



Agenda

Meeting: **Council**
Date: **26 June 2019**
Time: **7.00 pm**
Place: **Council Chamber - Civic Centre Folkestone**

To: **All Members of the Council**

YOU ARE HEREBY SUMMONED to attend a meeting of the Council on the date and at the time and place shown above. The meeting will be open to the press and public.

Anyone who wishes to have information on any matter arising on the Agenda which is not fully covered in these papers is requested to give notice prior to the meeting to the Chairman or appropriate officer.

This meeting will be webcast live to the council's website at <https://folkestone-hythe.public-i.tv/core/portal/home>. Although unlikely, no guarantee can be made that Members of the public in attendance will not appear in the webcast footage. It is therefore recommended that anyone with an objection to being filmed does not enter the council chamber.

Head of Paid Service

1. **Apologies for Absence**
2. **Declarations of Interest**

Members of the Council should declare any discloseable pecuniary

Queries about the agenda? Need a different format?

Contact Jemma West – Tel: 01303 853369
Email: committee@folkestone-hythe.gov.uk or download from our
website
www.folkestone-hythe.gov.uk

interest or any other significant interests in any item/s on this agenda.

3. **Minutes (Pages 9 - 16)**

To receive the minutes of the meeting of the council held on 13 March 2019 and to authorise the Chairman of the Council to sign them as a correct record.

4. **Chairman's Communications**

5. **Petitions**

There are no petitions to be presented.

6. **Questions from the Public**

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

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

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

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

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

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

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

Folkestone Parks & Pleasure Grounds run by the Cabinet has

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

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

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

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

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

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

7. Questions from Councillors

(Questions can be found on www.folkestone-hythe.gov.uk from noon 2 days before the meeting, on Modern.gov, under the agenda for this meeting).

Up to 45 minutes is allowed for questions from councillors.

8. Announcements of the Leader of the Council

To receive a report from the Leader of the Council on the business of the cabinet and on matters that the leader considers should be drawn to the council's attention. The leader shall have 10 minutes to make his announcements.

The opposition group will have an opportunity to reply to the leader's remarks. The opposition group leader shall have 5 minutes to respond after which the Leader of the Council will have a right of reply. Any right of reply will be for a maximum duration of 5 minutes.

9. Opposition Business

The Labour Group has raised the following matter:

“The council notes the recent arrival of UberEats and the upcoming arrival of Deliveroo to the district. The rise of the gig economy allows companies to avoid their responsibilities as employers and promote low paid, zero hours contracts further entrenching our residents in poverty.

The Council also notes that such businesses and in turn the businesses they deliver for, only help fuel an already rising obesity crises within the district.

The Council also notes that a number of established food outlets with a delivery service are already feeling the impact from corporate fast food chains entering the delivery market.

This Council believes that if UberEats and Deliveroo are to operate in the district then they should be accessible to all local businesses not just the large corporations and offer a wide range of choice.

This Council believes that these companies through social media are using targeted advertising to promote instant fast food which will in turn fuel an already rising obesity crises in the district.

This Council believes that UberEats and Deliveroo must operate within the law, observing their rights of employers and that their workers must be treated accordingly.

This Council believes that UberEats and Deliveroo ability to trade in the district should not be to the detriment of already established businesses.

This Council resolves to:

- 1) Ask the Leader of the Council to consider writing to the Secretary of State for business Greg Clark MP, to note this Council’s concerns with UberEats and Deliveroo regarding the following:*
 - a) That workers are all registered to work in the UK and are being paid at least the UK living wage*
 - b) That these employers recognise a trade union and respect membership.*
 - c) That these employers pay their employees the same wage for the same work, regardless of age.*
 - d) That all workers have equal rights from day one, including sick pay, paid holiday, and protection from unfair dismissal.*
 - e) That their process on working with and promoting smaller businesses interested in using their service is reasonable and fair.*
 - f) That they will not use targeted social media advertising to promote unhealthy eating habits.*
 - g) That as employers they will refrain from making deductions from tips, so staff get to keep 100%, and customers know who their money is going to.*

h) That they will refrain from taking a cut of any tips paid via card.

Council resolves to adopt the issue raised by opposition business, provided that the decision, so made, is within the Policy Framework and Budget, and is within the power of the Council to make the decision”.

Debates on opposition business shall be limited to 15 minutes. If the time limit is reached or the debate concludes earlier, the leader of the group raising the item shall have a right of reply.

The Council shall:

- a) Note the issue raised and take no further action;
- b) Refer the issue 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;
- c) Agree to examine the matter as part of a future scrutiny programme;
- d) Adopt the issue raised by opposition business provided that the decision so made is within the policy framework and budget.

10. **Motions on Notice**

The following motions have been placed on the agenda in the order received; up to 60 minutes shall be allowed for debates on motions on notice:

1. **From Councillor Prater, Leader of the Liberal Democrat Group**

This Council notes:

1. The hostility of local people to the proposals to develop Princes Parade, as evidenced by the local election results;
2. The damage it will do to the environment and the setting of the scheduled ancient monument that is the Royal Military Canal;
3. The financial risk this Council faces by pursuing this highly risky £29 million+ project;
4. The clear ongoing need for a new swimming pool and leisure centre in the district, and that a location for that at Martello Lakes would better support Hythe and Romney Marsh, than one nearer the Folkestone Sports centre.

This Council resolves to withdraw its planning application Y17/1042/SH for Princes Parade, and cease immediately any ongoing plans to develop that area for anything other than outdoors recreation.

This Council further resolves to immediately take up the option for a Leisure Centre site at Martello Lakes and will bring forward plans no later than November 2019 to open a new swimming pool and

leisure centre there, whilst also seeking indicative funding support from partners for that site.

2. From Councillor McConville, Leader of the Labour Group

This Council moves to, under part 4 section 25.2 amend the constitution in regards to part 4 section 12.6. "Time-limit debates on opposition business shall be limited to 15 minutes". This should be amended to read 30 minutes. As per the constitution it is resolved that this motion stand adjourned, without discussion until the next ordinary meeting of the Council.

3. From Councillor McConville, Leader of the Labour Group

This Council notes the recent spate of violence against people within the LGBT community across the nation.

This Council condemns these vicious actions and believes that only with closer working can we avoid such events occurring in our district.

This Council resolves to ask the cabinet member for community, Cllr Hollingsbee to consider establishing a working group with the LGBT community within the district to both listen to people's concerns and promote community events.

11. Scheme of delegation of Executive Functions made by the Leader of the Council (Pages 17 - 22)

This scheme of delegation has been prepared by the Leader in accordance with the constitution and the Local Government Act 2000.

*Explanations as to different levels of interest

(a) A member with a discloseable pecuniary interest (DPI) must declare the nature as well as the existence of any such interest and the agenda item(s) to which it relates must be stated. A member who declares a DPI in relation to any item must leave the meeting for that item (unless a relevant dispensation has been granted).

(b) A member with an other significant interest (OSI) under the local code of conduct relating to items on this agenda must declare the nature as well as the existence of any such interest and the agenda item(s) to which it relates must be stated. A member who declares an OSI in relation to any item will need to remove him/herself to the public gallery before the debate and not vote on that item (unless a relevant dispensation has been granted). However, prior to leaving, the member may address the meeting in the same way that a member of the public may do so.

(c) Members may make voluntary announcements of other interests which are not required to be disclosed under (a) and (b). These are announcements made for transparency reasons alone, such as:

- membership of outside bodies that have made representations on agenda items, or
- where a member knows a person involved, but does not have a close association with that person, or
- where an item would affect the well-being of a member, relative, close associate, employer, etc. but not his/her financial position.

Voluntary announcements do not prevent the member from participating or voting on the relevant item

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, 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).

This report will be made public on 18 June 2019.

Report number **A/19/11**

To: Council
Date: 26 June 2019
Cabinet Member: Councillor David Monk, Leader of the Council

SUBJECT: SCHEME OF DELEGATION OF EXECUTIVE FUNCTIONS MADE BY THE LEADER OF THE COUNCIL

SUMMARY: This scheme of delegation has been prepared by the Leader in accordance with the constitution and the Local Government Act 2000.

REASON FOR RECOMMENDATIONS:

The executive is responsible for initiating and developing policy and taking decisions within the budget and policy framework in respect of all the functions of the council, other than those which, whether by law, or under the Council's constitution, cannot be the responsibility of the executive. Such functions are referred to in this Scheme as "executive functions".

RECOMMENDATIONS:

1. To receive and note report A/19/11.

1. INTRODUCTION

- 1.1 This scheme of delegation has been prepared by the Leader in accordance with the constitution and the Local Government Act 2000.

The executive is responsible for initiating and developing policy and taking decisions within the budget and policy framework in respect of all the functions of the council other than those which, whether by law, or under the Council's constitution, cannot be the responsibility of the executive. Such functions are referred to in this Scheme as "executive functions".

2. MEMBERS OF THE EXECUTIVE

The members appointed to the executive are set out in annexe A.

- 2.1 A full description of the policy areas and executive functions included in each portfolio is set out in paragraph B1 of annexe B. Any question arising as to whether a policy area or executive function falls within a particular portfolio will be determined by the Leader.
- 2.2 Paragraph B.2 of annexe B sets out the executive functions, which will be determined by the executive collectively.
- 2.3 In addition, a Deputy Leader of the Council is appointed to exercise the following powers and duties:
- a) Deputising in the Leaders absence;
 - b) Chairing executive meetings in the Leaders absence;
 - c) Acting as the Council's spokesperson on all key corporate issues, consistent with the Council's overall budget and policy framework, in the Leader absence;
 - d) Holding, leading or assisting on any portfolio, which the Leader may allocate.
- 2.4 No deputies will be appointed in respect of Cabinet Members and in their absence their duties and responsibilities will be undertaken by the Leader and in his absence by the Deputy Leader or such other portfolio holder as the Leader may nominate.

3. DUTIES AND RESPONSIBILITIES OF INDIVIDUAL CABINET MEMBERS

The duties and responsibilities of individual Cabinet Members are to:

- a) Provide political leadership for the designated functions and services of the Council set out in the allocated portfolio;
- b) Exercise any delegated powers and make decisions in respect of the relevant portfolio area to the extent authorised to do so by the Leader under this scheme of delegation;
- c) Initiate and promote policies and programmes in respect of the allocated portfolio both within the Council and externally;

- d) Present and consult on the Council's policies in respect of the allocated portfolio with the public, both directly and through appropriate media;
- e) Engage with and represent the Council in appropriate local, regional and national groupings involved with the service areas set out in the allocated portfolio;
- f) Report to the executive and the Council on decisions made, actions taken and progress achieved within the allocated portfolio;
- g) Consult with and report as required to the executive, the Council and the relevant overview and scrutiny committee in respect of the portfolio;
- h) Commission and consider reports/briefs from appropriate officers as required for the efficient discharge of the portfolio holder's duties/responsibilities;
- i) Keep abreast of national best practice/new initiatives in the areas covered by the portfolio to help ensure high local service standards and provision;
- j) Consider and act on performance data and reports from the executive and the relevant overview and scrutiny committee;
- k) Contribute to the corporate development of the Council's policies and objectives through active engagement of and participation in the executive;
- l) Work closely with the relevant senior officers of the Council to help ensure the efficient management of the authority, to uphold high standards of performance and conduct and to enable officers to exercise any powers delegated to them;
- m) Attend meetings of the overview and scrutiny committees as and when required.

3.1 Non-key decisions – delegations to cabinet members

Each Cabinet Member is authorised to take non-key decisions falling within their portfolio area unless the matter falls within one of the matters that the executive must determine collectively.

- 3.2 If a Cabinet Member has a discloseable or another significant interest in a decision to be taken on a matter within his/her portfolio the Leader will decide who will take the decision.

3.3 Amendment of scheme

This scheme of delegation may be amended at any time by the Leader as provided for in the cabinet procedure rules set out in appendix 4 of the Council's constitution.

3.4 Portfolios

The portfolios with any conditions and limitations of each member of the Cabinet are set out in full in annexe B.

3.5 Delegation to officers

The Leader delegates to officers the executive functions contained in Part 8.1 of the Council's Constitution

4. LEGAL/FINANCIAL AND OTHER CONTROLS/POLICY MATTERS

4.1 Legal officer's comments (AK)

There are no legal implications arising directly from this report.

4.2 Finance officer's comments

There are no financial implications arising from this report.

4.3 Diversities and equalities implications

No implications arising directly from this report.

5. CONTACT OFFICER AND BACKGROUND DOCUMENTS

Councillors with any questions arising from this report should contact the following officer prior to the meeting:

Amandeep Khroud, Head of Democratic Services and Law

Telephone: 01303 853253

Email: amandeep.khroud@folkestone-hythe.gov.uk

The following background documents have been relied upon in the preparation of this report:

None

Appendices:

Annex A: Members of the Executive

Annex B: Cabinet Portfolios:

B1 – Cabinet Portfolios

B2 – Collective decision making

ANNEXE A – MEMBERS OF THE EXECUTIVE

Name
<u>Councillor David Monk</u>
<u>Councillor Mrs Jennifer Hollingsbee</u>
Councillor John Collier
Councillor David Godfrey
Councillor Stuart Peall
Councillor Ian Meyers
Councillor David Wimble

ANNEXE B – CABINET PORTFOLIOS

B1 Cabinet Portfolios

Cllr David Monk Leader

Councillors, election and electoral registration, corporate policy, partnership development, strategic budget, economic growth, property development, human resources, organisational development, emergency planning and business continuity. Financial management, corporate debt, audit (internal and external), treasury management, revenues, benefits, risk management, anti-fraud and corruption framework. Communications and public relations, corporate governance, contract management, procurement, legal.

Cllr Jenny Hollingsbee Deputy Leader and Cabinet Member for Communities

Community safety, community engagement and empowerment, arts and culture, leisure and sport, young people, voluntary sector, town and parish liaison, equalities and diversity, safeguarding (children, young people & vulnerable adults). Health and wellbeing, Lifeline. Area Officers. Street homeless.

Cllr David Godfrey Cabinet Member for Housing, Transport and Special Projects

Strategic housing, local authority housing management, housing allocation, homelessness, private sector housing. Traffic management, on and off street parking. Special projects.

Cllr Stuart Peall

Cabinet Member for Enforcement, Regulatory Services, Waste and Building Control

Waste management and street cleansing, recycling and environmental enforcement. Dog and pest control, food safety, health and safety. Execution of planning enforcement, building control,

Cllr John Collier

Cabinet Member for Property Management and Grounds Maintenance

Property and estate management, corporate health and safety. Engineers (coastal protection and strategy), contaminated land. Grounds maintenance.

Cllr David Wimble

Cabinet Member for the District Economy

Economic development, regeneration, tourism, heritage (conservation), business rate relief. Planning policy.

Cllr Ian Meyers

Cabinet Member for Digital Transformation

Information technology, information access and security, RIPA. Customer service.

B2 Collective decision making

The executive shall, unless the Leader decides otherwise, collectively take decisions on the following:

- a) all key decisions;
- b) matters falling outside any identifiable portfolio, unless otherwise allocated to a portfolio holder by the Leader;
- c) issues referred to the executive by either a portfolio holder or one of the Council's statutory officers;
- d) where a virement of money is required, to implement a proposed decision;
- e) departures from the Budget and Policy Framework;
- f) decisions on matters that are not solely executive functions (e.g. that require the Council to make a decision).