

Council – 26 June 2019

Public questions:

1. From Mr Rylands to Councillor Meyers, Cabinet Member for Digital Transformation and Customers

How many contracts as per Art 28(3) of GDPR between Data Controller (The Council) and Data Processor (Organisation/Company) does the Council have, with whom (please provide the names of organisations and/or companies.) and how many data breaches have these companies/organisations (Processors) reported to the Council? Please supply dates of breaches and what was breached, eg names, financial details etc.

ANSWER:

Thank you for your question.

Article 28 of the General Data Protection Regulations specifies the obligations that must be included in any contractual agreement between a data processor and a data controller. This does not have to form a separate, supplementary 'processor agreement' and could form a part of the main contract itself.

In compiling the response for this evening we have checked data held back to the introduction of the General Data Protection Regulations in May 2018.

In date order of procurement, the data processors engaged by the Council since 25th May 2019 are as follows:

- Doug's Maintenance Services Ltd
- T M Contract Services Ltd
- Gamma Telecomm Ltd
- Arcus Global Ltd
- Monitor Pest Control Ltd
- INTEC For Business Ltd
- PA Group (UK) Ltd
- Pillory Barn Design Ltd
- Northgate Public Services (UK) Ltd
- Tim Moya Tree Services Ltd
- Public-i Group Ltd
- Indigo Business Services Ltd
- AlphaTec Software Ltd
- Orange Ora Ltd
- Reward Gateway (UK) Ltd
- Whaleback Ltd.
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You ask a question about breaches. Please note that the Council's Data Protection Officer has not received any breach notifications from 3rd party

processors as of the time of this meeting, and no such incidents have been recorded from the point that breach statistics were first centrally collected in 2016.

THERE WAS NO SUPPLEMENTARY QUESTION.

2. **From Mrs Lawes to Councillor Peall, Cabinet Member for Enforcement, Regulatory Services, Waste and Building Control**

There is a lot of graffiti in the district at present and every blank canvas whether it be a fence, wall, monument, building all seem fair game to target. This seems to contradict FHDC policy and KPI for 'Appearance Matters'. It is obvious that your team cannot clean the graffiti quick enough, when it is replaced immediately with another.

Is it time to look at this in a different way?

ANSWER:

The council has resourced via the Area Officers and its contractors Veolia a robust service to remove graffiti.

Since October 2018 and the introduction of the Area Officers 4161 individual jobs have been completed. It often requires repeat visits to fully remove the graffiti. This does not contradict the council's objective that 'Appearance Matter' rather it underlines the councils continued commitment.

It is not clear what is meant about looking at this in a different way.

Many towns and cities have tried initiatives like 'legal graffiti walls' sometimes called 'permission walls' where street artists can legitimately display their artwork. There is however no strong evidence that these initiatives reduce graffiti overall and often result in being a magnet for anti-social behaviour. There is also cultural difference between street art and tagging which forms the majority of graffiti removed locally. Tagging by its nature is dispersed and territorial. It must be treated as criminal damage to be enforced by the police and not tolerated.

SUPPLEMENTARY QUESTION

The council do not do enough for young people. Would it make sense to trial such initiatives?

ANSWER:

Nationally, evidence suggested that these initiatives do not work, and become a problem themselves. I would challenge your point about what we do for young people, as the council gives a lot of support to various youth clubs.

3. From Mrs Lawes to Councillor Collier, Cabinet Member for Property Management and Grounds Maintenance

Discussions have been taking place with regard to The 'Simon Cooper Weston Fountain' in Bruce Porter garden on the corner of Wear Bay Road and Wear Bay Crescent. A company by the name of Calibre Conservation from Lincolnshire, carried out a survey on Easter Sunday with regard the restoration of fountain and removal to near the bottom of the Leas lift. No one seems to know who arranged for this to take place.

Folkestone Parks & Pleasure Grounds run by the Cabinet has requested a report from properties at FHDC. They have been asked to quote to thoroughly prepare surfaces, clean and remove salts and repaint with a high specification marine grade paint. To renew all tarmacadam footpaths around the structure and to repair the steps down onto Wear Bay Road. To rebuild brickwork enclosures for the lighting supply. To consider the full renewal of pumps and on-going maintenance liabilities and cost.

This is a much loved fountain and has been in place at Bruce Porter garden for 97 years. Local residents are horrified that FPPG are looking to remove this fountain and wish it to remain where it is. Can you please confirm what the situation is regarding this fountain?

ANSWER:

The Council has investigated this and found out the following information:

Calibre Conservation have been asked by Terry Begent and Roger Joyce to provide a quotation for restoring the fountain. Early conversations have now taken place between the Council, Mr Joyce and Calibre Conservation to consider the implications of such a project.

At this time there are no plans to move or restore the fountain and any plans would be subject to extensive funding and permission from the Trustees of the Folkestone Parks and Pleasure Grounds Charity.

Having said that if an appropriate community group was set up to look at raising funds the Council would be fully supportive of a restoration project for this heritage asset subject to the relevant permissions and consultations.

SUPPLEMENTARY QUESTION:

Could I have assurances that the fountain will not be moved?

ANSWER:

I have already made this clear in my response.

4. From Mr O'Hara to Councillor Godfrey, Cabinet Member for Housing, Transport and Special Projects

My question concerns poor living accommodation sometimes called "rabbit hutch" housing. How many licences for landlords of houses of multiple occupation (HMO) have been granted or refused in the District in the past 4 years?

ANSWER:

The Council has licensed 41 HMOs (25 new and 16 renewals) in the past 4 years and all of these meet the necessary space standards set down by the Government.

With regard to new build homes, the council has developed a new policy (Policy HB3) for the Places and Policies Local Plan, which sets out space standards for internal and external spaces. This will apply to new houses and apartments and is based on national standards developed by government. The local plan is being examined by an independent planning Inspector. If the policy is approved by the Inspector, it can then be adopted by the council and used to decide planning applications for residential developments.

SUPPLEMENTARY QUESTION:

What monitoring and enforcement of licences of HMO landlords does the council do? For instance, how many times has the council issued any proceedings against licensed or unlicensed landlords of properties being used as HMOs, such as fines, informal or formal notices, withdrawal of licences or other proceedings for failure to meet licensing of legal requirements.

ANSWER:

The council is satisfied that HMO's do meet space requirements. A written response will be provided to the other points you raised.

5. From Mr Deane to Councillor Monk, Leader of the Council

Given that your current administration was elected with total of only 44% of the popular vote, will you now take heed on the majority people's voice and radically review the proposals for Princes Parade, Folkestone Seafront and Otterpool Garden Town?

ANSWER:

Planning applications have been submitted for all three of these sites, and as with any other development proposal the decision is taken by the council's Planning and Licensing Committee. Folkestone Seafront already has planning permission; Princes Parade has a Resolution to Grant planning permission (and the Secretary of State has taken the decision not to call in the application). The Otterpool Park planning application was submitted in Feb 2019 and will be taken to planning and Licensing Committee in due course.

SUPPLEMENTARY QUESTION:

Do you feel you have a mandate to lead on these issues over the next four years given that you, personally, were not elected to Folkestone Town Council; made Hawkinge Town Council by beating the 5th placed Tory by 3 votes, and only scraped on to this Council by 19 votes?

ANSWER:

Thank you, I do not agree.