

Meeting: **Council**
Date: **27 July 2022**
Time: **7.00 pm**
Place: **Council Chamber - Civic Centre Folkestone**

To: **All Members of the Council**

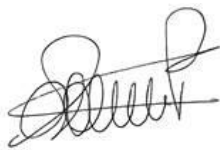
YOU ARE HEREBY SUMMONED to attend a meeting of the Council on the date and at the time shown above.

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

This meeting will be webcast live to the council's website at <https://folkestone-hythe.public-i.tv/core/portal/home>.

Please note there will be 37 seats available for members of the public, which will be reserved for those speaking or participating at the meeting. The remaining available seats will be given on a first come, first served basis.

Although social distancing measures have now ended, all attendees at meetings are kindly asked to wear face coverings, unless they are addressing the meeting.



Dr Susan Priest
Chief Executive

Queries about the agenda? Need a different format?

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

1. **Apologies for Absence**

2. **Declarations of Interest (Pages 9 - 10)**

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

3. **Minutes (Pages 11 - 14)**

To receive the minutes of the meeting of the council held on 30 March 2022 and to authorise the Chairman of the Council to sign them as a correct record.

4. **Chairman's Communications**

5. **Petitions**

There are no petitions to be presented.

6. **Questions from the Public**

The following questions have been received:

1. From Ms E Nicholson to Councillor Monk, Leader of the Council

Bob Moulard is most closely associated with the Sidney Cooper Memorial Fountain, to preserve, maintain, and bring it to a much wider audience, and significance generally. We, his many supporters, therefore propose that the steps that are at the gardens entrance be called Moulard Steps to permanently mark his dedicated public spirited effects there. Therefore we ask, do you support this proposal, and if not, why not please?

2. From Mr Gill to Councillor Field, Cabinet Member for Transport and Digital Transformation

When can it be expected that the on-going problems of parking, traffic congestion and danger to pedestrians along The Stade, Folkestone will be seriously addressed?

7. **Questions from Councillors**

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

Up to 45 minutes is allowed for questions from councillors.

8. **Announcements of the Leader of the Council**

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

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

9. **Opposition Business**

The Labour Group has raised the following matter:

Council Notes

On 1 April 2022, Ofgem increased the energy price cap by 54 per cent.

In light of the increased energy price cap, the average standard tariff energy bill will increase by £693 per year. The average pre-pay meter energy bill will increase by £708 per year (Ofgem, 2022).

Ofgem has also stated that the price cap will further increase in October from £1,971 to £2,800.

That research by consumer group Which? has found that 57% of households have taken some form of action, including cutting back on essentials, taking out loans, and relying on savings or overdrafts to make ends meet due to the cost-of-living crisis.

The Government has suspended the pensions 'triple lock' for 2022/3, meaning Folkestone and Hythe's 26,791 pensioners will see a rise of 3.1 per cent this year (instead of 8.3 per cent under the triple lock formula). This year, this will cost pensioners in Folkestone and Hythe hundreds of pounds.

In 2021/22 Folkestone and Hythe Foodbanks distributed 2983 food parcels to adults and children in need from its 3 centres. This is up from 481 parcels from 2016.

Countless other organisations access food from other sources such as supermarket schemes to distribute to residents on a daily basis.

Local residents even make use of apps that allow them to get free food from shops in the district to save money when possible.

That the decision taken in June 2022 to impose a 'Windfall Tax' on the super-profits of oil and gas companies and to redistribute this as a one-off payment of £400 to households later this year.

The welcoming of a further £650 cost of living payment to those residents

receiving means tested support.

Council Believes

That the support currently on offer is not nearly enough for those residents in the district who will suffer the most with this current cost of living emergency.

That only by working in partnership with the many agencies within the district that currently offer all forms of support, can we reasonably address this emergency.

A collaborative plan to address the cost-of-living emergency should be in place by October.

Council Resolves

To declare a cost-of-living emergency for Folkestone and Hythe.

To build on the good work the council already carries out with regards to its collaboration with the voluntary sector and convene a cost-of-living summit within the district by October, looking at every possible way in which residents can be assisted through what will be a very tough winter.

This summit should involve all the voluntary organisations within the district who currently provide assistance to residents. As well as key organisations such as Kent Police, Citizens Advice, local GP's, and the district school network.

The summit should provide a blueprint for residents to manage through the cost-of-living emergency with regards to, education, funding, and awareness.

To both lobby our local MP and call on the leader of the council to write to the secretary of state for work and pensions for the following:

- Immediately restore the Universal Credit supplement of £20, which was cancelled by the Government in September 2021.
- To increase the rate of universal credit and other support payments to a sum which is appropriate to the current level of inflation.

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

- c) deciding whether to make a decision on the issue;
- c) Agree to examine the matter as part of a future scrutiny programme;
- d) Adopt the issue raised by opposition business provided that the decision so made is within the policy framework and budget.

10. **Motions on Notice**

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

1. **From Councillor Gane (Liberal Democrat Group)**

The White Lion Public House building on Cheriton High Street has long been an iconic part of Cheriton's street scene. However, over the last 15 years it has been unused and fallen into disrepair and is now seemingly at risk of collapse.

Most residents would like to see any development keep the previously impressive frontage of the building.

Council therefore calls on Folkestone and Hythe District Council to use compulsory purchase powers, or any other powers available and appropriate, to buy the building and redevelop the site. This Council believes that any such redevelopment should retain the historic frontage, be of an appropriate scale, utilise the ground floor for a community or retail use and the upper parts for social housing to help the community at large.

2. **From Councillor Whybrow (Green Group)**

Residents are deeply concerned about water quality and the impact of regular wastewater discharge, which includes untreated sewage, into our local rivers and seas and the impact on wildlife and on human health.

Releasing sewage into our seas and rivers is no longer an emergency-only situation occurring as a result of severe storms, but an everyday occurrence even in 'normal' rainfall, and that we are in a situation of cumulative overload on the sewage and wastewater system.

According to the Rivers Trust in 2021 there were 20 spills in our district over a period of 164 hours.

Whilst there are long term commitments, there are no plans in place which will address the immediate unacceptable situation either locally by Southern Water or by national government.

Both the local and national planning policy requires a robust approach to both water quality and pollution and a recent legal opinion from the Environmental Law Firm confirms the need to consider cumulative impact. Yet planning consultation documents show that it has not been the practice of council planners to ask Water Companies to report on cumulative impact i.e. whether or not development may lead to any potential increase in 'emergency' discharge into rivers and seas.

This Council resolves to:

1. Recognise this Council's obligation to protect its rivers and seas, including from the cumulative impacts of pollution,
2. Make sufficient resources available to work proactively with the statutory authorities to ensure that an evidence base is compiled that assesses the cumulative impact of sewage discharge so that this is factored into decisions made in new iterations of the local plan, including the overall level of future development.
3. Seek to better understand the cumulative impact of wastewater discharge including untreated sewage on our local rivers, wildlife and the health of our residents.
4. To take a lead on addressing this issue, working constructively with other agencies.
5. Ask Southern Water, from this date onwards, in its planning consultation responses for major development, to clarify which treatment works will be managing the sewage; whether it has the information available to assess the impact on the number or duration of sewage discharges into local rivers or seas, and if it does have this information to share it (noting that this can only be requested not required).
6. Request that planning officers, from now onwards, include in all reports relating to major development a specific section on the impact on watercourses including the potential for the development to affect sewage outflow into watercourses (i.e. cumulative impact), or to flag if this information is not fully available, so that this information (or the lack of it) is clearly and transparently set out.

11. **Flexible Use of Capital Receipts Strategy 2022/23 (Pages 15 - 20)**

This report seeks Council approval regarding the Flexible Use of Capital Receipts Strategy for 2022/23 in accordance with the Department for Levelling Up, Housing and Communities latest guidance.

12. **Folkestone and Hythe District Council's Financial Contribution to the council's levelling up fund round 2 application (Pages 21 - 24)**

This report seeks agreement for the Council to allocate funding for the 10% financial contribution required by the government for the council's Levelling Up Fund application.

13. **Review of Political Balance and Committee Membership (Pages 25 - 28)**

This report sets out a summary of the need to review the political balance and membership of committees following the resignation of Councillor Brook to leave the Conservative Group and join the Folkestone and Hythe Independent Group, and Councillor Gane to leave the Conservative Group and join the Liberal Democrat Group.

14. **Report to Council on a decision made in accordance with the constitution's call-in and urgency rule (Pages 29 - 30)**

The constitution provides that, when an urgent decision is made by the Cabinet or Cabinet Member, 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. Decisions, taken as a matter of urgency, must be reported to the next available meeting of the Council, together with the reasons for urgency.