

Cabinet

Held at:	Council Chamber - Civic Centre Folkestone
Date	Wednesday, 20 September 2023
Present	Councillors Polly Blakemore, Gary Fuller, Jim Martin (Chairman), Tim Prater (Vice-Chair), Stephen Scoffham, Rebecca Shoob and Jeremy Speakman
Apologies for Absence	Councillors Mike Blakemore and Rich Holgate
Officers Present:	Andy Blaszkowicz (Director of Housing and Operations), James Farrar (Planning Officer), Ewan Green (Director of Place), James Hammond (Strategy & Policy Senior Specialist), Andrew Hatcher (Revenues and Benefits Lead Specialist), Amandeep Khroud (Assistant Director), Ola Owolabi (Chief Financial Services Officer), Susan Priest (Chief Executive), Adrian Tofts (Strategy, Policy & Performance Lead Specialist) and Jemma West (Democratic Services Senior Specialist)
Others Present:	Councillors Davison, McConville and Meade.

NOTE: All decisions are subject to call-in arrangements. The deadline for call-in is 29 September 2023 at 5pm. Decisions not called in may be implemented on 2 October 2023.

22. **Declarations of Interest**

There were no declarations of interest at the meeting.

23. **Minutes**

A Member proposed an amendment to Minute No 14 in the minutes of the 12 July (Electric Vehicle Charging points), to remove point 3 of the resolution.

Proposed by Councillor Prater,
Seconded by Councillor P Blakemore; and

RESOLVED:

That subject to the amendment noted above, the minutes of the meetings held on 12 and 27 July 2023 were submitted, approved, and signed by the Leader.

(the recommendations were agreed by affirmation of the meeting).

24. **Regulation of Investigatory Powers Act 2000 - Policy**

The report set out the Council's policy on the use of directed surveillance and covert human intelligence sources under the Regulation of Investigatory Powers Act 2000.

Proposed by Councillor Fuller,
Seconded by Councillor Prater; and

RESOLVED:

1. That report C/23/27 be received and noted.
2. That it be recommended to Full Council that the RIPA policy and procedure in appendix 1 to the report be approved.

(Voting figures: 7 for, 0 against, 0 abstentions).

REASON FOR DECISION:

Cabinet was asked to agree the recommendations and to approve the policy. This policy forms part of the Policy Framework as set out in the constitution.

25. **Welfare Report and Overview 2022/23**

The report gave an overview of the work of the Folkestone & Hythe District Council (FHDC) Welfare and Compliance & Development Teams for the year 2022/23, covering additional support offered to residents on top of standard Housing Benefit and Council Tax Reduction support.

Proposed by Councillor Prater,
Seconded by Councillor Shoob; and

RECOMMENDATIONS:

1. That report C/23/29 be received and noted.

(Voting figures: 7 for, 0 against, 0 abstentions).

REASONS FOR DECISION:

To receive and note the report as a review of work carried out by Folkestone & Hythe District Council in 2022/23.

26. **Investigations and Fraud Overview 2022/23**

The report gave an overview of the work of the Folkestone & Hythe District Council (FHDC) Investigations unit for the year 2022/23, covering Housing Benefit, Council Tax, Non-Domestic Rates and Housing.

Proposed by Councillor Prater,
Seconded by Councillor Fuller; and

RESOLVED:

- 1. That report C/23/28 be received and noted.**

(Voting figures: 7 for, 0 against, 0 abstentions).

REASONS FOR DECISION:

To receive and note the report as a review of work carried out by Folkestone & Hythe District Council in 2022/23.

27. Treasury Management Annual Report 2022/23

The report reviewed the Council's treasury management activities for 2022/23, including the actual treasury management indicators. The report meets the requirements of both the CIPFA Code of Practice on Treasury Management and the CIPFA Prudential Code for Capital Finance in Local Authorities. The Council is required to comply with both Codes through Regulations issued under the Local Government Act 2003.

The Deputy Leader and Cabinet Member for Finance and Governance introduced the report and advised that in table 4 of the report, the dates were incorrect in the heading, and should read 31/1/22 and 31/1/23 (rather than 31/1/21 and 31/1/22). He also added that although usually the Finance and Performance Scrutiny Sub-Committee would have sight of this report prior to Cabinet, due to a timetabling issue, this had not been possible, and this report would be presented to the FPSC at their next meeting.

Proposed by Councillor Prater,
Seconded by Councillor Fuller; and

RESOLVED:

- 1. That report C/23/35 be received and noted.**

(Voting figures: 7 for, 0 against, 0 abstentions).

REASONS FOR DECISION:

Cabinet was asked to agree the recommendations because both CIPFA's Code of Practice on Treasury Management in the Public Services and their Prudential Code for Capital Finance in Local Authorities, together with the Council's Financial Procedure Rules, require that an annual report on treasury management is received by the Council after the close of the financial year.

28. **General Fund Revenue Budget Monitoring - 1st Quarter 2023/24**

The report set out the financial monitoring information for the Council as at 30 June 2023, i.e., Q1 of 2023/24. The report provides Members with an overview of budget performance, including an overview of reserves and balances, to enable the Committee to take ownership of the budgets and provide robust challenge and scrutiny to Officers on the performance of those budgets. At the end of Quarter 1, there is a favourable projected position of £278k on the Council's revised net revenue budget, of £28.1m. This position is based on activity as at 30 June 2023, projected trends in income and expenditure and changes to Council funding.

Proposed by Councillor Prater,
Seconded by Councillor Speakman; and

RESOLVED:

1. That the report C/23/38 be received and noted.
2. That the progress on delivery of the 2023/24 savings programme at Q1 be noted.

(Voting figures: 7 for, 0 against, 0 abstentions).

REASONS FOR DECISION:

Cabinet needs to be informed of the council's General Fund revenue budget position, note the forecast outturn underspend position, and consider any action required as appropriate. Regular monitoring and reporting of the revenue budgets and savings achievements enable decisions to be taken in a timely manner, which may produce revenue benefits and will improve the financial control of the Council.

29. **General Fund Capital Programme Budget Monitoring - 1st Quarter (Q1) 2023/24**

The monitoring report provides an initial projection of the current financial position for the General Fund capital programme profiled for 2023/24, based on expenditure to 30 June 2023, and identifies variances compared to the latest approved budget.

Proposed by Councillor Prater,
Seconded by Councillor P Blakemore; and

RESOLVED:

1. That report C/23/39 be received and noted.

(Voting figures: 7 for, 0 against, 0 abstentions).

REASONS FOR DECISION:

Local authorities are required to estimate the total capital expenditure that they plan to incur during the financial year when they set the prudential indicators for capital expenditure. This shows that its asset management and capital investment strategies are affordable, prudent, and sustainable. Capital expenditure is a significant source of risk and uncertainty since cost variations, delays and changing specifications are often features of large and complex capital projects. In order to manage the risks associated with capital programming the annual capital programme is updated to reflect any cost variations, slippage, or acceleration of projects.

30. **Consultation from Kent County Council on Local Transport Plan 5 'Turning the Curve towards Net Zero' - proposed District Council response**

Kent County Council has published a consultation draft of its fifth Local Transport Plan (LTP5), titled 'Turning the Curve Towards Net Zero'. LTP5 sets out the county council's plans for delivering infrastructure to electrify vehicles, increase public transport use and make walking and cycling attractive. The plan aims to maintain the highways network and deliver the county council's Vision Zero road safety strategy. The report set out comments which, if agreed by Cabinet, will be submitted to the county council as the district council's response to the consultation.

Cabinet Members made various suggestions for inclusion in the consultation in relation to the Lower Thames Crossing and increased road capacity, carbon off-setting, and speed limits. The Strategy, Policy & Performance Lead Specialist agreed to feed these points into the consultation response.

Proposed by Councillor P Blakemore,
Seconded by Councillor Scoffham; and

RESOLVED:

1. **That report C/23/33 be received and noted.**
2. **That the draft comments set out in Appendix 2 be approved for submission to Kent County Council as the district council's response to the consultation.**

(Voting figures: 7 for, 0 against, 0 abstentions).

REASONS FOR DECISION:

So that the views of the district council can be taken into account by Kent County Council in drafting the next version of LTP5 to be consulted on in 2024.

31. **Net Zero Toolkit**

The Net Zero Carbon Toolkit is a practical, easy to follow guide to help plan a net zero development project. It has been developed with joint funding from Homes England and through a collaborative approach involving Council teams across housing, strategy, development management and also Kent County Council. The report explains the four parts to the draft toolkit developed with the support of the same multi-disciplinary consultancy team responsible for the LGA funded toolkit. The report sought Cabinet approval for publication as a best practice guide aimed at householders looking to retrofit or extend their existing property, small or medium-sized house builders, architects, self-builders and consultants. It is also recommended to form an evidence base document for a future review of the Local Plan and endorsement by Cabinet.

Proposed by Councillor Scoffham,
Seconded by Councillor Fuller; and

RESOLVED:

- 1. That report C/23/34 be received and noted.**
- 2. That Cabinet approves:**
 - i) The publication of the Net Zero Toolkit, subject to final editing updates and corrections, together with associated communications to promote its use; and**
 - ii) The use of the documents as part of the Local Plans evidence base.**

(Voting figures: 7 for, 0 against, 0 abstentions).

REASONS FOR DECISION:

So that Cabinet can approve the publication of the Net Zero Toolkit and the use of the documents as part of the Local Plans evidence base.

32. Leas Lift Project

In 2021, Folkestone & Hythe District Council ('FHDC' / 'the Council') made a commitment to support the reintroduction of the Leas Lift, a closed funicular railway in Folkestone which is owned by The Radnor Estate. The Council's Place Plan highlights a specific action for reinstatement of the Leas Lift. The Leas Lift Community Interest Organisation (LLCIO) has been established to deliver the project to reinstate the lift. Part of the project involves 'Additional Land' located adjacent to the lift in which the Council has a long leasehold interest. The LLCIO has approached the Council with a request to transfer part of its leasehold land to facilitate the project. To do this, there are two options available to the Council: vary its lease of The Leas to remove the area of land in question, to be surrendered to the landlord; or grant a sublease of the land to the LLCIO. The former option is being recommended to Cabinet.

Proposed by Councillor Speakman,
Seconded by Councillor Prater; and

RESOLVED:

1. That report C/23/36 be received and noted.
2. That the Council's lease of the Leas be varied to surrender the Additional Land to support the Leas Lift project.

(Voting figures: 7 for, 0 against, 0 abstentions).

REASONS FOR DECISION:

It is recommended that approval is given to vary the Council's lease of the Leas to support the Leas Lift project by surrendering the Additional Land, which can then be transferred by the freeholder to the LLCIO for nil consideration. The project will support the reinstatement of the Leas Lift, generating socio-economic, environmental and community benefits that are considered significant to outweigh the value of the Additional Land.

33. **Transformation 2023-25**

The report set out an approach to transformation spanning a two-year period. The transformation seeks to reduce management duplication, improve efficiency, ensure that organisation capacity is focused on the Council's priorities, and deliver financial savings by making the best use of IT, Premises, Asset & Contract Management and reducing the overall number of staff across the Council.

Proposed by Councillor Prater,
Seconded by Councillor Jim Martin; and

RESOLVED:

1. That report C/23/37 regarding the Council's transformation plan be received and noted.
2. That it be recommended to Full Council the creation of a £1.5 million transformation fund in the budget for 2023/24, drawn from existing reserves.
3. That Personnel Committee be advised on the relevant matters of detail at their meeting on 21st September.

(Voting figures: 7 for, 0 against, 0 abstentions).

REASONS FOR DECISION:

The delivery of savings associated with the transformation programme is key to supporting the Council in closing the projected financial gap in future years. Cabinet was asked to consider the matters raised in this report as it is essential that the Council has the appropriate capacity, leadership, and accountability in place to deliver change and the necessary financial savings at pace.