

## Overview and Scrutiny Committee

Held at:	Council Chamber - Civic Centre, Folkestone
Date	Tuesday, 18 June 2019
Present	Councillors Danny Brook, Miss Susan Carey, Davison, Dorrell, Peter Gane, Terence Mullard, Tim Prater, Patricia Rolfe, Shoob and Lesley Whybrow
Apologies for Absence	None
Officers Present:	Kate Clark (Committee Services Officer), Leigh Hall (Group Accountant), Mrs Jess Harman (Community Projects Manager), Cheryl Ireland (Chief Accountant), Tim Madden (Corporate Director - Customer, Support and Specialist Services), Susan Priest (Head of Paid Service), Sarah Robson (Assistant Director), Charlotte Spendley (Assistant Director), Lee Walker (Group Accountant) and Jemma West (Senior Committee Services Officer)
Others Present:	Councillors Jenny Hollingsbee, David Monk and David Godfrey, Kent Police Superintendent – Nigel Brookes – Operations, East Division, Kent Police Acting Chief Inspector Andy Brittenden - Acting District Commander Ashford/Shepway Kent Police and Folkestone and Hythe Children's Social Work Services – Rebekah Button - Integrated Family Service manager

### 1. **Appointment of Chairman**

Proposed by Councillor Lesley Whybrow  
Seconded by Councillor Tim Prater

#### **RESOLVED:**

**To appoint Councillor Rebecca Shoob as Chairman of Overview & Scrutiny Committee for the coming year.**

### 2. **Appointment of Vice-Chairman**

Proposed by Councillor Lesley Whybrow  
Seconded by Councillor Laura Davison:

That Councillor Michelle Dorrell be elected as Vice-Chairman of the Overview & Scrutiny Committee

Proposed by Councillor Patricia Rolfe  
Seconded by Councillor Peter Gane

That Councillor Danny Brook be elected as Vice-Chairman of the Overview & Scrutiny Committee.

**RESOLVED:**

**That Councillor Michelle Dorrell be elected as Vice-Chairman of the Overview & Scrutiny Committee for the coming year.**

For Councillor Dorrell: 6 (casting vote by the Chairman of Overview & Scrutiny)  
For Councillor Brook: 5

**3. Declarations of Interest**

Councillor Patricia Rolfe, the family business is adjacent to a potential piece of land which is of interest in relation to Agenda item 7, New Public Spaces Protection Order. She also declared that she is a board director of Oportunitas.

Cllr Carey, in relation to Agenda item 8, declared an interest in Oportunitas as she uses their gardening services.

Both Councillor Gane and Councillor Mullard declared interests in that they are board directors of Oportunitas. This relates to Agenda item 8.

**4. Minutes**

The minutes of the meeting held on 16 April 2019 were submitted, approved and signed by the Chairman.

**5. Community Safety Partnership Annual Plan and Strategic Assessment**

This cover note report informed the OSC that the Folkestone & Hythe Community Safety Partnership (CSP) has published its 19/20 community safety plan. The Overview and Scrutiny Committee acts once a year as the Crime and Disorder Scrutiny Panel as defined by the Police and Justice Act 2006 (which amended the Crime and Disorder Act 1998) to oversee and scrutinise community safety work across the district.

Jess Harman, Community Projects Manager, presented this report and introduced her guests who each gave a short presentation as to their roles and connection with the CSP.

Rebekah Button, Manager at Children's Social Services. She explained she chairs the sub group for safeguarding and supporting vulnerable people. This

means looking at domestic abuse, mental health, drug and alcohol and safeguarding vulnerable adults and children. This group is multi agency led and meets every 6 weeks.

The group leads on various events throughout the community to create awareness and a better understanding of all safeguarding issues which also includes dementia, scammers and 'toxic trio' (domestic abuse, mental health and alcohol/substance abuse).

Ms Button also said that her group concentrates on county and countrywide issues. She is open to any ideas or contributions.

Chief Inspector Brittenden, explained the role of the Crime and Community Resilience Group, this is multi-agency led and part of its role is to raise awareness to young and vulnerable people. He referred to the CSP report and listed the Group's priorities.

As well as the Operations mentioned in the report he referred to Operation Wolf which looks at serious drug supply and Operation Rothwell which concentrates on travellers and unlawful encampments. He stressed the importance of looking to improve the quality of lives for both travellers and permanent residents.

Ms Harman explained the role of the Community Safety Unit which meets weekly, again multi agency led, involving Police, Kent Fire and Rescue, Children and Adult Social Services, Housing agencies, Mental Health representatives and many other agencies.

She listed the priorities of the CSU as mentioned in the report and although the weekly meetings are confidential she is more than happy for Councillors to attend.

Members made the following comments:

- Speeding and traffic offences, more presence needed in rural areas.
- Noted increase in recorded crime. Suggested regular surgeries with Police especially in Folkestone.
- Concerns about rural areas, however Operation Ariel does specifically cover the Romney Marsh, also Lydd Police Station always has a police presence.
- Page 38 shows old ward names, this will be updated.

Proposed by Councillor Peter Gane  
Seconded by Councillor Ms Susan Carey

**RESOLVED:**

- 1. To receive and note the report OS/19/01 and CSP plan attached.**

(Voting: For 10; Against 0; Abstentions 0)

**6. New Public Spaces Protection Order - Final order with boundary maps and working protocols**

On 13th March 2019, Cabinet agreed to bring into force all seven measures that were subject to public consultation for the new proposed Public Spaces Protection Order (PSPO) for implementation in June 2019. This report provided information on how the PSPO will be implemented through a series of working protocols, attached, and a copy of the final order with boundary maps that require sealing is also attached.

Jess Harman, Community Projects Manager, presented this report and pointed out that the working protocols within Measures 1 – 7 have been amended, she asked members to note the following:

Together with our CSP partners, we under understand how anti-social behaviour can blight the lives of people in their local communities. Together with Kent Police we want to have a partnership approach to the education, prevention and enforcement of the PSPO, therefore, we have agreed to make a minor amend to each of the seven measures working protocols to reflect this. The changes are:

Measures 1 – 4:

Authorised Officers: Text will be changed to “Authorised officers (including Kent Police and FHDC’s Community Safety team) will assess any intervention on a case by case basis (paragraph to continue as per report).

Measures 5 – 7:

Authorised Officers: Text will be changed to “Authorised officers (including Kent Police and FHDC’s Environmental Protection and Enforcement team) will assess any intervention on a case by case basis (paragraph to continue as per report).

Members raised a point with regard to 3<sup>rd</sup> party land where incursions occur. Boundary maps shown will be covered by the PSPO, however any other land will also be covered as long as permission from the landowner is sought.

Members concerns concentrated on the following:

- The implementation of the PSPO could criminalise vulnerable people, however it was made clear that education and prevention is paramount and enforcement is a final resort.
- Concerns that FPNs cannot be appealed. Nationally, there is no formal appeals process for FPNs. If the FPN is unpaid, it can be challenged through the court process.
- Review period seems too long at two years and there should be a review after the ‘test and learn phase’.
- Clarified that the definition of Kent Police covers all aspects of policing and community officers within the force.
- Data collection to be fed regularly to the Committee, this is provided on quarterly basis through KPI.

Ms Harman and Mrs Robson advised the committee that prevention to any crime is key and enforcement is used as a last resort. There are increased services to deal with street homelessness and the constant need to support, not target, rough sleepers. Folkestone & Hythe District Council has successfully led three funded bids to the MHCLG to help support local communities.

Proposed by Councillor Peter Gane  
Seconded by Councillor Ms Susan Carey

**RESOLVED:**

**To include in the final resolution recommendation to Cabinet that a review report will be taken to the Overview & Scrutiny Committee after one year of the new PSPO being operational.**

(Voting: For 10; Against 0; Abstentions 0)

Proposed by Councillor Tim Prater  
Seconded by Councillor Lesley Whybrow

**RESOLVED:**

**To include in the final resolution recommendation to Cabinet that the following wording is included in Measure 7 of the PSPO report:**

**‘This measure is not designed to target genuinely homeless, vulnerable people’.**

(Voting: For 9; Against 0; Abstentions 1)

Proposed by Councillor Laura Davison  
Seconded by Lesley Whybrow

To recommend to Cabinet that Measures 4 and 7 are removed from the PSPO.

(Voting: For 3; Against 5; Abstentions 2)

THIS MOTION FELL.

Proposed by Councillor Peter Gane  
Seconded by Councillor Ms Susan Carey

**RESOLVED:**

- 1. To note report C/19/04.**
- 2. Recommend to Cabinet that a review report will be taken to the Overview & Scrutiny Committee after one year of the new PSPO being operational.**
- 3. Recommend to Cabinet that the following wording is included in Measure 7 of the PSPO report: ‘This measure is not designed to target genuinely homeless vulnerable people’.**

(Voting: For 10; Against 0; Abstentions 0)

**7. General Fund Capital Programme Outturn 2018/19**

This report summarised the 2018/19 final outturn position (subject to audit) for the General Fund capital programme compared to the latest approved budget. The report also summarised the outturn position for the approved prudential indicators for capital expenditure in 2018/19.

Proposed by Councillor Peter Gane  
Seconded by Councillor Ms Susan Carey

**RESOLVED:**

- 1. To receive and note Report C/19/01.**

(Voting: For 10; Against 0; Abstentions 0)

**8. General Fund Revenue 2018/19 Provisional Outturn**

This report summarised the 2018/19 final outturn position (subject to audit) for the General Fund revenue expenditure compared to both the latest approved budget and quarter 3 projections.

Members asked for clarification on the following points:

- Levels of business rates income and its allocation to reserves.
- Court costs income in relation to council tax collection.
- Unallocated net employee costs which include the staff vacancy target.
- Car Parking income including the position taken in 2019/20.
- Self contained nightly lets, an explanation sought as to the difference to bed and breakfast.

Proposed by Councillor Patricia Rolfe  
Seconded by Councillor Ms Susan Carey and

**RESOLVED:**

- 1. To receive and note Report C/19/03.**

(Voting: For 10; Against 0; Abstentions 0)

**9. Housing Revenue Account Revenue and Capital Financial Outturn 2018/19**

This report summarised the 2018/19 final outturn position (subject to audit) for the HRA revenue expenditure and HRA capital programme compared to both the latest approved budget and quarter 3 projections.

Members were concerned with the recent non-compliance issue surrounding gas safety certificates. Susan Priest, Head of Paid Service, assured members that an investigation had been commissioned and that tenants' safety is

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paramount. HQN, an industry expert in housing management had recently been appointed to carry out an investigation on all compliances.

It was suggested that an update report is presented to the next meeting of the Overview & Scrutiny Committee.

Proposed by Councillor Peter Gane  
Seconded by Councillor Ms Susan Carey and

**RESOLVED:**

- 1. To receive and note Report C/19/02.**

(Voting: For 10; Against 0; Abstentions 0)