

Cabinet

Held at:	Council Chamber - Civic Centre Folkestone
Date	Wednesday, 22 September 2021
Present	Councillors John Collier, Ray Field, Mrs Jennifer Hollingsbee (Vice-Chair), David Monk (Chairman), Tim Prater, Lesley Whybrow and David Wimble
Apologies for Absence	Councillors David Godfrey and Stuart Peall
Officers Present:	Andy Blaszkowicz (Director of Housing and Operations), Amandeep Khroud (Assistant Director), Llywelyn Lloyd (Chief Planning Officer), Susan Priest (Chief Executive), Lorraine Smith (Economic Development Senior Specialist), Charlotte Spendley (Director of Corporate Services), Adrian Tofts (Strategy, Policy & Performance Lead Specialist), Jemma West (Committee Service Specialist) and David Whittington (Strategy & Policy Senior Specialist)

NOTE: All decisions are subject to call-in arrangements. The deadline for call-in is Friday 1 October at 5pm. Decisions not called in may be implemented on Monday 4 October 2021.

26. **Declarations of Interest**

There were no declarations of interest at the meeting.

27. **Minutes**

The minutes of the meeting held on 21 July 2021 were submitted, approved and signed by the Chairman.

28. **Treasury Management Annual Report 2020/21**

The report reviewed the Council's treasury management activities for 2020/21, 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.

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

RESOLVED:

That report C/21/27 be received and noted.

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

REASONS FOR DECISION:

Cabinet is 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.

29. **Accelerating delivery of the council's Corporate Plan - use of Reserves**

The report proposed the use of Reserves into the current budget framework to accelerate delivery of the council's corporate plan agenda, specifically those actions relating to: (1) Regeneration and housing activities and; (2) those relating to the council's Climate Change activities.

Proposed by Councillor Monk,
Seconded by Councillor Collier; and

RESOLVED:

1. **That report C/21/32 be received and noted.**
2. **That the use of reserves as outlined in paragraph 2.1a to accelerate delivery of the Council's regeneration and housing agenda be agreed;**
3. **That the use of reserves as outlined in paragraph 2.1b to allow for environmental enhancements to be made in council activities that support delivery of the Corporate Plan, specifically those of the Climate Change Action Plan, be agreed;**
4. **That the use of the capacity funding as outlined in paragraph 2.1a to support the levelling up fund bid submission be agreed;**
5. **That the use of funding and the reserves as outlined in the report be recommended to Full Council for inclusion in the budget framework;**
6. **That should Full Council support be given, the use of the funds be delegated to the Chief Executive, in consultation with the Leader of the Council, and be reported as part of the regular budget monitoring reports to Cabinet.**

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

REASONS FOR DECISION:

Cabinet was asked to support the recommendations which, if supported, would be put before Full Council for agreement.

30. **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 Field,
Seconded by Councillor Wimble; and

RESOLVED

1. **That report C/21/29 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 endorsed.**

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

REASON FOR DECISION:

The Cabinet is asked to agree the recommendations in order to endorse the policy.

31. **Folkestone and Hythe Community Safety Partnership (CSP) Plan 2021-24**

The District Council has a statutory duty to address Crime and Disorder and as a responsible authority participate in the activity of the Folkestone and Hythe Community Safety Partnership (CSP). The CSP is required to produce a CSP plan following a strategic assessment of crime trends and issues facing the District. The annual strategic assessment (SA) document is a restricted document but the CSP plan is a public facing document that sets out the work of the partnership, identified priorities and actions to focus on. The report presented the new three year (2021-2024) partnership plan (reviewed annually) to Cabinet for endorsement. It had also been presented to Overview and Scrutiny Committee on 7 September 2021, and would be presented to Full Council on 20 September 2021 for approval.

The Deputy Leader and Cabinet Member for Communities asked for her thanks to the officers and partners for their hard work to be minuted.

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

RESOLVED:

1. **To receive and note report C/21/30 be received and noted.**
2. **That the new 2021-24 Community Safety Partnership plan be recommended to Full Council for adoption.**

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

REASONS FOR DECISION:

Cabinet was asked to endorse the new Folkestone & Hythe CSP plan for 2021-2024 as it is a statutory requirement for the Council being a responsible authority to address Crime and Disorder and participate in the activities of the CSP.

32. **Folkestone Town Centre Place plan**

The report presented the Folkestone Town Centre Place Plan for approval. The report set out an overview of the work undertaken to develop the plan and the key actions proposed as priorities for delivery. The report also sought approval for the submission of an application to the Government's Levelling Up Fund.

The Cabinet Member for the Environment stated that she would be supporting the document, as she wanted to see the regeneration of Folkestone, and that there were a lot of good ideas in the plan – ie improving the public realm at central station, linking the town with the seafront, encouraging walking and cycling. However, she asked for her concerns to be minuted. These included:

- The public engagement exercise reached more people than a project such as this usually would, but it had missed a lot of people. The urban appraisal recognised that Folkestone was a town of two halves, and it was important to reach those people.
- It was not clear how the plan would address social deprivation, poor housing, and other similar issues raised by the urban appraisal.
- In the foreword of the plan, it stated: "A reciprocal relationship of affordable housing across sites within and beyond the town centre may also be possible". It was unclear what this meant, and how it would be addressed.
- More needed to be done to promote the local economy, and attracting visitors was a big part of that. However, local people felt that the plan was not about them, and needed to include people more.
- There was not enough in the plan relating to heritage.
- The latest public consultation, against the comments that were submitted, there is a meaningless comment which stated "Future individual project activity should consider observations and feedback provided in addition to ongoing engagement requirements", which summed up why people felt they are not listened to.
- With regard to the proposal to move the station, there was some confusion, and it was unclear if this would be to Shellons Street or Middleburg square? However, more feasibility work would be taking place that would clarify this situation.

Proposed by Councillor Wimble,
Seconded by Councillor Monk; and

RESOLVED:

1. **That report C/21/34 be received and noted.**
2. **That the Folkestone Town Centre Place Plan be approved.**
3. **That the prioritization of projects for further development in support of a Levelling Up Fund application be agreed.**

4. **That the Director of Place, in consultation with the Leader, be authorized to submit an application for funding to the Government's Levelling Up Fund.**
5. **That the Cabinet note that consideration will be given to partnership and stakeholder structures required to support ongoing delivery of the plan.**

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

REASON FOR DECISION:

Cabinet was asked to support the recommendations in order that the Place Plan is agreed, priority actions progressed and an application to the Government's Levelling Up Fund submitted.

33. **Core Strategy Review - Inspectors' main modifications for public consultation**

The report provided an update to Cabinet on progress with the Core Strategy Review examination and sought approval to consult on the Main Modifications to the plan, as directed by the planning Inspectors.

It was noted that the new paragraph to be added following paragraph 4.36 commencing "The Nuclear Decommissioning Authority" was incorrect. The Cabinet Members agreed to note this as part of the resolution, shown below.

Proposed by Councillor Wimble,
Seconded by Councillor Collier;

RESOLVED:

1. **That report C/21/35 be received and noted.**
2. **That the Inspectors' Main Modifications set out in Appendix 1 be approved for public consultation, noting that the text to add after paragraph 4.36 is out of date.**
3. **That delegated authority be given to the Director of Corporate Services to finalise the Sustainability Appraisal and any other supporting documents for public consultation alongside the Main Modifications.**

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

REASONS FOR DECISION:

To enable the council to consult on the Main Modifications to the Core Strategy Review so that the Inspectors can conclude the examination of the plan.

34. **Folca Redevelopment - New Health Centre Heads of Terms**

The report set out the proposed Heads of Terms for the delivery of the Health Centre by the Premier Primarycare Ltd following a disposal to it from the Council on the basis of a ground lease.

Proposed by Councillor Monk,
Seconded by Councillor Collier; and

RESOLVED:

That the public be excluded for the following item of business on the grounds that it is likely to disclose exempt information, as defined in paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972 –

‘Information relating to the financial or business affairs of any particular person (including the authority holding that information). “Financial or business affairs” includes contemplated as well as current activities.’

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

After a discussion in the exempt part of the meeting, the meeting was reopened to the public.

Proposed by Councillor Collier,
Seconded by Councillor Wimble; and

RESOLVED:

- 1. That report C/21/33 be received and noted.**
- 2. That it be noted that the provision of a new health centre is a key priority for the Council.**
- 3. That the proposed Heads of Terms be agreed.**
- 4. That a 150 year lease be agreed for the disposal as a Health Centre for the area proposed for a Ground Rent or Premium.**
- 5. That a Premium be the proposed preferred receipt, not a Ground Rent.**
- 6. That the Director of Place and Director of Housing and Operations be authorised, in consultation with the Portfolio holder for Property Management and Grounds Maintenance, to complete the Heads of Terms, lease agreement and all legal agreements as required to bring forward the Health Centre.**
- 7. That any substantive proposed change in the disposal terms be reported back to Cabinet for a decision before proceeding.**

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

REASONS FOR DECISION

The Council is seeking to deliver a new Health Centre as Phase 1 of the redevelopment of the Folca building. The report sought agreement to the proposed Heads of Terms which would guide the disposal and the development agreement.