

Meeting: **Council**
Date: **30 November 2022**
Time: **7.00 pm**
Place: **Council Chamber - Civic Centre Folkestone**

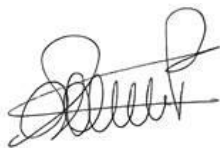
To: **All Members of the Council**

YOU ARE HEREBY SUMMONED to attend a meeting of the Council on the date and at the time shown above.

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>.

Please note there will be 37 seats available for members of the public, which will be reserved for those speaking or participating at the meeting. The remaining available seats will be given on a first come, first served basis.



Dr Susan Priest
Chief Executive

1. **Apologies for Absence**
- a) **Declarations of interest**

Queries about the agenda? Need a different format?

Contact Jemma West – Tel: 01303 853369
Email: committee@folkestone-hythe.gov.uk or download from our
website
www.folkestone-hythe.gov.uk

2. **Minutes (Pages 7 - 12)**

To receive the minutes of the meeting of the council held on 28 September 2022 and to authorise the Chairman of the Council to sign them as a correct record.

3. **Chairman's Communications**

4. **Petitions (Pages 13 - 14)**

A petition asking for the development at Princes Parade to be abandoned has been received and has a total of 311 signatures. As per the petitions scheme, set out in part 4 of the constitution, petitions which receive more than 250 signatures can be presented to a meeting of Full Council.

5. **Questions from the Public**

1. **From Mrs M Lawes to Councillor Monk, Leader of the Council**

Has Folkestone & Hythe District Council's approach and policy, as laid out as per Part 4.5. Petitions, of the council's constitution, been update this year or is it about to be updated?

2. **From Ms A Jones to Councillor Monk, Leader of the Council**

Now that Princes Parade work has paused and BAM have left, I would like to ask what the council are planning to do about the exposed landfill waste next to the first bridge, as it is clearly a public health and safety issue.?

6. **Questions from Councillors**

(Questions can be found on 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.

7. **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.

8. **Opposition Business**

The Labour Group has raised the following matter:

Council Notes:

- A property that is available to rent for short periods and listed for at least 140 days per year shall be listed as a business.
- These properties do not pay council tax as they are registered as a business.
- There are currently 184 Self Catering Holiday Lets on the Business Rates Register.
- Many of these businesses claim 100% business rates relief.
- From April there will be the added caveat that these businesses will also have to evidence that the property has been let for at least 70 days to remain on the business rates register.
- Under the Environmental Protection Act (1990), all businesses (including those operating from home), have a legal responsibility to safely contain and dispose of any waste produced as a result of their business. This legal responsibility includes holiday let properties.

Council Believes:

- Many of these properties are residential dwellings with council waste bins.
- Waste collection is occurring from the council provider rather than commercial waste carriers.

Council Resolves:

- To contact every self-catering holiday let business as shown on the register, informing them of their duty to dispose of their commercial waste by legal means and show evidence of this to the council.
- To consider the establishment of an in-house commercial waste collection operation to achieve the following:
 - Increase council revenue
 - Offer small businesses a cost effective and legal waste collection service
 - To ensure council tax is not paying for commercial waste collection.
 - To promote commercial recycling and food waste recycling.

Debates on opposition business shall be limited to 30 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.

9. **Motions on Notice**

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 the Liberal Democrat Group

This Council calls for Scrutiny of the ways the District Council can assist Town and Parish Councils in the area with legally moving on illegal encampments on their land [including lands leased from the district council] as quickly as possible, and to at least the same level that they are able to deal with incursions on their own land?

(2) From the Green Group

Council notes the decision on 1 November 2022 by the Leader to pause all spending on the Princes Parade project to allow officers to reevaluate the project.

Council notes report C/22/56 and the potentially serious impacts on the council's finances of stopping the project and the likely even worse impacts of continuing with the project.

Council notes the vote of the council meeting of 26 June 2019 to withdraw the planning application.

Council believes that in order to avoid a similar situation arising again, there should be an investigation into how expenditure on the project was allowed to reach £4-£5m from the £2.56m that had been spent by January 2022 despite the fact that the capital receipts had not been secured. This investigation should include a detailed timeline including when problems were first identified in order to establish if there was an earlier point at which the project should have been paused, plus the extent to which the details and risks of the project were adequately communicated to councillors.

Council therefore proposes that the Overview & Scrutiny Committee should consider this issue.

Council understands that the priority of the officers needs to be reevaluating the project and securing the council's financial position but that it is vital to now capture the lessons learned from Princes Parade, particularly given the severe financial implications for the council and taxpayers of decisions that were made.

Council proposes that OSC invites the three councillors for the Hythe ward to take part.

10. **Princes Parade - Closure of Footpath South of Seaview Bridge (Pages 15 - 18)**

This report is to record the decision made at Overview and Scrutiny Committee on 8/11/22 to close the footpath south of Sea View Bridge, once works on Princes Parade commence in earnest. (NB: The path is not currently closed). A petition had been presented to the Council calling for the footpath to be kept open after working hours and at weekends. After hearing a factual presentation concerning the rationale leading to the closure decision the Committee felt that the closure must be implemented when works commenced.

11. **Medium Term Financial Strategy 2023/24 to 2026/27 (Pages 19 - 58)**

The Medium Term Financial Strategy ('MTFS') is the Council's key financial planning document. It puts the financial perspective on the Council's Corporate Plan priorities, expressing the aims and objectives of the various plans and strategies in financial terms over the four year period ending 31st March 2027. It covers both revenue and revenue implications for capital spend for the General Fund. Also included are the Council's reserves policies. The MTFS is a key element of sound corporate governance and financial management.