



# Agenda

Meeting: **Council**  
Date: **24 July 2019**  
Time: **7.00 pm**  
Place: **Council Chamber - Civic Centre Folkestone**

To: **All Members of the Council**

**YOU ARE HEREBY SUMMONED** to attend a meeting of the Council on the date and at the time and place shown above. The meeting will be open to the press and public.

Anyone who wishes to have information on any matter arising on the Agenda which is not fully covered in these papers is requested to give notice prior to the meeting to the Chairman or appropriate officer.

This meeting will be webcast live to the council's website at <https://folkestone-hythe.public-i.tv/core/portal/home>. Although unlikely, no guarantee can be made that Members of the public in attendance will not appear in the webcast footage. It is therefore recommended that anyone with an objection to being filmed does not enter the council chamber.

Head of Paid Service

1. **Apologies for Absence**
2. **Declarations of Interest**

Members of the Council should declare any discloseable pecuniary

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interest or any other significant interests in any item/s on this agenda.

3. **Minutes (Pages 9 - 34)**

To receive the minutes of the meeting of the council held on 26 June 2019 and to authorise the Chairman of the Council to sign them as a correct record.

4. **Chairman's Communications**

5. **Petitions**

There are no petitions to be presented.

6. **Questions from the Public**

1. **From Mr Rylands to Councillor Godfrey, Cabinet Member for Housing, Transport and special projects**

How much has P & R Installation Company Ltd overcharged Folkestone & Hythe District Council during the lifetime of the contract?

2. **From Mr Deane to Councillor Monk, Leader of the Council**

Do you believe it is right that this council should be wasting it's time and council tax payers money on a loss making council owned property development company, Oportunitas, when the real need is for a far greater number of council homes for people of this district than currently are being built or planned?

7. **Questions from Councillors**

(Questions can be found on [www.folkestone-hythe.gov.uk](http://www.folkestone-hythe.gov.uk) from noon 2 days before the meeting, on Modern.gov, under the agenda for this meeting).

Up to 45 minutes is allowed for questions from councillors.

8. **Announcements of the Leader of the Council**

To receive a report from the Leader of the Council on the business of the cabinet and on matters that the leader considers should be drawn to the council's attention. The leader shall have 10 minutes to make his announcements.

The opposition group will have an opportunity to reply to the leader's remarks. The opposition group leader shall have 5 minutes to respond after which the Leader of the Council will have a right of reply. Any right of reply will be for a maximum duration of 5 minutes.

9. **Opposition Business**

The Labour Group has raised the following matter:

*“Council notes:*

*That while it is one of the district’s leading employers, it can always look to improve.*

*That paying staff above the minimum requirement improves work ethic, productivity, loyalty and retention.*

*Council believes:*

*That in offering a minimum of £10 an hour to its staff it sends a strong message to other local employers, with the aim of leading to a more economically secure community.*

*That it should be able to offer competitive salaries to senior officers to attract the most capable people to work for our district, although also believe that those on the highest grades should still be measurable to those at the bottom.*

*That in having a fixed limit between top and bottom grades of pay promotes fairness, equality, transparency and sense of working as a team.*

*Council resolves:*

*To recommend to the personnel committee that a minimum of £10 an hour or £19,300 per annum be awarded to all permanent and temporary staff. Also that a fixed pay ratio be incorporated into the next pay policy statement”.*

Debates on opposition business shall be limited to 15 minutes. If the time limit is reached or the debate concludes earlier, the leader of the group raising the item shall have a right of reply.

The Council shall:

- a) Note the issue raised and take no further action;
- b) Refer the issue to the cabinet or relevant overview and scrutiny committee, as the case may be for their observations before deciding whether to make a decision on the issue;
- c) Agree to examine the matter as part of a future scrutiny programme;
- d) Adopt the issue raised by opposition business provided that the decision so made is within the policy framework and budget.

10. **Motions on Notice (Pages 35 - 38)**

The following motions have been placed on the agenda in the order received; up to 60 minutes shall be allowed for debates on motions on

notice:

**1. From Councillor McConville, Leader of the Labour Party**

This Council moves to, under part 4 section 25.2 amend the constitution in regards to part 4 section 12.6. "Time-limit debates on opposition business shall be limited to 15 minutes". This should be amended to read 30 minutes. As per the constitution it is resolved that this motion stand adjourned, without discussion until the next ordinary meeting of the Council.

**2. From Councillor Treloar, Green Party**

Climate and ecological emergency.

**Full council notes that:**

1. Humans have already caused irreversible climate change, the impacts of which are being felt around the world; extreme weather, wildfires, droughts and floods are already affecting millions.
2. The Intergovernmental Panel on Climate Change (IPCC) states that climate-related risks to health, livelihoods, food security, water supply, human security, and economic growth are projected to increase with global heating of 1.5°C and increase significantly with 2°C. [1]
3. Humans have already caused 1°C heating and global temperatures are currently on track for 3-5°C heating. We have a 1 in 20 chance of reaching 5°C heating – this presents an existential threat to humankind. [2]
4. The IPCC states we have until 2030 to act to keep global heating under 1.5 degrees. This requires a swift and dramatic reduction in greenhouse gas emissions in all sectors and ambitious action by all levels of government.
5. Direct risks to our district include: sea level rises of up to 2 meters by the end of the century [3], putting the whole of Romney Marsh at severe risk; water shortages within 25 years [4]; coastal erosion and subsequent risk to property and infrastructure [5]; an increased number of heat-related deaths and biodiversity loss.
6. Folkestone and Hythe is the district most at risk of flooding in Kent. In a recent report, the Ministry of Housing, Communities and Local Government stated that our district has a significantly higher risk of flooding than any other area in Kent, with a 43.4% risk of flooding. [6]
7. We have a duty to act to protect our residents and future

residents and to do everything we can to curb the risk of runaway climate breakdown.

8. The severity of this crisis has led parliament and more than 100 local government authorities across the country to declare a climate emergency. The Irish parliament has declared a climate emergency, as has the Welsh Assembly. Within our district, Hythe Town Council is to discuss a climate emergency motion that sets a carbon neutrality date of 2025. Medway, Swale, Maidstone and Gravesham have declared a climate emergency.
9. By committing to becoming carbon net zero by 2030, we will not only demonstrate our commitment to national and international targets, but most importantly – to the safety, wellbeing and property of our residents.
10. The broader economic case for acting is compelling: the Bank of England predicts that there will be approximately £15.3tn of stranded assets globally due to climate change [7] and the financial sector is seeing major divestment from fossil fuels; the world's largest sovereign wealth fund (Norway) which manages £786billion has committed to divest [8].
11. The Committee on Climate Change notes: "Action on climate change has many local benefits. As well as contributing to national carbon budgets, carbon reduction programmes can bring a range of benefits such as lower energy bills, economic regeneration and creation of local jobs, and improved health." [9]
12. Inextricably entwined with the climate crisis is the ecological crisis. Wildlife populations are plummeting around the world due to habitat loss and a warming world. The World Wildlife Fund for Nature reported last year that the world has seen a 60% loss of wildlife since the 1970s [10]. A global review of scientific studies recently reported that plummeting insect populations threaten the collapse of nature. [11]
13. Folkestone and Hythe District Council has much to be proud of in its effort to decarbonise its operations and encourage biodiversity. It has electrified much of its grounds equipment, encouraged pollinator-friendly green spaces and switched to LED lighting in its own buildings. The upcoming tree audit will help us better understand our capacity for offsetting carbon.
14. Unfortunately, our current plans and actions do not treat the global climate and ecological crisis with the full urgency it deserves; we have a duty to commit to bolder action.

**Full council moves to:**

1. Declare that we are in a state of climate and ecological emergency.
2. Commit to reduce Folkestone and Hythe District Council's estate and operations to zero net carbon by 2030.
3. Ensure that all strategic decisions, policy, budgets, investments, contracts, approaches to planning decisions and the council's own developments are in line with a shift to zero carbon by 2030.
4. Ensure that all future council reports, where appropriate, include a climate impact statement.
5. To develop a strategy for Folkestone and Hythe District Council to play a leadership role in promoting community, public and business partnerships for this Carbon Neutral 2030 Commitment throughout the District.
6. To achieve this, create a Carbon Action Plan based on practical frameworks and advice such as provided by the Carbon Trust.
7. Establish a cross-party working group of full council to draw up, steer and monitor progress of the Carbon Action Plan, reporting back to full council in 6 months, then annually.
8. Call on the UK Government to provide the powers, resources and help with funding to make this possible, and ask local MPs to do likewise.
9. Request that Cabinet shows leadership and adopts the matters raised in 1 – 8.

#### REFERENCES

1. <https://www.ipcc.ch/sr15/>
2. <https://www.pnas.org/content/114/39/10315>
3. <https://www.newscientist.com/article/2203700-sea-level-rise-could-hit-2-metres-by-2100-much-worse-than-feared/>
4. <https://www.bbc.co.uk/news/uk-47620228>
5. <https://www.theccc.org.uk/2018/10/26/current-approach-to-protecting-englands-coastal-communities-from-flooding-and-erosion-not-fit-for-purpose-as-the-climate-changes/>
6. <https://www.kentonline.co.uk/kent/news/area-at-highest-risk-of-flooding-revealed-207373/>
7. <https://www.bankofengland.co.uk/-/media/boe/files/speech/2019/avoiding-the-storm-climate-change-and-the-financial-system-speech-by-sarah-breedon.pdf?la=en&hash=AC28DFEFED7B14A197E6B0CB48044D06F4E38E84>
8. <https://www.forbes.com/sites/ellenwald/2019/03/08/finances-not-climate-drive-norways-decision-to-divest-from-oil-and-gas/#5199c15f4041>
9. [https://www.theccc.org.uk/wp-content/uploads/2012/05/LA-Report\\_final.pdf](https://www.theccc.org.uk/wp-content/uploads/2012/05/LA-Report_final.pdf)
10. <https://www.wwf.org.uk/updates/living-planet-report-2018>
11. <https://www.independent.co.uk/news/scienc3.e/insect-extinction-nature-climate-change-francisco-sanchez-bayo-sydney-science-a8773326.html>

**3. From Councillor McConville, Leader of the Labour Party**

This Council notes:

- That analysis of the 2018 Local Election results by the Fawcett Society found that only 34% of councillors in England are women, up 1% since 2017. Of the seats that were up for election in 2018, 38% went to women, up just 3 percentage points on 2014 when these seats were last contested;
- That across England, Labour has improved its representation since seats were last up for grabs, with 45% women compared with 40% in 2014, Liberal Democrat representation up from 34% to 36% whilst the Conservative Party saw a fall from 31% to 29% in the share of its councillors who are female;
- As of summer 2017, only 4% of councils in England and Wales have parental leave policies, according to research by the Fawcett Society;
- That the role of a councillor should be open to all, regardless of their background, and that introducing a parental leave policy is a step towards encouraging a wider range of people to become councillors, and is also a step to encourage existing councillors who may want to start a family to remain as councillors;
- That parental leave must apply to parents regardless of their gender, and that it should also cover adoption leave to support those parents who choose to adopt.

**This Council resolves:**

To refer this parental leave policy to the IRP for consideration in their next review.

**11. Members' Allowances - Independent Remuneration Panel (IRP)  
(Pages 39 - 42)**

This report recommends that the Council commences the process of recruiting members to the Independent Remuneration Panel and to establish that panel also as the Parish Remuneration Panel.

\*Explanations as to different levels of interest

(a) A member with a discloseable pecuniary interest (DPI) must declare the nature as well as the existence of any such interest and the agenda item(s) to which it relates must be stated. A member who declares a DPI in relation to any item must leave the meeting for that item (unless a relevant dispensation has been granted).

(b) A member with an other significant interest (OSI) under the local code of conduct relating to items on this agenda must declare the nature as well as the existence of any such interest and the agenda item(s) to which it relates must be stated. A member who declares an OSI in relation to any item will need to remove him/herself to the public gallery before the debate and not vote on that item (unless a relevant dispensation has been granted). However, prior to leaving, the member may address the meeting in the same way that a member of the public may do so.

(c) Members may make voluntary announcements of other interests which are not required to be disclosed under (a) and (b). These are announcements made for transparency reasons alone, such as:

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- membership of outside bodies that have made representations on agenda items, or
- where a member knows a person involved, but does not have a close association with that person, or
- where an item would affect the well-being of a member, relative, close associate, employer, etc. but not his/her financial position.

Voluntary announcements do not prevent the member from participating or voting on the relevant item



## FOLKESTONE AND HYTHE DISTRICT COUNCIL

### **Minutes for the meeting of the Council held at the Council Chamber - Civic Centre Folkestone on Wednesday, 26 June 2019**

**Present:** Councillors Mrs Ann Berry (Chairman), Brook, Miss Susan Carey, John Collier, Davison, Dorrell, Field, Fuller, Clive Goddard, David Godfrey, Anthony Hills, Mrs Jennifer Hollingsbee, Keen, Martin, Philip Martin (Vice-Chair), McConville, Meade, Ian Meyers, David Monk, Terence Mullard, Stuart Peall, Tim Prater, Patricia Rolfe, Shoob, Treloar, Wade, Lesley Whybrow, Wimble and John Wing

Apologies for Absence: Councillors Peter Gane

#### 15. **Declarations of Interest**

Councillor Prater declared a voluntary interest with regard to agenda item 10 (Motions on notice), as his wife was a paid volunteer at Hythe Swimming pool.

Councillor Fuller declared a voluntary interest with regard to agenda items 5 and 6 (Questions from the public and questions from Councillors), in that he lived in an East Kent Housing property.

#### 16. **Minutes**

The minutes of the meeting held on 13 March 2019 were submitted, approved and signed by the Chairman.

#### 17. **Chairman's Communications**

The Chairman gave the following communications:

“Before I go fully into my communications let us remember in a quiet moment: Brian Copping who died a few weeks ago and was a Cllr on this District Council for many years.

Tuesday 11<sup>th</sup> June I attended the KCC Civic reception at County Hall to meet the new Chairman, and also many other Civic dignitaries from across the County. This gave us all a chance to get acquainted and of course do some networking.

Saturday 15<sup>th</sup> I attended the very successful and well attended Annual Lydd Club Day which started with an amazing lunch for invited guests, which included Cinque Ports Mayors and many local people, after which we moved to the Rype and watched some dancing and a fancy dress parade of young children. There were many side shows and pleasure rides which enhanced the fun of the day's activities.

Thursday 20<sup>th</sup> June I was invited to attend the Lord – Lieutenant of Kent, Viscount De L'Isle MBE at Penshurst Place for his farewell reception. There were many guests who had travelled from all over Kent and we were graciously received and entertained by the Lord Lieutenant who gave us a brief history of Penshurst Place. An unusual feature of the Baron's room where the reception

was held was a huge open fire in the centre of the room. I noted a few people navigating towards this amazing feature.

On Sunday 23<sup>rd</sup> June, the vice chairman attended the annual service at New Romney.

Sunday 23<sup>rd</sup> June I attended the Blessing of the Fisheries which is held on Town Sunday each year. We gathered at St Peters Church on the Durlocks for the 3.00pm procession down to the Stade where a service with prayers, readings and hymns is held for the Fisheries. The Bishop blesses the Sea and at the end of the service we process back to the Church and have refreshments in the Garden. This service is always very well attended.

Monday 24<sup>th</sup> was the Flag raising ceremony at the Civic Centre, this is always done in the week before Armed Forces Day and was attended by myself and the Vice-Chairman, and Veterans, Councillors and residents. Father Stephen Bould read the service.”

18. **Petitions**

There were no petitions.

19. **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.

20. **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.

21. **Announcements of the Leader of the Council**

The Leader made the following announcements:

“Good evening.

Several members from the Marsh complained to me that we did nothing for them so I would like to take this opportunity to update members on some of the excellent work that this council is carrying out, or in numerous ways is supporting the Romney Marsh.

The council is supporting employment and skills on Romney Marsh in line with the Romney Marsh Socio-economic Deliver Plan 2017-2020 produced for the Romney Marsh Partnership. The key priority within this plan is to develop a business hub and skills centre at Mountfield Road industrial estate and putting in the infrastructure to unlock remaining plots for future business growth. This is

also a key priority in the council's Corporate Plan and officers are working hard on ways to secure funding and feasibility work to bring this project forward.

Earlier this year, the council launched its own £3million High Streets Fund. Details for the scheme will be coming to Cabinet very soon and will include criteria against which bids can be made. This will provide a potential resource to enhance the High Streets in New Romney and Lydd.

The nuclear sector is a major employer on Romney Marsh so as a Council and through the RMP, we work closely with Magnox Ltd, EDF, Dungeness SSH and the Nuclear Decommissioning Authority and others in the nuclear industry to secure future employment in the nuclear sector and develop skills of local people relevant to the nuclear industry and its supply chain.

Through the RMP FE and Skills Sub Group, we are supporting partnership working to skill/upskill local people and promote the area as a good place to live, work and relocate to. We have been successful in achieving priority status for Romney Marsh from the NDS socio-economic funding scheme and are currently developing a major partnership bid to support further economic development for the area. To maximise future employment in the nuclear sector we are also promoting the case for Dungeness A to be the site for Accelerated Decommissioning which would enable the retention of a significant number of jobs on site for the medium to long term.

We work closely with Romney Resource Centre and via the RMP support new initiatives such as delivery of construction courses, upgrading digital facilities and initiatives to meet the needs of businesses and local people, including returners to work, young people not in education training or employment and older residents wishing to upskill and participate in lifelong learning.

Romney Marsh is a special landscape and environment. We are involved in the new South East Nature Tourism Initiative to promote sustainable tourism year round on Romney Marsh consistent with the SARMS (Sustainable Access and Recreation Management Strategy) report for the area. The initiative will have two nature tourism hubs at Rye Discovery Centre and Romney Marsh Visitor Centre, New Romney. The RMP and FHDC also sit on the 5<sup>th</sup> continent Project Board and are supporting their green tourism initiatives including new interpretation hubs around the Marsh, new cycle and walking tours, training programme, and promoting the Romney Marsh branding. Wildlife tourism is popular off season so this will help to offer tourism employment out of peak season. We are also working to refresh the Romney Marsh medieval churches tour and support the upgrade of the Royal Military Canal.

The council through RMP is represented at the New Romney Coastal Community Team to ensure a good fit with their priorities for the area. Recently the RMP has commissioned a feasibility study for a local transport scheme to explore getting community transport hopper buses from Romney Marsh to Appledore railway station to connect with Ashford, Rye and Hastings so people

can access work and training opportunities. The RMP helps to promote joint working with partners, often the sole forum where they do so. Partners include four local authorities, nuclear industry, education providers and business organisations.

As you can see, there is an enormous amount of good work being carried out by this council on the Romney Marsh and I am happy to commit to continuing to fund all of this work for the duration of our administration.

To change the subject, when we were considering applying for Green Town Status for Otterpool Park, we arranged coach trips to see existing New Towns. As there are now several new members who might like to see what is out there, we will arrange more trips for those who want to go”.

The Leader of the Labour group responded and stated that it was good to see the Marsh was still in the picture in terms of strengthening the district. He looked forward to following the High Street Fund through Cabinet, and hoped it would be used wisely to improve high streets across the entire district. Green tourism initiatives were welcomed and he would also like to see green thinking applied to all aspects of the council. He worried for the vulnerable residents of the marsh in terms of transport. A similar scheme had been trialled in Ashford and failed. He would like to see a more in-depth proposal and feasibility study results. He would like to see more community run transport in the area to fill the gaps left by Stagecoach, and a stronger message to them should come from the Council Chamber.

Thank you for your invitation to visit garden towns – happy to visit if it our benefits our district. He thanked the Leader for the invitation for a tour of garden villages and stated he was happy to undertake anything which would benefit the district.

The Leader of the Green Group responded and stated that she was also pleased to see what was happening on the Romney Marsh. She stated that if local transport could be improved it was important. She added that she was not keen on the idea of more nuclear job, and would prefer more green energy opportunities. She also was pleased to hear about the High Streets Fund.

The Leader of the Liberal Democrat Group waived his right to respond.

The Leader in response stated that he agreed with the points raised.

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

**RESOLVED:**

That the announcements of the Leader be noted.

22. **Opposition Business**

Councillor McConville, on behalf of the Labour Group outlined the Opposition business which asked the Leader of the council to consider writing to the Secretary of State for business Greg Clark MP, to note this Council's concerns with UberEats and Deliveroo regarding the following:

- a) That workers are all registered to work in the UK and are being paid at least the UK living wage
- b) That these employers recognise a trade union and respect membership.
- c) That these employers pay their employees the same wage for the same work, regardless of age.
- d) That all workers have equal rights from day one, including sick pay, paid holiday, and protection from unfair dismissal.
- e) That their process on working with and promoting smaller businesses interested in using their service is reasonable and fair.
- f) That they will not use targeted social media advertising to promote unhealthy eating habits.
- g) That as employers they will refrain from making deductions from tips, so staff get to keep 100%, and customers know who their money is going to.
- h) That they will refrain from taking a cut of any tips paid via card.

Proposed by Councillor McConville,  
Seconded by Councillor Dorrell; and

**RESOLVED:**

Option (d) – That the Council adopt the issue raised by opposition business provided that the decision, so made, is within the Policy Framework and Budget and is within the power of the Council to make the decision.

(Voting figures: 14 for, 10 against, 4 abstentions).

23. **Motions on Notice**

Councillor Prater set out his motion which was set out on the agenda.

In accordance with the council procedure rule 17.5 five members present demanded a recorded vote.

Proposed by Councillor Prater,  
Seconded by Councillor Whybrow; and

**RESOLVED:**

This Council notes:

1. The hostility of local people to the proposals to develop Princes Parade, as evidenced by the local election results;
2. The damage it will do to the environment and the setting of the scheduled ancient monument that is the Royal Military Canal;
3. The financial risk this Council faces by pursuing this highly risky £29 million+ project;
4. The clear ongoing need for a new swimming pool and leisure centre in the district, and that a location for that at Martello Lakes would better support Hythe and Romney Marsh, than one nearer the Folkestone Sports centre.

This Council resolves to withdraw its planning application Y17/1042/SH for Princes Parade, and cease immediately any ongoing plans to develop that area for anything other than outdoors recreation.

This Council further resolves to immediately take up the option for a Leisure Centre site at Martello Lakes and will bring forward plans no later than November 2019 to open a new swimming pool and leisure centre there, whilst also seeking indicative funding support from partners for that site.

At the Leader's request, the Monitoring Officer provided clarity on the decision and advised the following:

"The resolution which has just been passed would not be binding on the Executive. Decisions on making and withdrawing planning applications are matters for the executive, as are decisions on where to site any new leisure facility".

FOR: Councillors Davison, Dorrell, Field, Fuller, Keen, Martin, McConville, Meade, Mullard, Prater, Shoob, Treloar, Wade, Whybrow and Wing (15).

AGAINST: Councillors Mrs Berry, Brook, Miss Carey, Collier, Goddard, Godfrey, Hills, Mrs Hollingsbee, P Martin, Meyers, Monk, Peall, Rolfe and Wimble (14).

ABSTENTIONS: None (0).

(Voting figures: 15 for, 14 against, 0 abstentions).

As the time limit of 60 minutes had expired, the other motions set out on the agenda were not considered.

24. **Scheme of delegation of Executive Functions made by the Leader of the Council**

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The scheme of delegation had been prepared by the Leader in accordance with the constitution and the Local Government Act 2000.

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

**RESOLVED:**

- 1. That report A/19/11 be received and noted.**

(Voting figures: 15 for, 0 against, 14 abstentions).

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**Public questions:**

**1. From Mr Rylands to Councillor Meyers, Cabinet Member for Digital Transformation and Customers**

How many contracts as per Art 28(3) of GDPR between Data Controller (The Council) and Data Processor (Organisation/Company) does the Council have, with whom (please provide the names of organisations and/or companies.) and how many data breaches have these companies/organisations (Processors) reported to the Council? Please supply dates of breaches and what was breached, eg names, financial details etc.

**ANSWER:**

Thank you for your question.

Article 28 of the General Data Protection Regulations specifies the obligations that must be included in any contractual agreement between a data processor and a data controller. This does not have to form a separate, supplementary 'processor agreement' and could form a part of the main contract itself.

In compiling the response for this evening we have checked data held back to the introduction of the General Data Protection Regulations in May 2018.

In date order of procurement, the data processors engaged by the Council since 25th May 2019 are as follows:

- Doug's Maintenance Services Ltd
- T M Contract Services Ltd
- Gamma Telecomm Ltd
- Arcus Global Ltd
- Monitor Pest Control Ltd
- INTEC For Business Ltd
- PA Group (UK) Ltd
- Pillory Barn Design Ltd
- Northgate Public Services (UK) Ltd
- Tim Moya Tree Services Ltd
- Public-i Group Ltd
- Indigo Business Services Ltd
- AlphaTec Software Ltd
- Orange Ora Ltd
- Reward Gateway (UK) Ltd
- Whaleback Ltd.
- 

You ask a question about breaches. Please note that the Council's Data Protection Officer has not received any breach notifications from 3rd party

processors as of the time of this meeting, and no such incidents have been recorded from the point that breach statistics were first centrally collected in 2016.

**THERE WAS NO SUPPLEMENTARY QUESTION.**

2. **From Mrs Lawes to Councillor Peall, Cabinet Member for Enforcement, Regulatory Services, Waste and Building Control**

There is a lot of graffiti in the district at present and every blank canvas whether it be a fence, wall, monument, building all seem fair game to target. This seems to contradict FHDC policy and KPI for 'Appearance Matters'. It is obvious that your team cannot clean the graffiti quick enough, when it is replaced immediately with another.

Is it time to look at this in a different way?

**ANSWER:**

The council has resourced via the Area Officers and its contractors Veolia a robust service to remove graffiti.

Since October 2018 and the introduction of the Area Officers 4161 individual jobs have been completed. It often requires repeat visits to fully remove the graffiti. This does not contradict the council's objective that 'Appearance Matter' rather it underlines the councils continued commitment.

It is not clear what is meant about looking at this in a different way.

Many towns and cities have tried initiatives like 'legal graffiti walls' sometimes called 'permission walls' where street artists can legitimately display their artwork. There is however no strong evidence that these initiatives reduce graffiti overall and often result in being a magnet for anti-social behaviour. There is also cultural difference between street art and tagging which forms the majority of graffiti removed locally. Tagging by its nature is dispersed and territorial. It must be treated as criminal damage to be enforced by the police and not tolerated.

**SUPPLEMENTARY QUESTION**

The council do not do enough for young people. Would it make sense to trial such initiatives?

**ANSWER:**

Nationally, evidence suggested that these initiatives do not work, and become a problem themselves. I would challenge your point about what we do for young people, as the council gives a lot of support to various youth clubs.

**3. From Mrs Lawes to Councillor Collier, Cabinet Member for Property Management and Grounds Maintenance**

Discussions have been taking place with regard to The 'Simon Cooper Weston Fountain' in Bruce Porter garden on the corner of Wear Bay Road and Wear Bay Crescent. A company by the name of Calibre Conservation from Lincolnshire, carried out a survey on Easter Sunday with regard the restoration of fountain and removal to near the bottom of the Leas lift. No one seems to know who arranged for this to take place.

Folkestone Parks & Pleasure Grounds run by the Cabinet has requested a report from properties at FHDC. They have been asked to quote to thoroughly prepare surfaces, clean and remove salts and repaint with a high specification marine grade paint. To renew all tarmacadam footpaths around the structure and to repair the steps down onto Wear Bay Road. To rebuild brickwork enclosures for the lighting supply. To consider the full renewal of pumps and on-going maintenance liabilities and cost.

This is a much loved fountain and has been in place at Bruce Porter garden for 97 years. Local residents are horrified that FPPG are looking to remove this fountain and wish it to remain where it is. Can you please confirm what the situation is regarding this fountain?

**ANSWER:**

The Council has investigated this and found out the following information:

Calibre Conservation have been asked by Terry Begent and Roger Joyce to provide a quotation for restoring the fountain. Early conversations have now taken place between the Council, Mr Joyce and Calibre Conservation to consider the implications of such a project.

At this time there are no plans to move or restore the fountain and any plans would be subject to extensive funding and permission from the Trustees of the Folkestone Parks and Pleasure Grounds Charity.

Having said that if an appropriate community group was set up to look at raising funds the Council would be fully supportive of a restoration project for this heritage asset subject to the relevant permissions and consultations.

**SUPPLEMENTARY QUESTION:**

Could I have assurances that the fountain will not be moved?

**ANSWER:**

I have already made this clear in my response.

**4. From Mr O'Hara to Councillor Godfrey, Cabinet Member for Housing, Transport and Special Projects**

My question concerns poor living accommodation sometimes called "rabbit hutch" housing. How many licences for landlords of houses of multiple occupation (HMO) have been granted or refused in the District in the past 4 years?

**ANSWER:**

The Council has licensed 41 HMOs (25 new and 16 renewals) in the past 4 years and all of these meet the necessary space standards set down by the Government.

With regard to new build homes, the council has developed a new policy (Policy HB3) for the Places and Policies Local Plan, which sets out space standards for internal and external spaces. This will apply to new houses and apartments and is based on national standards developed by government. The local plan is being examined by an independent planning Inspector. If the policy is approved by the Inspector, it can then be adopted by the council and used to decide planning applications for residential developments.

**SUPPLEMENTARY QUESTION:**

What monitoring and enforcement of licences of HMO landlords does the council do? For instance, how many times has the council issued any proceedings against licensed or unlicensed landlords of properties being used as HMOs, such as fines, informal or formal notices, withdrawal of licences or other proceedings for failure to meet licensing of legal requirements.

**ANSWER:**

The council is satisfied that HMO's do meet space requirements. A written response will be provided to the other points you raised.

**5. From Mr Deane to Councillor Monk, Leader of the Council**

Given that your current administration was elected with total of only 44% of the popular vote, will you now take heed on the majority people's voice and radically review the proposals for Princes Parade, Folkestone Seafront and Otterpool Garden Town?

**ANSWER:**

Planning applications have been submitted for all three of these sites, and as with any other development proposal the decision is taken by the council's Planning and Licensing Committee. Folkestone Seafront already has planning permission; Princes Parade has a Resolution to Grant planning permission (and the Secretary of State has taken the decision not to call in the application). The Otterpool Park planning application was submitted in Feb 2019 and will be taken to planning and Licensing Committee in due course.

**SUPPLEMENTARY QUESTION:**

Do you feel you have a mandate to lead on these issues over the next four the next given that you, personally, were not elected to Folkestone Town Council; made Hawkinge Town Council by beating the 5th placed Tory by 3 votes, and only scraped on to this Council by 19 votes?

**ANSWER:**

Thank you, I do not agree.

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Full Council – 26 June 2019

Councillor questions:

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

The air quality section of the Environment Statement included in the Otterpool Park Planning Application states that FHDC does not currently monitor for PM2.5 and PM10. Why not?

**ANSWER:**

The answer in brief is that we do not currently monitor for PM2.5 and PM10 as we do not have an Air Quality Management Area. Councils commonly only monitor for particular matter (PM) when they have needed to put in place an air quality management area.

To explain further –

The council currently monitor the most common air pollutant -Nitrogen Dioxide (NO<sub>2</sub>) which is a primary greenhouse gas, linked with global warming, and is produced by any form of combustion. We also monitor Benzene, which is a chemical by product from the combustion of petrol as long term exposure to this chemical is considered to be a carcinogen (cancer causing).

Air quality testing is carried out using passive sampling in the form of diffusion tubes. The advantage of this is that it is cost effective, relatively easy to use and also gives accurate results. There are currently 16 air quality monitoring sites, all of which are currently meeting DEFRA's Air Quality Objectives.

Should any of these monitoring sites not meet DEFRA air quality objectives (pollution levels), the council would declare an Air Quality Management Area and an action plan put in place to reduce the air pollution to acceptable levels.

Particulate matter or PM10 and PM2.5 are particle pollution, which is a mixture of solid and liquid droplets. These particles are very small and are measured in micrometres (µm). The source is usually from combustion activities such as motor vehicles and industrial processes. Other sources is the wear and tear from brake pads, engines and tyres of vehicles, domestic heating i.e. wood burners. To monitor particulate matter, you would commonly use a scientific machine known as TEOM (tapered element oscillating microbalance). This machine is usually fixed to one site.

However as we currently do not have any Air Quality Management Areas (AQMA) we therefore do not require to monitor Particulate Matter. As part of its consultation the Council have requested the Otterpool development applicant carry out an air quality assessment and propose appropriate mitigation accordingly. The council will be robustly reviewing these reports.

**THERE WAS NO SUPPLEMENTARY QUESTION.**

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

Given the recent problems with EKH regarding the omission of gas safety certificates, can the council clarify the position in regards to the electrical safety certificates and comment on how this has also been allowed to happen?

**ANSWER:**

I can advise that the position with LGSRs has now significantly improved, since the failure of the Council's contractors to carry out their legal obligations came to light. As of Monday there were 18 outstanding LGSRs, and 17 of these have appointments made for this week. Independent consultants HQN, have been appointed to look at the failure in respect of LGSRs, and we will ensure any lessons are learnt and implemented for the future.

With regard to electrical certificates, information provided by EKH has to date shown that necessary checks have been completed across the stock in accordance with current regulations. Notwithstanding this in the light of the issues with P&R, we have asked EKH to carry out a full audit of electrical certificates, and we have previously agreed that EKH should move to a five yearly cycle of electrical testing in line with current best practice.

**SUPPLEMENTARY QUESTION:**

I would ask that Full Council have sight of this report. How many faults were dealt with under categories C1, C2 and C3? I am concerned that works are not being done to the correct level.

**ANSWER:**

A full investigation is taking place which will look into all aspects, and all Members will be advised of the outcome.

3. **From Councillor Davison to Councillor Mrs Hollingsbee, Cabinet Member for communities**

With the school holidays approaching what projects/arrangements are in place to deal with the issue of holiday hunger across our district?

**ANSWER:**

The Council continues to annually fund and support the Shepway Sports Trust who run the Fit and Fed holiday hunger project. The key aim of Fit and Fed is to offer as many free spaces as possible specifically to local families living on a low income, who as a result of their child/ren not accessing free school meals during school holidays are highly likely not to be in a position financially to feed the whole family. Their child/ren are also far more likely not to get the opportunity to access holiday sports and physical activity



programmes alongside their friends and peers as a result of the family financial position.

To achieve the key aim of Fit and Fed, Shepway Sports Trust will continue to deliver summer and half-term programmes for 5 to 14 year olds that will use positive, social and physical activities to engage participants. They deliver 45 days of sessions over a 12 month period offering safe, interactive and challenging activity. Sessions run from 8-30am to 5pm and include active gym, panna skills school, street dance, boxing fitness, fitness classes, cycling proficiency, socialising groups, social media education, team building challenges, volunteering training, and multi sports for both boys and girls. Each child attending will also receive a breakfast and lunch which includes hot, cold and vegetarian options.

The Council continues to provide an ongoing annual grant to Shepway Sports Trust. However, it should be noted that the Council's ward grant funding has also supported the Fit and Fed initiative. In 2018/19, a ward grant of £200 towards Fit and Fed was awarded by Cllr Damon Robinson. In 2017/18, three Ward Grants were awarded to Shepway Sports Trust to provide a similar project to Fit and Fed.

In the latest holiday period the programme Fit & Fed holiday hunger project provided 750 hot meals to children. Schools and Youth hubs across the District also run holiday clubs where children are provided with food and the local food banks are also available for any one in need to access.

In addition to this the Folkestone & Hythe Local Childrens' Partnership group which is a KCC run group (and Folkestone & Hythe District Council are a member of) have provided funding to Shepway Sports Trust for 19/20 to enable the Fit & Fed project to continue.

The Council's 2019/20 ward grant application process has just opened and we are aware that the Shepway Sports Trust will be approaching Members to continue their support of Fit & Fed.

**SUPPLEMENTARY QUESTION:**

Would you look into this issue more to see how many children are covered by this, and what else is available?

**ANSWER:**

All grant money is monitored carefully. I will take on board your comments and see if I can find further information for you.

**4. From Councillor Keen to Councillor Monk, Leader of the Council**

Do you have plans to purchase the old harbour line that runs alongside Tram Road from Network Rail, and if you are then what are your intentions for the site?

**ANSWER:**

The disused section of the Folkestone Harbour Railway Line is currently being marketed for sale by Batcheller Monkhouse on behalf of Network Rail. Offers need to be submitted by 31st July 2019. Policy RL12 of the Places and Policies Local Plan supports the use of the line for a linear park, promoting active travel by providing a cycle and pedestrian route to the harbour area, together with visitor parking. I have asked officers to investigate the feasibility of delivering such an option in order that an informed decision can be taken regarding any purchase. A meeting is also being arranged with Folkestone Town Council to discuss the District Council's approach and how both Councils might work collaboratively on this community project.

**THERE WAS NO SUPPLEMENTARY QUESTION.**

5. **From Councillor McConville to Councillor Godfrey, Cabinet Member for Housing, Transport and special projects**

An item in report C/19/01 states, Homelessness- The increase in income relates to the recovery of income relating to self-contained nightly lets, which produces a higher rate of contributions than the bed and breakfast costs. What are these self-contained nightly lets and where may I see a breakdown of the costs?

**ANSWER:**

In terms of subsidy arrangements for Housing Benefit, these apply where the local authority provides accommodation to discharge a homelessness function or prevent homelessness. The types of accommodation are:

- Board and lodging (also known as B&B) or non-self-contained licensed accommodation; or
- Short-term leased or self-contained licensed accommodation

Self-contained accommodation is where none of the following are shared with another household:

- a kitchen,
- a toilet,
- a bathroom

**For B&B cases** (non self-contained) the Council can claim full subsidy for expenditure up to of the one bedroom self-contained LHA rate as at January 2011. For Folkestone-Dover LHA area this is £96.92 per week. Any amount over this is not reclaimed via subsidy.

**For short term leased cases** (self contained) where the LA is the landlord the Council can claim full subsidy for expenditure up to 90% of the appropriate LHA rate for the size of the property (based on the number of bedrooms) as at January 2011.

In terms of the breakdown of actual costs this will depend on the nature of the case, the size of the property and the individual circumstances of the people

involved. I would be happy to have a further conversation with Councillor McConville to discuss the type and breakdown of costs so that I can ensure he is provided, as far as is possible, with the information he is seeking.

**SUPPLEMENTARY QUESTION:**

I would like to know the make-up of people and families using the nightly lets, and where they are from?

**ANSWER:**

I would suggest you raise this with me separately after the meeting, and I can seek the information you require from the relevant officer.

6. **From Councillor Dorrell to Councillor Mrs Hollingsbee, Cabinet Member for Communities**

With the rates of child poverty hitting 46% in East ward and 48% after housing costs in Harbour ward. This should be a top priority for our council to address, as the next generations prospects and their future opportunities can be significantly reduced by the effects of living within poverty. And now with the introduction of Universal Credit being rolled out, have the cabinet considered any plans on reliving the pressure claimants will face, as the minimum 5 week waiting period will find some of our more vulnerable household going into rent arrears with greater risks of homelessness or deprivation resulting in others needing to visit a food banks just in order to get by. What, if any are the councils proposals for helping to reduce the alarming rates of child poverty within and across our district?

**ANSWER:**

Folkestone & Hythe District Council is currently delivering Community Led Local Development Programme, which aims to help local people access jobs, and to support local businesses by delivering the Folkestone Local Development Strategy (LDS) in the most deprived areas of Folkestone. The funding stream recognises the importance of paid work in increasing the stability of people's lives, including families and reducing their reliance on benefits. The programme will run until 2022, and with match funding will invest £4.9 million into Folkestone's most deprived areas.

The European Social Fund (ESF) strand is focused on Folkestone Local Development Strategy Objective 1: Enhancing work- readiness and well-being. This objective has four actions:

**Action 1:** Work experience and job preparation for young people

**Action 2:** Getting people back into work

**Action 3:** Promoting emotional and physical well-being

**Action 4:** Promoting financial wellbeing

The Council has secured £975,000 of ESF funding which with match funding from the delivery organisations will result in £1,950,000 being invested into achieving outcomes under Objective 1.

Following a call for projects in 2018 to deliver these actions and the associated outputs and results, five projects were awarded funding. One projects subsequently decided to withdraw due to a change in their circumstances. Four projects are currently delivering services:

**Money Matters**– ESF funding allocated £49,049

Lead organisation: Rotary Club of Folkestone in partnership with Citizens Advice and Kent Coastal Volunteering

This project recognizes the barrier indebtedness is to well-being of the whole household and has created a new integrated service to provide support and advice to working-age residents, who are job seekers, unemployed or economically inactive. It combines the financial expertise of Citizens Advice with professional mentoring coordinated by Kent Coast Volunteering.

The service aims:

- To provide an efficient, empathetic service of mentoring and support to those in debt;
- To offer free, independent and practical financial advice;
- To empower individuals to gain greater financial stability and progress towards a debt-free future;
- To guide individuals through the maze of financial burden leading to greater physical and mental wellbeing and thus improve self-worth and self-confidence.

Money Advisers from CA will work to provide a robust and individual Money Action Plan (MAP), which a mentor will then work to implement in collaboration with scheme participants. This vital outreach service will be provided at venues such as FoodBank, Folkestone Rainbow Centre and Mind.

For further information regarding the project:

Email: [adviser@citizensadviceshepway.org.uk](mailto:adviser@citizensadviceshepway.org.uk)

**Working Together** ESF funding allocated £230,895

Lead organisation: Social Enterprise Kent

This project recognizes that multiple factors impact on residents' ability to be enter the job market or undertake training or education. This new service supports residents who want to enter the job market but need support to become job ready and find suitable work; or helps residents realize their aspirations to start a training course or return to education. The project offers tailored one to one support from a skilled advisor who guides/coaches/mentors the resident on their personal journey.

The advisor develops with each client a Personal Development Plan which identifies objectives that the resident will be supported to work towards alongside a clear action plan of tasks and activities to help them achieve a positive outcome. This can include creating a CV, using effective job searching techniques, developing interview skills and becoming more confident by addressing underlying issues by helping them access debt services, housing support, benefit advice and much more.

For further information regarding the project:

Email: [e.woodward@sekgroup.org.uk](mailto:e.woodward@sekgroup.org.uk)

Website: [www.sekgroup.org.uk/](http://www.sekgroup.org.uk/)

**Moving Forward Together** ESF funding allocated £299,080

Lead organisation: Shepway Sports Trust

This project recognizes the benefit of physical activity and sport to people's well-being. The new service offers a two tier programme of access to regular sport and physical activity combined with national accredited training.

The first tier engages residents in team sports such as football, table tennis, basketball to build confidence, develop physical fitness and build interpersonal skills. Alongside these sessions, participants will participate in sessions such as CV writing, first aid training that have been agreed and co-designed to assist them to move towards their goals – job search, employment, training or education.

The second tier is the YMCA level 1 and 2 Introduction to Lifestyle Management and Community Activator accredited training. These accredited courses will enable participants to gain qualifications that gives them practical and social skills to improve their lives and will help them move into employment especially in the leisure industry.

For further information regarding the project:

Email: [e.ghassempour@shepwaysportstrust.org](mailto:e.ghassempour@shepwaysportstrust.org)

**Passport to Employability** ESF funding allocated £98,152

Lead organisation: Kent Coastal Volunteering

This project recognizes the importance of volunteering as a gateway to improved well-being and employment. Kent Coast Volunteering through its Folkestone & Hythe Hub is providing a programme of training and support for unemployed and economically inactive residents to help them gain skills and experiences that will help them on their journey into work.

The new service enables participants to be supported by skilled staff and volunteer mentors with 1:1 support and tailored training to improve skills and confidence before being provided with a volunteer placement. Core training sessions include introduction to volunteering, customer service, confidence building and skills for volunteers. Each participants will have an agreed personal development plan with mentors accompanying them to placements to assist with the adjustment and the establishment of a routine they can live with. The support continues beyond the volunteer placement into job searching and employment.

Email: [mark.connorton@kcv.org.uk](mailto:mark.connorton@kcv.org.uk)

Website: <https://www.kcv.org.uk/passport-to-employability>

**SUPPLEMENTARY QUESTION:**

How many private rented tenants are being pushed into rent arrears?

**ANSWER:**

I am unable to answer that question at present, but will consult officers and provide a response separately.

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

Do you think that everything that could have been done by the previous administration has been done to defend jobs and retain Debenhams as a cornerstone trader on Folkestone high street and if not, what steps will you now take?

**ANSWER:**

The closure of department stores is a national issue arising from the shift of consumer spending to online retail and has affected many stores previously regarded as the cornerstone of High Streets such as House of Fraser, BHS, Marks & Spencer as well as Debenhams.

The Council has been working for some time with Ellandi, the owners of Bouverie Place, and the owner of the Debenhams store, on exciting plans to regenerate Folkestone town centre. The intention was to commence consultation on these plans in the coming months, but the announcement that Debenhams will be closing in 2020 has given the Council and other stakeholders an opportunity to accelerate this work.

It is not only a matter of regenerating Folkestone town centre but also finding ways to better connect with other assets of the town such as the Creative Quarter and harbour arm that attract large numbers of visitors whom could potentially spend time and money in the town centre too. This work does require resourcing and an application has been submitted for Government support through its Future High Street Fund and a decision awaited.

The Council has shown leadership in bringing stakeholders and public agencies together to create a new Folkestone & Hythe District Accelerated Delivery Board with a District-wide remit to promote economic growth and job creation. Folkestone town centre will be an important part of this work and the Board provides an opportunity to share early ideas for the future use of the Debenhams building and how it can continue to play a part in Folkestone's renaissance as a modern seaside town, with fantastic transport links and a thriving economy.

Much has been done and there is much more to do.

**SUPPLEMENTARY QUESTION:**

Will you undertake to publish the minutes of the Accelerated Delivery Board be published?

**ANSWER:**

Yes, these would be made available.

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

Do you consider that downgrading the percentage of 'affordable' housing provided in specific future housing developments like Otterpool from 30% to 22% is acceptable when thousands of families are on the housing waiting list and we have people sleeping rough on our streets?

**ANSWER:**

Our planning policies need to be supported by robust evidence. National planning policy says that local planning authorities should produce evidence to show the need for affordable housing in their areas. Where a need for affordable housing is identified, policies in local plans can then set out requirements for meeting the need, taking into account other issues such as the viability of development. National policy states that on major sites at least 10 per cent of homes should be affordable.

The council completed a Strategic Housing Market Assessment to identify the need for housing, including affordable housing. This found that 139 affordable homes were needed a year to 2037. When considering all the new homes to be provided over the plan period this equates to around 22 per cent, and this figure is included in the draft policies in the Core Strategy Review that were consulted in 2018 and 2019. The policies will be considered by an independent planning Inspector during a public examination of the Core Strategy Review who will consider the evidence and will judge whether the council is justified in its approach.

The draft policy figure is more than double the national default level and is designed to deliver 139 affordable homes a year. The adopted 2013 Core Strategy currently makes provision for 100 affordable homes a year, so if the Core Strategy Review is found 'sound' by the planning Inspector, it will help deliver a substantially increased supply of affordable homes to meet the district's identified need.

**SUPPLEMENTARY QUESTION:**

You did not answer my question?

**ANSWER:**

My response stated that we are hitting double our targets.

9. **From Councillor Davison to Councillor Mrs Hollingsbee, Cabinet Member for Communities**

Can you provide an update on discussions with Kent County Council about the enforced closure of Folkestone Central library?

**ANSWER:**

Responsibility for library provision, opening hours etc. lies with Kent County Council (KCC). Earlier this year, KCC undertook a 10-week public consultation on the Libraries, Registration and Archives (LRA) strategy – see <https://consultations.kent.gov.uk/consult.ti/LRAStrategy>. The draft strategy sets out how KCC will continue to provide a sustainable libraries, registration and archives service to meet the needs and choices of its customers and communities.

The Council has contacted Cllr Mike Hill, KCC's Cabinet Member for Community and Regulatory Services, inviting KCC's Libraries service to attend a future Overview and Scrutiny Committee in order to provide our members with an update on the consultation, how people in the district were consulted and the results. This will provide members the opportunity to discuss library provision across the district, including Folkestone Central library.

The library had been closed due to a leak and the ground floor has reopened today.

**SUPPLEMENTARY QUESTION:**

The recent closures are unacceptable. Would you support organising a face to face meeting with the KCC Cabinet Member?

**ANSWER:**

The closure was disappointing, but as there was a leak, there was little that could be done. I am sure a meeting with the KCC Cabinet Member can be arranged, leave it with me.

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

Would the Cabinet member for Housing provide the number of LGSRS (gas safety certificate tests) on our housing stock that EKH invoiced this council for in each of the financial years 2016-17, 2017-2018, and 2018-2019?

**ANSWER**

Information provided by East Kent Housing shows the following number of gas safety inspections (LGSRS) were completed and invoiced over the 3 year period from 2016-2019:

In 2017/18, 4459 LGSRS were completed and invoiced by our contractor.

In 2018/19, 3737 LGSRS were completed and invoiced by our contractor.

The information is not available for 2016/17 as this work relates to our previous contractor.

**SUPPLEMENTARY QUESTION:**

The figures in 18/19 were less than in 17/18 – this does not stack up?



**ANSWER:**

The council's contract was currently up for renegotiation, and therefore certain information could not be released due to its commercial sensitivity. I will get the figures checked for you.

11. **From Councillor Fuller to Councillor Godfrey, Cabinet Member for Housing, Transport and special projects**

Can the cabinet member for Housing confirm the full potential extent of this Council's financial legal liability (the fine we may face) now it has been uncovered that for a period of time there were hundreds of our properties not covered by an in date Gas Safety Certificate (LGSR)?

**ANSWER:**

At this time I am unable to fully respond to this question. I can confirm that the Council referred itself to the Social Housing Regulator and together with EKH is actively working with the Regulator. Members will be updated further on the outcome of this process once it has been completed.

**SUPPLEMENTARY QUESTION:**

Can you confirm that the actual amount of fine will be published?

**ANSWER:**

Yes, assuming that there is a fine.

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## **Parental Leave Policy for Councils**

### **Introduction**

This Policy sets out Members' entitlement to maternity, paternity, shared parental and adoption leave and relevant allowances.

The objective of the policy is to ensure that insofar as possible Members are able to take appropriate leave at the time of birth or adoption, that both parents are able to take leave, and that reasonable and adequate arrangements are in place to provide cover for portfolio-holders and others in receipt of Special Responsibility Allowances (SRA) during any period of leave taken.

Improved provision for new parents will contribute towards increasing the diversity of experience, age and background of local authority councillors. It will also assist with retaining experienced councillors – particularly women – and making public office more accessible to individuals who might otherwise feel excluded from it.

There is at present no legal right to parental leave of any kind for people in elected public office. This applies to MPs as well as councillors, and has been the subject of lengthy debate. These policies can therefore only currently be implemented on a voluntary basis, although Labour Councils are encouraged to implement them as per the Labour Party Democracy Review which has called for Labour-controlled councils and Labour Groups to adopt a parental leave policy. Discussions are ongoing about changing the law to enable compulsory provision, but until then these policies constitute best practice which Labour Groups (and the councils they control) are strongly advised to adopt.

Legal advice has been taken on these policies, and they conform with current requirements.

### **1. Leave Periods**

1.1 Members giving birth are entitled to up to 6 months maternity leave from the due date, with the option to extend up to 52 weeks by agreement if required.

1.2 In addition, where the birth is premature, the Member is entitled to take leave during the period between the date of the birth and the due date in addition to the 6 months' period. In such cases any leave taken to cover prematurity of 28 days or less shall be deducted from any extension beyond the initial 6 months.

1.3 In exceptional circumstances, and only in cases of prematurity of 29 days or more, additional leave may be taken by agreement, and such exceptional leave shall not be deducted from the total 52 week entitlement.

1.4 Members shall be entitled to take a minimum of 2 weeks paternity leave if they are the biological father or nominated carer of their partner/spouse following the birth of their child(ren).

1.5 A Member who has made Shared Parental Leave arrangements through their employment is requested to advise the Council of these at the earliest possible opportunity. Every effort will be made to replicate such arrangements in terms of leave from Council.

1.6 Where both parents are Members leave may be shared up to a maximum of 24 weeks for the first six months and 26 weeks for any leave agreed thereafter, up to a maximum of 50 weeks. Special and exceptional arrangements may be made in cases of prematurity.

1.7 A Member who adopts a child through an approved adoption agency shall be entitled to take up to six months adoption leave from the date of placement, with the option to extend up to 52 weeks by agreement if required.

1.8 Any Member who takes maternity, shared parental or adoption leave retains their legal duty under the Local Government Act 1972 to attend a meeting of the Council within a six month period unless the Council Meeting agrees to an extended leave of absence prior to the expiration of that six month period.

1.9 Any Member intending to take maternity, paternity, shared parental or adoption leave will be responsible for ensuring that they comply with the relevant notice requirements of the Council, both in terms of the point at which the leave starts and the point at which they return.

1.10 Any member taking leave should ensure that they respond to reasonable requests for information as promptly as possible, and that they keep officers and colleagues informed and updated in relation to intended dates of return and requests for extension of leave.

## **2. Basic Allowance**

2.1 All Members shall continue to receive their Basic Allowance in full whilst on maternity, paternity or adoption leave.

## **3. Special Responsibility Allowances**

3.1 Members entitled to a Special Responsibility Allowance shall continue to receive their allowance in full in the case of maternity, paternity, shared parental or adoption leave.

3.2 Where a replacement is appointed to cover the period of absence that person shall receive an SRA on a pro rata basis for the period of the temporary appointment.

3.3 The payment of Special Responsibility Allowances, whether to the primary SRA holder or a replacement, during a period of maternity, paternity, shared parental or adoption leave shall continue for a period of six months, or until the date of the

next Annual Meeting of the Council, or until the date when the member taking leave is up for election (whichever is soonest). At such a point, the position will be reviewed, and will be subject to a possible extension for a further six month period.

3.4 Should a Member appointed to replace the member on maternity, paternity, shared parental or adoption leave already hold a remunerated position, the ordinary rules relating to payment of more than one Special Responsibility Allowances shall apply.

3.5 Unless the Member taking leave is removed from their post at an Annual General Meeting of the Council whilst on leave, or unless the Party to which they belong loses control of the Council during their leave period, they shall return at the end of their leave period to the same post, or to an alternative post with equivalent status and remuneration which they held before the leave began.

#### **4. Resigning from Office and Elections**

4.1 If a Member decides not to return at the end of their maternity, paternity, shared parental or adoption leave they must notify the Council at the earliest possible opportunity. All allowances will cease from the effective resignation date.

4.2 If an election is held during the Member's maternity, paternity, shared parental or adoption leave and they are not re-elected, or decide not to stand for re-election, their basic allowance and SRA if appropriate will cease from the Monday after the election date when they would technically leave office.

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This Report will be made public on 16 July 2019



Report Number **A/19/10**

**To:** Council  
**Date:** 24 July 2019  
**Status:** Non-executive Decision  
**Responsible Officer:** Susan Priest, Head of Paid Service

**SUBJECT:** MEMBERS' ALLOWANCES – INDEPENDENT REMUNERATION PANEL

**Summary:** This report recommends that the Council commences the process of recruiting members to the Independent Remuneration Panel and to establish that panel also as the Parish Remuneration Panel.

### **Recommendations:**

1. To receive and note report A/19/10.
2. To thank the existing members of the Independent Remuneration Panel for their work since their appointment;
3. To appoint four members to the Council's Independent Remuneration Panel under the provisions of the Local Authorities (Members' Allowances) (England) Regulations 2003 with a four year term of office from the 1 December 2019;
4. To establish a Parish Remuneration Panel under the regulations, the members of which shall be identical to the members of the Independent Remuneration Panel;
5. To authorise the Head of Paid Service to draw up role descriptions for the members of the Independent Remuneration Panel;
6. To advertise for candidates in the press and electronically;
7. To form a selection panel comprised of the Chairman of the Council, the Leader of the Council, the Leader of the Labour Group, the Leader of the Green Group and a further panel member appointed by the Head of Paid Service.

## **1. BACKGROUND**

- 1.1 The Local Authorities (Members' Allowances) (England) Regulations 2003 (S11280) require the Council to appoint an Independent Remuneration Panel (IRP) to consider and advise on the scale of members' remuneration.
- 1.2 On 23 November 2011 the full Council resolved to appoint
- a) Mr. David Ellerby
  - b) Mr. Chris Harman
  - c) Mr. Michael George
  - d) Ms. Janet Waghorn
- to its IRP following a selection process (minute 54).
- 1.3 The term of office of the existing IRP was extended until 1 December 2019 (Council meeting dated 20 May 2015, minute 14). In view of the expiry of the term of office of the existing members it will be necessary to recruit a new panel.

## **2. FOLKESTONE AND HYTHE INDEPENDENT REMUNERATION PANEL / PARISH REMUNERATION PANEL**

- 2.1 As stated above it will be necessary for the Council to appoint a new panel. A summary of the legislation on the appointment of IRPS is set out below:
- The IRP must have at least three members.
  - Members of the IRP cannot be members of the District Council or of any town or parish council within the district area.
  - Anyone who is disqualified from being an elected member of a local authority is also disqualified from being a member of an IRP.
  - IRP members cannot also be members of a committee or a subcommittee of the District Council, or of any town or parish council within the district area.
- 2.2 The regulations also provide for the establishment of a Parish Remuneration Panel which can make recommendations to town or parish councils on parish basic allowances (no town or parish council in the district presently pays allowances). The Parish Remuneration Panel must be composed of those who form the District Council's IRP. It is recommended that the IRP appointed and the existing IRP be established also as the Parish Remuneration Panel.
- 2.3 The 2003 Regulations do not specify how a local authority may appoint members of its IRP, but the guidance states that the process should command public confidence throughout all the communities in the local authority's area.
- 2.4 The term of office of the IRP also needs to be considered; the guidance suggests a term of between three and five years. The existing IRP had the term of office extended because of work in progress. It is considered that the members of the IRP should be formally thanked for all their work.



- 2.5 With due regard to the guidance, it is suggested that the IRP consist of four members and that candidates are sought by advertisement in the local newspapers, the Folkestone Herald and the Kentish Express and via the Council's website. It is also suggested that the Head of Paid Service be authorised to produce a role description. It is recommended that a term of four years is specified to allow any new appointment or reappointment to be considered by the new Council in December 2023.
- 2.6 It is also suggested that a selection panel for the IRP comprising the Chairman of the Council, the Leader of the Council, the Leader of the Labour Group, the Leader of the Green Group and a fifth (not a member of this authority) appointed by the Head of Paid Service be formed.
- 2.7 The selection panel will consider candidates from a shortlist drawn up by the Head of Paid Service and the Assistant Director, Governance, Law and Regulatory Services.

### **3. RISK MANAGEMENT ISSUES**

#### **3.1 A summary of the Perceived Risks Follows:**

No perceived risk.

### **4. LEGAL/FINANCIAL AND OTHER CONTROLS/POLICY MATTERS**

#### **4.1 Legal Officer's Comments (XX)**

All relevant legal issues have been addressed in the Report.

#### **4.2 Finance Officer's Comments (XX)**

Any costs arising from implementation of the recommendations contained in this report can be contained within existing budgets.

#### **4.3 Diversity and Equalities Implications (XX)**

No diversity or equality implications.

### **5. CONTACT OFFICER AND BACKGROUND DOCUMENTS**

Councillors with any questions arising out of this report should contact the following officer prior to the meeting:

Amandeep Khroud, Assistant Director, Governance, Law and Regulatory Services

Tel: 01303 853253

Email: [amandeep.khroud@folkestone-hythe.gov.uk](mailto:amandeep.khroud@folkestone-hythe.gov.uk)

The following background documents have been relied upon in the preparation of this report:

None

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