

FOLKESTONE AND HYTHE DISTRICT COUNCIL

Minutes for the meeting of the Council held at the Council Chamber - Civic Centre Folkestone on Wednesday, 29 March 2023

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

Apologies for Absence: Councillors Clive Goddard.

69. **Declarations of Interest**

There were no declarations of interest at the meeting.

70. **Minutes**

The minutes of the meeting held on 22 February 2023 were submitted, approved and signed by the Chairman.

71. **Chairman's Communications**

The Chairman made the following announcements:

“Since the last meeting of the Council I have attended a number of charitable events on behalf of the Council, including events hosted by Folkestone Town Council, the Lord Mayor of Canterbury, the Mayor of Faversham and the Mayor of Ashford. Today I attended an event at Knole House that raised funds for the Sevenoaks Area Youth Trust Charity.

I also attended the New Romney Commonwealth Flag Raising Ceremony.”

72. **Petitions**

A petition asking for the development at Princes Parade to be abandoned and the site re-wilded has been received. It has a total of 361 signatures. In accordance with the petitions scheme, set out in part four of the constitution, petitions which receive more than 250 signatures can be presented to a meeting of Full Council.

Proposed by Councillor Whybrow
Seconded by Councillor Wade

RECOMMENDATIONS:

1. That report A/22/35 be received and noted.
2. To examine the issues raised by the petition as part of a future scrutiny programme.

(Voting figures: 26 for, 0 against, 2 abstentions).

73. Questions from the Public

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

74. Questions from Councillors

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

75. Announcements of the Leader of the Council

The Leader of the Council made the following announcements:

“Good evening to you all.

As this is probably the last full council meeting of this administrative term, I would like to say thank you to you all as, apart from one contentious project, we have all worked well together for the good of our residents implementing many forward looking policies and projects, despite the vagaries introduced by the covid lockdowns.

One that, for me, particularly stands out is the commissioning of the Folkestone Town Plan, which had been talked about for more than thirty years. It gave us the evidence for a Levelling Up Bid which was successful to the tune of £19,200,000. Our bid was supported by a short promotional film, that am sure convinced the government that we were on song with their levelling up agenda, and was a major consideration in getting our allocation. If you have not done so, I exhort you to watch it and take pride in its message.

I would like to thank all of the members of my cabinet for their whole hearted support, and as I understand they are not standing again, specifically thank Councillor Whybrow and Councillor Field for their input. I wish them well for the future.

This afternoon I was able to attend a staff briefing where I made a presentation to Karen Everett for her 45 years of service, and I praised the staff for all of their work over the last four tumultuous years, the effectiveness of which is recognised by the award of 16 compliance plusses for Customer Service Excellence.

For those of you not standing again I wish you well, you will in various degrees be missed, and for those standing again, in various degrees, good luck.

I move that the council accepts my report.”

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The Leader of the opposition responded to the announcements with the following:

“I largely echo that sentiment. It's been a very interesting four years for myself; not where I thought I'd find myself when I was working in kitchens a few years ago, but I've thoroughly enjoyed the experience. I thank everyone in this room for the debate and support, and I think we have done quite good things.

I'd like to thank the members of my group as well, I'd like to think that we've brought some items of business to the chamber for debate that's hopefully improved the council.

To members who are not standing again, thank you very much. I would very much like to be here after the elections in May, there's many more things to do, but I'll leave that to the will of the people.

Congratulations to Karen, as we noted in the last full Council meeting. I would also like to make special mention of one other officer, who I have a high level of respect for, and who is leaving us on Friday, that's Lee Walker. I'd just like to offer a personal note of gratitude from this Chamber for all the hard work that he has done over the years for this council, thank you.”

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

RESOLVED:

That the announcements of the Leader be noted.

(The recommendation was agreed by affirmation of the meeting).

76. **Opposition Business**

The Leader of the Labour Group, Councillor McConville, outlined the opposition business which related to the establishment of a Youth District Council.

Proposed by Councillor McConville
Seconded by Councillor Keutenius

RESOLVED:

That Option B (Refer the issue to the Overview and Scrutiny Committee for their observations before deciding whether to make a decision on the issue) be applied for the business set out below

- To refer to the Overview and Scrutiny Committee a report on the benefit of establishing a district-based Folkestone and Hythe Youth District Council.
- To invite the current representatives from the district on the KYCC, to offer their views on the establishment of a FHYDC.

- To produce a short survey aimed at young people in the district's secondary schools, in order to determine the appetite of the districts young people to have a formal structure to discuss and influence local decision-making policy.

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

77. Motions on Notice

There were no motions on notice.

78. Local Authority Housing Fund

The Government has provisionally offered the council £1,200,000 of Local Authority Housing Fund (LAHF) grant, to facilitate the purchase of ten properties to temporarily accommodate Ukrainian and Afghan refugees in the district. The timeframe for the council to confirm it wishes to accept the grant funding is very short. The Cabinet Member for Housing and Special Projects took an individual member decision and agreed that the council should submit a non-binding Memorandum of Understanding to the government by their deadline of 15 March 2023. This decision was considered by Cabinet at its meeting on 22 March 2023.

Proposed by Councillor Godfrey
Seconded by Councillor McConville

RESOLVED:

1. That the report be received and noted.
2. That the match funding requirements of the scheme be met from council resources, as set out in section 1.4 of this report.
3. That that the funding required for the project of £2.9M, made up of LAHF grant and the council's match funding should be added to the 2023/24 HRA Capital Programme.

(The recommendations were agreed by affirmation of the meeting)

79. Pay Policy Statement

The report considered the recommendation from the Personnel Committee and presented the pay policy statement for 2023/24 for approval.

Proposed by Councillor Monk
Seconded by Councillor Hollingsbee

RESOLVED:

1. That report A/22/33 be received and noted.
2. That the updated Pay Policy Statement for 2021/22 (appended to the report) be approved under S38(1) Localism Act 2011.

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

80. **Appointment of an interim Chief Financial Officer (S151 Officer)**

The report set out recommendations on the appointment of an Interim Chief Finance Officer (Section 151 Officer).

Proposed by Councillor Monk
Seconded by Councillor Hollingsbee

RESOLVED:

1. That report A/22/23 be received and noted.

(The recommendation was agreed by affirmation of the meeting).

81. **Community Infrastructure Levy (CIL): adoption of the Council's Modified CIL Charging Schedule**

The council adopted the Core Strategy Review (CSR) in March 2022, and so it has been necessary for the council to amend the adopted CIL Charging Schedule to bring it 'in step' with the adopted CSR, as well as amendments to the CIL Regulations. The Community Infrastructure Levy (CIL) Regulations (2010) as amended, outlines the process for establishing a CIL scheme in an area. At its meeting of 20th July 2022, the Cabinet approved publication of the Draft Charging Schedule and associated documents for consultation (and public consultation took place between 22 August and 3 October 2022), and authorised the Council to submit the DCS and associated documents to the appointed external Examiner for independent examination in accordance with the CIL Regulations 2010 (as amended). The DCS was submitted for external Examination in November 2022, and the Examiner's report was received in February 2023. Cabinet subsequently considered the outcome of the Examination at its meeting of 22nd March 2023, and as per the requirements of the Government's CIL Regulations, agreed a recommendation to submit the Modified CIL Charging Schedule for adoption by Council at its meeting of 29th March 2023.

Proposed by Councillor Monk
Seconded by Councillor Hollingsbee

RESOLVED:

1. That report A/22/38 be received and noted.
2. That the findings of the Examiner's report on the council's CIL Draft Modified Charging Schedule be noted.
3. That the council's Modified CIL Charging Schedule be adopted with a commencement date for the continued collection of CIL under the new regime applicable from the 1st April 2023.

(Voting figures: 20 for, 6 against, 2 abstentions).

82. **Call in and urgency report**

The constitution provides that, when an urgent decision is made by the Cabinet or Cabinet Member, for which any delay in implementation, likely to be caused

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by the call-in process, would seriously prejudice the council's or public interest, then the 'Call-in Rules of Procedure', Part 6.3, rules 1-6 do not apply. Decisions, taken as a matter of urgency, must be reported to the next available meeting of the Council, together with the reasons for urgency.

Proposed by Councillor Monk
Seconded by Councillor Hollingsbee

RESOLVED:

1. That report A/22/34 be received and noted.

(The recommendation was agreed by affirmation of the meeting).

83. **Urgent item of business - Member Allowances**

A procedural matter has arisen that requires reporting to Council, following a decision made on 14th December 2022 by Cabinet not to increase Member allowances by the September CPI rate (10.1%) and subsequent approval of the General Fund budget by Council at its meeting on 22 February 2023. As Member allowance increases are applied automatically under the council's Constitution, this matter ought to have been - but was not - specifically highlighted in the Council papers seeking approval of the General Fund budget on 22 February 2023. This paper is therefore brought forward to specifically highlight the decision taken by Cabinet on 14 December 2022 and for Council to be able to formally ratify the suspension of the relevant constitutional rule ahead of the 2023/24 budget year.

Proposed by Councillor Monk
Seconded by Councillor McConville

RESOLVED:

1. That report A/22/39 be received and noted.
2. That Cabinet's decision to suspend paragraph 11 of Part 9.8 of the council's constitution and not apply a September 2022 CPI increase (10.1%) to Members allowances for the 2023/24 budget be ratified.

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