



# Agenda

Meeting: **Council**  
Date: **21 October 2020**  
Time: **7.00 pm**  
Place: **Zoom - remote meeting**

To: **All Members of the Council**

**YOU ARE HEREBY SUMMONED** to attend a remote meeting of the Council on the date and at the time shown above. The meeting will be open to the press and public, who can watch the meeting live at: [bit.ly/YouTubeMeetings](https://bit.ly/YouTubeMeetings)

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.

Chief Executive

1. **Apologies for Absence**
2. **Declarations of Interest (Pages 7 - 8)**

Members of the Council should declare any discloseable pecuniary interest or any other significant interests in any item/s on this agenda.

3. **Chairman's Communications**
4. **Announcements of the Leader of the Council**

**Queries about the agenda? Need a different format?**

Contact Jemma West – Tel: 01303 853369  
Email: [committee@folkestone-hythe.gov.uk](mailto:committee@folkestone-hythe.gov.uk) or download from our website  
[www.folkestone-hythe.gov.uk](http://www.folkestone-hythe.gov.uk)

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.

## 5. **Opposition Business**

The Labour Group has raised the following matter:

### **This council notes that:**

- Last year 2160 young people (aged 16 or over) left the care of Kent County Council and began the difficult transition out of care and into adulthood.
- A 2016 report by The Children's Society found that when care leavers move into independent accommodation they begin to manage their own budget fully for the first time. The report showed that care leavers can find this extremely challenging and with no family to support them and insufficient financial education, are falling into debt and financial difficulty.
- Research from The Centre for Social Justice found that over half (57%) of young people leaving care have difficulty managing their money and avoiding debt when leaving care.
- The local authority has statutory corporate parenting responsibilities towards young people who have left care up until the age of 25.
- The Children and Social Work Act 2017 places corporate parenting responsibilities on district councils for the first time, requiring them to have regard to children in care and care leavers when carrying out their functions.
- That in January of 2020 KCC resolved to: Agree that Kent County Council will fund the council tax payments for Kent young people who are Care Leavers from the age of 18 years, up to the age of 21 years. All young people will be supported and expected to claim any council tax benefit/discount entitlement that they are eligible for. E.g. singled person, student, severe impairment of mental capacity etc.
- A campaign by the Children's society has successfully

lobbied at least 130 councils to commit to keeping care leavers exempt from council tax until the age of 25. So far some 47,459 young people are benefiting from this scheme.

**This council believes that:**

1. To ensure that the transition from care to adult life is as smooth as possible, and to mitigate the chances of care leavers falling into debt as they begin to manage their own finances, they should be exempt from paying council tax until they are 25.
2. Care leavers are a particularly vulnerable group for council tax debt.

**This council, therefore, resolves:**

1. To consider a report assessing the options with the aim of exempting or significantly reducing the amount of council tax due by young people, who have left the care of Kent County Council between the ages of 22-25 who currently reside in the district of Folkestone and Hythe.

Debates on opposition business shall be limited to 30 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.

**6. 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 resolves to:

1. Encourage all publicly organised firework displays within the district area to be advertised online in advance of the event by offering or signposting a free listing service, so that residents can both enjoy the celebrations and take precautions for their animals and

- vulnerable people;
2. Promote a public awareness campaign about the impact of fireworks on animal welfare and vulnerable people and the precautions that can be taken to mitigate risks, such as asking people to let neighbours know about private displays in advance, and the penalties for causing a noise nuisance late at night where not allowed by legislation;
  3. Encourage retailers to follow the lead of Sainsburys in withdrawing the sale of fireworks to the public;
  4. Develop and promote a voluntary local code on firework sale licenced premises to promote quieter firework options;
  5. Write to the UK Government urging them to introduce legislation to limit the maximum noise level of fireworks to 90dB for those sold to the public for private display;
  6. Encourage the public to notify KCC Trading Standards of retail outlets that are not correctly applying the regulations of the selling of fireworks both in terms of age-appropriateness, licensing and CE markings;
  7. Given the damage they cause and risk they present, institute a ban on the release of sky lanterns from F&HDC land, and write to the UK Government urging them to consider banning sky lanterns in the UK in total.

## **2. From Councillor McConville, Leader of the Labour Group**

### Council Notes

That in recent years there has been a worrying reported rise in racism, xenophobia and hate crimes across the United Kingdom. In the year 2018/19 there were 103,379 reported hate crimes, this is in comparison to 42,255 in 2012/13.

Taking many forms, the impact this is having on people in their day-to-day lives and the inequalities faced have been highlighted by groups such as Amnesty International, Stonewall, Black Lives Matter, stop hate, hope not hate and many others.

Folkestone and Hythe District Council is proud that communities in our area are tolerant and inclusive to people from all racial, ethnic, sexual and religious backgrounds, but also recognises that continuing work is still necessary to ensure that everyone feels welcomed and safe here.

### Council Believes:

That there needs to be a commitment to ensure there is no place for institutional racism or unconscious bias in its functions and practices and that it is an authority not just tackling inequality to meet a duty, but one that actively works with its communities and other agencies to fight racism and hate crime throughout the district.

That a key duty of a council and its representatives is to condemn racism, xenophobia, hate crime, and all other forms of intolerance. Express our

support to victims of these crimes and urge members of the public to report such incidents and work with key partners to break down barriers in reporting.

Council Resolves:

- Make a recommendation to cabinet to consider the following
- To declare that this Council is intolerant to racism and will continue to seek to eradicate it, Islamophobia, sexual orientation discrimination, Anti-Semitism and hate crime across the district by developing initiatives that are actively inclusive and anti-racist. This declaration, or pledge, should appear on the council's website.
- Commit to working with all our partners, including the KCC, national government and Kent Police, to ensure that divisive and discriminatory behaviour is not allowed to continue in our area.
- Be supportive of groups and individuals that are seeking to address these issues through respectful and constructive dialogue.
- To invite appropriate speakers on these issues to help with training for councillors and staff.
- To ensure the points raised above can be realised, the council should establish a community working group. This group can act as a conduit between community groups and organisations and elected representatives with the aim of building community cohesion, tackling discrimination and promoting the district.

### 3. **From Councillor McConville, Leader of the Labour Group**

This Council notes:

- The publication by Government of the White Paper, 'Planning for the Future' on 6 August 2020, which set out proposals on reforms to the planning process for the future.
- That the vast majority of planning applications are given the go ahead by local authority planning committees, with permission granted to around 9 out of 10 applications.
- That research by the Local Government Association has said that there are existing planning permissions for more than one million homes that have not yet been started.

This Council is concerned that the proposals have the potential to:

- Reduce or remove the right of residents to object to applications near them.
- Grant automatic rights for developers to build on land identified as 'for growth'.
- Makes alterations to how and where affordable homes can and will be built.
- Reduce the effectiveness of the Infrastructure Levy to provide ring fenced money for affordable housing or perhaps even infrastructure.

This Council Further Notes:

1. The Royal Institute for British Architects called the proposals 'shameful

and which will do almost nothing to guarantee delivery of affordable, well-designed and sustainable homes'. RIBA also said that proposals could lead to the next generation of slum housing

2. The reforms are opposed by the all-party Local Government Association, currently led by Conservative Councillors.

This Council Believes:

1. That existing planning procedures, as currently administered by our own team allow for local democratic control over future development, and give local people a say in planning proposals that affect them.
2. That proposals for automatic rights to build in 'growth' areas, and increased permitted development rights, risk unregulated growth and unsustainable communities.
3. That local communities must be in the driving seat on shaping the future of their communities, and local determination of the planning framework and planning applications play an important part in this process.

This Council resolves to:

- Highlight the council's comments submitted through consultation to the Secretary of State for Communities and Local Government by means of an addressed letter.
- Highlight the council's comments submitted through consultation, including any possible responses to the public via the council website.

7. **Annual Scrutiny Work Programme 2020/21 (Pages 9 - 12)**

This report presents recommendations for the work programme for the Overview and Scrutiny committee for the remainder of the municipal year 2020/21.

## **Declarations of Interest**

### **Disclosable Pecuniary Interest (DPI)**

Where a Member has a new or registered DPI in a matter under consideration they must disclose that they have an interest and, unless the Monitoring Officer has agreed in advance that the DPI is a 'Sensitive Interest', explain the nature of that interest at the meeting. The Member must withdraw from the meeting at the commencement of the consideration of any matter in which they have declared a DPI and must not participate in any discussion of, or vote taken on, the matter unless they have been granted a dispensation permitting them to do so. If during the consideration of any item a Member becomes aware that they have a DPI in the matter they should declare the interest immediately and, subject to any dispensations, withdraw from the meeting.

### **Other Significant Interest (OSI)**

Where a Member is declaring an OSI they must also disclose the interest and explain the nature of the interest at the meeting. The Member must withdraw from the meeting at the commencement of the consideration of any matter in which they have declared a OSI and must not participate in any discussion of, or vote taken on, the matter unless they have been granted a dispensation to do so or the meeting is one at which members of the public are permitted to speak for the purpose of making representations, answering questions or giving evidence relating to the matter. In the latter case, the Member may only participate on the same basis as a member of the public and cannot participate in any discussion of, or vote taken on, the matter and must withdraw from the meeting in accordance with the Council's procedure rules.

### **Voluntary Announcement of Other Interests (VAOI)**

Where a Member does not have either a DPI or OSI but is of the opinion that for transparency reasons alone s/he should make an announcement in respect of a matter under consideration, they can make a VAOI. A Member declaring a VAOI may still remain at the meeting and vote on the matter under consideration.

#### **Note to the Code:**

Situations in which a Member may wish to make a VAOI include membership of outside bodies that have made representations on agenda items; 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. It should be emphasised that an effect on the financial position of a Member, relative, close associate, employer, etc OR an application made by a Member, relative, close associate, employer, etc would both probably constitute either an OSI or in some cases a DPI.

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This report will be made public on 13 October 2020



Report number: **A/20/02**

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**To:** Council  
**Date:** 21 October 2020  
**Status:** Non- executive decision  
**Responsible Officer:** Susan Priest, Chief Executive

**SUBJECT: ANNUAL SCRUTINY WORK PROGRAMME 2020/21**

**SUMMARY:** This report presents recommendations for the work programme for the Overview and Scrutiny committee for the remainder of the municipal year 2020/21.

**RECOMMENDATIONS:**

1. To receive and note report A/20/02.
2. To approve the annual scrutiny programme (shown at appendix 1) for the remainder of the municipal year 2020-21.

## **1. INTRODUCTION**

- 1.1 The overview and scrutiny procedure rules require that the work programme of the committee be approved at the annual meeting of the council (the programme can be a rolling one) as the annual scrutiny programme. See rule 7.2 of the overview and scrutiny procedure rules.
- 1.2 As it is unclear when the next Annual meeting of the Council will be held, it was suggested that the workplan be submitted to the next available extraordinary meeting of the Council for endorsement.
- 1.3 The Committee considered what work programme should be adopted as the annual scrutiny programme and this report sets out the recommendations of the Overview and Scrutiny Committee.
- 1.4 The Overview and Scrutiny Committee, and its Sub-Committee performs all scrutiny functions on behalf of the Council.
- 1.5 The terms of reference of the Overview and Scrutiny Committee are set out in Part 7 of the Constitution.
- 1.6 These rules apply to the Overview and Scrutiny Committee, and any sub-committees, with any necessary changes.

## **2. FORMULATION OF THE SCRUTINY WORKPLAN**

- 2.1 On Thursday 30 July, Ian Parry from the Centre for Governance and Scrutiny (formerly Centre for Public Scrutiny) held a workshop with Members of both the Overview and Scrutiny Committee, and the Cabinet, to build a future Scrutiny work plan. Members of the Overview and Scrutiny Committee were given a list of items, made up of topics from various sources, including the Corporate Plan, Member ideas, Community concerns, and Cabinet forward decisions.
- 2.2 Overview and Scrutiny Members were then invited to score each item from 1-5 (5 highest, 1 lowest), based on each of the following criteria:
  - High general public concern,
  - Critical to council priorities and plans,
  - High financial value,
  - Risks in successful delivery.
- 2.3 Based on this, the nine highest scoring items were selected for the Scrutiny workplan. Nine items would make up the main workplan, with an additional three in 'reserve' for the Committee. These 'reserve' items will allow for some flexibility in the workplan, in the event that the Committee is required to consider other urgent matters.

- 2.4 In addition to the items selected, the Overview and Scrutiny Committee has a statutory requirement to act as the Council's Crime and Disorder Committee and to meet for that purpose at least once a year.
- 2.5 It is the intention that the Committee would consider two items per meeting (with only six meetings per year). In addition, the work plan must allow some flexibility, allowing for Members to make suggestions for topics throughout the course of the year.
- 2.6 The proposed workplan is set out at appendix 1 to this report.
- 2.7 The Committee approved the workplan at their meeting on 6 October 2020.

### **3. RISK MANAGEMENT ISSUES**

A summary of the perceived risks are as follows:

No perceived risks.

### **4. LEGAL/FINANCIAL AND OTHER CONTROLS/POLICY MATTERS**

#### **4.1 Legal officer's comments (AK)**

It is a requirement of the constitution that the work programme of the committee be approved at the annual meeting of the council.

#### **4.2 Finance officer's comments (RH)**

There are no financial implications to this report.

#### **4.3 Diversities and equalities implications (GE)**

There are no equalities implications directly arising from this report.

### **5. CONTACT OFFICER AND BACKGROUND DOCUMENTS**

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

Jemma West, Committee Services Specialist  
Tel: 01303 853369  
Email: [jemma.west@folkestone-hythe.gov.uk](mailto:jemma.west@folkestone-hythe.gov.uk)

#### **Background documents**

CfPS scoring summary and selection tool.

#### **Appendices:**

Appendix 1: Suggested Annual Scrutiny Work Programme 2020/21.

**Scrutiny Work plan – 2020/21**

<b>SUBJECT</b>	<b>PRIORITY</b>
Otterpool Park - Business plan	1
FHDC COVID recovery plans – economy/community/environment	2
Folkestone Town Centre Regeneration	3
HRA Business Plan	4
Housing – HRA Asset Management Framework	5
Updates from the Working Groups	6
Other Housing – Housing Options; Private sector housing	7
Homelessness Strategy	8
Corporate Plan	9
The items below will be held in reserve :	
Housing Tenant & Leaseholder Liaison Strategy	10
S106 decision making, prioritisation and processes	11
Unauthorised encampments – policy shaping	12