

Public Document Pack

FOLKESTONE AND HYTHE DISTRICT COUNCIL

Minutes for the meeting of the Council held at the Council Chamber - Civic Centre Folkestone on Wednesday, 13 March 2019

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

Apologies for Absence: Councillors Frank McKenna and Mrs Susan Wallace.

(* For part of the meeting).

83. Declarations of Interest

Councillor Owen made a voluntary declaration with regard to the Motion put forward by Councillor Robinson, referring to East Kent Housing, as he was a Director on the Board of East Kent Housing.

During the consideration of the item relating to Commercial Investment Opportunity, Councillor Mrs Hollingsbee made a voluntary declaration in that she attends a dentist within the building referred to.

84. Minutes

The minutes of the meeting held on 20 February 2019 were submitted, approved and signed by the Chairman.

85. Chairman's Communications

The Chairman reported the following:

“A very short report this evening. Since we last met three weeks ago, the Vice-Chairman and myself have attended four engagements. The Vice-Chairman attended New Romney's Commonwealth Day celebration while I have supported one charitable evening and two Civic Services, the second of which was the Lord Lieutenant of Kent's Annual Service which this year was held in our County town of Maidstone, and was attended by 1 Lord Mayor, 1 County Chairman, 18 Mayors and 6 District Chairman as well as the High Sheriff of Kent and many representatives of Kent's Military and Voluntary sectors. This was a good opportunity to celebrate the Civic life of Kent”.

86. Petitions

There were no petitions to be presented.

87. Questions from the Public

There were no questions from the Public.

88. Questions from Councillors

The questions asked, including supplementary questions (if any), and the answers given are set out in Schedule 2, appended to these minutes.

After question 11 was answered, the 45 minute time limit for questions was reached.

Proposed by Councillor Owen,
Seconded by Councillor Mrs Lawes;

That Rule 10.7 which states “Councillors questions to the Council shall be limited to 45 minutes” be suspended.

(Voting figures: 9 for, 19 against).

The motion was therefore LOST.

The Chairman advised that a written response would be provided to those questions which were not dealt with at the meeting.

89. Announcements of the Leader of the Council

The Leader made the following announcements:

“Good evening,

Let me start by congratulating the Area Officer Team on being awarded, not one, but two silver iESE Public Sector Transformation Awards, one in the community Focus-Place category and the other in the Transformation in Environmental Services category. For such a recently formed team to do so well is truly amazing. The really good thing about this initiative is that the beneficial effect on the appearance of the District is accumulative, so I look forward to them going for Gold next year.

I am pleased to announce that we have served the landowners of the Leas Pavilion with a Repairs Notice. They now have two months in which to comply with this notice which lists a significant schedule of works. Should they fail to comply we could then apply for a Compulsory Purchase Order with the view to engaging with another developer to come forward to satisfy the requirements of the notice as part of a new planning application. We would then instigate any time sensitive remediations to stop further deterioration. When I spoke to Historic England about this course of action, they said that this Council was to be congratulated as so many just let the buildings collapse.

I am also pleased to announce that the application for outline planning permission for the Otterpool Park Green Town development has been submitted and will be out for consultation sometime next week.

By the end of next week, the Civic Building will be fully let.

As some of the other things I was going to talk about this evening have already been covered during Councillors' Questions I will say no more other than to ask you to receive my report".

The Leader of the Opposition, Councillor Meyers, responded and stated that as usual, there was little in the Leaders announcements which he could disagree with.

The Leader responded to the points raised, stating that he congratulated the Area Officers Team on their awards. He added that the improvements to the visual appearance of the town was important and his party supported this move. He also stated that the Otterpool news was interesting. He mentioned that the Conservative Members had put forward an extensive list of questions, and it was a shame that some opposition members did not get their questions heard.

The Leader responded that Question time had previously been used by the opposition to slap down Cabinet Members, and they had felt it time to get their own back.

Proposed by Councillor Monk,
Seconded by Councillor Love; and

RESOLVED:

That the announcements of the Leader be noted.

(Voting figures: 28 for, 0 against, 0 abstentions).

90. **Opposition Business**

The UKIP group had brought the following Opposition Business:

"We wish to present our view of some of the strategies for the regeneration of High Street Shops and shopping centres and ask the Council to adopt these"

Councillor Laws, on behalf of the opposition, advised that at the last Full Council it was announced £3 million had been set aside for regeneration of local high streets across the district. He noted that the number of shops closing each day across the country is in the order of 14, and that everybody was aware of the troubles on the high streets. He made reference to the Government Fund of

£675 million to be spread across a number of applicants and that it is hoped that if local council's put money aside, it would be matched.

He referred to work, by John Timpson and Mr Grimley, which sets out recommendations for regeneration. These include:

- Half an hour free parking and Smart Meter bays;
- After a business premises is empty for a month, they get a letter from the council giving advice on how to re-let, and advising that they will pay a tax if the property remains vacant after a year. Short term leases to students and community groups were also a considered option;
- Most shops close at 5.30, and longer opening hours would encourage people to the area;
- Removal of business rates from shops, and a flat rate tax be applied on all sales (on-line and retail), to create a level playing field; and
- There was also a town centre group, including landlords, business owners and both district and county councils, to find a way forward and introduce these things.

He stated that he hoped the council could take up some of these things, and take on board that other towns in the district, beyond Folkestone, were also suffering.

The Leader responded on behalf of the administration, stating that he did not disagree, but felt that he had reported at the previous meeting what the Council is doing, including setting up a Regeneration Board, to look at high streets across the district, headed by the MP, and with KCC, British Rail and high level landlords on board. He confirmed that this Board was up and running. With regard to the free half hour parking, the Leader reminded councillors that there had been a discussion on this previously and two hours free parking was allowed. Business Rates are set by central government and there is limited control over this. He flagged that while Debenhams is considered to be a vulnerable store at the moment, the council is already engaged in discussions with the store owner and the owner of Bouverie place. The Council would consider all of the suggestions made, and a bid is being prepared. He confirmed the reason for establishing a High Streets Reserve was to provide for match funding, should that be needed.

Councillor Laws then summed up his motion, and stated that the council should be lobbying central Government with regard to business rates. He added that he was pleased about the creation of the Regeneration Board, and felt that all councils should do this.

Proposed by Councillor Laws,
Seconded by Councillor Meyers;

That the issue be referred to the Cabinet or relevant Overview and Scrutiny Committee, as the case may be for their observations before deciding whether to make a decision on the issue (option (b)).

The motion was **LOST**.

(Voting figures: 4 For).

The proposer of the motion acknowledged it had been lost.

Proposed by Councillor Monk,
Seconded by Councillor Pascoe; and

RESOLVED:

That the motion issue raised be noted, and no further action taken (option (a)).

(Voting figures: 25 for, 3 against, 0 abstentions).

91. **Motions on Notice**

Proposed by Councillor Meyers,
Seconded by Councillor Mrs Sacre,

"I move that this council introduces into its planning policy the mandatory requirement that all 'New Build Developments' including Otterpool Garden Town & Princes Parade, make provision for nesting birds. This to be achieved by installing nesting boxes in the form of a 'Swift Brick' in all buildings in order to halt the decline of this species in our district".

The motion was **LOST**.

(Voting: For 4; Against 24; Abstentions 0)

Proposed by Councillor Robinson,

"As you know we councillors get problems given to us from our ward about East Kent Housing mostly due to a poor complaints procedure or repairs.

Is reform needed with East Kent Housing?"

Following debate, Councillor Robinson sought the consent of the Council to alter his motion, as per rule 15.7.1 of the constitution, to state that the issue of complaints relating to East Kent Housing be referred to the Overview and Scrutiny Committee.

Proposed by Councillor Robinson,
Seconded by Councillor Gane; and

RESOLVED:

That the issue of complaints relating to East Kent Housing be referred to the Overview and Scrutiny Committee for further consideration.

(Voting: For 27*; Against 0; Abstentions 0)

** Prior to the vote on this motion, Council Jeffrey left the meeting.*

92. **Statement of Principles - Gambling Act 2005**

The report set out the proposed Statement of Principles under the Gambling Act 2005 for the period April 2019 – 2022.

Proposed by Councillor Monk,
Seconded by Councillor Mrs Hollingsbee; and

RECOMMENDATIONS:

1. **That the report be received and noted.**
2. **That the revised Statement of Principles (April 2019-2022) be adopted.**

(Voting figures: 27 for, 0 against, 0 abstentions).

93. **Pay Policy Statement 2019/20**

The report considered the recommendation from the Personnel Committee and presented an updated pay policy statement for 2019/20 for approval.

Proposed by Councillor Monk,
Seconded by Councillor Mrs Hollingsbee; and

RESOLVED:

1. **That report A/18/24 be received and noted.**
2. **That the recommendation of the Personnel Committee be noted.**
3. **That under S38(1) Localism Act 2011 the updated Pay Policy Statement appended to the report for 2018/19 be approved.**

(Voting figures: 27 for, 0 against, 0 abstentions).

94. **St Mary in the Marsh Neighbourhood Development Plan**

The St Mary in the Marsh Neighbourhood Development Plan has had a successful planning referendum with 87% of those who voted, voting in favour of using the Plan for planning purposes. Following a successful referendum the District Council, as the local planning authority, must now bring the Plan into force (or as the legislation terms it, 'make' the plan).

Proposed by Councillor Collier,
Seconded by Councillor Tillson; and

RESOLVED:

1. That report A/18/27 be received and noted.
2. That the St Mary in the Marsh Neighbourhood Plan part of the Development Plan for the St Mary in the Marsh Neighbourhood Area be made, in accordance with Section 38A of the Planning and Compulsory Purchase Act 2004 as amended by the Localism Act 2011.
3. That a 'Decision Statement' be published, as set out in Appendix 1, in accordance with Section 38A (9) (10) of the Planning and Compulsory Purchase Act 2004 as amended by the Localism Act & Regulation 19 of the Neighbourhood Planning (General) Regulations 2012.

(Voting figures: 27 for, 0 against, 0 abstentions).

95. **Exclusion of the Public**

Proposed by Councillor Owen,
Seconded by Councillor Lyons; and

RESOLVED:

That the public be excluded for the following item of business on the grounds that it is likely to disclose exempt information, as defined in paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972 –

'Information relating to the financial or business affairs of any particular person (including the authority holding that information). "Financial or business affairs" includes contemplated as well as current activities.'

(Voting figures: 27 for, 0 against, 0 abstentions).

96. **Investment Opportunity**

The report considered the recommendation of the Cabinet on the opportunity to make an investment to the Council's advantage.

Proposed by Councillor Monk
Seconded by Councillor Mrs Hollingsbee; and

RESOLVED:

1. That report A/18/26 be received and noted.
2. That the Corporate Director – Place and Commercial, in agreement with the Leader of the Council and the Cabinet Member for Finance, be authorised to acquire the property described in the report, subject to legal due diligence being carried out, as an investment for the

Council and on terms to the satisfaction of the Chief Finance Officer (Section 151 Officer).

- 3. That the principles for commercial investments as set out in paragraph 3.6 of the report be adopted.**
- 4. That delegated authority be given to the Chief Finance Officer (Section 151 Officer) in consultation with the Cabinet Member for Finance to make the appropriate changes to the Investment Strategy, Medium Term Capital Programme, Treasury Management Strategy and Capital Strategy should the purchase be concluded.**

(Voting figures: 22 for, 1 against, 4 abstentions).

Full Council – 13 March 2019

Councillor questions:

1. **From Councillor Mrs Wheeler to Councillor Mrs Hollingsbee, Deputy Leader and Cabinet Member for the Community**

Can the Cabinet Member inform us how much has been spent by this administration in supporting sport and leisure with the community?

ANSWER:

The Council supports numerous bodies to deliver key aspects of the sports and leisure agenda for the benefit of the local community. These include direct grants to organisations as well as support to key projects including partnership projects for which FHDC hold funds and are the accountable body for.

Grant Agreements are in place and Cabinet have approved for example the larger grants such as the Folkestone Sports Centre Trust Grant which has just been given a further 3 year extension from the 5 year grant that was due to end in 19/20.

In addition the Council maintains parks, gardens and develops new leisure provision this includes significant investment of officer time in the urban skate park development process.

Below is an example of the kinds of activities supported:

Organisation	Amount	Example activity
Folkestone Sports Centre Trust	£168,000 (in 18/19)	To provide accessible sports and wellbeing based facilities and activities for all age-groups within the district. Is also used for delivery of weekend exchanges for Tall Ships and a whole host of community activities. Funding is on a sliding scale and will be £150,000pa from 19/20 onwards. The sports centre also hosts Shape – up – see below
Shepway Sports Trust	£7,000 pa	To provide accessible sports and play based facilities and activities within the district, focusing on reducing health inequalities and engaging children and young people in order to encourage healthier lifestyles and reduce ASB. In addition to a range of community activities to support the development of Clubs and coaching across the District
Kent County Sports Partnership	£3,000 pa	To increase provision and improve access to sports clubs and coaching activities across the district.
Local Sports budget	Approx. £5,000	To support programmes such as fit and fed and ensure access to sports and leisure is as inclusive as possible.
Gillingham Football Club – Shape Up project	EXTERNAL FUNDING	Receives funding from the Local Children’s Partnership Group and statutory Community Safety Partnership. Cohorts of 12 challenging young people are referred to this programme which runs every Saturday morning. Individual team sports and educational / diversionary inputs are delivered over a 6 week period with impressive results in terms of improved behaviour, fitness and wellbeing.

		£13,500 from LCPG £4,000 from CSP
Member Ward Grants	Grants within the region of £300 - £1600 – see examples opposite	<p>£700 – Folkestone Women’s Rugby – Cllr Jeffries</p> <p>£500 - Triathlon bike racking - Rotary Club plus £150 for posters</p> <p>£300 – Football kit for Folkestone United</p> <p>£1,000 – Bowling green Ditch Liners – Cheriton Bowls Club</p> <p>£472.03 - Equipment - Town Youth Football</p> <p>Radnor Park – Exercise / gym equipment and accessible swing: £1,650 (Cllr Berry & £1,000 (Cllr Sacre) £1,000 (Cllr Pascoe) £500.00 Cllr Wallace</p> <p>£200 – Holiday sports activity Cllr Robinson</p> <p>Other activities are also supported eg Screen South cinema activity, music events etc and available on the grants register to view.</p>
Princes Parade Leisure Centre	Circa £735,000	<p>Preparation and submission of a planning application (ref Y17/1042/SH) for the provision of a new leisure centre at Princes Parade, along with up to 150 homes (including 30% affordable) and public open space.</p> <p>Leisure centre to include a 6 lane x 25m pool, teaching pool, 100 station gym, studio space and café.</p> <p>Business case approved by Cabinet on 13th February 2019.</p>
Boats – Hythe Canal	£46k	Full council recently agreed to buy new rowing boats for the Royal Military Canal.
Refurbishment of Radnor park	£400k	Major new play area
Overall Park maintenance	£1,402k	18/19 General Fund expenditure service budgets for leisure and park and open space maintenance: CE38 Parks and Open Spaces includes net cost of Folkestone Parks and Pleasure Ground Charities, CE33 & CE34 Royal Military Canal, EA11 Leas Bandstand. Does not include Income, Depreciation and Indirect Recharges.
Hythe Swimming Pool	£300,000	The council provides funding to Hythe Pool to the equivalent of £300,000 per annum.

NO SUPPLEMENTARY QUESTION.

2. From Councillor Pascoe to Councillor Ewart-James, Cabinet Member for Housing

How much has the council spent on Bed & Breakfast and also temporary accommodation this year and how does it compare with last year?

ANSWER:

In 2017/18, the Council's net spend after receipt of subsidy for both non-self-contained B&B and self-contained temporary accommodation was £707,471. In 2018/19, to date, the net spend after receipt of subsidy is £84,990. The decrease in net spend is due to the type of temporary accommodation being used. Where B&B accommodation is used, the Council receives less Housing Benefit subsidy than if self-contained temporary accommodation is used. The Council has moved away from using B&B as it is not ideal for people to live in B&B for any length of time and is instead using more self-contained temporary accommodation, which allows the Council to continue to respond to people that have become homeless where there is no other accommodation available, whilst claiming back a greater Housing Benefit subsidy to minimise ongoing costs.

SUPPLEMENTARY QUESTION:

What measures have been put in place to keep up this good work?

ANSWER:

The Housing Reduction Act introduced last year has put a big responsibility on the Council. However, a great number of people presented as homeless have been prevented from being homeless, and FHDC had the lowest number of people in temporary accommodation in East Kent.

3. From Councillor Mrs Jeffrey to Councillor Mrs Berry, Cabinet Member for Transport and Commercial

Concern has been shown with regard to the Controlled Parking Zone survey in and around Black Bull Road which could impact on the Surgery and the patients who use it. If the controlled parking zone was to be put in place in this area it would possibly cause some difficulty for patients trying to keep their appointments. Can Cllr Berry assure us that consideration be given to this concern?

ANSWER:

The consultation was designed to gauge the views of local people on parking proposals. The majority of the respondents in Black Bull Road and roads to the east of it, did not support the proposals. It was therefore decided not to progress the scheme in these roads. These roads will remain unrestricted.

In roads west of Black Bull Road where it has been decided to proceed with a statutory consultation, the proposals will include free limited waiting for non-permit holders for up to an hour (this is being looked at again). Although local

residents will have priority, people visiting the surgery will still be able park in these roads for up to an hour.

The statutory consultation will seek views of residents and the wider public on these proposals. Comments received will be reported back to me for further consideration.

NO SUPPLEMENTARY QUESTION.

4. From Councillor Gane to Councillor Ewart-James, Cabinet Member for Housing

Funding has been provided for social housing and has provided for improvements. What are those improvements and how do the rents compare with other local authorities?

ANSWER:

The Council’s Housing Revenue Account Budget sets out the Council’s funding arrangements for the homes that it provides. The 2019/20 budget approved by the Council, will enable us to:

- Invest and maintain the 3380 Council homes that we provide across Folkestone and Hythe District, including the planned maintenance programme.
- It will allow us to provide the resources which will enable East Kent Housing to deliver an effective housing management and maintenance service for our tenants.
- It will provide resources to ensure that EKH are able to deal with the challenges posed by the introduction of Universal Credit and are able to maximise the collection of rent owed to the Council.
- It also provides resources which enable the Council to provide additional homes for rent and shared ownership purchase across the district.
- As set out in the report considered and agreed by Cabinet earlier today, I am pleased to advise that due to the Government lifting the borrowing cap on the HRA, the Council’s business plan has been revised and we are now able to increase our new build/acquisition programme by 100 units. We have already provided 92 additional Council homes since the start of the programme and now propose to provide another 208 homes to get us to the 300 homes target”
- In comparison to the average rents charged by the other 3 Council’s in East Kent, I can confirm that our average weekly rent in 2019/20, at £82.21, will be lower than the average weekly rent charged by both Canterbury and Dover Councils, but will be above that charged by Thanet Council.

	Average weekly rent over 53 weeks (2019/20) £	Difference between FHDC and other authorities £
Folkestone	82.21	-

& Hythe		
Dover	83.27	1.07
Canterbury	88.93	6.73
Thanet	79.52	(2.68)

NO SUPPLEMENTARY QUESTION.

5. From Councillor Mrs Carey to Councillor Mrs Hollingsbee, Deputy Leader and Cabinet Member for Communities

How does the Council support voluntary and community sector groups across the district and in particular in our rural areas such as North Downs West?

ANSWER:

The Council supports voluntary and community sector groups in a variety of ways. Red Zebra are grant funded (£1,000) to help run four networking events across the District and invitations are sent to a wide variety of organisations (including those covering North Downs West and rural areas). These are themed events and have covered for example Ageing well, Dementia and youth engagement. There are meet the funders events where this sector gets to hear about funding opportunities.

LCPG and CSP grant opportunities have been sent out to grass roots organisations and applicants from this sector area well supported. Groups were also involved in a District Partnership event in December.

Officers sign post to support and help to enquiries from this sector, support residents and community groups at meetings, engage in forums where the Vol sector are represented.

Spotlight is the on-line database of services which is in its second phase of development. This is where community groups can list their services (across nine themes eg health and wellbeing, community and environment etc) and any one can search for community services such as Mental Health support, choirs, knitting groups, fitness groups etc.

Finally significant support is provided to the Armed Forces Community and the Council has gained a Bronze Award for the defence employer recognition scheme and is working towards a silver award.

In addition the rural areas and North Down West communities are supported through grants eg ward grants (and community chest, WW1 etc). I also am the representative for the District Council on the Hythe & Lyminge Age UK.

SUPPLEMENTARY QUESTION:

Can we do more to promote what is done for groups outside of the main towns?

ANSWER:

I am happy to take this on board. Communications are important, and we will look to do something about this.

6. From Councillor Tillson to Councillor Mrs Hollingsbee, Deputy Leader and Cabinet Member for Communities

How supportive has the Authority been in encouraging relationships with Northern France through BOSCO and in encouraging our youth in sailing opportunities with the visits of the Tall Ships?

ANSWER:

Our ongoing positive relationship through BOSCO encourages our biennial Tall Ships project in partnership with our French colleagues. This exciting youth project takes place this year. During March – July, 60 pupils from cross border schools taking part in competitive activities and sports as a vehicle to encourage cross border linguistic, cultural and team building exchanges. The young people will experience the opportunity of a life time to take part in activities they may not ordinarily get the chance to experience, facing challenges on both land and sea with the support of The Folkestone Sports Centre for the UK residential weekends and the Boulogne Sea Centre and residential school for our French weekends.

The 60 year 9 school children chosen by the schools which include all Secondary Schools in the Folkestone & Hythe district and 3 schools from France will have the opportunity to raise aspirations, improve low self-esteem, build their confidence, open mindedness and team spirit.

The first weekend takes place 30-31st March(UK) , then 17-20th May (France) with the final weekend 10-11th June (UK). The final part of the journey, the epic 5 day sailing voyage aboard the Tall Ship TS Pelican will depart from the Harbour Arm on Sunday 7th July, docking in Boulogne on Thursday 11th July as we are welcomed in to open the Boulogne Sea Festival.

Invites will be sent out to all Cabinet Members for the departure event hosted by the Harbour Arm.

BOSCO meets regularly to maintain excellent relationships with FHDC.

NO SUPPLEMENTARY QUESTION.

7. From Councillor Mrs Jeffrey to Councillor Peall, Cabinet Member for the Environment

How has this council ensured a proper response to illegal incursions on council land?

ANSWER:

Thank you for the question.

In response I will detail how the council responds on the ground to any new illegal/unauthorised encampments.

I will also discuss how the council works with other local partners notably the police.

Finally, I will discuss the legal measures it is taking in response to repeated unauthorised encampments.

Council Response to Unauthorised Encampments

The council in organising its response to encampments recognises that they can create a significant concern and disruption to the local community and for this reason the council is committed to using all its legal powers to ensure a swift response to remove any trespassers.

The council's response to illegal/unauthorised encampments is led by the Environmental Protection Team. This team directly responds to unauthorised encampments on council land and also helps co-ordinate the response to unauthorised encampments on other land across the district, including Private, NHS, MOD and KCC land.

This involves: -

- Managing the eviction process – Most council recreational spaces like Radnor Park are protected by a byelaw and this is used as the legal authorisation to start the removal process. Where this is not the case the council relies on its powers under Section 77 Public Order and Criminal Justice Act 1994. This can take from 7-10 days to action, subject to availability of Police and Court dates.
- Most encampments move voluntarily but where this is not the case, the council employs court registered bailiffs to action recovery of the land and remove the encampment.
- Communication is maintained with all interested parties, partners and stakeholders to ensure they are kept up to date throughout the process and this helps activity to be co-ordinated.

In 2018 the team has responded to 62 individual encampments across the district.

Work with the Police and Other Partners

- Police support is paramount – they have the option to use Section 61 powers under the Criminal Justice and Public Order Act 1994 to remove the unauthorised encampments immediately. A threshold needs to be met for the Police to agree to use this power and they will consider their Human Rights prior to taking action. They will also support and act against any criminal or Anti-Social behaviour. The council regularly escalates concerns from the public with Police directly in order to pursue the immediate removal of an encampment.

- The Environmental Protection Team Leader attends the Community Safety Unit (CSU) meeting each week to obtain and/or share information and co-ordinate joint visits to deal with the unauthorised encampments.
- Engagement with police at a divisional level –the council has recently started regular liaison meeting with the local divisional police command in order to escalate concerns from the public, co-ordinate joint working and develop an overall strategy in response to encampments.

Legal Response to Unauthorised Encampments

The council has a range of powers that it exercises with regard to encampments.

In addition to the use of the local byelaws and S77 powers already described the council has recently issued Community Protection Warnings on its regular encampments. CPWs look at the wider problems resulting from encampments like anti-social behaviour or fly tipping and ultimately can result in large fines being awarded if breached.

The council is also exploring the use of injunctions, which have been introduced by other authorities. These are costly and have a high legal threshold in terms of evidence. The high court is currently reviewing a recently applied injunction at Bromley and we are awaiting the outcome of this case before considering further.

To conclude, the council recognises the public concerns that arise from unauthorised encampments. The council has developed a swift response to encampments via the Environmental Protection Team that uses all appropriate legal means to recover the land and remove the encampments. In this the council has succeeded and met the challenge posed on numerous occasions in the past twelve months. The council works constructively with the Police and other local partners and is actively exploring all options open to it in relation to repeat encampments.

I have also received an update – the encampment on Spur Road on the M20 has vacated last night. An abandoned caravan remains on MOD land, and Queens Avenue also has one caravan. A New family has arrived at the Park Farm B&M bargain car parks.

NO SUPPLEMENTARY QUESTION.

8. From Councillor Wilkins to Councillor Mrs Berry, Cabinet Member for Transport and Commercial

How successful has the Authority been in ensuring compliance of HGV overnight parking regulations?

ANSWER:

Records indicate improved compliance in the vast majority of sites where there is a ban. However, in three sites i.e. Stanford Intersection (B2068), Ashford Road (A20) Sellindge, Ashford Road, the numbers of pcns issued on a weekly basis and complaints received from residents remain stubbornly high.

It was recognised from the outset that the issuing of pcns alone will not resolve the issues, and to achieve greater compliance, further enforcement tools such as clamping will be necessary.

Officers continue to pursue KCC for such powers. Assurance was given by KCC in October 2017 that powers will be rolled over to districts on completion of an 18-month clamping pilot in Ashford. Officers have just requested an update on this.

SUPPLEMENTARY QUESTION:

Would regulations be eased down when operation stack is in progress?

ANSWER:

This is a difficult situation, and with the pending decision on 29 March, this would be looked into. I empathise with what you are saying and will seek more information for you on this.

9. From Councillor Martin to Councillor Dearden, Cabinet Member for Finance

This council has set one of the lowest council tax increases in the County yet the total amount showing on the council tax demand is higher than we have set. Could the cabinet member please explain why this is?

ANSWER:

Folkestone & Hythe District Council agreed a 1.91% increase in Council tax for the coming financial year, 2019/20. This equates to £249.21 for an average Band D property (an increase of £4.68), but of course the actual sum shown in the council tax demand received by households will vary depending on their Council Tax band.

The Council is also the billing authority for Kent County Council, Kent Police & Crime Commissioner, Kent Fire & Rescue Services, Folkestone Parks and Pleasure Grounds Charity as well as Town and Parishes within the District. This means the Council Tax demand issued by Folkestone & Hythe (& the monies collected) includes the council tax demands of all of the relevant bodies, not just our own element.

These bodies all have differing limitations placed on them when it comes to Council tax increases. All parties have acted within their relevant limitations. The total increase in Council tax for the resident is the sum of all of these changes.

Folkestone & Hythe District Council have set the lowest percentage District Council rise within Kent for 2019/20, with the majority of Councils increasing their Council tax by just below the referendum limits of £5 or 3% set by Central Government. Our nearest neighbouring authorities have increased their council tax by the following percentages; Ashford 3.17%, Dover 2.7%, Canterbury 2.98%. Individual authorities will be considering a number of factors in the context of setting these increases. This is good news for residents, and FHDC has consistently succeeded in keeping increases down.

NO SUPPLEMENTARY QUESTION.

10. From Councillor Goddard to Councillor Love, Cabinet Member for Customers and Digital Delivery

How successful has the digital delivery been in providing easier and better interface between residents and the authority and how much quicker in response is the call handling service?

ANSWER:

May I thank my colleague, Cllr Goddard, for raising this question. I understand exactly why easy access to this Council's services are especially important for residents of Walland & Denge Marsh ward and other rural locations, where it may be less convenient for residents to seek direct, personal contact with the Civic Centre, and it's entirely characteristic of Cllr Goddard to speak up for the residents of his ward in this way.

The digital take up for Revenues and Benefits has been a huge success since the introduction of the on line service in early 2017. There has been a steady increase in the number of customers using the service. When we launched the service, we set ourselves a realistic initial target, following advice and experience based on other councils, for take-up of 40%. This has been greatly exceeded. The take-up in January 2019 was over 71% amongst Revenue customers and over 64% amongst Benefit customers carrying out transactions online where forms are available.

The online forms integrate directly into the back office system, where possible, which speeds up processing times, eliminates opportunities for errors, and provides a better service to the customer.

Risk Based Verification has also reduced the amount of evidence that the Council requires for, on average, 55% of new claims received for Housing Benefit and Council Tax Reduction. This has enabled the Council to ensure the customer does not need to provide further unnecessary information after submitting their initial application.

Parking permits and visitor vouchers are also available online, enabling residents to apply for permits and visitor vouchers, and upload the required information (securely) at a time that suits them. And we keep our processes constantly under review so we can iron out any problems we become aware of from the feedback of our customers.

And we've introduced an easy, convenient and modern way for our Customers to access support when using the online forms through our Web Chat service, which is available Monday to Friday up to 8pm, and Saturday mornings 9am to 2pm. We regularly receive great feedback for this service with over 90% customer satisfaction. Some examples of the feedback we have received include;

- Online chat is an easy option for me as I have a new born baby and a phone call can be a little awkward with a crying baby in the background.
- Had never used before. I thought it was going to be a headache but it was all very good. Would use again definitely.
- Very good service it does save time and is quick. Impressed.
- The live chat is super helpful for finding our information you need quickly and saves time emailing or phoning
- Quick and efficient.... Awesome Service!
- AMAZING SERVICE
- Very good service. Swift reply and action taken.
- Great help and I'm not very good at making phone calls due to adhd and anxiety this service is brilliant! The advisor Ian was fantastic and very helpful.

There is a project starting in April 2019 to make further improvements to the digital delivery of services. In November we will implement a Customer Relationship Management system, with a digital platform following soon afterwards which will enable us to introduce an online, self-serve 'My Account' function for our customers. This facility will also enable customers to log in securely to their account to look up details regarding their Council Tax, Business Rates, Benefits, Planning, Building Control, Land Charges and regulatory services. A large number of calls received by the Customer Services team are in relation to Revenues, Benefits, Planning and regulatory services and we expect these calls to reduce following the introduction of this extended service as customers have a greater ability to access services at a time that suits them.

And with all our digital services, our customers' data security and privacy is right at the heart of all that we do. This Administration values and respects our customers' privacy in its own right. But also, we understand that if our customers are to benefit from the opportunities of digital services, we need to work constantly to retain their high level of confidence in our services by protecting their privacy. And the extraordinary take-up and success so far, suggests we are doing just that.

SUPPLEMENTARY QUESTION:

Do we share experiences with other councils?

ANSWER:

I'm pleased that Cllr Goddard has asked this, because the answer is "Yes"; this Council plays its full role as part of the Local Government family, sharing good practice, and indeed learning from other councils as well. In the case of

our award-winning digital services, in just a fortnight's time, our Assistant Director, Strategy, Performance, and Communications, Dr Sarah Robson, will be sharing details of our approach to digital services at a meeting of the South East Local Democracy and Accountability Network. I have the privilege of chairing this Network, and I'm delighted to report that Dr Robson will be sharing a platform with the Local Government Minister, Rishi Sunak MP, whom I've been able to secure to update Network members on the Local Digital Declaration. Local Digital is described as "a nation-wide movement to support the delivery of excellent digital local public services."

This Council, of course, is a signatory to the Local Digital Declaration, promoted by the Ministry of Housing, Communities, and Local Government, and indeed was praised by the Minister for signing up.

11. From Councillor Peacock to Councillor Peall, Cabinet Member for the Environment

What savings have been achieved for the Authority in its refuse service over the life of the current contract?

ANSWER:

Thank you for the question. I would highlight Councillor Love's involvement in this, as my predecessor.

The current contract started in 2011. Prior to procurement the council projected the cost of the new refuse and recycling contract in its medium term financial strategy as £2,037,180 per annum.

It is worth noting that this estimate already included a projected saving of £460,000 expected from the new contract.

The actual cost after procurement of the new refuse and recycling contract in the first year was £1,801,080; a saving to the budget of £230,000.

Over the course of the contract period, costs have been controlled and the contract successfully managed. Any increases have been due to standard inflationary uplifts or increases in property numbers as agreed in the original contract. The district has grown and the service has therefore widened. The level of saving has been maintained and to date this would be around £1.8 million; increasing to £2.3 million by the end of the contract.

NO SUPPLEMENTARY QUESTION.

AT THIS POINT IN THE MEETING, THE 45 MINUTE LIMIT WAS REACHED, AND THE REMAINING QUESTIONS WERE NOT DEALT WITH.

THE FOLLOWING RESPONSES HAVE BEEN PROVIDED TO THE RELEVANT MEMBERS.

12. From Councillor Holben to Councillor Mrs Berry, Cabinet Member for Transport and Commercial

How successful is the annual District wide parking permit and are we the only authority to provide this service in Kent

ANSWER:

The car park resident permit scheme was introduced in 2010 to provide cheaper parking for local residents using car parks. It mirrored a scheme in the Isle of Wight that the then leader of the council had considered successful.

The scheme has been well-received in the district but not as popular as we would have liked. The numbers of permits issued over the years as shown below have been quite steady. Further publicity is planned to promote the scheme further.

2015/16	589
2016/17	669
2017/18	700
2018-5 th Mar 2019	594

13. From Councillor Mrs Wallace to Councillor Peall, Cabinet Member for the Environment

Following the recent bin fire I hear that this bin has been replaced and other big belly bins are performing well, could the cabinet member tell me when it is intended to roll out more?

ANSWER:

To recap - Twelve new compactor 'big belly' bins were installed in the Coastal Park just before the August Bank Holiday last year as a pilot scheme. They have performed well, adding much needed bin capacity to the park that enjoys high visitor numbers throughout the year. In the autumn, one bin was unfortunately destroyed due to arson but this was promptly replaced and the cost claimed on the council's insurance.

We have seen a number of benefits: -

- Bins that previously needed to be emptied three-times daily, now due to the mechanical compaction may only need to be emptied every five days or in some cases more. This has freed up park staff time allowing them to concentrate on maintaining the park generally.
- The additional capacity and electronic monitoring has allowed for collection times to be optimised.

- The bin design has worked with the drop down drawer preventing gulls getting into the bins and spreading rubbish throughout the park. A very useful feature for this location.

As mentioned, the compactor bins were rolled out as a pilot scheme. The intention was always to make an assessment after seeing how they perform throughout a full summer season so the council will be looking in the autumn about whether to expand the number of compactor bins to other popular locations like Radnor Park, Hythe Canal, Sandgate and Dymchurch Seafront.

14. From Councillor Meyers to Councillor Monk, Leader of the Council

At the last full council meeting under 'Announcements of the Leader' Cllr David Monk said, and I quote;

"Finally, hot off the press, our Head of Paid Service has managed to negotiate an extra £136,000 over and above the original £35,000 for Brexit Planning."

May I ask please if we can have information on what the sum of £171,000 allocated to Brexit planning has or will be spent on?

ANSWER:

Thank you Cllr Meyers for your question.

You are correct in that under 'Announcements of the Leader' I said that £171,000 had been awarded to the Council for Brexit planning, and I'm delighted to tell you that in fact over £300,000 has been awarded from the Ministry of Housing, Communities and Local Government for this purpose. I received a letter from Rt Hon James Brokenshire dated 20th February at 16.47, once I had left my office to Chair Cabinet that same evening, that confirmed two payments of £136,362 would be awarded to Folkestone & Hythe DC, in addition to the £35,000 of funding that all Local Authorities across the country were to receive. So a total of £307,724 will be received by this Council over two financial years.

The two payments of £136,362, referred to as the Ports Upift, have been awarded as we have been assessed as an area prioritised on a number of issues including the number of ports we host, the amount of EU goods handled here, and the ports wider strategic importance. In this context the term "port" is clearly being used as an entry / exit point.

In terms of what this money will be spent on, we are considering resilience needs across the organisation, particularly front-facing customer services, and any of the services impacted by Brexit.

Of course were there to be trouble with for example transportation, or gridlock because of Brexit, we would use this contingency to help fund the necessary arrangements to keep the Council operating.

15. From Councillor Mrs Wallace to Councillor Mrs Berry, Cabinet Member for Transport and Commercial

Rendezvous Street and Sandgate Road , display notices that it is a pedestrian area from the hours 10am to 6pm, so why are the barriers open letting in cars to park as earlier as 4.30.

ANSWER:

The hours of the parking prohibition was done to match the driving ban as this is the recommendation by the Department for Transport. However, in practical terms, 5pm is reasonable so we do not enforce after this time.

16. From Councillor Mrs Lawes to Councillor Collier, Cabinet Member for the District Economy

In the Core Strategy review under CDS1 Affordable housing, it says that this council is reducing affordable housing from 30% to 22% as it is considered more realistic and deliverable.

Are you saying that this Council is going back on promises about 30% affordable housing for Princes Parade and Otterpool Park developments?

ANSWER:

The council is required to have regard to affordable housing need in the district in setting its target, and this should be updated as necessary when we review our development plans. The council's Strategic Housing Market Assessment (SHMA), published in 2017, identified a need for 139 affordable homes a year for the period to 2037. This is an increase on the 2013 Core Strategy, which identified a need for 100 affordable homes a year.

Taking account of the numbers of new homes likely to come forward on smaller sites that do not contribute to affordable housing provision, 139 homes a year equates to around 22% of all new homes over the Core Strategy Review plan period (to 2037). This figure is set out in draft Policy CSD1 in the Core Strategy Review.

The figure of 22% set out in the draft Core Strategy Review considerably exceeds the minimum threshold set out in the government's National Planning Policy Framework, which states:

"Where major development involving the provision of housing is proposed, planning policies and decisions should expect at least 10% of the homes to be available for affordable home ownership, unless this would exceed the level of affordable housing required in the area, or significantly prejudice the ability to meet the identified affordable housing needs of specific groups."

The planning application for Princes Parade includes commitment to 30% affordable housing, reflecting the policy position as it currently stands as set out in the adopted Shepway Core Strategy Local Plan. Otterpool Park is included as a site allocation within the Core Strategy Review Regulation 19 draft Plan and the planning application commits to meeting the new policy requirement of 22%. This means that of the 8500 homes in the application

1870 affordable homes will be build. The increase in numbers of homes per year that the council is required to deliver through the Core Strategy means that in real terms in the number of affordable homes produced per year will go up. In addition Otterpool Park will offer other types of housing that provide alternative and potentially more affordable options such as self and custom build.

17. From Councillor Mrs Lawes to Councillor Ewart-James, Cabinet Member for Housing

Following on from a question asked by Cllr Sacre on 28 November 2018 to Cllr Monk, basically she asked about mixed housing not being socially beneficial. The reply from Cllr Monk that National research carried out in 2016 by NHBC foundation and homes England found that pepper-potting good quality social units throughout a mixed tenure scheme rather than segregating social and private homes does not reduce property prices and also improves an areas social cohesion. Researchers found that developments which separate social and private housing suffer from rates of negative feelings and division. They also found that high levels of private rented properties can damage community cohesion because of the faster turnover of residence and poor maintenance records of absentee landlords. The research further showed that the assumption that people of different economic or social status should be housed in separate locations had led to extensive problems of deprivation and social exclusions on sink estates.

My question is, why do you not include in existing areas of deprivation the principals as quoted above? To not follow these principals mean you are segregating and causing existing deprived areas to get worse.

ANSWER:

As I stated in my response to Councillor Sacre back in November, I can confirm that the Council is fully committed to the delivery of mixed tenure housing schemes throughout the district. The policy applies to all areas of the district. In terms of the affordable homes delivered in the district by both the Council and its housing association partners, our affordable housing policies works to ensure that the new homes provided are made available for both affordable rent and shared ownership purchase, to ensure that we are able to address the full range of housing needs within the local community. For example, where new developments opportunities have arisen, the Council and our housing association partners have been able to deliver mixed tenure developments at Ghurkha Way (Cheriton) and on the Shorncliffe Garrison site in the district.

18. From Councillor Mrs Lawes to Councillor Monk, Leader of Council

Could you let the public/ tax payers of the district know what you and your Cabinet members have spent £10,000 for Environmental Improvements in the district on?

ANSWER:

Councillors have identified a number of projects across the district for their Environmental Improvement Grants:

Cllr Monk	Multi-tier planters for Folkestone Town Centre.
Cllr Dearden	Contribution to replacement rowing boats on the Royal Military Canal.
Cllr Ewart-James	Contribution to replacement rowing boats on the Royal Military Canal.
Cllr Godfrey	Installation of a new dog run at Underwood in Hawkinge.
Cllr Peall	Target hardening works to various sites in Hawkinge to prevent traveller incursions.
Cllr Berry	Contribution to new wheelchair swing project at Radnor Park.
Cllr Pascoe	Contribution to new wheelchair swing project at Radnor Park.
Cllr Hollingsbee	Contribution to carpark resurfacing works at Sellindge & District Playing Fields Benevolent Society.
Cllr Love	Contribution to new wheelchair swing project at Radnor Park and new play equipment at Sandgate Recreation Ground.
Cllr Collier	Improvement works to play equipment in Cheriton Recreation Ground and improvements to alleyway between Cheriton High Street and Broomfield Rd carpark.

19. From Councillor Mrs Sacre to Councillor Monk, Leader of the Council

In the light of the controversy which surrounds many of the FHDC development plans would you agree it is the very best interest of our residents to subject all plans for both new and existing developments to be granted planning consent only if reserved for full-time residency thereby preventing 2nd home ownership (which may be seen to exercise an unfair advantage over the one owner residents) and which may well lead to the fracturing of local community spirit with the creation of 'ghost towns' when the 2nd home owners move out to their alternative residences?

ANSWER:

People with second homes do contribute to the tourist economy of the district, but it is acknowledged that too many second homes may create their own problems. Council tax records indicate that this isn't a major issue for Folkestone & Hythe district, with only about 2 per cent of homes in the district being second homes (1,072 out of 51,462).

In terms of restricting the occupation of newly built homes, whether or not a development is to be occupied by a full time resident of the district is not something we can consider when assessing whether to grant planning permission for a development as it is not a valid material planning consideration. If planning permission were to be refused on those grounds, or

a condition included to prevent use as a second home, we would not be successful on appeal and would be at high risk of successful costs claims.

20. **From Councillor Robinson to Councillor Peall, Cabinet Member for the Environment**

Why is this council still wasting council money and effort continually moving the same group of gypsies only to have them pop up in another parcel of council land?

ANSWER:

Whilst it can be frustrating dealing with repeat encampments, I would not describe it as a waste of money or effort. In moving unauthorised encampments the council is often directly responding to concerns from the public.

I outlined in my earlier answer how the council is responding to repeat encampments by using Community Protection Warnings and potentially the use of injunctions, depending on how the law develops. It is often only by moving encampments that you can obtain the necessary legal evidence to take further action.