

Cabinet

Held at:	Council Chamber - Civic Centre Folkestone
Date	Wednesday, 22 March 2023
Present	Councillors John Collier, Mrs Jennifer Hollingsbee (Vice-Chair), David Monk (Chairman), Stuart Peall, Tim Prater and David Wimble
Apologies for Absence	Councillors Ray Field, David Godfrey and Lesley Whybrow
Officers Present:	Andy Blaszkowicz (Director of Housing and Operations), Gavin Edwards (Performance and Improvement Specialist), Ewan Green (Director of Place), James Hammond (Strategic Policy Officer), Amandeep Khroud (Assistant Director), Lydia Morrison (Interim S151 Officer), Susan Priest (Chief Executive), Adrian Tofts (Strategy, Policy & Performance Lead Specialist) and Jemma West (Democratic Services Senior Specialist)
Others Present:	Councillor Rolfe

NOTE: All decisions are subject to call-in arrangements. The deadline for call-in is Friday 31 March at 5pm. Decisions not called in may be implemented on Monday 3 April 2023.

83. **Declarations of Interest**

There were no declarations of interest at the meeting.

84. **Minutes**

The minutes of the meeting held on 22 February 2023 were submitted, approved and signed by the Leader.

85. **Oportunitas Limited - Progress report 2022/23 and Business Plan 2023/24**

The report proposed a Business Plan from the Board of Oportunitas Ltd (“the company”) covering its activities through to 31 March 2024. The report also provided a financial update for 2022/23. The report meets the requirement contained in the Shareholder’s agreement between the company and the

Council. The Chairman of Oportunitas, Councillor Rolfe, was in attendance to present the report and answer any questions.

Proposed by Councillor Wimble,
Seconded by Councillor Collier; and

RESOLVED:

1. **That report C/22/104 be received and noted.**
2. **That the Business Plan for Oportunitas Limited for the period through to 31 March 2024 be agreed.**

(Voting figures: 6 for, 0 against, 0 abstentions).

REASONS FOR DECISION:

Cabinet was asked to agree the recommendations because the Shareholder Agreement between the company and the Council requires a Business Plan to be approved for the next trading period.

86. **District, Parish and Town Council Elections - Kent scale of election fees**

The report set out the annual changes to the Kent scale of election fees of Folkestone & Hythe's Returning Officer to undertake the arrangements for managing and conducting district, parish and town council elections from 1 April 2023.

Proposed by Councillor Monk,
Seconded by Councillor Peall; and

RESOLVED:

1. **That report C/22/100 be received and noted.**

(Voting figures: 6 for, 0 against, 0 abstentions).

REASONS FOR DECISION:

The scale of fees enables a fair and reasonable recharge to be made by Folkestone & Hythe District Council to town and parish councils for their elections.

87. **2021-22 Annual Equality Report**

The Equality Act 2010 places a statutory duty on the council to prepare and publish information annually to demonstrate compliance with the Public Sector Equality Duty. The draft Equality & Diversity Annual Report is therefore presented for consideration and approval prior to publication.

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

RESOLVED:

1. **That report C/22/103 be received and noted.**

2. That the draft Equality & Diversity Annual Report outlined in Appendix 1 be approved.

(Voting figures: 6 for, 0 against, 0 abstentions).

REASONS FOR DECISION:

The council needs to ensure that it meets the statutory requirements of the Public Sector Equality Duty. The report demonstrates the council's commitment to positively contributing to the advancement of equality and good relations, summarises the activities undertaken in 2021-22 to promote equality, diversity, and inclusion, and highlights the positive measures that have been taken to remove barriers, improve access to services, and increase customer satisfaction.

88. Quarter 3 performance monitoring report 2022/23

The report provided an update on the Council's performance for the third quarter of the year covering 1st October 2022 – 31st December 2022. The report enables the Council to assess progress against the approved key performance indicators arising from the Council's new Corporate Action Plan. Key performance indicators will be monitored during 2022-23 and reported to CLT and Members quarterly.

Proposed by Councillor Monk,
Seconded by Councillor Peall;

RESOLVED:

- 1. That report C/22/102 be received and noted.**
- 2. That the performance information for Quarter 3 2022-23 in Appendix 1 be noted.**
- 3. That the recommendation of the Finance and Performance Scrutiny Sub-Committee meeting held on 7 March, as set out at paragraph 2.5.4 of the report, be accepted.**

(Voting figures: 6 for, 0 against, 0 abstentions).

REASONS FOR DECISION:

- a)** The Council is committed to monitoring performance across all of its corporate service ambitions to ensure progress and improvement is maintained.
- b)** The Council needs to ensure that performance is measured, monitored and the results are used to identify where things are working well and where there are failings and appropriate action needs to be taken.

89. Review of Risk Management Policy & Strategy and Corporate Risk Register

The report presented an updated Risk Management Policy & Strategy for adoption by Cabinet. The Policy & Strategy provides a framework for the management of risk by Officers and Members. The report also provided Cabinet with an updated Corporate Risk Register, as considered by the Audit and Governance Committee on 15 March 2023.

Proposed by Councillor Monk,
Seconded by Councillor Collier; and

RECOMMENDATIONS:

- 1. That report C/22/99 be received and noted.**
- 2. That the proposed Risk Management Policy & Strategy be adopted.**
- 3. That the current Corporate Risk Register be noted.**

(Voting figures: 6 for, 0 against, 0 abstentions).

REASONS FOR DECISION:

A clear framework as outlined within the Strategy will ensure consistency in approach across the organisation, provide clarity of roles with respect to Risk Management and enable progress towards an embedded Risk Management culture within the organisation.

90. Local Authority Housing Fund

The Government has provisionally offered the Council £1.2m of Local Authority Housing Fund (LAHF) grant, to facilitate the purchase of ten properties to temporarily accommodate Ukrainian and Afghan refugees in the district. The timeframe for the Council to confirm it wishes to accept the grant funding is very short. The Cabinet Member for Housing and Special Projects took an individual member decision and agreed that the Council should submit a non-binding Memorandum of Understanding to the Government by their deadline of 15 March 2023.

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

RESOLVED:

- 1. That the report be received and noted.**
- 2. That the Individual Member Decision taken by the Cabinet Member for Housing & Special Projects to submit the Memorandum of Understanding for the LAHF Scheme be noted.**
- 3. That the Council should participate in the LAHF initiative and purchase ten properties to accommodate refugees from Ukraine and Afghanistan.**
- 4. That the match funding requirements of the scheme and how this is proposed to be met from Council resources be noted.**
- 5. That a further report be tabled at Full Council to add the scheme to the HRA Capital Programme.**

(Voting figures: 6 for, 0 against, 0 abstentions).

REASONS FOR DECISION:

Cabinet was asked to agree the recommendations set because: -

- a) The LAHF covers 40-50% of the purchase cost for ten properties, plus a further £20K per property for other associated costs.
- b) The properties will be used initially to house Ukrainian and Afghan refugees, but can subsequently be used to accommodate households on the housing list.
- c) Approximately 100 Ukrainian households have been accommodated in the district under the Ukrainian Settlement Programme, some of these households are likely to need to move into alternative accommodation over the coming months.

91. **FHDC Response to KCC Community Services Public Consultation**

On 17 January 2023 KCC opened a public consultation on the closure of KCC buildings housing Children's Centres and Youth Hubs, Public Health Services for Children and Families, Community Services for Adults with Learning Disabilities, Community Learning and Skills (Adult Education), and Gateways. The public document on KCC's website shows the county-wide proposals for closures and repurposing of sites. A bespoke Folkestone and Hythe version was sent to the Council with a letter on 10th January 2023. Informal Cabinet requested a member briefing from KCC which was held on 9th February 2023 on how the proposals had been reached and impact on the district. The report sets out some key points relating to this consultation. FHDC's formal response back to KCC on the proposals is due 26th March 2023.

Proposed by Councillor Monk,
Seconded by Councillor Peall; and

RESOLVED:

1. That report C/22/101 be noted.
2. That the Director of Place, in consultation with the Cabinet Member for Communities, Lifeline, Area Officers & Street Homeless be authorised to submit the Council's consultation response based on the key issues outlined in section 3. of the report.

(Voting figures: 6 for, 0 against, 0 abstentions).

REASONS FOR DECISION:

To agree the Council response to the KCC consultation on the proposed closure of building in the district using the online feedback form and covering the points listed in section 3.

92. **Community Infrastructure Levy (CIL): Proposed adoption of the Council's Modified CIL Charging Schedule**

The council adopted the Core Strategy Review (CSR) in March 2022, and so it has been necessary for the council to amend the adopted CIL Charging Schedule to bring it 'in step' with the adopted CSR, as well as amendments to

the CIL Regulations. The Community Infrastructure Levy (CIL) Regulations (2010) as amended, outlines the process for establishing a CIL scheme in an area. At its meeting of 20th July 2022, the Cabinet approved publication of the Draft Charging Schedule and associated documents for consultation (and public consultation took place between 22 August and 3 October 2022), and authorised the Council to submit the DCS and associated documents to the appointed external Examiner for independent examination in accordance with the CIL Regulations 2010 (as amended). The DCS was submitted for external Examination in November 2022, and the Examiner's report was received in February 2023.

The purpose of the report is to:

- Report back on the outcome of the external examination – the Examiner's report of February 2023, concluded that the Council's CIL Draft Charging Schedule provided an appropriate basis for the collection of the levy in the district.
- Present for consideration the final draft of the Council's CIL Charging Schedule, recommending Cabinet approve the final draft, before a report is taken to Council on 29 March 2023, recommending adoption of the Charging Schedule. The proposed start date for adoption of the revised Charging Schedule is 1 April 2023.

Proposed by Councillor Monk,
Seconded by Councillor Peall; and

RESOLVED:

1. That report C/22/106 be received and noted.
2. That the findings of the Report on the Examination of the Folkestone & Hythe District Council Community Infrastructure Levy Modified Draft Charging Schedule (February 2023) be noted.
3. That it be recommended to Full Council that the Community Infrastructure Levy Modified Draft Charging Schedule (April 2023) and Infrastructure Schedule be adopted.

(Voting figures: 6 for, 0 against, 0 abstentions).

REASONS FOR DECISION:

Cabinet was asked to agree the recommendations given the need to develop a modified CIL Charging Schedule in response to amendments to the Community Infrastructure Levy Regulations 2010 that were introduced in September 2019, and to support delivery of the Core Strategy Review Local Plan.