

FOLKESTONE AND HYTHE DISTRICT COUNCIL

Minutes for the meeting of the Council held at the Council Chamber - Civic Centre Folkestone on Wednesday, 18 December 2019

Present: Councillors Mrs Ann Berry (Chairman), Miss Susan Carey, John Collier, Laura Davison, Ray Field, Gary Fuller, Peter Gane, Clive Goddard, David Godfrey, Anthony Hills, Mrs Jennifer Hollingsbee, Nicola Keen, Michelle Keutenius, Jim Martin, Connor McConville, Jackie Meade, Ian Meyers, David Monk, Terence Mullard, Stuart Peall, Tim Prater, Patricia Rolfe, Rebecca Shoob, Georgina Treloar, Douglas Wade, Lesley Whybrow and David Wimble

Apologies for Absence: Councillors Danny Brook, Philip Martin and John Wing

Councillor Laura Davison also gave an apology for lateness.

70. Declarations of Interest

There were no declarations of interest at the meeting.

71. Minutes

The minutes of the meeting held on 20 November 2019 were submitted, approved and signed by the Chairman.

72. Chairman's Communications

The Chairman invited the Head of Paid Service to make a statement to Council. The Head of Paid Service made the following announcement:

“Thank you Chairman.

I would like to make a statement about the work of the council relating to the illegal occupation by travellers at Shorncliffe.

On 25 November a group of travellers illegally entered the sports ground car park off Aldridge Road. The size of the encampment was around 13 caravans and towing vehicles.

The site is owned by Taylor Wimpey and the car park and sports ground has been subject to several previous incursions. Some target hardening measures have taken place by the site owner including a strengthened height barrier. However, despite these measures, entry was gained.

In the following days, the council received a high number of call and emails from concerned local residents reporting serious incidents of anti-social behaviour including theft, violent threats against the community, children defecating on play equipment, fires being lit and loud noise, etc.

In response to the level of public concern, we first issued a legal notice to leave the land under Section 77 of the Criminal Justice and Public Order Act 1994.

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This was then backed up by obtaining a Section 78 order authorising the council to remove persons and vehicles unlawfully remaining on the land. The Section 78 order was obtained at the earliest available opportunity from the Magistrates Court on 3 December.

As soon as the order was approved the encampment was notified and eviction scheduled for later that week, which involved the council bringing in bailiffs and tow trucks. On 6 December the encampment moved away from the sports ground car park to a nearby commercial site but returned to Aldridge Road on 9 December initially setting up along the road and then moving back into the car park, removing the reinstalled height barrier in the process.

The encampment then proceeded to barricade the entrance with vehicles and concrete blocks and expressed a clear intention to remain at the car park and threatened that any further attempt at eviction would be met with a violent response.

The council was not prepared to allow the encampment to continue occupying the car park and, in conjunction with the police, returned to the site on 11 December to enforce the court order despite the very real risk of physical violence and potential injury to those involved in the eviction process.

An attempt was made to peacefully resolve the situation. When this did not make progress the bailiffs were authorised to remove the physical barriers to the site entrance. The encampment responded by driving vehicles across the entrance and locking young children into those vehicles and into their caravans. The police attempted to negotiate the safe removal of the children. This continued for some time until the local inspector, after discussion with his superiors, took the decision that to continue the eviction would put the children locked in the vehicles at significant risk of injury. The decision was therefore made to stand down and withdraw from site to reduce tensions. Whilst the council was extremely reluctant to leave the encampment in place it agreed with the police assessment that continuing the eviction posed a risk to the children. It is worth noting that throughout the day police, council staff and bailiffs were subject to repeated verbal abuse and threats, and I am grateful for the high-level of professionalism shown by colleagues in very difficult circumstances.

Over the following days discussions were held with senior police officers about how best to resolve the situation. It was agreed that the council would attempt to negotiate the removal of the encampment to an alternative site on a temporary time-limited basis. The police also increased the level of patrols and resources available in the Shorncliffe area during this time. Over this period the council continued to communicate with local residents who were naturally concerned about the situation.

After assessing a number of alternative sites the decision was taken to offer the encampment a conditional temporary and time-limited stay at the Lower Leas Car Park until 6 January. This was agreed with the encampment last Monday who then left the Shorncliffe car park, via a short term stay along Fort Road in

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Hythe, before moving into the Lower Leas Car Park yesterday. The police will be deploying additional resources and patrols to the area for the period.

The purpose of this statement is to explain to councillors the sequence of events and very difficult decisions that had to be taken. This has not been a simple issue to resolve and has required a level of compromise to reach a peaceful resolution.

The council has taken decisions considering the best interests of its residents and to minimise the impact on our community.

We are realistic, however, that this is only a temporary solution to the repeated incursions by this group of travellers and further discussions with our partners (i.e. the police and local landowners) along with further legal action will be needed to resolve this issue longer-term. This work is already underway and councillors will be kept updated as this work progresses.

Should any councillors wish to discuss this matter with me I would be happy to do so outside of the council meeting.

Thank you Chairman”.

The Chairman then reported on the following:

“First, let us take a moment to think about the deputy Chairman Cllr Philip Martin who is ill in hospital and quite poorly. I have been in touch with him on a daily basis to send our good wishes for a speedy recovery.

On Tuesday 26th November It was my privilege to present a cheque of £350 to the Rainbow Centre to help some of the most vulnerable in our society have somewhere warm and dry to stay and eat over the winter period.

On Thursday 28th I attended the Folkestone Town Mayor’s “Not the Xmas Dinner” at the East Kent College which was in aid of the Town Mayor’s charities. The meal was prepared and cooked by the students and as ever was excellent.

Sunday 1st December the Deputy Chairman and I were invited to accompany the Mayor of Bexley to view the London Lights. These were breathtaking and had an Angel theme. This again was in support of the Mayor’s charity”.

73. **Petitions**

There were no petitions to be presented.

74. **Questions from the Public**

The questions asked, including supplementary questions (if any), and the answers given are set out in Schedule 1, appended to these minutes.

75. Questions from Councillors

The questions asked, including supplementary questions (if any), and the answers given are set out in Schedule 2, appended to these minutes.

76. Announcements of the Leader of the Council

The Leader made the following announcements:

“Good evening to you all.

I am sure most of you are aware there have been problems with the running of East Kent Housing and it is likely that we will be bringing our part of it back in house.

Not only will we have to address the compliance issues and put in systems to ensure future compliance, we will also have to invest heavily in bringing the stock back up to a reasonable state of repair. If we do this, just using existing H.R.A revenues we will not be able to build the remaining 200 of our 300 target homes that are to be financed through the H.R.A business plan.

Without a doubt, 2 of the major priorities for the council are

- 1) To provide more social housing
- 2) Address the climate emergency

This administration will therefore be proposing to the council that instead of paying of the loan on the H.R.A on a reducing balance basis will just pay the interest, and further that we make available £10m from the General Fund for the H.R.A to draw on over the next 3 years. This would enable not only the refurbishment of our existing stock but the building of a further 1000 homes making a total of 1200 in the next 10 years.

The climate emergency initiative will also need funding as there is no budget for it at the moment, for instance one of the first proposals is that whenever possible when we replace vehicles that they should be electric however, electric vehicles are more expensive and we will have to provide charging points, we do not want to cut services to accommodate these additional costs so we are suggesting that £10m is ring-fenced to accommodate it. If the council agrees that, the funding will come firstly from £5m of reallocated reserves and then as necessary from prudential borrowing up to £15m, giving £20m across the two proposals, we would see the £15m being funded from future land sales of the Otterpool Park scheme thus giving a tangible benefit to the whole of the district.

On the social housing proposition we have run high level financial scenarios which we are happy to share with group leaders. Both of these initiatives are

also the new government priorities so we may be able to either improve on targets or lever in more money.

This proposition, I believe, expands on our existing emphasis in these 2 areas as well as addressing the top priorities of all our councillors and would influence the direction of our corporate plan, and certainly make the council one of the most forward thinking in the land.

Before I close, I must congratulate both Charlotte Spendley and Andy Blaszkowicz on their being appointed as Corporate Directors effective from 2 January and I look forward to working with them both as we drive forward our exciting agenda.

I wish you all a Happy Christmas and productive New Year”.

The Leader of the Labour group responded and advised that this was welcome news for the many people on the housing waiting list, and he looked forward to looking through the details.

The Leader of the Green Group responded and passed her congratulations to Andy Blaszkowicz and Charlotte Spendley on their new positions. She stated that the group priorities were the climate emergency and social housing, and they welcomed these priorities. She added that the group would need to look at the finances and understand how this will work. She then wished everyone a Merry Christmas.

Councillor Prater, the Leader of the Liberal Democrat Group responded and stated that he agreed the council should be more transformational in the number of council houses being built, and he welcomed this news. He looked forward to receiving the detail around the budget, and critical refurbishment work required in the New Year. He also welcomed the creation of a Climate Change budget, allowing the council to make a head start in being carbon neutral. He also congratulated Charlotte Spendley and Andy Blaszkowicz, and wished all staff and Councillors a Merry Christmas.

The Leader in reply thanked the Group Leaders for their comments.

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

RESOLVED:

That the announcements of the Leader be noted.

77. Opposition Business

Councillor McConville, on behalf of the Labour Group, set out his motion which asked the council to train its Corporate Procurement team to understand

modern slavery through the Chartered Institute of Procurement and Supply's (CIPS) online course on Ethical Procurement and Supply.

Proposed by Councillor McConville,
Seconded by Councillor Meade; and

RESOLVED:

That Option (C) (Examine the matter as part of a future Scrutiny programme) be agreed for the matter below.

“That this council believes that action needs to be taken to raise awareness of modern slavery and the fact that it is happening all over the UK. That councils have an important role to play in ensuring their contracts and supplies arrangements are set up to combat modern day slavery and exploitation”.

(Voting figures: 27 for, 0 against, 1 abstention).

78. Motions on Notice

There were no motions on notice.

79. Appointment of Independent Persons under the Localism Act 2011

The report set out the Audit and Governance Committee recommendations on the appointment of Chris Harman, David Carter and Ken London as the Independent Members under s28(7) of the Localism Act 2011.

Proposed by Councillor Prater,
Seconded by Councillor Whybrow; and

RESOLVED:

- 1. To receive and note report A/19/21.**
- 2. To appoint Chris Harman, David Carter and Ken London as the Independent Persons under s28(7) of the Localism Act 2011 for a term of four years.**

(Voting figures: 27 for, 0 against, 0 abstentions).

80. Audit and Governance Committee - Independent/Co-opted Member

The report set out the recommendation of the Audit and Governance Committee that an independent member be appointed to that Committee.

Proposed by Councillor Whybrow,
Seconded by Councillor Prater; and

RESOLVED:

- 1. That report A/19/20 be received and noted.**

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2. That an independent member be appointed to the Audit and Governance Committee

(Voting figures: 27 for, 0 against, 0 abstentions).