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FOLKESTONE AND HYTHE DISTRICT COUNCIL

Minutes for the meeting of the Council held at the Council Chamber - Civic Centre Folkestone on Wednesday, 18 December 2019

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

Apologies for Absence: Councillors Danny Brook, Philip Martin and John Wing

Councillor Laura Davison also gave an apology for lateness.

70. Declarations of Interest

There were no declarations of interest at the meeting.

71. Minutes

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

72. Chairman's Communications

The Chairman invited the Head of Paid Service to make a statement to Council. The Head of Paid Service made the following announcement:

“Thank you Chairman.

I would like to make a statement about the work of the council relating to the illegal occupation by travellers at Shorncliffe.

On 25 November a group of travellers illegally entered the sports ground car park off Aldridge Road. The size of the encampment was around 13 caravans and towing vehicles.

The site is owned by Taylor Wimpey and the car park and sports ground has been subject to several previous incursions. Some target hardening measures have taken place by the site owner including a strengthened height barrier. However, despite these measures, entry was gained.

In the following days, the council received a high number of call and emails from concerned local residents reporting serious incidents of anti-social behaviour including theft, violent threats against the community, children defecating on play equipment, fires being lit and loud noise, etc.

In response to the level of public concern, we first issued a legal notice to leave the land under Section 77 of the Criminal Justice and Public Order Act 1994.

This was then backed up by obtaining a Section 78 order authorising the council to remove persons and vehicles unlawfully remaining on the land. The Section 78 order was obtained at the earliest available opportunity from the Magistrates Court on 3 December.

As soon as the order was approved the encampment was notified and eviction scheduled for later that week, which involved the council bringing in bailiffs and tow trucks. On 6 December the encampment moved away from the sports ground car park to a nearby commercial site but returned to Aldridge Road on 9 December initially setting up along the road and then moving back into the car park, removing the reinstated height barrier in the process.

The encampment then proceeded to barricade the entrance with vehicles and concrete blocks and expressed a clear intention to remain at the car park and threatened that any further attempt at eviction would be met with a violent response.

The council was not prepared to allow the encampment to continue occupying the car park and, in conjunction with the police, returned to the site on 11 December to enforce the court order despite the very real risk of physical violence and potential injury to those involved in the eviction process.

An attempt was made to peacefully resolve the situation. When this did not make progress the bailiffs were authorised to remove the physical barriers to the site entrance. The encampment responded by driving vehicles across the entrance and locking young children into those vehicles and into their caravans. The police attempted to negotiate the safe removal of the children. This continued for some time until the local inspector, after discussion with his superiors, took the decision that to continue the eviction would put the children locked in the vehicles at significant risk of injury. The decision was therefore made to stand down and withdraw from site to reduce tensions. Whilst the council was extremely reluctant to leave the encampment in place it agreed with the police assessment that continuing the eviction posed a risk to the children. It is worth noting that throughout the day police, council staff and bailiffs were subject to repeated verbal abuse and threats, and I am grateful for the high-level of professionalism shown by colleagues in very difficult circumstances.

Over the following days discussions were held with senior police officers about how best to resolve the situation. It was agreed that the council would attempt to negotiate the removal of the encampment to an alternative site on a temporary time-limited basis. The police also increased the level of patrols and resources available in the Shorncliffe area during this time. Over this period the council continued to communicate with local residents who were naturally concerned about the situation.

After assessing a number of alternative sites the decision was taken to offer the encampment a conditional temporary and time-limited stay at the Lower Leas Car Park until 6 January. This was agreed with the encampment last Monday who then left the Shorncliffe car park, via a short term stay along Fort Road in

Hythe, before moving into the Lower Leas Car Park yesterday. The police will be deploying additional resources and patrols to the area for the period.

The purpose of this statement is to explain to councillors the sequence of events and very difficult decisions that had to be taken. This has not been a simple issue to resolve and has required a level of compromise to reach a peaceful resolution.

The council has taken decisions considering the best interests of its residents and to minimise the impact on our community.

We are realistic, however, that this is only a temporary solution to the repeated incursions by this group of travellers and further discussions with our partners (i.e. the police and local landowners) along with further legal action will be needed to resolve this issue longer-term. This work is already underway and councillors will be kept updated as this work progresses.

Should any councillors wish to discuss this matter with me I would be happy to do so outside of the council meeting.

Thank you Chairman”.

The Chairman then reported on the following:

“First, let us take a moment to think about the deputy Chairman Cllr Philip Martin who is ill in hospital and quite poorly. I have been in touch with him on a daily basis to send our good wishes for a speedy recovery.

On Tuesday 26th November It was my privilege to present a cheque of £350 to the Rainbow Centre to help some of the most vulnerable in our society have somewhere warm and dry to stay and eat over the winter period.

On Thursday 28th I attended the Folkestone Town Mayor’s “Not the Xmas Dinner” at the East Kent College which was in aid of the Town Mayor’s charities. The meal was prepared and cooked by the students and as ever was excellent.

Sunday 1st December the Deputy Chairman and I were invited to accompany the Mayor of Bexley to view the London Lights. These were breathtaking and had an Angel theme. This again was in support of the Mayor’s charity”.

73. Petitions

There were no petitions to be presented.

74. 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.

75. 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.

76. Announcements of the Leader of the Council

The Leader made the following announcements:

“Good evening to you all.

I am sure most of you are aware there have been problems with the running of East Kent Housing and it is likely that we will be bringing our part of it back in house.

Not only will we have to address the compliance issues and put in systems to ensure future compliance, we will also have to invest heavily in bringing the stock back up to a reasonable state of repair. If we do this, just using existing H.R.A revenues we will not be able to build the remaining 200 of our 300 target homes that are to be financed through the H.R.A business plan.

Without a doubt, 2 of the major priorities for the council are

- 1) To provide more social housing
- 2) Address the climate emergency

This administration will therefore be proposing to the council that instead of paying of the loan on the H.R.A on a reducing balance basis will just pay the interest, and further that we make available £10m from the General Fund for the H.R.A to draw on over the next 3 years. This would enable not only the refurbishment of our existing stock but the building of a further 1000 homes making a total of 1200 in the next 10 years.

The climate emergency initiative will also need funding as there is no budget for it at the moment, for instance one of the first proposals is that whenever possible when we replace vehicles that they should be electric however, electric vehicles are more expensive and we will have to provide charging points, we do not want to cut services to accommodate these additional costs so we are suggesting that £10m is ring-fenced to accommodate it. If the council agrees that, the funding will come firstly from £5m of reallocated reserves and then as necessary from prudential borrowing up to £15m, giving £20m across the two proposals, we would see the £15m being funded from future land sales of the Otterpool Park scheme thus giving a tangible benefit to the whole of the district.

On the social housing proposition we have run high level financial scenarios which we are happy to share with group leaders. Both of these initiatives are

also the new government priorities so we may be able to either improve on targets or lever in more money.

This proposition, I believe, expands on our existing emphasis in these 2 areas as well as addressing the top priorities of all our councillors and would influence the direction of our corporate plan, and certainly make the council one of the most forward thinking in the land.

Before I close, I must congratulate both Charlotte Spendley and Andy Blaszkowicz on their being appointed as Corporate Directors effective from 2 January and I look forward to working with them both as we drive forward our exciting agenda.

I wish you all a Happy Christmas and productive New Year”.

The Leader of the Labour group responded and advised that this was welcome news for the many people on the housing waiting list, and he looked forward to looking through the details.

The Leader of the Green Group responded and passed her congratulations to Andy Blaszkowicz and Charlotte Spendley on their new positions. She stated that the group priorities were the climate emergency and social housing, and they welcomed these priorities. She added that the group would need to look at the finances and understand how this will work. She then wished everyone a Merry Christmas.

Councillor Prater, the Leader of the Liberal Democrat Group responded and stated that he agreed the council should be more transformational in the number of council houses being built, and he welcomed this news. He looked forward to receiving the detail around the budget, and critical refurbishment work required in the New Year. He also welcomed the creation of a Climate Change budget, allowing the council to make a head start in being carbon neutral. He also congratulated Charlotte Spendley and Andy Blaszkowicz, and wished all staff and Councillors a Merry Christmas.

The Leader in reply thanked the Group Leaders for their comments.

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

RESOLVED:

That the announcements of the Leader be noted.

77. Opposition Business

Councillor McConville, on behalf of the Labour Group, set out his motion which asked the council to train its Corporate Procurement team to understand

modern slavery through the Chartered Institute of Procurement and Supply's (CIPS) online course on Ethical Procurement and Supply.

Proposed by Councillor McConville,
Seconded by Councillor Meade; and

RESOLVED:

That Option (C) (Examine the matter as part of a future Scrutiny programme) be agreed for the matter below.

“That this council believes that action needs to be taken to raise awareness of modern slavery and the fact that it is happening all over the UK. That councils have an important role to play in ensuring their contracts and supplies arrangements are set up to combat modern day slavery and exploitation”.

(Voting figures: 27 for, 0 against, 1 abstention).

78. Motions on Notice

There were no motions on notice.

79. Appointment of Independent Persons under the Localism Act 2011

The report set out the Audit and Governance Committee recommendations on the appointment of Chris Harman, David Carter and Ken London as the Independent Members under s28(7) of the Localism Act 2011.

Proposed by Councillor Prater,
Seconded by Councillor Whybrow; and

RESOLVED:

- 1. To receive and note report A/19/21.**
- 2. To appoint Chris Harman, David Carter and Ken London as the Independent Persons under s28(7) of the Localism Act 2011 for a term of four years.**

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

80. Audit and Governance Committee - Independent/Co-opted Member

The report set out the recommendation of the Audit and Governance Committee that an independent member be appointed to that Committee.

Proposed by Councillor Whybrow,
Seconded by Councillor Prater; and

RESOLVED:

- 1. That report A/19/20 be received and noted.**

2. That an independent member be appointed to the Audit and Governance Committee

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

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Council – 18 December 2019

Public Questions

1. From Mr Rylands to Councillor David Godfrey, Cabinet Member for Housing, Transport and Special Projects

What were the numbers for the Rough Sleepers across the district when the Council and other agencies undertook the headcount in Nov 2019?

10

SUPPLEMENTARY QUESTION:

What is the head count for Rough Sleepers for each year since it began across our district?

2010	2011	2012	2013	2014	2015
9	12	5	4	4	13
2016	2017	2018	2019		
9	16	18	10		

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Full Council – 18 December 2019

Councillor questions:

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

The beach huts as we know are going to be given a face lift in 2020 could you please explain why (unless work is going to be started on the 5th Jan) the tenants are being rushed to move their possessions out? A stay of execution was requested and each and everyone of these long term tenants have been refused extra time. Making it very difficult for them at this time of year. Would it really hurt us as a council to give the tenants extra time despite their lease running out.

ANSWER:

The leases of the beach chalets come to an end on 4th January 2020. The project to refurbish and replace the chalets is scheduled to commence in the first quarter of 2020. Therefore regaining vacant possession of the chalets in January at the expiry of the 52 chalet leases provides the Council with the certainty it needs to progress the project as soon as it is able to at the start of the year. Otherwise the Council would need to negotiate new leases for the tenants for a short space of time only until the works commence. This would not be practical, would be an inefficient use of time and resources, and could potentially lead to project delays. Tenants have been asked to contact the Council through beach.chalets@folkestone-hythe.gov.uk if they have any queries over vacating their premises on time. To date, numerous queries have been received and in some instances tenants have been granted additional time at the start of January during which they can remove all of their chalet possessions.”

THERE WAS NO SUPPLEMENTARY QUESTION.

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

Could you explain to us why there is only a Conservative member on the Community Safety Committee surely now there is an opposition there should be members from all political parties? Community safety and the issues faced by our constituents are an issue for all of us and therefore our voice to should be heard.

ANSWER:

The Community Safety Unit (CSU) meets weekly as a confidential meeting of key partners.

The CSU is the delivery arm of the statutory Folkestone & Hythe Community Safety Partnership (CSP)

Cllr Hollingsbee attends as the Council's lead for Community Safety and as part of her portfolio holder functions. There are other requirements that mean the

portfolio holder is required to be fully sighted on matters being addressed by the CSP and the CSU.

The information shared at CSU is highly confidential & shared on a need to know basis & with key partners in order to meet the Kent & Medway Information Sharing Protocol

As the Portfolio Holder Cllr Hollingsbee has a number of key roles that mean she needs to be fully sighted on both CSU and CSP matters. These include the needs to liaise with the Police and Crime Commissioner (PCC) when the PCC asks for views on matters from portfolio holders as well as attendance at key meetings eg The Police and Crime Panel.

There are many ways on which members can share their voice on community safety matters some of which are listed below:

- Raise matters direct with the portfolio holder
- Be involved in key residents / neighbourhood meetings – Cllr drop in sessions have been arranged first one being 9th January. Also Local Engagement meetings (LEMs) are being set up for all wards.
- Report issues either through 101 or online
- Utilise the Overview and Scrutiny Committee that acts as the Community Safety Partnership Scrutiny once a year and hears of the Community Safety Plan, priorities and other key issues.

THERE WAS NO SUPPLEMENTARY QUESTION.

3. From Councillor Davison to Councillor Mrs Hollingsbee, Deputy Leader and Cabinet Member for Communities

The monthly one stop shop in Lydd which supports people experiencing domestic violence is currently suspended and the weekly Folkestone service is turning people away because of a shortage of professionals. Please can you give a commitment that as a council we will do everything we can to ensure these services are properly funded and supported to make sure people who desperately need help in our local community get it?

ANSWER:

We are aware the monthly One Stop Shop (OSS) for Lydd is currently suspended and this is due to a shortage in the availability of professionals from ALL services, excluding HomeStart who coordinate and run OSS for our district.

The Folkestone OSS has at times had to turn clients away. We agree that as a Council this is not acceptable as a form of support for victims of Domestic Abuse in our district and have been liaising with HomeStart. All OSS's are run as an add on to all professionals days jobs and does require the commitment from services for their staff to attend.

Our Community Safety Partnership (CSP) has addressed this previously and it is an agenda item for our full CSP meeting in January where we will be again

asking all services to provide professionals to attend the OSS along with a backup, where resources permit.

As a Council we are very committed to support all domestic abuse services in the district. We currently commission the OSS through our Police and Crime Commissioner Community Safety funds. These funds provide the HomeStart support worker to run the OSS as well as the printing of all OSS posters and OSS DA cards. The funding also includes the collation of all information and statistics which are provided to us for our Strategic Assessment and forms the basis of the yearly Community Safety Partnership Plan as well as to the overall Kent & Medway DA group. We also fund along with the other districts the Rising Sun IDVA (Independent Domestic Violence Advisor).

SUPPLEMENTARY QUESTION:

I'm pleased to hear that it is an item for the CSP meeting in January. It would be helpful to receive a report back following this discussion?

ANSWER:

I'm sure I can confirm that a report will come back to you.

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

Saving our planet is the most urgent issue we face. What practical steps has the leadership of the district council taken since we declared a climate emergency in July 2019?

ANSWER:

The Climate Emergency and Ecological Emergency Working Group, formed of councillors from each political group plus the independent member met on the 18th October. A range of topics including the council's own working practices and how we might work with the community were discussed. The group also raised a number of initial ideas and potential actions regarding issues such as energy use, transport, tree planting, flooding and new housing development. These actions are currently being researched. The next meeting of the working group is scheduled for 7th January where those action points will be discussed along with the production of both an action plan and a long term Climate Change Strategy.

An officer has also been seconded to work specifically with the working party and to drive forward work on the action plan and the long term strategy. We will also work with a wide range of organisations including the County Council to progress this work.

The Council has also been undertaking a number of actions and these include:

- Working with KCC to provide charging points for electrical vehicles in the district including one at the Civic Centre.
- The production of a Green Infrastructure Strategy to mitigate and improve the resilience of the District's environment to climate change.

- We plant around 100 semi-mature trees a year with focus on broad canopy trees for carbon uptake.
- Working with staff to review the Civic Centre's recycling (this includes tenants as well as the Council) and staff transport – e.g. there is a cycling to work scheme. Staff have also taken part in K.C.C.'s activmob survey which encourages non car travel to work.
- Planting wildflower meadows and managing land to promote biodiversity e.g. churchyards.
- Reducing strimmer and pesticide application around trees and obstacles where suitable.
- Following Full Council's resolution to move to being pesticide free officers have met with members to discuss trialling alternatives to pesticides. The scope of this is being worked on in the New Year and will be reported to the working group in the spring.
- Rural grass verges on the Marsh are now managed for wildlife only being cut on one occasion per year.
- Battery operated grounds maintenance equipment being purchased where suitable to replace petrol powered equipment.

SUPPLEMENTARY QUESTION:

Are you looking at convening a citizen's assembly to discuss these issues?

ANSWER:

I am sure the Committee will take this suggestion on board and consider this idea.

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

Are you aware of the Hope bus project and can we bring one to Folkestone, where homelessness has doubled since 2010?

ANSWER:

Thank you for your question, firstly it is not true that rough sleepers in Folkestone and Hythe District have doubled since 2010. Our records show that there were 9 in 2010 and as you heard earlier there were 10 in the November count. We continue to strive to reduce this number.

I am aware of the recently launched HOPE scheme in South Wales, which, has converted a double decker bus to provide temporary accommodation for up to 12 people. I understand this project was set up and run by volunteers and wish it every success, sadly a similar project set up by volunteers in Portsmouth suffered repeat vandalism and their bus has been passed to Sussex Homeless

support in Brighton. I sincerely hope that both the Newport and Brighton schemes do not suffer the same abuse and will be interested in the outcomes.

We should of course look at all solutions to prevent homelessness and this Council recognises the importance of providing emergency accommodation for people sleeping rough in the District. Members will be aware that through the commitment of local volunteers and funding from a range of partners, including the Council, the Folkestone Churches Winter shelter provides accommodation for 13 homeless people each night during the winter period.(referring to an earlier public question the head count was 10 on 19th November) We are also working in partnership with Sanctuary Housing and Porchlight to provide an outreach service to engage with people who are rough sleeping in the district, enabling them to access housing and support services so that they are able to move to a more settled way of life. Over the last year, the outreach service has helped a number of people to access accommodation and support, while we are also assisting the Folkestone Rainbow Centre to move people on from the winter shelter into settled housing. . Going forward it is vital that we work closely with our partners to monitor the services that we are providing in the district to ensure that they are as effective as possible in prevention and reduction of the numbers of people sleeping rough in the District, including people who are the most entrenched rough sleepers.

SUPPLEMENTARY QUESTION:

What practical steps will we take to address this emergency?

ANSWER:

I have already clarified the practical steps we are taking with partners in my answer. We will wait to see if the Hope bus project is a success, and if you have any further suggestions in the meantime, I would be happy to hear them and take them forward.

6. From Councillor McConville to Councillor Godfrey, Cabinet Member for Housing, Transport and Special Projects

In light of the decision to remove the tenant representatives from the EKH board, how will tenants now have a role in the governance of their own housing?

ANSWER:

In view of the findings of the independent Pennington Report, the Council and its East Kent Council partners have taken urgent action to take direct control of EKH, including dismissing all members of the EKH Board. We remain fully committed to working with and communicating with tenants, leaseholders and the staff at EKH in order to improve services and to further progress the compliance works that are being completed across the Council's housing stock. Going forward, Tenants and Leaseholders, including the Shepway Tenants and Leaseholders Board will continue to be central to the Council's Housing Service.

SUPPLEMENTARY QUESTION:

I would hope for further communications on this matter?

ANSWER:

Of course, I am happy to work together on this issue.