

# 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, 25 September 2019**

**Present:** Councillors Mrs Ann Berry (Chairman), Danny Brook, Miss Susan Carey, John Collier, Laura Davison, Michelle Dorrell, Gary Fuller, Peter Gane, Clive Goddard, David Godfrey, Anthony Hills, Mrs Jennifer Hollingsbee, Nicola Keen, Jim Martin, Philip Martin (Vice-Chair), Connor McConville, Jackie Meade, Ian Meyers, David Monk, Terence Mullard, Stuart Peall, Tim Prater, Patricia Rolfe, Rebecca Shoob, Georgina Treloar, Douglas Wade, Lesley Whybrow, David Wimble and John Wing

Apologies for Absence: Councillors Ray Field

#### **35. Declarations of Interest**

Councillor Meade made a voluntary declaration in respect of minute number 42 (opposition business), in that she was a contractor who was not currently under IR35.

#### **36. Minutes**

The Chairman advised on an error in the minutes which has been corrected. Under minute number 32, the resolution had been amended with the word 'motion'; being replaced with the word 'business'.

The amended minutes of the meeting held on 24 July 2019 were submitted, approved and signed by the Chairman.

#### **37. Chairman's Communications**

The Chairman made the following announcements:

"Since the last meeting of full Council the Deputy Chairman and I have attended several engagements.

Because of the amount of business on tonight's Agenda I will just highlight a few.

Hythe Venetian Fete Wednesday 21 August - A great event organised by the Hythe Venetian Fete Society. As always, a Wonderful Spectacular. I have been asked by the Chairman of Hythe Venetian Society, Steven Way, to pass on his thanks to all of the people involved. District Council Officers, Grounds men and Marshalls etc for the great service they provided to help make the event run so smoothly.

Classic Car Rally 26 August - On The Leas. It was a brilliant sunny day, for what is always a great event for the Town, with many travelling great distances to be part of the annual event.

The Folkestone Dover and Hythe Samaritans 4<sup>th</sup> September - We were invited to an open evening of which many of our Councillors attended. After the initial welcome we were taken in small groups for a talk on how the Samaritans work and the many thousands of people who contact them. Whilst there we could see through a glass partition, two volunteers talking on the phone, the privacy of the conversations is absolute and are never divulged. There are always at least two people on duty 24 hours a day doing shifts. They would be pleased to engage with anyone who has a few hours to spare and wishes to volunteer for this very important work.

Installation 9 September of full time Priest at St Peters Church on the Durlocks - After a lengthy Interregnum, a very moving and packed service was held to welcome the new Priest, The Reverend Mark Haldon-Jones with the Bishop and many local priests in attendance.

13 September saw the 80<sup>th</sup> Anniversary of Citizens Advice Bureau. This was held in the Boulogne room here at Civic Centre. The CAB was set up the day after WW2 started. Many of the Town's representatives were in attendance. We were given a short talk by: Anne Petrie Chairman of the Board of Trustees, which gave us all a chance to learn more of what CAB can do to help and advise the local community. After which the cake was cut!"

**38. Petitions**

There were no petitions.

**39. Questions from the Public**

The questions asked, including supplementary questions (if any), and the answers given are set out in Schedule 1, appended to these minutes.

Proposed by Councillor Prater,  
Seconded by Councillor Whybrow;

That the matter raised by Dr Burrell in question 1 be referred to the Audit and Governance Committee, as per paragraph 8.10 of part 4 of the constitution.

(Voting figures: 13 for, 15 against, 1 abstention).

The motion was LOST.

**40. 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.

**41. Announcements of the Leader of the Council**

The Leader made the following announcements:

“Good evening to you all.

You should all have received an invitation from our Chief HR Officer inviting you to join the Folkestone and Hythe Rewards scheme. This scheme not only provides discount opportunities but also gives health and well-being support so if you want to be richer and healthier, I would advise you to take advantage of it.

Talking of well-being, have you tried out any of the outdoor gym equipment that has been recently installed in Radnor Park? It is supposedly for adults to use but seems to have found universal approval.

For your information we are working with KCC and our other districts to formulate a scheme that will give those leaving the Kent care system help with their Council Tax bills. KCC have indicated that exempting care leavers from having to pay until they reach the age of 25 would find favour with them. The scheme would primarily be administered by KCC. We would, of course, have to go through due process to adopt it but I am sure that we would want to support this particularly vulnerable group of young adults.

I was going to talk to you about the purchase of Westenhanger Castle but as it is an item on this evening’s agenda, I will wait until then.

You all should have received an invitation, albeit at short notice, to view tomorrow the new affordable housing in Princess Street, Folkestone. This is another ten homes that have been made available for an affordable rent linked to the local housing allowance for the area and are being let through the Council’s housing list. So now we have provided over 100 Council homes towards our target of 300 within the current plan. I have been told that the cap on the HRA has been raised so I have asked Councillor Godfrey to review the position with a view to increasing our target.

That is all from me this evening”.

The Leader of the Labour group responded and advised he was pleased with the additions to the Council Housing Stock, but felt that 300 houses in ten years was not sufficient for the number of people on the waiting list. In regards to the HRA, this was old news, announced at last years Conservative party conference. He looked forward to working with Councillor Godfrey and officers to build a robust innovative council house building scheme. He welcomed the FHDC rewards scheme, and hoped Councillors would engage with it as much as staff. With regard to the Radnor Park equipment, he stressed the importance of parks and gardens to residents in terms of both physical and mental health. In response to the care scheme, he stated that this should be in place already and it was another symptom of poverty in the district.

The Leader of the Green Group responded and stated that she welcomed the care leaver scheme. She was pleased to accept the invitation from the Leader

to visit the new affordable housing. She supported Councillor McConville's points about the need for more council homes.

Councillor Prater, the Leader of the Liberal Democrat Group responded and added that the mention of the FHDC rewards scheme was an odd choice for the leader given the summer events, in relation to East Kent Housing. He also referred to the discount at Ashford's Cineworld, stating that it was not helpful in encouraging visitors to Folkestone's high street.

The Leader in reply stated that opposition responses should be subject to a Code of Conduct. All members were there to work for the people of the district and not to score political points.

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

**RESOLVED:**

That the announcements of the Leader be noted.

**42. Opposition Business**

Councillor Whybrow, on behalf of the Green Group outlined the Opposition business, which asked the Cabinet to adopt the following matters:

1. Approve the Councils for Fair Tax Declaration.
2. Lead by example and demonstrate good practice in our tax conduct, right across our activities.
3. Ensure contractors implement IR35 robustly and pay a fair share of employment taxes.
4. Not use offshore vehicles for the purchase of land and property, especially where this leads to reduced payments of stamp duty.
5. Undertake due diligence to ensure that not-for-profit structures are not being used inappropriately as an artificial device to reduce the payment of tax and business rates.
6. Demand clarity on the ultimate beneficial ownership of suppliers and their consolidated profit & loss position.
7. Promote Fair Tax Mark certification for any business in which we have a significant stake and where corporation tax is due.
8. Support Fair Tax Week events in the area, and celebrate the tax contribution made by responsible businesses who say what they pay with pride.
9. Support calls for urgent reform of EU and UK law to enable local authorities to better penalise poor tax conduct and reward good tax conduct through their procurement policies

Proposed by Councillor Whybrow,  
Seconded by Councillor J Martin; and

**RESOLVED:**

That Option (b) (Refer the issue to the Cabinet for their observations before deciding whether to make a decision on the issue) be agreed.

In accordance with the council procedure rule 17.5, five members present demanded a recorded vote.

FOR: Councillors Mrs Berry, Brook, Miss Carey, Collier, Davison, Dorrell, Fuller, Gane, Goddard, Godfrey, Hills, Mrs Hollingsbee, Keen, J Martin, P Martin, McConville, Meyers, Monk, Mullard, Peall, Prater, Rolfe, Shoob, Treloar, Wade, Whybrow, Wimble, Wing (28).

AGAINST: None (0).

ABSTENTIONS: Councillor Meade (1).

(Voting figures: 28 for, 0 against, 1 abstention).

43. **Motions on Notice**

1. **From Councillor McConville, Leader of the Labour Party**

Councillor McConville set out his motion to amend the constitution in regard to part 4 section 12.6, altering the time limit for debates on Opposition business from 15 minutes to 30 minutes. The motion had been proposed and seconded at the meeting of the Council on 24 July 2019, and was now open for debate.

Proposed by Councillor McConville,  
Seconded by Councillor Monk; and

**RESOLVED:**

That under Part 4, Section 25.2, the time limit set out in part 4 section 12.6 of the constitution be amended from 15 minutes to 30 minutes.

In accordance with the council procedure rule 17.5, five members present demanded a recorded vote.

FOR: Councillors Mrs Berry, Brook, Miss Carey, Collier, Davison, Dorrell, Fuller, Gane, Goddard, David Godfrey, Hills, Mrs Hollingsbee, Keen, J Martin, P Martin, McConville, Meade, Meyers, Monk, Mullard, Peall, Prater, Rolfe, Shoob, Treloar, Wade, Whybrow, Wimble, Wing (29).

AGAINST: None (0).

ABSTENTIONS: None (0).

(Voting figures: 29 for, 0 against, 0 abstentions).

2. **From Councillor Prater, Leader of the Liberal Democrat Party**

Councillor Prater outlined his motion which proposed that the Audit and Governance Committee be asked to consider the introduction of a Committee system.

Proposed by Councillor Prater,  
Seconded by Councillor J Martin;

That this Council believes that a Committee System is appropriate for its Governance in the future and asks the Audit and Governance Committee to consider the issue at the earliest opportunity. If the Audit and Governance Committee were to endorse this view when it reports to Council, it should suggest an outline committee structure.

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

**RESOLVED:**

That the motion be amended to read:  
“That this Council believes that all Councillors should have the ability to participate fully in decision-making and that a range of governance options are available. This council believes that a cross party working group of all group leaders should be set up to consider the issues of moving to a committee system, or an alternative system, at the earliest opportunity reporting back to council”.

(Voting figures: 29 for, 0 against, 0 abstentions).

**RESOLVED:**

That this Council believes that all Councillors should have the ability to participate fully in decision-making and that a range of governance options are available. This council believes that a cross party working group of all group leaders should be set up to consider the issues of moving to a committee system, or an alternative system, at the earliest opportunity reporting back to council.

(Voting figures: 29 for, 0 against, 0 abstentions).

3. **From Councillor McConville, Leader of the Labour Party**

Councillor McConville outlined his motion which asked for an amendment to part 5, section 6.2 of the constitution, to read "A councillor, who has proposed a motion *or Opposition business*".

Proposed by Councillor McConville,  
Seconded by Councillor Fuller;

"This Council moves to, under part 5 section 27.2 amend the constitution in regard to part 5 section 6.2. A Councillor, who has proposed a motion which has been referred to a committee or sub-committee, shall be given at least three clear working days' notice of the meeting, at which the motion will be considered, by the Head of Paid Service. If the Councillor attends the meeting but is not a member of that committee or sub-committee, s/he shall have an opportunity to explain the motion to the committee or sub-committee.

This should be amended to read "A councillor, who has proposed a motion or Opposition Business".

**As per rule 25.5 of the constitution, it is resolved that this motion stand adjourned, without discussion until the next ordinary meeting of the Council.**

4. **From Councillor McConville, Leader of the Labour Party**

Councillor McConville set out his motion which asked the Council to condemn the purchase of Westenhanger Castle without the specific prior agreement of this Council.

Proposed by Councillor McConville,  
Seconded by Councillor Meade;

That Council condemns the purchase of Westenhanger Castle without the specific prior agreement of this Council.

In accordance with the council procedure rule 17.5, five members present demanded a recorded vote.

FOR: Councillors Davison, Dorrell, Fuller, Keen, J Martin, McConville, Meade, Prater, Shoob, Treloar, Wade, Whybrow, Wing (13).

AGAINST: Councillors Mrs Berry, Brook, Miss Carey, Collier, Gane, Goddard, Godfrey, Hills, Mrs Hollingsbee, Martin, Meyers, Monk, Mullard, Peall, Rolfe, Wimble (16).

ABSTENTIONS: None (0).

(Voting figures: 13 for, 16 against, 0 abstentions).

The motion was therefore LOST.

44. **Report to Council on a Key Decision made in accordance with the constitution's call-in and urgency rule**

The constitution provides that, when an urgent key decision is made by the Cabinet, for which any delay in implementation, likely to be caused by the call-in process, would seriously prejudice the Council's or public interest, then the 'Call-in Rules of Procedure', Part 6.3, rules 1-6 do not apply. Key decisions, taken as a matter of urgency, must be reported to the next available meeting of the Council, together with the reasons for urgency.

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

**RESOLVED:**

**That report A/19/12 be received and noted.**

(Voting figures: 29 for, 0 against, 0 abstentions).

**Council – 25 September 2019**

**Public questions:**

**1. From Dr Burrell to Councillor Monk, Leader of the Council**

Will the Leader please explain how and why a £1.132m Call-Off contract could rightfully have been awarded to Faithfull & Gould (F&G) and why this was done without the recorded authorisation of the s151 officer or anyone more senior in the council than level K. F&G were appointed lead project management consultant for the Princes Parade development and commenced work 3 months prior to planning consent being granted on 18 July 2019. The Pagabo Framework Agreement, under which F&G were the single pre-nominated consultant, did not provide the opportunity for competitive tendering for either the contract nor the Framework. In all respects this was an irregular commitment from an already insufficient Capital budget that should not have occurred and I ask that this should be explained.

**ANSWER:**

The use of framework agreements by district councils for procurement is commonplace and often recommended for large and complex projects. The use of framework agreements is allowed under UK and EU procurement law and the council's contract standing orders. The benefits of using framework agreements are that they streamline administration, reduce the procurement risk and allow councils access wider economies of scale. Companies listed on framework agreements will have already gone through a competitive process and depending on how the framework is set up, it is possible to make a direct award to a supplier.

With reference to the Princes Parade Project, the business case (C/18/69) reported to cabinet on 13/2/19 set out the procurement strategy for the project. This was covered in sections 2.16 to 2.26 of the cabinet and was further expanded on in Appendix 1 of the report, which set out in detail the frameworks considered for the appointment of the main project consultant and main points for consideration. Several frameworks were considered for the appointment of the project consultancy team and the eventual decision was to use the PAGABO National Framework for Professional Services in Construction and Premises mainly due to the flexibility offered by the agreement and the track record and experience of the companies listed within each professional discipline on the framework, many of whom had good local experience having been involved in the design of the new leisure centre in Dover. This includes the main project consultants Faithful & Gould.

In answer to the question around budget authorisation this is straightforward. The Chief Strategic Projects Officer, as the budget holder and responsible officer for the project has the delegated authority to award contracts for the project. This is position as set out in the Council's contract standing orders and there was no requirement for authorisation by the Council's S151 Officer.

The budget is sufficient to cover the project. I consider therefore that the decision was taken correctly and in accordance with the council's procedures.

**SUPPLEMENTARY QUESTION:**

Will you please confirm your recognition of the urgent need to put in place a more rigorous financial control system for Princes Parade and other similar projects being undertaken by this authority?

**ANSWER:**

I have already answered this question. I believe the current procedures are adequate

**2. From Mrs Lawes to Councillor Mrs Hollingsbee, Deputy Leader and Cabinet Member for Communities**

Can the cabinet member explain how and what they are doing to actively reduce the deprivation in the district?

**ANSWER:**

Much work is being done to address deprivation in the District. There are ambitious plans-eg the Otterpool Park Garden Town, Princess Parade, Mountfield Road Industrial Estate, Town centre regeneration projects to improve the area, provide more affordable housing, create more jobs, and ensure residents have opportunity for better chances in life. We are working with the education providers who are keen to improve skills levels and are involved in projects with the LCPG and CSP which are looking at resilience issues in young people and helping to set them up for a better start in life and to raise aspirations. The Folkestone Community Works CLLD programme is all about getting people living in the deprived areas of Folkestone into work through dealing with the barriers they face in getting into employment and thereby helping to improve their quality of life. Health inequalities are also being addressed through a more joined up care system. Local community projects such as the fit and fed hunger project to address hunger amongst children during school holidays is an example of support to deprived communities.

**SUPPLEMENTARY QUESTION:**

What are you doing right now to solve the problem and reduce the deprivation, lack of opportunity and jobs for the deprived people of this district?

**ANSWER:**

I have already said that the groups we are working with, and have been for a period of time – the local childrens partnership in particular, the community

safety unit, and the Folkestone works programme is all aimed at deprivation in the East of Folkestone.

**3. From Mr Cooper to Councillor Peall, Cabinet Member for Enforcement, Regulatory Services, Waste & Building control**

As a council tax payer in St Mary's Bay I have noticed that the council is clearly not fulfilling its statutory duties towards the environment. Could you please inform me when I and other residents of the Bay can expect to receive a real, meaningful and proper street sweeping service from you and your council in order to ensure, in accordance with the associated codes of practice and the advertised schedules on the councils website, that the pavements, gutters and alleyways are cleared and swept of all rubbish, leaf matter and other accumulated detritus including weeds, or is the council expecting its tax payers to issue Litter Abatement Orders through the Magistrates Court before it will act.

**ANSWER:**

I have checked, and the service has not received any complaints from you.

The council takes seriously its commitment to Appearance Matters and meeting the national and local standards for street cleansing.

In response to the question I have asked the Waste Team to increase the inspections of St Mary's Bay and to ensure that standards are maintained. The latest round of weed spraying is underway and if problems are identified as suggested by Mr Cooper these will be addressed.

**SUPPLEMENTARY QUESTION:**

It's clear that the Council does not have any control over Veolia, would it not be better for the Council to bring the waste service back in house when it is next out to tender?

**ANSWER:**

There is a long track record across the country of outsourced services being far more efficient than those in-house and we have had that discussion, and undertaken the review, and a decision has been made.

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

In the light of growing concerns over environmental quality, will the council commit to an air quality monitoring exercise along the Dymchurch Road from the Dymchurch side of the new Aldi store to the traffic lights at the junction of the light railway station? This to be recorded at different periods throughout the day, week and year.

**ANSWER:**

The Council is already committed to monitoring air quality within the district and we currently have 16 monitoring sites, one of which is located along Dymchurch Road approximately 500 yards from the new Aldi site. The monitoring site has been there for a period of 4 years and it has been compliant in meeting the Air Quality objectives and as such, there are no concerns requiring us to increase monitoring sites in this area.

The Environmental Protection Team monitor all 16 sites within the District on a monthly basis which involves the removal of existing Air Quality tubes, erecting new tubes and sending the 16 used ones to a laboratory for assessment. A report is returned each month which would detail any significant changes that could highlight a change in the air quality and the results are shared with the Department for Environment, Food and Rural Affairs (DEFRA).

However, whilst there is no significant impact to air quality within the local area at this time, I can confirm that the Environmental Protection Team will continue to monitor this site accordingly.

**SUPPLEMENTARY QUESTION:**

Given the current traffic situation, what is the plan to relieve the residents of west Hythe who already are facing a rat run situation, with foresight for the opening of Otterpool, which this road would be the direct route to the Aldi store?

**ANSWER:**

KCC are the people to talk to about the traffic situation. Whether or not it comes under Otterpool park, those houses will be built in this district come what may, as that is what the government requires.

**5. From Mr Rylands to Councillor Wimble, Cabinet Member for the District Economy**

What is the total expenditure by our Council for the delivery of the Mountfield Rd Phase IV project New Romney, up to the 26th Sept 2019.

**ANSWER:**

Over the past 3 years, the Council has developed proposals for designated employment land at Mountfield Road Industrial Estate, New Romney (Phase 4) to diversify the local economy and create alternative employment to compensate for job losses arising from the de-commissioning of Dungeness A Power Station and programmed closure of Dungeness B in 2028. To date, £65,701.26 has been spent on masterplanning the 6 hectares, planning application fees and related studies, half of which was match funded by Magnox.

**THERE WAS NO SUPPLEMENTARY QUESTION.**

**6. From Mr Goode to Councillor Mrs Hollingsbee, Deputy Leader and Cabinet Member for Communities**

Is the council practising social exclusion in its service delivery by abandoning and neglecting the maintenance or replacement of play equipment; and closing children's playgrounds often unexpectedly and without, or at short, notice by only allocating the total sum of £15,000 in this years budget to cover the maintenance and replacement of play equipment for the whole of the district?

**ANSWER**

No. Officers work extremely hard despite budget pressures to provide high quality, high value play areas across the district. This work includes working with Town Councils and Community groups. Unfortunately we do not have the funding available to provide new equipment in every play area across the District. The draft Play Strategy that will be presented to Cabinet later this year outlines how we will provide high quality play areas moving forward. The District Council cannot do this alone and needs the help of Town and Parish Councils along with community groups who may be able to apply for funding that the District Council cannot and take over the management of the smaller play areas leaving the District to fund a smaller number of larger, high quality play areas.

The funding you refer to is correct however this does not include the play areas at two of our Green Flag parks, The Coastal Park and Radnor Park which have separate budgets. It also does not include our management and extensive surveyor time and the two dedicated Maintenance Officers, their vehicle or equipment who work tirelessly to keep the play areas in the best condition possible.

The recent redevelopment of the Radnor Park play area is an example of how local community groups, the District Council, the Town Council and other key stakeholders can come together to create a truly amazing facility. This has been further improved this year with the addition of an inclusive wheel chair swing and an outdoor fitness zone.

Officers are currently working closely with developers Taylor Wimpey to create another similar scale destination play area at Shorncliffe and a community group has been formed at East Cliff to look at improving facilities at this other key site.

Talks are under way with several Town Councils about how they might provide improved play facilities within their local areas.

**SUPPLEMENTARY QUESTION:**

Can you give a categoric assurance that children's playgrounds will be adequately maintained, and protected from development in the future?

**ANSWER:**

The answer is no.

**7. From Ms Glen to Councillor Monk, Leader of the Council**

Talk of Compulsory Purchase of the Leas Pavilion has been ongoing for months now, but is this appropriate given that the owners have been attempting to comply with the works requested in the Repairs Notice dated February 2019? May we therefore now have a clear statement as to what actually is the Council's position with regards to the future of the Leas Pavilion?

**ANSWER:**

Following the issuing of the Repairs Notice officers we became aware that there may have been a potential buyer for the site and as a result it was decided to hold off with costly further action until the position was clearer. As the buyer has not materialised, officers are currently considering next steps. Whether this is a CPO or a new buyer, we must try to get the best value for money.

**SUPPLEMENTARY QUESTION:**

We were told only days ago by one of the officers in planning that no decisions have been made regarding next steps for the site. What, if anything are you going to do to safeguard the listed building over the coming winter months because it's falling to bits.

**ANSWER:**

Nothing you have said negates my earlier reply. The position is that we as the council want to preserve the Leas pavilion, but without it costing the council a lot of money. The repairs notice will cover any further dilapidation, although a lot of work has already been done to secure the building.

Full Council – 25 September 2019

Councillor questions:

1. **From Councillor J Martin to Councillor Monk, Leader of the Council**

During previous Council meetings you have said that the proposed Otterpool Park development will attract "Green Town" status, a term I am unfamiliar with. You also announced at the last Council meeting that Otterpool Park would be Carbon Neutral. I have looked closely at the proposals on the FHDC web site and can find no mention of Green Town Status or any commitment to building a Carbon Neutral development, perhaps you can tell us what Green Town status is and how Otterpool Park will be Carbon Neutral.

**ANSWER:**

Otterpool Park has 'Garden Town' status following submission of a bid to the government's Garden Cities, Towns and Villages programme in June 2016. The government announced in Nov 2016 that the bid had been successful. The bid included letters of support from a wide range of representatives and organisations, including Damian Collins MP, KCC, South East Local Economic Partnership, Shepway Business Advisory Board and the Creative Foundation (now Creative Folkestone). The original guiding principles included in the proposal still form the basis of the plans for the town. Otterpool Park is also a green town in that 50% of the area will be green infrastructure. While green town is not a formal status it is more a description of the character of the place, with a range of green spaces and access to the surrounding countryside.

Regarding carbon neutrality, the draft planning policy for Otterpool Park (relevant extract below) establishes the standard for Otterpool Park and the aspiration for carbon neutrality. While this might not be possible on day one due to the high up front infrastructure cost, it is an aspiration, and discussions are taking place with innovative development companies that are marketing new technologies in energy generation and storage that can be tested here.

*Extract from policy SS8 (1d):*

*The energy strategy shall demonstrate how the development takes a fabric-first approach, makes the maximum use of passive solar gain, as well as energy generation from the latest technologies in and on buildings and structures. All community buildings shall seek to meet zero carbon standards as exemplars, with an aspiration for the development to achieve carbon neutrality;*

**SUPPLEMENTARY QUESTION:**

Myself and Councillor Wade have had our application to the woodlands Trust approved, to receive almost 900 sapling plants to plant in our wards. Can you work with us to find sites and encourage other members to apply to the Woodland Trust to do the same?

**ANSWER:**

I am more than happy to endorse this. We too have been speaking to the Woodlands Trust, and when we do start work on Otterpool Park, we will plant hundreds of trees.

**2. From Councillor Whybrow to Councillor Wimble, Cabinet Member for the District Economy**

Can you please confirm that the planning application for Otterpool Park will not be determined until the Planning Inspector has examined the Core Strategy Review in public and the council has received his/her report?

**ANSWER:**

Based on our current understanding of the progress of the local plan process, the Council will not determine the application for Otterpool Park until it has received the report from the planning Inspector examining the Core Strategy Review.

**SUPPLEMENTARY QUESTION:**

Given that the Council has spent so much money on the castle, what would happen if planning permission were to be refused?

**ANSWER:**

That would be a decision to be made by the Council.

**3. From Councillor Rolfe to Councillor Monk, Leader of the Council**

On 1st July 2019, the Church of England launched a Digital Charter that aims to establish guidelines and boundaries for good practice when using electronic and social media. This blueprint for respectful behaviour is, I believe, relevant to every representative of any 'organisation or group' and indeed, every one of us as individuals – and it can be adopted, applied and followed whether we have faith or not. Anti-social behaviour on digital platforms undermines the very fabric of our global society. Issues such as online bullying affect all ages and sectors. Research has also shown that many people – particularly our younger generation, find it difficult to disseminate between what is true, and what is not. Hence this also aspires to combat the ever-increasing problem of 'Fake News' and its negative impacts.

Therefore, my question to you is: In recognition of the leadership role of this authority's members and officers, and the associated moral obligation to set a good example for our local residents, can this District Council consider incorporating a Digital Charter and associated guidelines based on the values contained within the Church of England's blueprint, into its Corporate Plan? This could include, but not necessarily be limited to proactively embracing the key principles outlined in the Charter: <https://www.churchofengland.org/terms-and-conditions/our-social-mediacommunity-> guidelines of truth, respect, honesty, kindness and personal accountability. Essentially advocating that we should all aim to treat others as we, ourselves, would like to be treated and

learn to present opposing views in a reasonable and fair manner without recourse to offensive or intimidating behaviour.

For your information, I believe that our local MP – Damian Collins would support such an initiative.

**ANSWER:**

Officers are currently updating a social media policy for Councillors. We support the values of the charter Councillor Rolfe has highlighted and will look to work up something similar in due course. We will review whether this will be incorporated into the Corporate Plan.

**SUPPLEMENTARY QUESTION:**

Linked to this, can this District Council also endorse the Government's drive to persuade social media providers of digital platforms such as Facebook and Twitter to accept that they are 'Producers' and as such should be held accountable for published content in clearly defined circumstances? This would help to ensure that these providers police their networks and have in place the necessary safeguards to protect the vulnerable. To that end would it be possible for you to send a letter on behalf of this Council evidencing such support to the Minister of State for Digital, Culture, Media and Sport – the Rt Hon Nicky Morgan MP and copy our MP into this due to his role as Chairman of the Select Committee for DCMS? I strongly believe this to be a 'Community Safety' issue that is worth pursuing.

**ANSWER:**

Whilst I agree with the sentiment, I will check the procedure before writing a letter on behalf of the Council.

**4. From Councillor Mrs Carey to Councillor Monk, Leader of the Council**

Can the Leader of the Council advise me what arrangements will be made for public access to Westenhanger Castle in my North Downs West Ward now that it is in the ownership of this council?

**ANSWER:**

Ensuring future public access to the castle is an important reason for the council acquiring Westenhanger Castle. The next step is to prepare a 30 year plan that will set out the future programme of work on the castle and the new castle park. The medieval barns have great potential for future community use, following a programme of restoration. In the short term the current lease arrangements with the events manager Idyllic Events allows the council access at certain times, so opportunities for the public to view the castle can be included in the forward plan. The council is in discussion with Idyllic about arranging an initial public open afternoon later this year.

**THERE WAS NO SUPPLEMENTARY QUESTION.**

**5. From Councillor Treloar to Councillor Monk, Leader of the Council**

Given this council's decision to build on and desecrate a key heritage asset in our area – the Royal Military Canal, which is a scheduled monument – how does it propose to manage with sensitivity and respect its new acquisition, the heritage-listed Westenhanger Castle?

**ANSWER:**

We are not planning to build on the Canal, we are planning to build on Princes Parade. Westenhanger Castle is a Scheduled Ancient Monument and Listed Building due to its historic importance, therefore the castle is protected from detrimental change by rigorous planning controls. However it also needs to have a long term sustainable future and there is a strong case (supported by statutory agencies) that this could best be achieved by bringing it into public ownership as a community asset within the wider Otterpool Park project. The council is preparing a 30 year plan for the castle setting out short, medium and long term investment ration, and scoping future public access and future uses that can bring an income to allow the castle to be self-sustaining.

**SUPPLEMENTARY QUESTION:**

Prior to the purchase of the castle, did you undertake a risk assessment, and when can we expect to see this document?

**ANSWER:**

I will provide a comprehensive response in writing after the meeting.

**6. From Councillor Dorrell to Councillor Monk, Leader of the Council**

What is the council doing, in order to prepare for a change of Government within the next 6 months?

**ANSWER:**

Nothing.

**SUPPLEMENTARY QUESTION:**

In light of the news that the Prime Minister acted unlawfully, would it not be wise to think about this?

**ANSWER:**

Parliament has to call for an election, but there are no signs of this happening at present.

**7. From Councillor Davison to Councillor Monk, Leader of the Council**

Will you make a statement on the Yellowhammer papers in relation to the impact on our district?

**ANSWER:**

The “Yellowhammer papers” gave the worst case scenario planning assumptions. Our council has participated fully in Brexit planning, working through the Kent Resilience Forum. Our priority is to minimise any potential impact and disruption in the delivery of council services and to ensure that our communities are prepared.

**SUPPLEMENTARY QUESTION:**

The use of foodbanks has raised by 85% in our community since last year. There is an extreme fear around what would happen in the event of a no deal Brexit. What emergency procedures has the council got in dealing with this issue, and will you publish the business continuity plan for each council partner, as previously promised to my colleague.

**ANSWER:**

I will provide a structured answer after the meeting.

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

Now that it would be illegal for there to be a no deal Brexit what are the conditions surrounding any unspent monies allocated for preparing for this purpose?

**ANSWER:**

There are no conditions on any unspent monies. The central government funding provided for Brexit was paid under section 31 arrangements whereby there are no conditions on how that it spent. Clearly the government has provided this to help support any disruption which Brexit, in whatever form, may cause and we will ensure the funds are spent appropriately.

**SUPPLEMENTARY QUESTION:**

How much money is left in the tin?

**ANSWER:**

I will provide a comprehensive answer after the meeting.

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

Given the increase in fly tipping, especially in East Folkestone ward which I believe are as a direct result of charges being initiated at the Recycling Centres, would District Council as a condition of the negotiation for the waste contract for the area, be prepared to ask for a monthly larger item pick up from

areas or indeed as happens in the London a free disposal service of three larger items such as fridges, dishwashers etc per year as I feel this would help reduce flytipping in the area.

**ANSWER:**

The council provides a bulky waste collection service across the district and plans to continue to offer this service in the next contract. This service is charged to the household requesting the service.

As previously discussed, this council objected to the applying charges at the KCC Household Waste Recycling Centres. It is however worth clarifying that these charges apply to the disposal of materials like ceramics, plasterboard and hard core. The HWRCs still collect domestic fridges and dishwashers disposed by residents at no charge.

Cllr Meade is correct that some London Authorities do offer a limited free collection service for bulky items but most do not. In some cases, authorities have taken the decision to charge as the result of the experience of running a free service.

A free service would be costly even if limited by the number of collections allowed per household. A free service would unfairly compete against legitimate waste carriers and the collection services offered by charities. It could also risk increased fly tipping where some residents think that they simply need to leave items on the kerbside for it to be collected. Furthermore, authorities with free services can find that this can attract fly tipping from outside the district.

A similar scheme was trialled in Dover Road, and saw people from outside of the area using the service.

**SUPPLEMENTARY QUESTION:**

If people from outside of the district were seen using the service, why were these people not charged to allow for a free service to be offered to residents?

**ANSWER:**

Where we can identify such people, we will prosecute, but this would not allow us to offer a free service.

**10. From Councillor Davison to Councillor Godfrey, Cabinet Member for Housing, Transport and Special Projects**

In her most recent performance report the Chief Executive of East Kent Housing referred to getting out positive stories to help 'tackle the stigma of social housing'. Does the leader of the council agree there should be NO stigma attached to social housing and that rather it is this council and East Kent Housing which should be absolutely ashamed at the way our tenants have been let down?

**ANSWER:**

There is no stigma.

Our tenants have been let down recently by EKH management failings and this Council has acted swiftly from the moment we became aware that assurance was not in place. All of our tenants and leaseholders have been contacted and updated on the situation and we will continue to keep them informed. Next month this Council will be taking decisions on the future of our housing management services as the service to our tenants is a priority for this council."

The council recognises the important role that social housing plays and has shown its clear commitment by undertaking to provide 300 additional Council homes over the next 3/5 years. To date, the council has delivered 100 additional homes through its new build and acquisition programme, including homes for affordable rent and shared ownership, with further homes in the pipeline.

**SUPPLEMENTARY QUESTION:**

Do you agree that the shambles that is East Kent Housing is a disgrace, and that the Chief Executive of East Kent Housing should 'consider her position'?

**ANSWER:**

It is not for me to comment on individual officers. A decision on the future of the organisation is to be made in due course.

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

Due to this council voting to ensure all of its buildings and operations will be carbon zero by 2030 can you outline your plan for this process in relation to Westenhanger Castle?

**ANSWER:**

Consideration of achieving zero carbon will need to be taken into account in the castle 30 year plan, and as part of the wider council strategy for its building stock.

**THERE WAS NO SUPPLEMENTARY QUESTION.**

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

What are District Council doing regarding those thoughtless dog owners who do not pick up after their dogs, thereby putting residents health at risk. I have not seen a single enforcement officer locally and the pavements in my ward can be a death trap for slips and mess in the dark hours ?

**ANSWER:**

The Environmental Protection Team deal with many areas of enforcement such as unauthorised encampments, stray dogs, fly-tipping, fly-posting and enforcing the dog related public safety protection orders (e.g. dogs off leads). When they get the opportunity they do carry out general patrols which includes patrolling in East Folkestone. There patrols are further supplemented by the work of the Areas Officers.

The Enforcement Team undertakes a number of other anti-dog fouling initiatives including: -

### **Targeted Patrols**

In addition to general patrolling carry out targeted patrols of 'hot spot' and areas covered by the Dog Orders. The Officers will arrange for early and late patrols, to look at typical times that dogs may be taken for walks, taking into consideration the weather and seasonal changes. These can also be linked to other enforcement issues if they are in the same area, such as litter or fly-tipping.

### **Pop up events**

Educational work carried out throughout the district where Enforcement Officers highlight responsible dog ownership, collect intelligence-led information from the public to use for special operations and patrols, free advice given and leaflets on all enforcement areas, as well as free gifts for those who complete a survey around responsible dog ownership.

### **Special events**

In the autumn of last year, Enforcement Officers carried out a plain clothes operation to issue "thank you's" to responsible dog owners who picked up after their dogs and disposed of the waste correctly. This was communicated via social media to promote a positive attitude to responsible dog ownership and entered into a prize draw. This was carried out in all 13 wards where officers were patrolling in plain clothes and during each visit, no owners were found to be allowing their dogs to foul and walk away from it. This is due to be repeated again next month.

### **SUPPLEMENTARY QUESTION:**

Could we ask Veolia to step up the cleaning of the pavements in the area?

### **ANSWER:**

Please report such issues via the website. If lots of reports are received, then Veolia would be asked to go out and sort this problem out.

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

Is it right that political decisions about how to spend £2.2 million pounds of the Future High Street Fund rest solely in the hands of the leader of the council and one Corporate Director?

### **ANSWER:**

The Leader is establishing a cross party Folkestone Town Centre subgroup of council members and the intention is that this group will be consulted on with respect to major proposals for spending the £2.2 million allocation of the Folkestone & Hythe High Street Fund to Folkestone Town Centre initiatives. However, the final decisions will be taken by the Leader and the Corporate Director for Place and Commercial.

**SUPPLEMENTARY QUESTION:**

Do you agree that with the loss of Thomas Cook and Debenhams, we are at crisis point in our High Street, and that we should give the public a forum to contribute their ideas and concerns, such as the Town Centre Working Group which has recently been formed?

**ANSWER:**

I will provide a response in due course.

**14. From Councillor Meade to Councillor Hollingsbee, Deputy Leader and Cabinet Member for Communities**

Will this council be making any changes to its SWEP policy before the winter?

**ANSWER**

Having regard to the question you have posed at a council meeting, I can confirm that we in Housing Options have no changes proposed to the SWEP cold weather provisions for the forthcoming winter, a provision that we agreed last year will be triggered if the temperature falls below freezing for the whole of a single night, as opposed to the previous three consecutive nights of freezing and below.

We will therefore retain the ongoing provision that we have with the Salvation Army Folkestone, supported by our own Lifeline out of hours service, Sanctuary Supported Living - Homeless Outreach, the Porchlight Housing Helpline supported by Kent County Council and the Rainbow Centre who are again running the Crisis Winter Shelter in conjunction with local churches, and our focus remains upon rehousing people that are rough sleeping in the district, at least in part using our Rough Sleeper Initiative and Private Rented Sector Access Funds, being grant monies provided by central government.

**SUPPLEMENTARY QUESTION:**

Those figures need to be looked at closely. Would you join us for the Big Sleep-out on Friday?

**ANSWER:**

On the numbers, it is a snapshot from last night, which is carried out on a monthly basis.

I do have the sleepout in my diary, but unfortunately, I cannot make Friday night.

**15. From Councillor McConville to Councillor Wimble, Cabinet Member for the District Economy**

What, if any, part of the £2.2 million for the Future High Street Fund for Folkestone has already been spent and for what purpose?

**ANSWER:**

None of the £2.2 million of the Folkestone & Hythe District High Streets Fund has yet been spent.

**THERE WAS NO SUPPLEMENTARY QUESTION.**

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

Can you give an update on the re-tendering process for the waste and recycling contracts with particular reference to recycling schemes for multi-occupational flats and buildings. Does he agree that everyone should have the ability to recycle from home and will this be included in the new contract?

**ANSWER:**

Firstly I will give an update on the waste, recycling and street cleansing tender. The new contract will start in January 2021. The tender specification is currently being prepared with the intention to start a competitive dialogue process with potential bidders in December, with final tenders submitted and evaluated by Easter next year.

The waste and recycling contract itself does not define or restrict the ability of households to participate in the recycling scheme. This ability is often defined by the practical matters of access, availability of storage areas at a location and complexities of ownership.

However, I agree that more needs to be done in relation to flats. The district has enjoyed a steady increase in recycling levels in past few years including hitting 50% monthly recycling rate several times this year. Across Kent less than 1% of all refuse now goes to landfill. In the new contract we will be continuing the existing recycling scheme as it well understood locally and it meets the national criteria for materials collected.

Despite this progress, it will be difficult to meet future national targets without greater participation from flats. This can only be done by new multi-occupational properties designing in space and access for recycling at a planning stage and engagement with local social housing providers and our own housing stock. The Waste Team has previously met with landlords to work on promoting recycling and will be starting a project next year working with social housing providers.

**SUPPLEMENTARY QUESTION:**

This is very close to the hearts of our residents, would you be happy to meet with residents to discuss this further?

**ANSWER:**

I am always keen to meet with the public about anything within my portfolio.

**17. From Councillor Davison to Councillor Monk, Leader of the Council**

What due diligence was undertaken in regards to members of your new cabinet, before offering them cabinet positions?

**ANSWER:**

This is a matter for me as Leader of the Council and not a matter for you. I would just add that you shouldn't necessarily believe all that you read.

**SUPPLEMENTARY QUESTION:**

Is it acceptable for a Councillor on Cabinet to not comply with a basic requirement of submission of election expenses, following the recent elections?

**ANSWER:**

This is not the right forum for this to be raised. If you provide the evidence of this to the Returning Officer, it can be followed up.

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