

Full Council – 24 July 2019

Councillor questions:

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

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

ANSWER:

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

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

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

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

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

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

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

SUPPLEMENTARY QUESTION:

How many complaints have been made against Bailiffs?

ANSWER:

I will find out for you and respond in writing.

2. From Councillor Treloar to Councillor Monk, Leader of the Council

The current Kent Environment Strategy, which informs our climate change and flood risk strategy in our Places and Policies Local Plan, states that at 4°C warming and above, “sea levels rise threaten coastal towns”. On the 9th of May this year, the Environment Agency began consultation on a new long-term strategy to tackle flooding and coastal change in which they’re planning for a 4°C rise in global temperatures. In launching the consultation, Environment Agency Chair, Emma Boyd said, “We can’t win a war against water by building away climate change with infinitely high flood defences. We need to develop consistent standards for flood and coastal resilience in England that help communities better understand their risk and give them more control about how to adapt and respond.” As Leader, do you believe our community understands their risk and is our council equipped to adapt and respond to the stark and serious challenges our community faces from sea level rises throughout the rest of the century and beyond?

ANSWER:

Regarding our plans for the future, national planning policy requires us to look at the effects of climate change in planning new developments. We have completed a Strategic Flood Risk Assessment (2015) that models potential flooding events under a number of different scenarios and time periods, taking account of the effects of climate change. We have used flood projections to the year 2115 to plan developments, and have chosen development sites that avoid areas at the highest risk of flooding under this scenario. The Places and Policies Local Plan and Core Strategy Review can still meet the government’s housing requirements without allocating sites that would be at the highest risk of flooding, particularly by planning for development at a strategic scale with the Otterpool Park garden settlement.

FHDC is a key member of the EKEP (East Kent Engineering Partnership) and the wider SECG (South East Coastal Group) who are the Regional Coastal Group for South East England who bring together local authorities, the Environment Agency and other maritime operating organisations to achieve co-ordinated strategic management of the shoreline between the Thames Barrier and Selsey Bill. As part of these groups a Shoreline Management Plan (SMP) has been adopted that provides a large-scale assessment of the risks associated with coastal evolution and presents a policy framework to address these risks to people and the developed, historic and natural environment in a

sustainable manner. Addressing this SMP beach management plans have been created that outline the actions and priorities needed at each coastal area.

FHDC has a considerably high proportion of housing and business in “at risk” areas. It works closely with the Environment Agency, the Internal Drainage Board and KCC as the lead local flood authority to mitigate these risks both coastally and from fluvial flooding. Due to ongoing monitoring and projects FHDC has revenue and capital funding in place to actively manage the medium term risk as per the SMP’s.

FHDC has actively been engaging with the EA to train flood wardens and spread the message about flooding risks within the key sites in the district. Its program and participation with the community and supporting the EA in this field is actively being shown as an example of how much can be done to support those most at risk.

Projects currently ongoing in the district include;

- Lydd Range defences (EA Led)
- Hythe Range defences (EA led)
- Great stone Dunes (FHDC led)
- Folkestone-Hythe Beach Management (FHDC led)
- Folkestone to Hythe Beach recharge (2021 FHDC led)
- Coronation Parade Ph1 (complete) (FHDC Lead)
- Coronation Parade Ph2 – Cliff Stabilisation (FHDC Lead)
- Coronation Parade Ph3 – Rock Revetment (FHDC Lead)

SUPPLEMENTARY QUESTION:

How are we meant to make sound planning decisions and communicate the risks with residents, when we are using plans and strategies which have been deemed unfit for purpose by the governments own advisory body?

ANSWER:

We believe, at present, our policies are correct. If we are advised by the Government to change them, then we will.

3. From Councillor Fuller to Councillor Wimble, Cabinet Member for the District Economy

Does the council intend to carry out Health Impact Assessments, as per Policy HW2 of the Places and Policies Local Plan Submission Draft at https://folkestone-hythe.gov.uk/media/4793/Places-and-Policies-Local-Plan-Submission-Draft---February-2018/pdf/Places_and_Policies_Local_Plan_Submission_Draft.pdf on Pg. 384, on the Princes Parade, Folkestone Seafront and Otterpool Park developments?

ANSWER:

Policy HW2 of the Places and Policies Local Plan requires that promoters of large developments assess the likely impacts of their proposals on healthy living

and the demands that their proposals may place on health services and facilities. This is to be demonstrated through a Health Impact Assessment submitted with the planning application.

The Places and Policies Local Plan is currently being considered by an independent planning Inspector appointed by government to examine the plan. If the Inspector supports the plan, including Policy HW2, the plan will be taken back to Cabinet and Council for formal adoption. Following adoption, there is a six-week period during which a legal challenge can be made against the plan. If the plan is successfully adopted it can then be used to decide planning applications for development in the district.

The Council cannot apply Local Plan policies retrospectively to planning decisions that have already been made, such as Princes Parade; although the application for that development did include a Health Impact Assessment as part of the Design and Access Statement.

Regarding Otterpool Park, the applicants have submitted a Health Impact Assessment as part of the outline planning application that is currently being considered by the local planning authority. The information in this assessment will be one of many considerations that will be taken into account by the authority in making a decision on the application.

THERE WAS NO SUPPLEMENTARY QUESTION.

4. From Councillor Fuller to Councillor Godfrey, Cabinet Member for Housing, Transport and special projects

Is there a handover process for new/moving EKH tenants at which they are given information on when the last Gas/Electrical safety inspections were carried out?

ANSWER:

A Landlords Gas Safety Report and Electrical Installation Report is automatically completed by the Councils contractors on every void property, in line with our statutory responsibility. If a copy of these documents is available at the point of sign up they are provided, alternatively in some cases they will be posted to residents.

THERE WAS NO SUPPLEMENTARY QUESTION.

5. From Councillor Fuller to Councillor Godfrey, Cabinet Member for Housing, Transport and special projects

Are all EKH requests by tenants, by phone or email, for electrical/plumbing and other works associated with an EKH property assigned a unique reference number, and are tenants given that reference number when they first make contact?

ANSWER:

Each request to EKH is logged under the Unique Property Reference Number and its address. The EKH system allows for properties to be identified by their UPRNs but also by address, resident and other ways, so that if a resident calls EKH to ask for the progress of a repair they don't have to remember their UPRN. However I agree that it would be useful to have unique request indicator and will propose this to EKH.

THERE WAS NO SUPPLEMENTARY QUESTION.

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

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

ANSWER:

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

SUPPLEMENTARY QUESTION:

What is the timeframe for this?

ANSWER:

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

7. From Councillor Dorrell to Councillor Peall, Cabinet Member for Enforcement, Regulatory Services, Waste & Building control

I've recently visited one of my residents, who contacted me as the Assisted Recycling system that he's been using for years has abruptly ended.

He's an 80yr old gentleman who due to disabilities is unable to carry an ordinary Black Recycling Box, and had been using the Blue and Red Bags, as an alternative.

When was the decision made to cut Assisted Recycling, and what will you be implementing in order to replace the scheme?

ANSWER:

No decision has been taken to cut or end the Assisted Collection scheme. In fact the number of residents benefiting from being on the scheme increased last year.

I do not know about gentleman's circumstances and if following the meeting you are willing to provide his contact details I would be happy to look into it further.

THERE WAS NO SUPPLEMENTARY QUESTION.

8. From Councillor Keen to Councillor Wimble, Cabinet Member for the District Economy

What are the long-term plans for the Wear Bay Road Bowls Club and Tennis courts? The facilities are run down and in desperate need of financial investment.

ANSWER:

The Council is considering a number of regeneration options across the town and at East Cliff. We are working with other stakeholders and community groups to establish how to meet the needs of our residents and provide excellent leisure facilities. At present there are no fixed or long-term plans but as these emerge they will be shared with Councillors and the public.

THERE WAS NO SUPPLEMENTARY QUESTION.

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

Clean and attractive communities have a positive effect on residents living there. Many of us are thankful for the Town Sprucer scheme which tackles graffiti, clears paths and generally keeps areas of the town cleaner and more attractive. Does this Council support the Town Sprucer Scheme?

ANSWER:

We do not support the Town Sprucer Scheme directly but as with all volunteer groups we arrange to pick up the rubbish that they collect. The Council runs the very successful Area Officer Team that works across the District cleaning graffiti, organising community and corporate responsibility events, taking down fly-posters and out dated notices and investigating and clearing fly-tipping. Since October last year the Area Officers have tackled over 8000 jobs before they became complaints and organised over 65 community litter picking events demonstrating the Council's commitment to our Corporate Objective of Appearance Matters.

SUPPLEMENTARY QUESTION:

Are Veolia not responsible for carrying out this work?

ANSWER:

Veolia do have a cleaning regime, but we still have to deal with graffiti etc.

10. **From Councillor Davison to Councillor Wimble, Cabinet Member for the District Economy**

Why the minutes of meetings of the council's Accelerated Delivery Board chaired by our MP Damian Collins have not been published as he undertook to do at the last full meeting of the council in June?

ANSWER:

The Folkestone & Hythe Accelerated Delivery Board has met two times to date. This is not a formal decision-making board but rather a group of representatives from organisations that have some role in taking forward key schemes across the district and who have agreed to work together to help accelerate delivery. Formal minutes are not taken from these meetings, but the brief meeting notes will be published on the Folkestone.works website within the next two weeks.

THERE WAS NO SUPPLEMENTARY QUESTION.

11. **From Councillor McConville to Councillor Monk, Leader of the Council**

Do you think that affordable housing should be able to be traded like a commodity across the district by developers just so that they can make as much money as possible?

ANSWER:

No of course not. The Council is working to improve the stock of affordable homes across the District it is committed to take opportunities where it can directly to increase the number of affordable homes in the District. This includes direct intervention. Last year the Council constructed 35 new Council houses in Sandgate and a further 6 1 x bed Council flats in Cheriton. Last week Cabinet approved plans for 23 further Council houses at Biggins Wood Folkestone and we have just submitted a planning application for another 33 new Council homes at Park Farm, Folkestone.

You should be aware that in addition to the Council's own programme of building Council homes its planning policy requires developers to build a percentage of affordable homes as part of large site developments. This is a common approach to provide new affordable homes and in many circumstances it works quite well. However, in areas where house prices are particularly high, the formulae that values "affordability" means that costs are still relatively high and often beyond the means of people that the policy is trying to help. I can confirm that the Council is open to ideas that will help reduce this difficulty by allowing homes to be developed off site where their values are more appropriate to meet need. This should also enable a larger number of homes to be provided in absolute terms. This is driven by the desire to make new affordable homes available to people where they need them and at a cost they can afford. This is not driven by developer needs. At this time no decisions have been made on this approach.

SUPPLEMENTARY QUESTION:

If you are able to, can you confirm where developers may look to offset houses elsewhere, would you say that they wouldn't be lumped together to create an affordable community?

ANSWER:

I would never say never, but we wouldn't normally look to do this.

12. From Councillor Dorrell to Councillor Godfrey, Cabinet Member for Housing, Transport and Special Projects

What measures exist to ensure families in Private rental accommodation can access support, similar to that of people in social housing, to ensure they are not being made homeless due to no fault of their own?

ANSWER:

The council has in place a Housing Options Team who are extremely efficient and experienced, and deliver what are called Homeless Prevention and Relief Plans which are co-coordinated statutory plans seeking to prevent homelessness from occurring or relieving a homeless situation where prevention of homelessness is not possible.

Along sides this we are recruiting to a post of Prevention Plus Officer, the Prevention Plus Officer is focused upon assisting the most vulnerable persons who are either in existing accommodation or are housed by the council.

The Council also operates a Discretionary Housing Payment Policy which is funded by the Department for Work and Pensions. Discretionary Housing Payments (DHPs) are an emergency fund to be used to alleviate hardship to allow residents time to find alternative solutions to their shortfall in income. Whilst the majority of DHP awards will provide short term support, welfare reform changes mean that there are some exceptional cases where DHP will be required in the longer term. However, DHP should never be considered as a permanent solution.

DHPs can be used to cover housing costs which in general means shortfalls between eligible rental liability and payment of Housing Benefit. The Council also considers applications of DHP for rent in advance or a deposit and other one off housing related costs such as help with removal costs.

All DHP applications will be considered on their own merits. A resident can only qualify for an award if they are entitled to Housing Benefit or the Housing Element of Universal Credit and pay rent or require further assistance with housing costs.

Applications can be made on the Council's website.

THERE WAS NO SUPPLEMENTARY QUESTION.

13. From Councillor Meade to Councillor Godfrey, Cabinet Member for Housing, Transport and Special Projects

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

ANSWER:

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

SUPPLEMENTARY QUESTION:

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

ANSWER:

I will provide you with a written response.

14. THIS QUESTION WAS WITHDRAWN AT THE MEETING - ~~From Councillor Keen to Councillor Peall, Cabinet Member for Enforcement, Regulatory Services, Waste & Building control~~

~~We appear to have a large number of people using the Warren as an unofficial camp site. On a recent visit to the Warren I counted a number of tents and makeshift shelters, there are broken bottles, rubbish and needles. This area is popular with local residents and children and the rubbish, and needles pose an H&S risk. Do enforcement officers currently visit the Warren?~~

15. From Councillor Davison to Councillor Monk, Leader of the Council

I am happy to see the re-opening by this council of the public toilets at Bouverie place, will you now consider working with the charity Tearfund to twin them with toilets in a poor community overseas to ensure better sanitation for those without this basic human need?

ANSWER:

The Council has arranged to reopen the toilets at Bouverie Place to add to the existing public conveniences in the Town Centre. The Council works solely for the residents of the District to ensure that their needs and requirements are met. It is not for the District Council to decide to use our council tax payers money for charitable causes. I am happy to put a link on the website to increase awareness of this charity.

SUPPLEMENTARY QUESTION:

Could I have the opportunity to meet with the Leader to discuss this further?

ANSWER:

I am always happy to meet with Councillors.

16. From Councillor McConville to Councillor Peall, Cabinet Member for Enforcement, Regulatory Services, Waste & Building control

How many instances of fly tipping have been reported since the introduction of the KCC non-household waste charges at their household waste recycling centres?

ANSWER:

KCC introduced charging at their household waste sites at the beginning of June.

For that month, the council's contractor Veolia dealt with 117 separate incidents across the district. This compares to 67 incidents recorded in June 2018 and 65 incidents in June 2017.

The number of reported fly tips can fluctuate between months so it is too early to draw any firm conclusions however we will continue to monitor fly tipping and any connection to the introduction of charging by KCC at their household wastes sites. The council did raise concerns to KCC about charging and the potential impact on fly tipping during the consultation exercise.

SUPPLEMENTARY QUESTION:

In your opinion, does the cost of these additional incidents match up with what KCC are charging?

ANSWER:

The contract with Veolia covers the cost of clearing up fly tips, so it does not make any difference to us.

17. From Councillor Meade to Councillor Peall, Cabinet Member for Enforcement, Regulatory Services, Waste & Building control

As the contracts for the areas waste services are being negotiated with Veolia, can you please confirm if conditions are being placed in the contract to protect residents from replacement bin charges due to breakages from Veolia?

ANSWER:

The council will shortly be entering a tender process for the next waste and street cleansing contract. The contract will include as it currently does an indemnity clauses where the new contractor will be legally liable for any damage arising from their negligence.

Veolia will replace bins damaged as the result of their negligence and this year to the end of June Veolia have replaced 261 bins and containers at their expense. Residual refuse bins that break due to their age, wear and tear are charged.

Charging for residual bins allows the replacement bin budget to be prioritised on the replacement of recycling bins and containers. This supports our residents to recycle and our overall environmental commitment to increasing recycling levels across the district.

SUPPLEMENTARY QUESTION:

If we are going to tender, can we take a serious look at the services provided, because presently the contractors do not always leave the area in a clean and pleasant state?

ANSWER:

I do agree, at times, contractors have to work fast and do not leave the area in the state that they should. However, the contract is actively monitored, and this part of the contract would be bolstered for the tender.

18. THIS QUESTION WAS WITHDRAWN AT THE MEETING - ~~From Councillor Keen to Councillor Monk, Leader of the Council~~

~~What are we doing as a council to alleviate the stress caused by the delays people are experiencing with Universal Credit Payments, who consequently become unable to pay their council tax due to having no income for up to 8 weeks and struggling to provide for their basic needs?~~

19. From Councillor Davison to Councillor Monk, Leader of the Council

Why it is that you and your Cabinet think you have the right to ignore a democratic decision of this council, made by elected representatives of the people at our full council meeting in July, to stop the Princes Parade development?

ANSWER:

As was explained at the last meeting decisions on the making and withdrawal of planning applications are matters for the cabinet. Hythe requires a new

leisure centre to replace the existing pool, it is 16 years since the residents of Hythe were promised a new pool and I wish to honour that promise.

The new centre will provide good quality modern swimming facilities and a new gym and multipurpose fitness suites. It creates new open parkland and improves the environment of the beach front.

I have asked officers to appraise the implications of not implementing the plans but as things stand, the Princes Parade development provides the best opportunity to replace the pool in a comparatively short timescale and at a price that achieves value for money. No other option can achieve this. It would therefore be irresponsible to take a decision to stop the project, not only has the council already expended considerable resources both in money and time which would then be wasted but the council would then be left with no credible alternative that would see the new centre constructed and open.

SUPPLEMENTARY QUESTION:

Have you heard the message that people voted for change?

ANSWER:

I have heard the message which got me re-elected.

20. From Councillor McConville to Councillor Monk, Leader of the Council

On September 20th there will be a strike across this country in many schools in support of climate awareness, will you consider joining our students by closing this building for 30 minutes on that day?

ANSWER:

The Council's employees have a duty to work for all residents of the District and as such we cannot cease our services to support this cause. Our residents expect to be able to contact the Council within ALL working hours. Further to this we have many commercial tenants occupying parts of the building providing income to assist in providing essential services to our residents. These tenants require access to the building for them and their customers during working hours. If our staff wish to support this cause then they can do in their own time.

THERE WAS NO SUPPLEMENTARY QUESTION.