

Full Council – 29 January 20202

Councillor questions:

1. From Councillor Prater to Councillor Mrs Hollingsbee, Deputy Leader and Cabinet Member for Communities

The newly updated Public Space Protection Order came into force in June 2019 with a ban on unauthorised street fundraising and marketing (Chugging) in areas including Sandgate Road Precinct.

There are still however very regularly street fundraisers approaching people on behalf of a variety of campaigns across Folkestone, especially in the Sandgate Road Precinct.

Assuming these collections are being allowed as they have been authorised, who is the authorising body, how many have they authorised from June 2019 to date, and how can the public and enforcement agencies know which organisations are authorised and which are not.

ANSWER:

The new Public Space Protection Order which came into Force in June 2019 does not stop Street Fundraising and marketing (known as Chugging) it is an additional power the Local Authority and Kent Police can use to deal with unauthorised and anti-social street fundraising.

Currently the authorising body for Sandgate Road precinct is Folkestone Town Centre Management. Any street fundraisers and marketing companies who are not authorised by Folkestone Town Centre Management are asked to leave the area and to book in following the correct procedures. Every authorised company is provided with the Folkestone Town Centre Management code of conduct (attached with this email). This code of conduct must be adhered to at all times. Any reports received where there is evidence of a company not adhering to the code of conduct are spoken with and reminded of the code of conduct. Folkestone Town Centre Management at all times follows this up by speaking with the company management in regards to the employees.

Further associated behaviours that may cause intimidation or harassment can be dealt with through a verbal warning and/or the issuing of a FPN under the PSPO. The PSPO is enforced by authorised officers such as Environmental Enforcement, Kent Police and FHDC CSU. However contact will always be made in the first instance with Folkestone Town Centre Management to establish if the organisation in question has been given authorisation. This is through the close working partnership of the Folkestone & Hythe District Council Community Safety Unit and Folkestone Town Centre Management Officers. Through partnership working and multi-agency Ops such as OP Ariel there have been times when Officers such as PCSO's, Kent Police Town Team

and CSU have spoken with street fundraisers and marketing companies to make sure they are aware of the code of conduct and PSPO.

Since June 2019 - 8 organisations have been authorised for the Sandgate Road Precinct covering a period of 84 days throughout June 2019 – January 2020.

SUPPLEMENTARY QUESTION:

Would it be possible to discuss with Folkestone Town Centre Management the option of issuing authorisation cards to those who are authorised?

ANSWER:

I am happy to do that.

2. From Councillor Prater to Councillor Godfrey, Cabinet Member for Housing, Transport and special projects

An increasing number of local residents in Sandgate and West Folkestone are covered by a CPZ, and therefore many now have annual Residents Parking permits. At the annual renewal point for the permits however, a number of residents are saying that they have had no reminder to renew, and their permits are lapsing, leading to parking fines.

When a resident's CPZ permit is coming up for renewal, what is the reminder process for the renewal of that permit - how many letters and emails should a resident expect to receive to remind them to renew a permit, and over what period of time?

ANSWER:

There has been no change in the permit renewal process over the years. A reminder letter is sent 28 days prior to the expiry of the permit. No further reminders are sent but there is a 7 day grace period. Enforcement officers are instructed to only issue a penalty charge notice if a permit has expired for more than 7 days. However I have asked officers to look into the costs and practicalities of an additional email reminder and will report back on this

3. From Councillor Whybrow to Councillor Peall, Cabinet Member for Enforcement, Regulatory Services, Waste & Building control

Do you agree that the proposed changes to building regulations on energy efficiency and CO2 emissions lack ambition, threaten councils democratic right to go 'above and beyond' minimum standards, and set benchmarks that could lead to lower insulation standards by dropping the 'Fabric Energy Efficiency Standard' and will you agree to respond to the consultation in detail,

making these points, as expanded on by, amongst others, the London Energy Transformation Initiative, CIBSE and the Good Homes Alliance?’
(For information: the link to the consultation is here:

<https://www.gov.uk/government/consultations/the-future-homes-standard-changes-to-part-l-and-part-f-of-the-building-regulations-for-new-dwellings>)

ANSWER:

The current consultation seeks to introduce an interim standard. The consultation sets out further plans for research to follow from 2021 to 2023, with the government developing an evidence base from 2022 to 2023, learning from early examples of homes built to the interim standards. Further consultation will follow in 2024 before the final standard is introduced in 2025. This is clearly a developing area and the council will monitor.

From a planning policy point of view, at present there is no automatic right for local authorities to set higher standards; National Planning Practice Guidance says that policies in local plans should be realistic and the total cumulative cost of relevant policies should not undermine the deliverability of the plan. Policy requirements should be set at a level that takes account of all required contributions and standards and allows for the sites in the local plan to be deliverable. This can lead to challenges about viability at local plan examinations and in decisions on planning applications, and can create a trade-off between requirements for affordable housing, efficiency standards and infrastructure provision.

The government’s intention is to introduce a mandatory standard for energy efficiency in new homes that would apply nationwide, monitored and enforced through the building regulations regime. If set at the right level, this is something that could introduce certainty, help the construction of new homes, drive up efficiency and stop energy efficiency losing out to other demands in the planning process.

From a building control perspective feedback on the consultation would be provided via the national Local Authority Building Control organisation.

However, I do believe quite strongly that we should be able to set the standards, and I’m quite sure that in the future we will come up with a policy which allows us to do that.

SUPPLEMENTARY QUESTION:

Are you saying that we will not be responding to the consultation? I thought that was what had been agreed as part of the declaration of Climate emergency?

ANSWER:

In the near future, you will have a great deal of influence on what we do.

4. From Councillor Davison to Councillor Godfrey, Cabinet Member for Housing, Transport and special projects

Why over the weekend of 18th and 19th January and the following days was SWEP (the Severe Weather Emergency Protocol) not put into operation in Folkestone, Hythe and Romney Marsh - despite temperatures falling below zero and other local authorities doing so?

ANSWER:

I am aware that you have had extensive conversations with officers, and are aware of the answer, but for the benefit of the rest of the chamber, under the provisions of the Council's SWEP, our severe weather arrangements to provide short-term emergency accommodation for people sleeping rough are implemented when the local air temperature is predicted to be 0 degree Celsius or less throughout the night time period (on any single night). We were the first authority to do this on a single night. The Council's officers refer to the local Met-office weather predictions for the local area in order to inform the decision as to whether or not the severe weather arrangements will be implemented. Over the weekend of 18th and 19th January, the information provided by the Met-Office on their website, stated that temperatures in the Folkestone and Hythe District were predicted to remain above freezing throughout the weekend and into the week commencing Monday 20th January. In view of this information, the severe weather arrangements were not implemented in this district, in line with the provision of the SWEP. Officers review the Met-Office information on a daily basis (including over the weekend period) to check whether or not SWEP should be implemented.

SUPPLEMENTARY QUESTION:

How do we address this, where there is a disconnect between the forecast and the reality?

ANSWER:

Unfortunately, there is no solution to varying temperatures in different part of the district. The answer is in homelessness prevention. That is what we are doing with our outreach services, and that is why we are grateful for the announcement yesterday about additional government funding.

5. From Councillor Davison to Councillor Mrs Hollingsbee, Deputy Leader and Cabinet Member for Communities

What suitable provision is there in Folkestone and Hythe district for women to breastfeed in public, that is free, hygienic and offers privacy if deemed necessary by the mother?

ANSWER:

Thank you for the question, however this is not something FHDC directly controls. Cllr Mrs Davison is asked to make contact directly with the health sector via the CCG under whom breast feeding services are covered and some elements are covered by KCC's Public health department.

The council welcomes any initiatives around this subject and understands that under the Equality Act 2010 businesses are duty bound not to discriminate against women wishing to breast feed but any provision is under their control and not the District Councils.

SUPPLEMENTARY QUESTION:

What can we do to support breastfeeding mothers, and local businesses in meeting their legal requirements?

ANSWER:

We are supportive of any charitable/voluntary organisations who are willing to be involved, and I certainly have supported a breast feeding clinic at the Caterpillar Children's centre.

6. From Councillor Davison to Councillor Wimble, Cabinet Member for the District Economy

This month saw the terrible closure of Folkestone's Debenhams. What plans are there to ensure that the building does not become a neglected eyesore on our high street?

ANSWER:

This is not just Folkestone affected, there are many stores in the country. The Council is working closely with the administrator for the Debenhams building in Folkestone, in order to take forward our proposals for interim uses for the building. We are also working with other partners on longer term plans, which will see the building remaining an important part of our town centre in the future. At this stage we are unable to reveal these plans but will do so in due course.

SUPPLEMENTARY QUESTION:

Are there any plans to do something to dress the windows of the building?

ANSWER:

I can tell you that a decision was made last week to dress all 34 windows, giving a timeline of what we plan to do.

7. From Councillor Davison to Councillor Monk, Leader of the Council

How many responses have there been so far to the council's Play Area Strategy Consultation 2020-2030?

ANSWER:

As of 24/01/2020 the council have received 6 Consultation responses from organisations (Town & Parish Council's, Southern Housing Group & the Roger De Haan Charitable Trust respectively). In addition the council received 4 responses from members of the public.

Following someone unknown to the council attaching signs to play areas this past Friday we have received a further 45 public comments as of 27/01/2020. The signs state "This playground is on the list to be asset-stripped, closed and sold!". These signs have created a lot of bad feeling in the public and are contrary to the strategy, which aims to transfer these to town or parish councils with resources towards maintenance and refurbishment. If this cannot be accomplished following the consultation the parks may be returned to public open space.

SUPPLEMENTARY QUESTION:

Where towns and parishes don't take on strategically important parks, what will happen to them, and will the Council defer this?

ANSWER:

The Play Strategy is sensible, and tries to make major play areas for the District to manage, and asks towns and parishes to take responsibility for the smaller ones. Negotiations are ongoing, and this issue would be addressed at the relevant time.

8. From Councillor Davison to Councillor Monk, Leader of the Council

At a time when the district council is considering clearing playgrounds because of funding pressures and many people in our district are struggling, why is it appropriate that council tax payers are being asked to take on responsibility for the maintenance of the arch at a cost of £6000 a year?

ANSWER:

I have already explained about the Play Area Strategy. We have just been through the 1914/18 WW1 commemoration, and it was decided by a group of Folkestonians that that event ought to be recognised in some major way, and when the soldiers returned home at the top of the slope, a wooden arch was put across, and that gave them an idea for a lasting commemoration, and they have done a wonderful job. They worked very hard, raising funding, and many organisations got on board to make this monument, which was recognised nationally. Our Chairman was one of the founders, as was Paul Embden who was awarded an MBE and Councillor Mrs Berry and was awarded the Points of the Light honour. To help get this funding, Cllr

Mrs Berry and a group of ladies manned the Mole Café down on the Harbour Arm for four years from 2014-18 every weekend and bank holiday to raise funds. They got customers to sign a journal, which has been transcribed and added to a website, which allows you to get a copy at a cost. We are also taking on the website, so there will be some money coming in. Do you really think that £6k a year is too much to pay for such an important monument? Should we stop maintaining Nelsons Column? I am flabbergasted that Folkestone Town Council did not want to take on this monument, and I suspect in the future they will reconsider this. I can't believe anyone would query that such an attraction to this town wasn't worth this amount.

SUPPLEMENTARY QUESTION:

What consultation took place with people of Folkestone, Hythe and Romney Marsh?

ANSWER:

I don't know.

9.From Councillor Keen to Councillor Godfrey, Cabinet Member for Housing, Transport and special projects

I have had a number of concerns raised by residents who live in the Tram Road/Tontine St area. These relate to the traffic hazards they face due to the change from one way traffic to two way traffic. Could we please be informed as a council as to the rational behind this move?

ANSWER:

This scheme was implemented by KCC after full consultations with Shepway District Council, Folkestone Town Council and residents in 2012. We were not involved in its implementation so would not wish to comment further and I would suggest you contact KCC directly.

SUPPLEMENTARY QUESTION:

The reason residents are concerned is due to the level of traffic, and the gridlock situation. A scrap metal company is parking its vans outside houses, adding to the congestion, and causing a bad smell. Is there anything that can be done to help our residents deal with this?

ANSWER:

I can fully understand these concerns and would ask that residents support these issues to KCC, and tell us about any issues.

URGENT QUESTION ASKED UNDER PART 4 (PARAGRAPH 10.3 OF THE CONSTITUTION)

10. From Councillor Davison to Councillor Mrs Hollingsbee, Deputy Leader and Cabinet Member for Communities

What urgent action is the district council taking after the shocking announcement yesterday that another GP surgery, Park Farm - which has over 3000 patients - is closing in Folkestone?

ANSWER:

The council was ONLY made aware about plans for Dr Banik to close Park Farm surgery by the end of March 2020, yesterday through the links we have with the CCG. We were informed that the CCG is making arrangements with surrounding GP surgeries to take on all of the affected patients and they will be sending out letters to patients explaining the process of re-registering with a local GP.

On hearing this news I immediately asked Jyotsna Leney to set-up a meeting with Dr Jonathan Bryant, clinical lead on the South Kent clinical commissioning group. Dr Bryant has presented to members before at Overview and Scrutiny meetings on the impact locally and what future planning is in process to address these issues.

I will ensure Members are kept informed as further information becomes available.

SUPPLEMENTARY QUESTION:

In these discussions, can we emphasise that people want clarity, and a clear timeline?

ANSWER:

I will ensure Members are kept updated.