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SHEPWAY DISTRICT COUNCIL

Minutes for the meeting of the Council held at the Council Chamber - Civic Centre Folkestone on Wednesday, 26 October 2016

Present: Councillors Mrs Ann Berry, Miss Susan Carey, John Collier, Alan Ewart-James, Peter Gane, Clive Goddard, David Godfrey, Ms Janet Holben (Chairman), Mrs Jennifer Hollingsbee, Mrs Claire Jeffrey, Mrs Mary Lawes, Len Laws, Rory Love, Michael Lyons, Philip Martin, Frank McKenna, Ian Meyers, David Monk, David Owen, Paul Peacock, Stuart Peall, Damon Robinson, Mrs Rodica Wheeler and Roger Wilkins

Apologies for Absence: Councillors Malcolm Dearden, Miss Susie Govett, Carol Sacre, Peter Simmons and Mrs Susan Wallace

142. Declarations of interest

There were no declarations of interest.

143. Minutes

The minutes of the meetings held on 20 July 2016 and 14 September 2016 were submitted, approved and signed by the Chairman.

144. Chairman's communications

The Chairman made the following announcements:

- She had attended an event at Strange Cargo called Sea, Swim, Head above Water where she listened to a number of poetry readings.
- She attended a seminar at the Justice Service for Kent meeting legal professional, together with judges and magistrates.
- The Nepalese community held a festival in September which she and the Leader attended which had plenty of song and dance displays, also allowing others to join in.

145. Petitions

There were no petitions.

146. Questions from the public

The questions asked, including supplementaries, and the answers given are set out in Schedule 1 to these minutes.

The Chairman informed that two questions had been removed due to the members of public being unable to attend.

147. Questions from councillors

The questions asked and the answers given are set out in schedule 2 to these minutes.

148. **Announcements of the Leader of the Council**

The Leader of the Council, Councillor David Monk first updated members on the discovery of Asian Tiger mosquito eggs found at Stop 24. Public health officers were informed, who dealt swiftly with the invasion and who have also said that there is no reason to be concerned.

Councillor Monk updated on the traveller invasion of Radnor Park informing that overnight on Friday 9th October travelling caravans drove onto and parked on Radnor Park. On Monday morning officers met with the travellers and gave them notice to move by the following morning otherwise they would be prosecuted for trespass. He confirmed that they had all moved on.

The grounds maintenance team are clearing up the area and at the same time restoring one of the newly planted flowerbeds that had been driven over. He said this was an example of the excellent way in which council staff perform and was not surprised by this because earlier in the year the whole council was reassessed for the Customer Service Excellence scheme which was passed with flying colours. He explained the assessment consists of 57 elements and the council is not allowed to fail anyone of them, it would be possible to be partially compliant in some elements but the council was fully compliant in all 57, achieving compliance plus in 7 elements.

He informed that the examiner said that this is a significant achievement especially for a local government organisation that has undergone such organisational changes and that it is unusual for any organisation to score so well.

Councillor Monk wished to especially thank Karen Everett and Councillor Love for the work they respectively put into the assembly of the evidence and the way they conducted the examiner through it. He said that none of this, however, could have happened without all the staff actually delivering the Customer Service across the whole of the council and so he would like to thank them too.

In thanking the staff he informed that he and the personnel committee believed that such corporate dedication deserved some tangible reward and they have awarded an extra half day shopping leave to everyone in recognition of this marvellous achievement.

Lastly he welcomed Cllr Claire Jeffrey to the Conservative group who he said was a lovely lady with a huge commitment to the residents of her ward and he looked forward to working with her. He said that the conservatives are a broad church so if anyone else fancies joining them he would welcome it.

Councillor Len Lawes, Leader of UKIP, thanked Councillor Monk for his update and asked that the mosquito issue be monitored. He also said that, as a

member of the Personnel Committee, as a substitute, he was happy to support the staff on their recognition for the Customer Service Excellence award.

Proposed by Councillor David Monk

Seconded by Councillor Mrs Jenny Hollingsbee and

Resolved: That the Leader's report be received.

(Voting: For 25; Against 0; Abstentions 0)

149. **Opposition business**

There was no opposition business.

150. **Motions on notice**

Members were happy to support Councillor Love's motion and asked that in addition to the motion set out below that he include reference to the following concerns raised by members in respect of car parking facilities, cost of parking, installation of additional ticket machines and request that additional counter staff are provided at busy times

Proposed by Councillor Rory Love

Seconded by Councillor Dick Pascoe and

This Council calls upon South Eastern Railway to ensure:

1. That the best value train tickets are available at all times for Shepway's residents to purchase from the station ticket machines, and
2. That such tickets for the most popular journeys are as prominently displayed as possible on the machines, and require the fewest possible number of 'taps' on the touchscreen to select them.

(Voting: For 25; Against 0; Abstentions 0)

151. **Licensing Act 2003 - Licensing Policy Statement Revision**

Report A/16/18 sets out the proposed revisions made to our Licensing Policy Statement. This Policy will cover the period 2016 to 2021.

Councillor Len Laws asked for clarification in respect of DPO contact availability and will receive a written response.

Councillor David Monk asked that the policy statement dates are correct throughout the document before it is made public.

Proposed by Councillor Clive Goddard
Seconded by Councillor Roger Wilkins and

Resolved:

- 1. To receive and note Report A/16/18.**
- 2. To approve the revised Licensing Policy Statement for the period 2016 to 2021 and agree to it being published. (Appendix 1).**

(Voting: For 25; Against 0; Abstentions 0)

152. Committee membership changes

Under the Shepway District Council Constitution, Part 8.1 'Delegation to Officers', paragraph 3.16, the Head of Paid Service is authorised to make appointments to committees or sub-committees at the request of the relevant political group leader. Report A/16/19 sets out the appointment made, under these powers, at the request of the Leader of the Council, since the last Council meeting.

Proposed by Councillor David Monk
Seconded by Councillor Mrs Jenny Hollingsbee and

Resolved:

- 1. To receive and note report A/16/19.**
- 2. To note the change of committee membership to the Planning and Licensing Committee.**

(Voting: For 25; Against 0; Abstentions 0)

Council – 26 October 2016

QUESTION 1

QUESTION

From Nick Southgate to Councillor David Monk, Leader of the Council

Given the change in national Tory policy away from an austerity agenda can you highlight who has been hardest hit by this policy of austerity and what moves you will be making to ameliorate its consequences?

ANSWER:

We have all been hit by the austerity measures that had to be introduced due to the disastrous fiscal policies of the last Labour government. I would remind you of the note left by Liam Byrne “I am afraid to tell you that there is no money left”.

As to what we can do to ameliorate its consequences, because of our astute financial management, we can and will continue to pursue our policies which seek to make Shepway a vibrant place where people have a good quality of life, where businesses wish to invest and where there are homes available across all sectors.

SUPPLEMENTARY QUESTION

Given that the Labour Party has lost its voice for austerity in the district and that there is 41% child poverty in Folkestone, what is the Council doing about this suffering and how will it be annihilated?

SUPPLEMENTARY ANSWER

A written response will be given.
The response provided following the meeting is shown below.

Kent County Council (KCC) has a statutory duty under the Child Poverty Act 2010 to set out Kent’s strategic priorities for tackling child poverty. Child poverty is a multi-faceted and complex issue which is not only about low income, but also low aspirations and limited opportunities that reduce wellbeing and prevent children from achieving their full potential.

At a local level, the Council enhances KCC’s statutory duty by developing local initiatives, recognising that children are part of a family, which in turn is part of a community, and the circumstances of both will directly affect outcomes for children.

This includes the establishment of a Local Children’s Partnership Group and Shepway Welfare and Employment Board, delivery of the Troubled Families programme supporting the most complex families and the development of a

Community Lead Learning Development funding bid in partnership with the Folkestone community.

These projects acknowledge the wider economic factors affecting family circumstance and support the County Council's statutory role in mitigating the effects of child poverty and tackling its root causes, where this is possible to do.

QUESTION

From David Plumstead to Councillor David Monk, Leader of the Council

On 13th January 2016 report A/15/20 was presented to Council in which the Councillors were advised of the Chief Executive's use of urgent powers to purchase farmland for the sum of approximately £5 million within the area now referred to as Otterpool Park. In exercising his urgent powers to make a bid to purchase the land, the Chief Executive consulted with the Leader and Chairman of the Council, and also noted that the Monitoring Officer had consulted with the Chairman of the Scrutiny Committee.

Can the Leader please advise this meeting of the exact dates when the following sequence of actions took place and whether the Chairman of the Scrutiny Committee gave his consent as required by the Constitution:

1. Date of consultation with the Leader
2. Date of consultation with the Chairman of Council
3. Date of consultation with the Chairman of the Scrutiny Committee
4. Date consent given by Chairman of the Scrutiny Committee for the decision to be taken as a matter of urgency
5. Date of submission of the bid to purchase the land.

ANSWER:

Council officers noted that the land was available for purchase on 7 October 2015 with the closing date for tenders being noon Friday 20 November 2015. Between the land being put up for sale and the date for the submission of the tender the Chief Executive had several conversations with me. The exact date of these conversations has not been recorded. I was fully aware of the proposals.

During this period the consent of the Chairman of Council was not required. However, the Monitoring Officer did consult the Chairman of Overview and Scrutiny on 9 December 2015 who gave his consent to the urgent decision. At the time it was envisaged that the decision would be taken by Cabinet but it proved not possible to do this.

Finally, as I have said the date for the submission of the bid was 20th November 2015.

SUPPLEMENTARY QUESTION

Can the Leader, in conjunction with the Chief Executive, explain the use of urgency powers as the decision contravenes Part 4 Clause 4.2 that consent is required by the

Overview and Scrutiny committee Chairman, why was approval not sought prior to 20th November (when the bid was put in). Where is the evidence for this and can he provide it?

SUPPLEMENTARY ANSWER

The Leader informed that he was fully satisfied with the procedures carried out and if he could provide any evidence he would do so.

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COUNCIL MEETING – 26 OCTOBER 2016

Councillor questions:

1. **By Councillor Frank McKenna of Councillor John Collier, Cabinet Member for District Economy**

Have you or any member of the council had talks with the management of B&Q as to why they are closing their store in Park Farm?

ANSWER:

No council officers have had any direct contact with B&Q to discuss the closure of the store at Park Farm. Attempts were made last year to find a contact through Locate in Kent and a local property agent to no avail.

SUPPLEMENTARY QUESTION

When were the Council made aware of the closure?

SUPPLEMENTARY ANSWER:

They did not have any obligation to notify the council of its intentions to close and they were informed as many others by media and staff at the site.

2. **By Councillor Frank McKenna of Councillor Stuart Peall, Cabinet Member for the Environment**

Can you tell me what has been the cost for the year 2015-2016 to remove fly tip rubbish for all of Shepway?

ANSWER:

In terms of contract payments in 15/16 the cost to remove fly tipping in rural areas (zones 3 & 4) was circa £20k. The cost to remove fly tipping within all other areas (zone z, zone 2a and 2b) is included within the contract price for litter and detritus clearance and cannot be separated out.

SUPPLEMENTARY QUESTION:

Are there any special funds available to clean up fly tipping?

SUPPLEMENTARY ANSWER:

It is in the contract to improve the appearance of the district and costs are met through the contract, the Council is investing in £18,000 of CCTV equipment for the Dover Road area but they will be mobile cameras that can be moved to other parts of the district.

3. **By Councillor Mrs Mary Lawes of Councillor David Monk, Leader of the Council**

Does the Leader believe in raising fairness, justice and equality for all, if so, what plans has he got in place to achieve this in District? If not, why not?

ANSWER:

Of course I believe in promoting fairness, justice and equality for all. We do not have any plans to achieve these goals as we already have supporting policies in place and, therefore, on a day to day basis conform to the delivery of these ideals.

SUPPLEMENTARY QUESTION

Can you explain why local affordable housing is not being built, open spaces being used and people being decanted from areas.

SUPPLEMENTARY ANSWER

Benefit claimants - Timely and accurate processing of claims with individual intervention if needed.

Housing – We are building Council houses and are on target for 200 within three years.

We operate the Local Authority mortgage scheme for 1st time buyers who have difficulty raising the total deposit required by building societies.

4. **By Councillor Mrs Mary Lawes of Councillor David Monk, Leader of the Council**

On the 18 February this year I asked about the cost of leisure centres at Nickolls Quarry & Princes Parade. You stated that there was no difference in costs between building a leisure centre at Nickolls Quarry or Princes Parade.

I asked you for a breakdown of costing carried out by Shepway District Council for these sites. You had agreed to give me copies of these costings eight months ago? When can I expect to receive these costings?

ANSWER:

This is the second time Cllr Lawes has asked this question. I advised her on the 16th March and advise her again on 26th October that, *“The costs of developing a Recreation Centre have not been compared in the way that her question implies.”* I also directed her to all of the appropriate background reports on the subject.

The Council is focussed on preparing a planning application for a new recreation centre and other uses at Princes Parade. It is intended to submit

the planning application following consideration of the detail and nature of the application by Cabinet in December.

All papers relating to the planning application will be published thereafter.

SUPPLEMENTARY QUESTION

It was stated at a previous Council meeting that you would give copies of costings, these have not been received why?

SUPPLEMENTARY ANSWER:

There are no comparisons to give.

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