

Full Council – 31 October 2018

Councillor questions:

**1. From Councillor Mrs Carey to Councillor Monk, Leader of the Council**

What is being done to promote the council's gardening services to residents?  
It is either not there or very hard to find on our website.

**ANSWER:**

The Council's Regeneration and Housing Company, Oportunitas, continues to advertise gardening services to residents within the Council's 'Your District Today' publication distributed to the majority of households across the District.

Leaflets promoting the service were previously distributed with this year's (2018/19) council tax bills to all households in the District.

At present, gardening services are not promoted directly through the Council's website and are instead advertised through the Company's own independent website - oportunitas.co.uk

The Company will be reviewing its current gardening services offer against competitors within the market and considering how the service fits within the Council's approach to commercialisation.

**NO SUPPLEMENTARY QUESTION WAS ASKED.**

**2. From Councillor Lyons to Councillor Peall, Cabinet Member for the Environment**

What is the council doing to monitor air quality in our district?

**ANSWER:**

The air quality is assessed on a monthly basis by using air quality monitoring tubes placed around the district in 14 sites (15 from January 2019) and results from these tubes are submitted to DEFRA and they issue an annual report which is updated on the Council's website.

**NO SUPPLEMENTARY QUESTION WAS ASKED.**

**3. From Councillor Goddard to Councillor Pascoe, Cabinet Member for Property Management and Environmental Health**

Would the cabinet member please inform me of what areas of contaminated land there are known to be in the district?

**ANSWER:**

To respond to the question it would help to firstly explain how the contaminated land register works and how land is assessed.

Since April 2000, the Council has a duty under Part 2A of the Environmental Protection Act 1990 to manage contaminated land issues within its area. The Council has a Contaminated Land strategy which was approved by Defra in 2016 and includes the requirement to maintain a public register containing certain information about the sites it has dealt with under the Act. Sites are only included on the register once contamination has been found where:

- (a) significant harm is being caused or there is a significant possibility of such harm being caused; or
- (b) significant pollution of controlled waters is being, or is likely to be caused

When land has been identified as being contaminated but does not meet the threshold, there is no need to enter the land on the register. Therefore, an area such as Princes Parade is confirmed to have contaminated land, but it does not pose a significant risk of harm to health or to controlled waters.

If any sites are identified and dealt with under the normal planning processes, this overrides Part 2A of the Environmental Protection Act 1990 as this is considered as part of the planning process for proposed use and will be investigated as part of the planning process with appropriate conditions for remediation imposed as necessary.

Currently, there are 6 sites that are to be investigated in our district which have been identified in the Contaminated Land Strategy due to historic use of the land and investigation work will be carried out to identify if these areas meet the threshold or require remediation work. These sites are:-

1. Fosters Close
2. Canterbury Road
3. Sandgate high Street
4. London Street
5. Bradford Court
6. Station Road, Lydd

Fosters Close is the first to be investigated and letters are being drafted and checked ready to issue to the residents ready for soil samples and investigation work to take place.

It should be noted that at this stage simply by being identified as requiring further investigation does not mean that the land will meet the contamination threshold or require remediation.

**NO SUPPLEMENTARY QUESTION WAS ASKED.**

4. **From Councillor Mrs Lawes to Councillor Ewart-James, Cabinet Member for Housing**

I recently went to see the new block of six flats just Roman Way. I must admit these flats are lovely, especially the two disabled ground floor flats.

However these I believe, are not social housing but are Affordable Housing that are capped. Could the member explain what this means in relation to the difference between social housing and council affordable? Are the public aware of this new concept and the rules, the council is now building?

**ANSWER:**

I am really pleased that Councillor Mrs Lawes took advantage of the open day and visited the new block of flats which the council has built at Roman Way, and she was impressed with the quality of this building. However, I have to point out that the two ground floor flats are not as she states in her question disabled flats but are flats of disabled people. In passing I am amazed that there was a campaign organised by the Green Party to stop these affordable units from being built which had the slogan "No Way Romany Way" and it says a lot for that part's policy when they try to stop new council flats from being built for the most vulnerable in our society. I would like to thank our team here in Folkestone and Hythe District Council along with the developer in producing such high class flats on time and on budget.

Now turning to Councillor Mrs Lawes question, I can confirm that all of the Council homes for rent provided through the Council's new build and acquisition programme are let in line with the Affordable Rent Policy which was implemented by the Government in 2011. The Policy sets out that the rents for all new Council and Housing Association homes should not exceed 80% of the market rent for the area in which they are being provided . In the case of the Folkestone and Hythe District, the Council has also decided that rents should not exceed the Local Housing Allowance level for the area to ensure that all of the rents can be covered by Housing Benefit and to ensure that the rents remain affordable to households who are on low incomes and reliant on housing benefit.

The policy to deliver the new homes at affordable rents has been set out in our Housing Revenue Account Business Plan since 2013. The Council also provides a breakdown of the rental charges for each of the properties that it lets when they are advertised through Kent Home Choice. This means that housing applicants are able to see exactly how much they will have to pay in order to rent a particular property from the Council.

Affordable rents are higher than the rents charged under the Social Rent Regime. As a guide, the current weekly affordable rent charged for Council homes in the Folkestone area are:

1 bedroom homes: £87.08  
2 bedroom homes: £116.13  
3 bedroom homes: £145.15

The weekly social rents for the same area are:

1 bedroom homes: £71.52  
2 bedroom homes: £89.20  
3 bedroom homes: £99.40

All of the Councils existing homes for rent continue to be let at Social Rents (approximately 3300 homes not provided through our new build and acquisition programme). The Council currently has 92 homes for rent which are let at affordable rents.

The typical weekly rents for properties of the same size in the private sector are as follows:

1 bedroom homes: £133.00  
2 bedroom homes: £191.00  
3 bedroom homes: £197.00

The rents charged for our affordable rented homes are, therefore, considerably below the prevailing market rents in the district. They are also fully in line with the Government's definition of 'Affordable Housing' which includes homes for social rent, affordable rent and intermediate housing.

The Council is also working to help people who want to access home ownership in the district by providing homes for shared ownership purchase. Over the last 6 months, the Council has sold 7 new homes for shared ownership purchase and therefore helped 7 families access low cost home ownership in the district. The homes were made available for purchase with shares as low as 25% of the market value of the homes.

#### **SUPPLEMENTARY QUESTION:**

Can you buy the homes with a right to buy?

#### **ANSWER:**

You can, but there is a procedure to be followed to purchase the homes. The Medium Term Financial Strategy shows the HRA business plan which explains how the HRA was funded by social and affordable rents.

#### **5. From Councillor Mrs Lawes to Councillor Stuart Peall, Cabinet Member for Environment.**

Why is this council deliberately avoiding its obligations of cleaning Harbour Ward?

#### **ANSWER:**

Folkestone & Hythe District Council are the Principal Litter Authority and cleansing across the district is carried out in accordance with the Environmental Protection Act 1990 and subsequent Code of Practice on Litter and Refuse.

Veolia are contracted to inspect the district and clean where required to bring the areas back up to the relevant standard, this includes all types of litter and detritus including weeds, dog fouling and leaves.

The Council is not deliberately avoiding its obligations of cleaning Harbour Ward and I can confirm that cleansing is carried out on a regular basis and as required in accordance with our contract. Our Council officers also monitor areas for cleansing as part of our contract monitoring and KPI reporting.

Weed spraying is carried out twice a year, between April and May and a second spray between August and September, the last spray in Harbour Ward was carried out a litter later than we had anticipated and would have liked, however it was carried out and completed on the 24th September 2018.

If there are areas that you feel are not cleaned on a regular basis please do report these through to us and we can arrange for them to be checked and cleaned as required. We also use this information to monitor the performance of the contractor, and to see where additional or more regular cleansing across the district may be required.

**NO SUPPLEMENTARY QUESTION WAS ASKED.**

**6. From Councillor Mrs Lawes to Councillor Stuart Peall, Cabinet Member for the Environment**

What is the Council, if anything, putting in place to ensure that no further damage happens to their Big Belly bins which cost the tax payer an astonishingly extravagant £83,000?

**ANSWER:**

I would firstly like to address the issue of cost. The allocated budget for the purchase of the new compactor bins was £83,000. The final cost of purchase was in fact £74,580, which had been reduced through running a competitive purchasing process and negotiation.

This made a total cost per unit of £6,215. However it should be noted that within this price also comprised a 5-year warranty, maintenance and on-line monitoring application license costs, which meant that effectively capitalised upfront much of the ongoing revenue/maintenance costs.

The actual cost per unit without warranties and maintenance was £4,990, which bearing in mind each bin with compaction provides 8 times the equivalent capacity of a standard-sized litter bin, brings the unit cost much closer to the cost of purchasing a similar number of standard-sized litter bins. This is closer still if you take into account the cost of the electronic sensor monitoring functionality that the new compactor bins have.

This calculation also does not take into account the time-saving for the coastal park staff from being able to empty only as required and less frequently overall. At this early stage in the rollout, it is difficult to put a monetary figure to

this efficiency. However when compared to the previous standard litter bins that were being emptied daily that are now being emptied with the new compactor bins as little as once every 10 days or in some cases longer, you can begin to understand the efficiencies offered by this technology.

On the basis of the savings achieved at procurement, the improved functionality gained and the comparison to purchasing a similar number of standard litter bins; I would reject the comment that this was an extravagance.

Furthermore councillors will also recall the reasons why we invested in compactor bins at this location. The coastal park each year has received an increasing number of visitors, which is welcome. The current standard litter bins in the park were struggling to cope with the volume of visitors and there was added problem that at busy times it was often difficult for maintenance vehicles to access the park.

The council, with its ongoing corporate commitment to 'Appearance Matters', chose to trial the 12 new compactor bins at the coastal park with the purpose of providing additional bin capacity to help resolve the issues mentioned.

Since installation, the new bins have proven to be a great success in providing additional bin capacity at this popular location and reducing the need to empty the bins, which has proven to be a timesaver for the park staff. It is therefore very disappointing and frustrating that one of the bins was deliberately set alight and destroyed by fire last week.

In response to the question about what can be done to prevent further damage. Unfortunately, litter bins including our standard litter bins, as well as benches, shelters and play equipment; are always at risk from vandalism and the council works proactively with the local police through the community safety partnership to combat anti-social behaviour. The destructive impulses of a minority however should not act as a disincentive for the council to continue to invest in the appearance of the district.

The damaged compactor bin was insured and a claim is being made.

**NO SUPPLEMENTARY QUESTION WAS ASKED.**

**7. From Councillor Robinson to Councillor Monk, Leader of the Council**

Does this council fully support the anti-bullying of council staff?

**ANSWER:**

The council takes any allegation of bullying very seriously and is absolutely against this in any form whatsoever towards any of our staff.

I have spoken to our Chief HR Officer who has confirmed that there is a clear grievance procedure in place, accessible via our staff intranet, which provides the mechanism for staff to address concerns either informally if appropriate or more formally with their line manager who would have the support and

guidance of the HR team. If any manager or the HR team are made aware of any allegation of bullying they would action it appropriately either through the grievance or disciplinary processes and if proven it could lead to a range of formal outcomes ranging from a written warning to summary dismissal depending upon the severity of the situation.

**SUPPLEMENTARY QUESTION:**

Why were you shouting at a female officer following the Council meeting held on 26 September 2018, where you could be heard by others?

**ANSWER:**

I have no recollection of this incident, but I was not bullying anybody.

**8. From Councillor Len Laws to Councillor Dick Pascoe, Cabinet Member for Property Management and Environmental Health**

Has all land/property registered in the name of Shepway District Council at Land Registry been re-registered in the name of Folkestone - Hythe Council?

**ANSWER:**

I confirm that the Land Registry confirmed to the Council that all land in the ownership of the Council has been reregistered into the name of the District Council of Folkestone and Hythe. If there is a specific property about which Councillor Laws is enquiring, we could easily do a search of the address at the Registry to confirm the position.

**SUPPLEMENTARY QUESTION:**

Can you provide the approximate cost of re-registering the land?

**ANSWER:**

I will provide the answer at a later date.

**9. From Councillor Len Laws to Councillor Peall, Cabinet Member for the Environment**

Has any progress been made in the attempts By Gramm Ltd with the assistance of F-H Council environmental Health Dept, to find another site for the charity collection bins currently situated at Lydd Level Crossing?

**ANSWER:**

I have raised this matter with both the Environmental Enforcement Team and Waste Team. They have not received any contact about re-locating charity collection bins at this site but are happy to look into it if approached.

**SUPPLEMENTARY QUESTION:**

This is strange as I have a letter from Gramm, the land owners, stating that they are working with the council on this issue. Is this not the case?

**ANSWER:**

I have no knowledge of this, and would suggest you take up the issue with Gramm.

**10. From Councillor Meyers to Councillor Peall, Cabinet Member for the Environment**

Did the council consider the potential for fire and the impact it would have on the new compactor bins purchased this past summer for the Leas Cliff park?

**ANSWER:**

The council did consider the potential for fire damage to the new compactor bins. The compactors bins have a general robust design suitable for use in public areas. In addition we considered the risk of accidental fire from the disposal of BBQs and added warning signage and provided separate facilities for their safe disposal. The bins were also insured for all risks cover.

The compactor bin damaged by fire last week was subject to a deliberate arson attack and this has been confirmed by Kent Fire and Rescue. An insurance claim has been made to replace the bin.

**SUPPLEMENTARY QUESTION:**

Why did the Council feel it appropriate to bypass the Overview and Scrutiny Committee when seeking approval to purchase the bins, when the fire risks could have been raised by some of the Committee Members with expertise in the field of fire safety?

**ANSWER:**

There is a potential for vandalism with anything put on the street, such as graffiti and arson, etc, hence putting in place insurance to cover any damage. The time factor in getting the bins in place as soon as possible was the reason for bypassing the Overview and Scrutiny Committee. A Cabinet Member also had expertise in the field of fire safety, and was able to give his input.