of custody cells and necessary equipment	Important	None	Ongoing			Kent Police	FHDC / Kent Police	£504,218	None	£504,218
Community hub	Coast Drive Visitor Centre	Critical	None	Ongoing			FHDC	FHDC	£1,479,234	Part funded	£300,000

LEISURE & CULTURAL FACILITIES

Infrastructure type	Project	Priority	Interdependence with PPLP &/or CSR	Phase 1 (2022 - 2026)	Phase 2 (2027- 2031)	Phase 3 (2032-2037)	Delivery body	Body/bodies responsible for ensuring funding and delivery	Indicative cost	Funding position	Expected funding gap
Leisure centre	Replacement leisure centre to Hythe Pool	Critical	Direct link with PPLP sites at Princes Parade				FHDC	Developer / FHDC	£23 m	Part funded through secured S106, capital receipts	£2.5 m
Leisure and Culture facilities	Repairs the Martello Tower No. 3	Important	None				FHDC	FHDC	£100,000	Not funded	£100,000

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CIL Funds transferred to third party Councils



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This Report will be made public on 19 February 2024.



Report Number **OS/23/09**

To: Overview and Scrutiny Committee
Date: 27 February 2024
Status: Non key
Responsible Officer: Adrian Tofts, Strategy & Policy Manager
Cabinet Member: Councillor Mike Blakemore, Cabinet Member for Community and Collaboration

SUBJECT: 2023 FULL COUNCIL RESOLUTION - FOLKESTONE & HYTHE YOUTH DISTRICT COUNCIL

SUMMARY:

Full Council of 29 March 2023 resolved to refer to Overview and Scrutiny Committee (OSC) a report on the benefit of establishing a Folkestone & Hythe Youth District Council, referencing the Kent Youth County Council. This report describes the youth councils and youth forum that are run by Kent County Council, Dartford Borough Council, Swale Borough Council and Thanet District Council to highlight to OSC the different approaches that could be taken to establishing a youth council and the likely resource implications.

RECOMMENDATIONS:

- 1. To receive and note report OS/23/09.**
- 2. To note and comment on the different approaches to youth councils and youth forums set out in Section 2 of the report.**
- 3. To note the key issues and resource implications outlined in Section 3 of the report.**
- 4. To note the responses to the three parts of the 2023 resolution, outlined in Section 4 of the report, and provide recommendations as to the next steps.**

1. BACKGROUND

1.1. The following resolution was raised at full Council on 29 March 2023:

“Council notes that Kent County Council operate a Kent Youth County Council. This operation is focused on only 3 issues per year. Other district, Town and Parish councils within Kent operate their own separate youth council scheme.

Council believes that:

The voices of young people are important when shaping decisions.

Having a forum for young people to form ideas, debate issues and influence council policy will lead to a more inclusive council environment.

Providing a platform for young people to engage in politics from an early age will only benefit the diversity of future political leadership for the district.

Council Resolves:

- *To refer to the Overview and Scrutiny Committee a report on the benefit of establishing a district-based Folkestone and Hythe Youth District Council.*
- *To invite the current representatives from the district on the KYCC, to offer their views on the establishment of a FHYDC.*
- *To produce a short survey aimed at young people in the secondary schools in the district in order to determine the appetite of the district’s young people to have a formal structure to discuss and influence local decision-making policy.”*

1.2. Council agreed the resolution.

2. KENT YOUTH COUNCILS AND YOUTH FORUMS

2.1. The Lundy Model for Youth Participation, developed by Queen’s University, Belfast, provides a simple framework for considering how young people can participate in decision-making. The model sets out that: young people must be given safe spaces to develop and express their views (‘space’); they must be supported in expressing their views (‘voice’); they must be listened to (‘audience’); and, where appropriate, their views must be acted on (‘influence’) (see **Appendix 1**).

2.2. The following sections provide information on the Kent Youth County Council, Dartford Youth Council, Swale Youth Forum and Thanet Youth Council. The Strategy & Policy Manager met with the relevant officers from the four authorities to ask them about the schemes they facilitated, and this was followed up with additional questions by email. Other schemes in Kent were also explored to provide additional context.

Kent Youth County Council

- 2.3. Kent Youth County Council began in 1999 with youth representatives from the Kent districts and boroughs. The scheme was expanded in 2011 to include additional community members representing specific groups (black and minority ethnic, LGBT+, disabled, neurodiverse, Gypsy/Roma and traveller, international students, carers, home-educated, people in care, people not in education, training or employment and refugees).
- 2.4. Members of the Kent Youth County Council are elected by their peers. Young people between the ages of 11 and 18 are eligible to stand for election. Full members serve terms of two years and deputy members serve for one year. Only full members can be chair or vice-chair of the Youth County Council.
- 2.5. The Youth County Council aims for at least four members per district, and at least 12 community members across the county. There is a high turnover of members and so elections are held annually - this reflects the changing circumstances of young people between these ages, with youth county councillors stepping down to study for exams, take up further education or enter employment.
- 2.6. KCC's website lists 96 current youth county councillors (49 full members, 31 deputies and 16 community members). The website gives the first names of youth county councillors with a short statement about their areas of interest. There are four youth county councillors for Folkestone & Hythe district. (Folkestone & Hythe district representatives on the Youth County Council are listed in **Appendix 2** and the community members are listed in **Appendix 3**.)
- 2.7. Elections are held every year in November. Candidates are asked to provide a short manifesto statement outlining issues that they wish to campaign on. Candidate names and manifesto statements are included on ballot papers printed for school voting and published on KCC's website for online voting. Voters are asked to choose their representatives and which three campaigns members will work on during the year.
- 2.8. Kent's Youth Participation Team distribute ballots to schools, colleges and youth organisations across Kent and voting takes place over a period of two weeks. Candidates run their campaigns with the help of KCC's Youth Participation Team and the schools. For the community candidates, who may not have a local school constituency, KCC runs a virtual campaign with online voting, although overall the team finds that participation is greater with paper ballots cast in schools.
- 2.9. At the end of the voting period, KCC's Youth Participation Team collects the ballot boxes from the schools and tallies the votes, including votes cast online. In previous years around 21,000 votes have been cast in the election across 85 polling stations.
- 2.10. Newly elected members will then be trained in their roles by the team; the youth councillors are likely to be inexperienced at public speaking and may not have attended a formal meeting before, and many will only gain confidence towards the end of their terms.

- 2.11. The Kent Youth County Council meets regularly throughout the year to debate issues and work on campaigns. For 2024, the campaigns are: free school meals and tackling poverty; public transport; and mental health and wellbeing.
- 2.12. Ten meetings are held throughout the year at County Hall in Maidstone, on Saturdays between 10.00am and 3:30pm. In addition to the County Hall meetings, a training and campaigning residential weekend is planned for July 2024 and a summer holiday programme will begin in early August 2024.
- 2.13. Youth County Council meetings are not open to the public, and debates are not broadcast, but minutes are published. Around 50 to 80 members attend the monthly meetings, and around four officers from the Youth Participation Team may be needed to facilitate sessions, alongside some additional part-time support.
- 2.14. Youth county councillors will seek to bring about change by running campaigns in schools and colleges and creating campaign videos. County council officers can ask to attend meetings to seek views on policies and projects they are developing (for example, proposals for the Kent Local Transport Plan and policy around the sale and use of vapes and e-cigarettes).
- 2.15. Youth county councillors may address the county council's Cabinet, particularly when a new initiative is launched. Every year, seven members are elected to represent Kent at UK Youth Parliament (UKYP) events. There is a programme of UKYP events including an Annual Conference, and youth county councillors may visit the House of Commons to take part in youth debates.

Dartford Youth Council

- 2.16. Dartford Youth Council has been in operation for around eight years. Although supported by Dartford Borough Council, the youth council has a strong independent profile, with its own executive committee, [website](#), public relations officer and charity fundraising activities. Its website sets out its mission:

“We empower young people aged 18 and under to influence and inform the decisions that affect their lives. We support young people to get involved in our community, working alongside the Dartford Borough Council, making a difference as volunteers, campaigners, decision-makers and leaders.”
- 2.17. The youth council is facilitated by a Dartford Borough Council officer with the support of a local Kent County Council youth worker.
- 2.18. To be elected young people must be between the ages of 12 and 18 and attend a school, youth or sports group in the borough or live in Dartford. Every secondary school is entitled to send five members, selected by ballot, to serve on the youth council. Youth clubs and youth organisations are each entitled to send two members. Youth council elections are held every October in schools and youth groups. The youth council aims for between 20 and 30 members.

- 2.19. Membership is for one year, but members can stand for re-election in subsequent years; some executive committee members have served for several years. Dartford Youth Council members can also stand for the Kent Youth County Council or for the UK Youth Parliament.
- 2.20. The youth council meets in the chamber of the Dartford Civic Centre every month on a Friday between 4:30 and 6:00pm. At the start of the year the council elects an executive committee of seven members, comprising a chair, vice chair, secretary, treasurer, web administrator, public relations officer and events officer. The executive committee drives the youth council's activities.
- 2.21. Meetings are not open to the public and are not broadcast. Action points are noted for internal purposes, but minutes are not published.
- 2.22. Charity fundraising is a key area of focus for the youth council. The website lists other activities, including participation in the Kent Youth County Council, UK Youth Parliament, UK Young Mayors' Group and international youth groups, volunteering for the Dartford Festival, Remembrance Day events, rock climbing activities, cookery lessons and first aid training.

Swale Youth Forum

- 2.23. Swale Borough Council's youth forum has been running for around 30 years, having started in 1994. The lead officer at Swale is relatively new in her post and is preparing a survey of schools to gain feedback on how well the scheme is operating.
- 2.24. The youth forum is open to young people between the ages of 11 and 19. Members are not elected but volunteer for the role; the borough's secondary schools and Sheppey College are invited to send six students each, meaning that up to 42 members could take part. The officer has developed close relationships with the schools and college, and there is usually a good take-up of places. Recruitment takes place annually.
- 2.25. There are six youth forum meetings in an academic year and youth forum members are expected to attend all six meetings. Meetings take place in the Swale Council Chamber on Wednesdays from 9:30am to 12:30pm. The Mayor of Swale is invited and attends to greet the members. Swale borough councillors are also invited to attend to hear the views of the youth members.
- 2.26. The meeting is chaired by a representative from one of the schools. The chair is rotated to allow each school to lead a meeting and bring an issue to the group. Agendas for the meetings are written by the council officer in collaboration with the chair, considering issues highlighted at previous meetings.
- 2.27. The public cannot attend the youth forum and meetings are not broadcast, but minutes are published.
- 2.28. The youth forum can invite Swale Borough Council officers to attend the meeting. Officers have presented on topics including the local plan, town centre regeneration, community safety and climate change. External

speakers have also appeared, such as representatives from the Royal National Lifeboat Institution (RNLI).

- 2.29. The issues that the youth forum explores will change at each meeting. Recent issues have included: mental health signposting of local services; CV writing tips and advice on how to find jobs, career paths and interview skills; and safety concerns around active travel. However, there have been some longer-term projects, such as proposals for a new skatepark, which the youth forum has worked on for two years.

Thanet Youth Council

- 2.30. Thanet Youth Council is relatively new, having started in November 2022, and officers are still making adjustments to how the council is run. Thanet District Council has published [terms of reference](#) for the youth council on its website. The then Cabinet Member for Community Safety & Youth Engagement, Councillor George Kup, filmed a video to publicise the youth council, which can be viewed on the council's [website](#).
- 2.31. Thanet Youth Council is open to young people between the ages of 11 and 18. Candidates are not elected but are put forward by schools and youth organisations or volunteer themselves. The Thanet District Council officer said that the recruitment process involves significant work: calls are made through social media and through contacts in schools, air cadets, sea cadets, youth clubs, young offenders' groups and young carers' groups. Thanet considers that a more formal election process might deter some participants from standing, such as young people with learning difficulties, but candidates can stand for election in the Kent Youth Council if they wish, and some young people are members of both councils. Thanet's youth councillors serve for one year.
- 2.32. The terms of reference specify that there will be a maximum of 21 youth councillors. If more than 21 young people put themselves forward, those who made contact first would be given priority and others would be put on a waiting list for the following year.
- 2.33. Most youth councillors have not attended a formal meeting before and so Thanet's democratic services officers provide them with training and additional training opportunities are being organised. Thanet's website lists some of the opportunities the scheme offers youth councillors, including:
- Experience new things, make new friends and have fun.*
 - Access to partner agencies to up-skill your knowledge around current issues through the TYC meetings.*
 - Provide you with vital skills that will support you into adulthood."*
- 2.34. The Thanet District Council officer said that the youth councillors are gaining confidence, and the youth council now hosts lively debates. The youth councillors come from a range of backgrounds with a variety of experiences, and the officer finds that the youth council is open and accepts everyone. Over the last six months youth councillors have grown in their roles; some now accompany Thanet council officers to community meetings across the district to talk about issues affecting young people.

- 2.35. Youth council meetings are held every month in Thanet's council chamber and meeting rooms, between 6:00 and 8:00pm. Meetings alternate between Mondays, Tuesdays and Wednesdays to give options for youth councillors who may have other commitments. Youth councillors must attend at least six meetings a year and they may be removed if they fail to attend three in a row.
- 2.36. Meetings are not open to the public and are not broadcast, but minutes are published. When the scheme began, officers had to lead the meetings, but the youth councillors are now starting to chair their own meetings and a chair is chosen from the group at the start of each meeting. Smaller sub-groups form to discuss priorities, and motions may then be taken back to the youth council for a formal vote. The chair has a casting vote in the event of a tied decision.
- 2.37. Members of Thanet Youth Council will identify issues that they wish to campaign on during the year. District council officers may ask to attend the youth council to seek comments on emerging work (such as proposals for the regeneration of Margate and Ramsgate following Thanet's successful Levelling Up Fund bid). The terms of reference state that the youth council may scrutinise any topic and ask officers, councillors and others to attend meetings. The youth council can act as a consultative body at the request of Cabinet and Council and make recommendations.
- 2.38. Members of the youth council are preparing to present to Thanet's Council for the first time. They will present a summary report of their work, and the terms of reference specify that this reporting will take place twice a year.
- 2.39. The youth council has a small budget that youth councillors can use to facilitate their work. Youth councillors are currently working with Thanet's communications team to develop branding for the youth council and are making a film about the scheme that will be hosted on Thanet's website.

3. SUMMARY AND KEY ISSUES

- 3.1 The four schemes outlined above vary in their approaches to membership, internal processes, areas of focus and interactions with the host local authority.
- 3.2 **Selection of young people** - The 2023 council resolution referenced the Kent Youth County Council. This is a more formal scheme with annual elections managed by the county council's Youth Participation Team. Dartford's Youth Council also holds elections for posts. Participants in Thanet and Swale's schemes are not elected but volunteer for the roles.
- 3.3 Although all the schemes have links to schools in their areas, most seek participation from a wider pool of young people to try to encourage more diverse representation. The Kent Youth County Council specifically seeks young people who are home educated and people who are not in education, training or employment. Thanet also seeks participants from a wide variety of youth organisations - such as cadets, youth clubs, young carers' groups

and young offenders' groups - whose members may not necessarily attend a secondary school in Thanet.

- 3.4 **Size** – Given its county-wide remit, the Kent Youth County Council is much larger than the district and borough youth councils with around 100 participants; the district/borough schemes have around 20 to 40 participants each, depending on the take-up in any year.
- 3.5 **Meetings** - The youth councils take different approaches to scheduling meetings, holding meetings during the working day, weekday evenings or at weekends to try to find the most convenient times for participants. Three of the schemes hold monthly meetings, while Swale holds six meetings a year. The schemes also run training and team-building activities outside formal meetings, with the Kent Youth County Council putting on residential activities over weekends in summer.
- 3.6 None of the meetings are open to the public and none are broadcast but, for most schemes, minutes or notes are taken and published on the hosting council's website.
- 3.7 **Project work** - In two schemes, Kent and Thanet, the programme of work is relatively structured over the year; in Swale issues are identified by members at the meeting; and in Dartford the work is driven by an executive committee of youth councillors, which provides some continuity over successive years.
- 3.8 Wider campaigns and issues feature in the work of all four; however, three (Kent, Swale and Thanet) also scrutinise the host authority's policies and projects, with council officers asking to speak at the youth council or youth councillors identifying which areas of the authority's work they wish to examine. The Dartford Youth Council seems more independent and less closely involved in the policies and projects of its host authority.
- 3.9 **Resources** – The council officers that the Strategy & Policy Manager met could not give a figure for the staff hours and additional resources that their schemes required, as the work was combined with other projects. However, those schemes in which youth councillors are elected (Kent and Dartford) are likely to require more resources; Kent County Council has a team to run the elections and Dartford has a borough council officer who works with a Kent youth worker.
- 3.10 Schemes where schools select young people to participate are likely to require fewer resources. That said, all the schemes need some dedicated staff resources from their hosting councils. This is because:
 - Recruitment must take place annually, as there is a continual turnover of participants, and this involves significant work in running elections or in promoting the scheme to schools, cadets, youth clubs, young carers' groups and young offenders' groups. One of the youth councils is currently trying to reinvigorate its membership with an authority-wide recruitment drive – previously, due to a fall in participation, rules were relaxed, and participants were encouraged to 'bring a friend', however, this led to a few well-resourced schools dominating the youth council, which deterred newcomers and reduced the diversity of the youth council.

- Most participants will not have taken part in formal meetings before, and many will not have spoken in public. New members must be trained in their roles and coached in public speaking (see Appendix 1, 'voice'). This process must be repeated for each new cohort. Several councils also arrange team-building activities and residential weekends outside the regular meeting cycle. Training and skills development are offered as key benefits to encourage young people to take part.
 - Officers must provide support throughout the year, including planning meetings, agreeing agendas, taking notes, updating website information and liaising with teachers, district or county Members, other council officers and outside speakers. Officers should also report back on how the views of the youth council have influenced the decision-makers (see Appendix 1, 'influence').
- 3.11 From the discussions that the Strategy & Policy Manager had with the officers, it is estimated that a resource of around a 0.5-1.0 full-time equivalent (FTE) post would be needed for the less-resource intensive schemes. The committee is asked to note the financial implications (paragraph 6.2 of this report): this would increase the current FTE and require funding. The cost of an additional full-time officer could be between £32.5k (bottom of D) - £43k (top of E) (based on 2023/24 salary scales including on costs), plus minimum budget for meeting facilities and materials.
- 3.12 For safeguarding reasons, additional support will be needed to facilitate workshops, training sessions and meetings where larger numbers of young people attend.
- 3.13 The schemes are generally supported by small budgets to provide catering, training opportunities and publicity materials, such as leaflets and videos. Thanet Youth Council has a dedicated budget that the youth councillors can spend on the priorities they identify.

4. CONCLUSIONS AND FULL COUNCIL RESOLUTION

- 4.1 A youth council can provide a new perspective to widen engagement and shape council projects and policies, while offering valuable learning opportunities and experiences for the young people themselves. [The Lundy Model of Youth Participation](#), developed at Queen's University, Belfast, provides examples of what youth participation can achieve.
- 4.2 However, it is essential to resource a youth council properly, given that young people will be giving up their free time to take part and will need to be trained and supported in their roles. While a youth council may focus on three or four key campaigns each year, there is considerable work that needs to be done behind the scenes to regularly recruit or elect youth councillors, train and support them in their roles and facilitate and report back on the meetings. There is currently no dedicated resource within Folkestone & Hythe District Council to deliver this, and so resources would have to be reallocated from elsewhere.
- 4.3 The full Council resolution of 29 March 2023 had three parts. These were that the council should:

- (i) Produce a report for consideration by Overview and Scrutiny Committee on the benefits of establishing a youth district council.
- (ii) Invite representatives from the Kent Youth County Council to talk to district councillors about the scheme.
- (iii) Organise a survey for Folkestone & Hythe's secondary schools to see if there is support to establish a youth council for the district.

Responses are given to each part below.

(i) Overview and Scrutiny Committee report

4.4 This report summarises four youth council schemes operating in Kent and some of the different approaches they take and the type of work they engage in. Overview and Scrutiny Committee is invited to consider the merits of the different approaches and the other points raised in this report.

(ii) Invite Kent Youth County Council representatives to talk to district councillors

4.5 Kent County Council's Youth Participation Coordinator said that she would be pleased to ask the youth county councillors representing Folkestone & Hythe district (see Appendix 2) if they would be willing to appear at a district council committee meeting to talk about their experiences of the Kent Youth County Council and their views on establishing a scheme for Folkestone & Hythe district.

(iii) Survey of secondary schools

4.6 It may be possible to arrange a survey of Folkestone & Hythe secondary schools through Kent County Council's Youth Participation Team, if the district council provides the necessary resources to support county council officers.

4.7 However, youth councils also look wider than secondary schools to increase the diversity of their membership; they may also include young people in work, college, those being schooled at home and young people not in any employment, education or training. A survey of a representative sample of households within the district could be carried out, as was undertaken for engagement on the Corporate Plan, to provide a more comprehensive picture of support for a youth district council and its possible format. Any survey would need to distinguish between the views of young people, teachers, parents, carers and others. Corporate Leadership Team has agreed a budget of up to £10,000 to be made available from the use of 2023/24 underspend for the purpose of conducting a survey.

5. RISK MANAGEMENT ISSUES

5.1 A summary of the perceived risks follows:

Perceived risk	Seriousness	Likelihood	Preventative action
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That there is no widespread public support for a youth council among young people, parents or schools.	High	Medium	It is proposed that a survey is undertaken to gauge support within schools in the district, as well as support among other groups.
Young people cannot be recruited to a youth council.	High	Medium	Intensive engagement would need to be undertaken with schools, youth groups and others, to generate interest and encourage young people to participate in a scheme.
Interest cannot be sustained in a youth council.	High	Medium	Engagement would need to be undertaken annually to replace members who stand down at the end of their terms. Failure to do this could lead to one or two schools dominating the youth council.
Views of the youth council do not influence policy making, project development or the wider issues that the youth council seeks to influence.	High	Medium	District council officers, and participants from other invited organisations, would need to report back to the youth council on the changes that their views had brought about. Where views did not influence the outcome, the reasons for this would need to be explained to the youth council.
The youth council cannot be adequately supported and young people are unprepared for their youth council roles.	High	Medium	Staff and other supporting resources would need to be found from Folkestone & Hythe budgets to properly facilitate the work of the youth council.

6. LEGAL/FINANCIAL AND OTHER CONTROLS/POLICY MATTERS

6.1 Legal Officer's Comments (NM)

There are no legal implications arising directly from this report. However, if there is agreement for a Youth Council to be formed then changes may be needed to the constitution to reflect the ways that the Youth Council has input into issues facing the district or raises matters with Council bodies.

6.2 Finance Officer's Comments (RH)

It is noted within section 3 that additional resources and budget may be required. This would increase the current FTE and require funding. The cost of an additional full-time officer could be between £32.5k (bottom of D) - £43k (top of E) (based on 2023/24 salary scales including on costs), plus minimum budget for meeting facilities and materials.

6.3 Diversities and Equalities Implications (GE)

There are no equality and diversity implications directly arising from this report. The establishment of a Youth Council for Folkestone & Hythe, if approved, would ensure the widest possible membership from different protect characteristics to ensure the inclusivity of young people in understanding and participating in local democracy.

6.4 Climate Change Implications (AT)

There are no climate change implications arising directly from this report.

7. CONTACT OFFICERS AND BACKGROUND DOCUMENTS

Councillors with any questions arising out of this report should contact the following officer prior to the meeting:

Adrian Tofts, Strategy & Policy Manager

Telephone: 01303 853438

Email: adrian.tofts@folkestone-hythe.gov.uk

The following background documents have been relied upon in the preparation of this report:

Appendices:

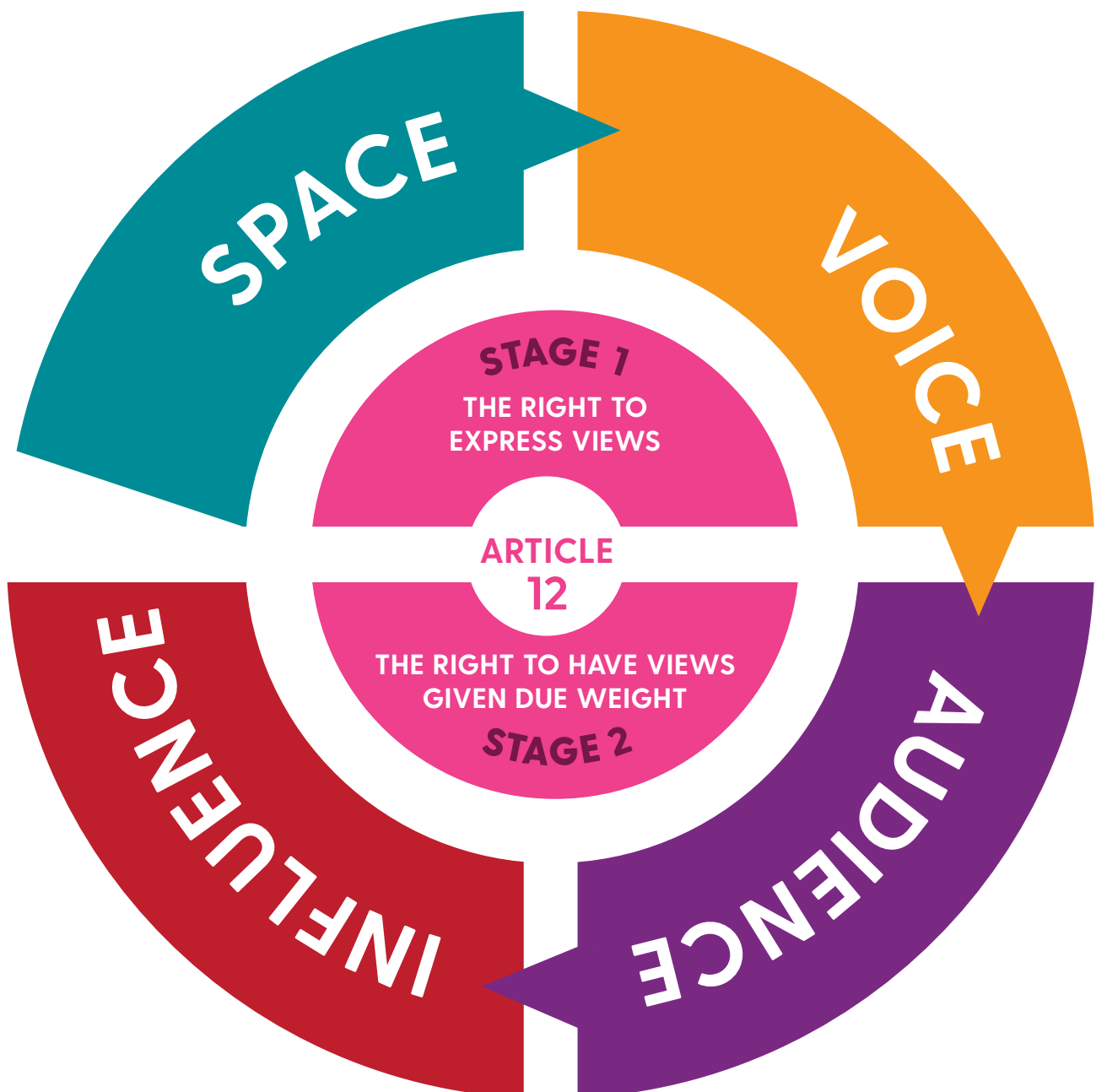
Appendix 1: Lundy Model - diagram

Appendix 2: Kent Youth County Council – Folkestone & Hythe Members of KYCC

Appendix 3: Kent Youth County Council – Community Members of KYCC

Lundy Model

This model provides a pathway to help conceptualise Article 12 of the UNCRC. It focuses on four distinct, albeit interrelated, elements. The four elements have a rational chronological order.



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APPENDIX 2: KENT YOUTH COUNTY COUNCIL – FOLKESTONE AND HYTHE MEMBERS OF KYCC

Folkestone & Hythe Youth County Council Members	
<i>Brandon</i>	I shall bring joy and kindness.
<i>Megan</i>	I have always wanted to help people and the world around us.
<i>Faye</i>	I am passionate about making a difference for our community and making sure that the voice of young people in our area is heard.
<i>Ebony</i>	I want to make sure the world and the people living on earth are safe.

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APPENDIX 3: KENT YOUTH COUNTY COUNCIL – COMMUNITY MEMBERS OF KYCC

Kent Youth County Council Community Members	
Full Members	
<i>Albert</i>	I am determined to create a voice for people under 18 and make sure that their opinions are acted upon rather than ignored
<i>Conrad</i>	The home educated are an underrepresented community, it needs a voice. I would like to be the voice to raise awareness from this outlook.
<i>Faisal</i>	I'm a local candidate who cares about our country and the issues that affect us young people in it.
<i>Freya</i>	I deem education as the most potent weapon for societal evolution, denying LGBTQ+ youth a secure environment is to deny us our right to help.
<i>Iris</i>	I'll improve understanding of neurodiversity and push for resources young people need to improve their mental health and reach their potential
<i>Lois</i>	I come from Immigrant parents and know how it feels to be different.
<i>Maria</i>	I want to aid in providing black, Asian and minority ethnic (BAME) students with enrichment opportunities and help them thrive in all aspects of life, irrespective of their background and personal situations.
<i>Melanie</i>	I only want the best for young people like me, they deserve a safe place of equality in which they can thrive, no matter who they are.
<i>Teniola</i>	I would use my role to represent the interests of black and other minority groups (BAME) and improve the community by making it more of a safe space for them.
<i>Tianna</i>	My aim is to help support those who suffer with mental health issues that impact their wellbeing and everyday life
Deputy members	
<i>Maddison J.</i>	I have loads of ideas about ways we can help the young children in need and the environment and I would like to do all that and more.
<i>Madison</i>	I have first hand experience and understanding on how having a disability can affect someone's life and mental health. I want to help
<i>Mirabel</i>	There is discrimination in this world - it must end. I wish to represent all young people, listen to them and fight for what is right.
<i>Phoebe</i>	I think I would be a good person to talk about the rights of every young child and would like to speak with people who are in a hard situation.

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