



Agenda

Meeting: **Council**
Date: **24 May 2023**
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**
2. **Election of Chairman of the Council**

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

3. **Election of Vice-Chairman of the Council**

4. **Declarations of Interest (Pages 5 - 6)**

Members of the Council should declare any discloseable pecuniary interest or any other significant interests in any item/s on this agenda.

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

To receive the minutes of the meeting of the council held on 4 May 2022 and to authorise the Chairman of the Council to sign them as a correct record.

6. **Election of the Leader of the Council**

7. **Statement from the Leader of the Council including delegation arrangements**

8. **Appointments to Committees and Sub-Committees of the Council (including the appointment of Chairmen and Vice-Chairmen) (Pages 13 - 18)**

This report lists the committees and sub-committees of the Council. The description of the role and function of each committee contained in this report is a summary only and the full definition and description of each is set out in the constitution.

Please note, the names of those nominated for each committee will be provided at the meeting.

9. **Delegation of non-Executive functions (Pages 19 - 36)**

The Council's constitution requires that the scheme of delegations be agreed by the Council at its annual meeting. This report sets out the scheme.

10. **Schedule of meetings for 2023/24 (Pages 37 - 40)**

The Council is required to approve the annual schedule of meetings for the municipal year 2023/2024. The proposed annual schedule of meetings for 2023/24 is appended to this report, including dates for the whole of May for the following municipal year, as per the Council Procedure rules set out in part 4.2, paragraph 1.1.2(i) of the constitution.

11. **Annual report on policies and strategies adopted by Cabinet and update on urgent decisions 2022/23 (Pages 41 - 44)**

This report is the annual report of policies and strategies that have been adopted, by Cabinet, during the 2022/23 municipal year.

12. **Annual report of the Audit and Governance Committee 2022/23
(Pages 45 - 50)**

This report summarises the achievements of the Audit and Governance Committee against the terms of reference for the period 1 April 2022 to 31 March 2023 and details the impact that it has made on the overall system of internal control in operation.

13. **Annual report of the Overview and Scrutiny Committee 2022/23
(Pages 51 - 62)**

This report sets out the work that the Overview and Scrutiny Committee and the Finance and Performance Sub-Committee have completed during 2022/2023.

14. **Annual Scrutiny work programme 2023/24 (Pages 63 - 66)**

This report presents recommendations for the work programme for the overview and scrutiny committee for 2023/24.

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Declarations of Interest

Disclosable Pecuniary Interest (DPI)

Where a Member has a new or registered DPI in a matter under consideration they must disclose that they have an interest and, unless the Monitoring Officer has agreed in advance that the DPI is a 'Sensitive Interest', explain the nature of that interest at the meeting. The Member must withdraw from the meeting at the commencement of the consideration of any matter in which they have declared a DPI and must not participate in any discussion of, or vote taken on, the matter unless they have been granted a dispensation permitting them to do so. If during the consideration of any item a Member becomes aware that they have a DPI in the matter they should declare the interest immediately and, subject to any dispensations, withdraw from the meeting.

Other Significant Interest (OSI)

Where a Member is declaring an OSI they must also disclose the interest and explain the nature of the interest at the meeting. The Member must withdraw from the meeting at the commencement of the consideration of any matter in which they have declared a OSI and must not participate in any discussion of, or vote taken on, the matter unless they have been granted a dispensation to do so or the meeting is one at which members of the public are permitted to speak for the purpose of making representations, answering questions or giving evidence relating to the matter. In the latter case, the Member may only participate on the same basis as a member of the public and cannot participate in any discussion of, or vote taken on, the matter and must withdraw from the meeting in accordance with the Council's procedure rules.

Voluntary Announcement of Other Interests (VAOI)

Where a Member does not have either a DPI or OSI but is of the opinion that for transparency reasons alone s/he should make an announcement in respect of a matter under consideration, they can make a VAOI. A Member declaring a VAOI may still remain at the meeting and vote on the matter under consideration.

Note to the Code:

Situations in which a Member may wish to make a VAOI include membership of outside bodies that have made representations on agenda items; 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. It should be emphasised that an effect on the financial position of a Member, relative, close associate, employer, etc OR an application made by a Member, relative, close associate, employer, etc would both probably constitute either an OSI or in some cases a DPI.

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FOLKESTONE AND HYTHE DISTRICT COUNCIL

Minutes for the meeting of the Council held at the Council Chamber - Civic Centre Folkestone on Wednesday, 4 May 2022

Present: Councillors Mrs Ann Berry, Danny Brook, Miss Susan Carey, John Collier, Laura Davison, Ray Field, Gary Fuller, Peter Gane, Clive Goddard, 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: None.

1. Election of Chairman of the Council

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

RESOLVED:

That Councillor P Martin be elected as Chairman of the District Council of Folkestone and Hythe until the next annual meeting of the Council, and until the acceptance of office by his successor.

(As there was no dissent the nomination was approved by affirmation of the meeting).

Councillor P Martin made and signed the declaration of acceptance of office, as required by Section 83 of the Local Government Act 1972.

The Chairman of the council then formally thanked the council for electing him to office, and thanked his proposer and seconder.

2. Election of Vice-Chairman of the Council

Proposed by Councillor P Martin,
Seconded by Councillor Mrs Hollingsbee; and

RESOLVED:

That Councillor Hills be elected as Vice-Chairman of the District Council of Folkestone and Hythe until the next annual meeting of the Council, and until the acceptance of office by his successor.

(As there was no dissent the nomination was approved by affirmation of the meeting).

Councillor Hills made and signed the declaration of acceptance of office, as required by Section 83 of the Local Government Act 1972, and also thanked his proposer and seconder.

3. **Declarations of Interest**

There were no declarations of interest at the meeting.

4. **Minutes**

The minutes of the Annual meeting of the Council held on 5 May 2021 were submitted, approved as a correct record, and signed by the Chairman of the Council.

5. **Appointments to Committee's and Sub-Committee's of the Council (including the appointment of Chairmen and Vice-Chairmen)**

The report listed the committees of the Council. The description of the role and function of each committee contained in the report is a summary only and the full definition and description of each is set out in the constitution.

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

RESOLVED:

1. **That report A/22/06 be received and noted.**
2. **That the necessary appointments to the committees of the Council, as set out in the report, for 2022/2023.**
3. **That the following be appointed as Chairmen and Vice-Chairmen of the committees for 2022/2023:**

Audit and Governance	Chair	Councillor Mrs Berry (Cons)
	Vice	Councillor P Martin (Cons)
Planning and Licensing	Chair	Councillor Goddard (Cons)
	Vice	Councillor P Martin (Cons)
Personnel	Chair	Councillor Monk (Cons)
	Vice	Councillor Brook (Cons)

(Voting figures: 18 for, 5 against, 7 abstentions).

6. **Scheme of Delegation of non-executive functions**

The Council's constitution requires that the scheme of delegations be agreed by the Council at its annual meeting. The report set out the scheme.

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

RESOLVED:

1. **That report A/22/02 be received and noted.**

2. **That the scheme of delegation set out in the appendix to the report be agreed in so far as it relates to the non-executive functions of the Council.**

(Voting figures: 17 for, 3 against, 10 abstentions).

7. **Schedule of meeting dates 2022/23**

The Council is required to approve the annual schedule of meetings for the municipal year 2022/2023. The proposed annual schedule of meetings for 2022/23 was appended to the report, including dates for the whole of May for the following municipal year, as per the Council Procedure rules set out in part 4.2, paragraph 1.1.2(i) of the constitution.

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

RESOLVED:

1. **That report A/22/01 be received and noted.**
2. **That the schedule of meetings for 2022/23 appended to the report as appendix 1 be approved and adopted.**

(Voting figures: 17 for, 13 against, 0 abstentions).

8. **Annual report on policies and strategies adopted by Cabinet and update on urgent decisions 21/22**

The report is the annual report of policies and strategies that have been adopted, by Cabinet, during the 2021/22 municipal year.

Proposed by Councillor Monk,
Seconded by Councillor Whybrow; and

RESOLVED:

1. That report A/22/08 be received and noted.
2. That both the Budget Strategy and the Treasury Management Strategy be removed from the Policy Framework for the reasons set out in paragraph 3.1 of the report.
3. That all policies and strategies considered by the Cabinet in the municipal year 22/23, as set out in paragraph 2.1 of the report, be added to the Policy Framework.

(Voting figures: 30 for, 0 against, 0 abstentions).

9. **Annual report of the Audit and Governance Committee 21/22**

The report summarised the achievements of the Audit and Governance Committee against the terms of reference for the period 1 April 2021 to 31

March 2022 and details the impact that it has made on the overall system of internal control in operation.

Proposed by Councillor P Martin,
Seconded by Councillor Peall; and

RESOLVED:

That report A/22/04 be received and noted.

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

10. **Annual report of the Overview and Scrutiny Committee 21/22**

The report set out the work that the Overview and Scrutiny Committee and the Finance and Performance Sub-Committee have completed during 2021/2022.

Proposed by Councillor Keutenius,
Seconded by Councillor McConville; and

RESOLVED:

1. **That report A/22/09 be received and noted.**

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

11. **Annual Scrutiny work programme 2022/23**

The report presented recommendations for the work programme for the Overview and Scrutiny Committee for 2022/23.

Proposed by Councillor Keutenius,
Seconded by Councillor Shoob; and

RESOLVED:

1. **That report A/22/10 be received and noted.**

2. **That the annual scrutiny programme for 2022-23 attached to the report be approved.**

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

12. **Governance arrangements**

Following the report presented at the extraordinary meeting of Full Council on 10 February 2022, which summarised the work of the Governance Working Group and set out the various governance models available, Members are now asked to consider if they wish to make any changes to its governance arrangements to take effect from May 2023.

Proposed by Councillor Prater,
Seconded by Councillor Whybrow,

That the council adopts a committee system with a streamlined approach and a separate Scrutiny Committee with effect from May 2023.

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

FOR: Councillors Davison, Fuller, Gane, Keen, Keutenius, J Martin, McConville, Meade, Prater, Shoob, Treloar, Wade, Whybrow, Wing (14).

AGAINST: Councillors Mrs Berry, Brook, Miss Carey, Collier, Field, Goddard, Godfrey, Hills, Mrs Hollingsbee, P Martin, Meyers, Monk, Mullard, Peall, Rolfe, Wimble (16).

ABSTENTIONS: None (0).

(Voting figures: 14 for, 16 against, 0 abstentions).

The motion was therefore **LOST**.

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

RESOLVED:

- 1. That report A/22/07 be received and noted with no change made to the system of governance.**

(Voting figures: 16 for, 13 against, 1 abstentions).

13. Gambling Act 2005 - Update to the Statement of Principles

The Gambling Act 2005 requires the council, in its role as the local licensing authority, to prepare a Statement of Principles related to the exercise of its local licensing of gambling. The Statement of Principles must be reviewed every three years and the current statement runs until April 2022. The Statement of Principles has been reviewed and updated to cover the next three year period from 2022 to 2025. The report sought approval from Full Council to adopt and publish the updated statement.

A Member asked for clarity on the number of betting shops in the district, set out in paragraph 1.2 of the report. The Chief Executive advised that a response would be provided in writing to all members after the meeting.

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

RESOLVED:

- 1. That report A/22/05 be received and noted.**
- 2. That the updated Gambling Statement of Principles for the period 2022-2025 be approved.**

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

14. **Pay Policy Statement 2022/23**

The report considered the recommendation from the Personnel Committee and presented a refreshed pay policy statement for 2022/23 for approval.

A Member sought confirmation in respect of the fourth recommendation, that the definition of Chief Officer set out in part 2/27, paragraph 11.1.2(a) of the constitution would also be updated to reflect the current structure of the organisation. The Chief Executive confirmed that this paragraph would be updated accordingly.

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

RESOLVED:

1. **That report A/22/11 be received and noted.**
2. **That the recommendations of the Personnel Committee be agreed.**
3. **That the updated Pay Policy Statement appended to the report be approved under S38(1) Localism Act 2011 for 2021/22.**
4. **That Part 5/5 of the Constitution (Personnel Committee Terms of Reference) is updated at section 3.1(c) to state 'to make recommendations to Council on the appointment of Chief Officers as defined in Part 2/27 para 11.1.2(a)'.**

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

This report will be made public on 16 May 2023



Report number **A/23/07**

To: Council
Date: 24 May 2023
Status: Non-Executive Decision
Responsible Officer: Amandeep Khroud, Assistant Director - Governance, Law & Regulatory Services

SUBJECT: APPOINTMENTS TO COMMITTEES (INCLUDING THE APPOINTMENT OF CHAIRMEN AND VICE-CHAIRMEN) AND SUB-COMMITTEES OF THE COUNCIL

SUMMARY: This report lists the committees and sub-committees of the Council. The description of the role and function of each committee contained in this report is a summary only and the full definition and description of each is set out in the constitution.

REASON FOR RECOMMENDATIONS:

The Council is asked to agree the recommendations set out below because it is required to constitute its committees for 2023/24 and elect chairmen and vice-chairmen of the committees.

RECOMMENDATIONS:

1. To receive and note report A/23/07.
2. To make the necessary appointments to the committees and sub-committees of the Council for 2023/2024.
3. To appoint the chairman and vice-chairman of:
 - Audit and Governance Committee
 - Planning and Licensing Committee
 - Personnel Committee

1. POLITICAL BALANCE

1.1 The Local Government and Housing Act 1989 requires the Council to allocate seats on committees to political groups in accordance with the size of each group on the council as a whole and in accordance with the following principles which should be observed as far as is reasonably practicable:

- a) That not all seats on the same committee are allocated to the same political group;
- b) That the majority of the seats on a committee are allocated to a particular political group if the number of persons belonging to that group is a majority of the Council's membership;
- c) That, subject to a) and b) above, the number of seats on committees allocated to each political group bears the same proportion of the total of all the seats on committees;
- d) That, subject to a) and c) above, the number of seats on a committee allocated to each political group bears the same proportion to the number of all seats on that committee.

1.2 As of May 2023, the council is presently comprised of the following political groups and individuals:

Overall balance	No	Percentage
Conservative	5	16.66666667
Green	11	36.66666667
Labour	10	33.33333333
Liberal Democrats	2	6.66666667
Independent	1	3.33333333
Independent	1	3.33333333
Total	30	100

The percentage equivalent has been used to calculate the allocation of seats for each committee:

33 seats		Cons	Green	Labour	Lib Dem	Ind	Ind	TOTAL
Personnel	5	1.00	2.00	2.00	0.00	0.00	0.00	5.00
Overview	10	2.00	4.00	3.00	1.00	0.00	0.00	10.00
Audit and Governance	6	1.00	2.00	2.00	0.00	0.00	1.00	6.00
Planning and Licensing	12	2.00	4.00	4.00	1.00	1.00	0.00	12.00
Total	33	6.00	12.00	11.00	2.00	1.00	1.00	33.00

1.3 Members will note that it is not possible to achieve exact political balance without rounding up or down in some cases. However the total number of seats for all the committees allocated to each political group broadly compares with the proportion of full Council seats held by each group. In

addition, at individual committee level, the balance of seats broadly compares with the same proportions of seats held by each group on full council.

2. SIZE OF COMMITTEES

- 2.1 It is for Council to decide the size of committees having due regard to the requirements of the Local Government and Housing Act 1989.
- 2.2 Appointments for committees and sub-committees for 2023/2024 by group leaders will be tabled at the meeting.

3. THE OVERVIEW AND SCRUTINY COMMITTEE FUNCTION

- 3.1. The function of the Overview and Scrutiny Committee is to deal with policy development effecting the community, community engagement, crime and disorder and developing relationships with partners.
- 3.2 In addition this committee will contribute to the reviews of the Council's policies and the performance management systems. It also contributes to development of the budget and other financial strategies. It also reviews the performance of the executive against the financial targets.

It is proposed that the Membership for the Overview and Scrutiny Committee be as shown below.

	Nominated Member	Group
1	TBC	Cons
2	TBC	Cons
3	TBC	Green
4	TBC	Green
5	TBC	Green
6	TBC	Green
7	TBC	Labour
8	TBC	Labour
9	TBC	Labour
10	TBC	Lib Dem

4. COMMITTEES OF THE COUNCIL

- 4.1 These committees report directly to the Council and are responsible for a range of non-executive functions. Members of the Executive/Cabinet may serve on some non-executive committees.
- 4.2 Audit and Governance Committee

The function of the Audit and Governance Committee is to

- Review the risk management framework and the associated control environment, independent review of the Council's financial and nonfinancial performance
- Promote, advise on and monitor high standards of conduct by councilors and co-opted members and deals with other aspects of the standards framework contained in the Localism Act 2011.
- Exercise all the council's non-executive functions that have not been reserved to full council or delegated to any other committee
- Advise council on any constitutional matters or revisions to the Constitution.

It is proposed that the membership of the Audit and Governance Committee be as shown below:

	Nominated Member	Group
1	TBC	Cons
2	TBC	Green
3	TBC	Green
4	TBC	Labour
5	TBC	Labour
6	TBC	Independent

4.4 Planning and Licensing Committee

The function of this committee is to:

- Exercise the council's powers in relation to town and country planning and the control of development.
- Determine applications for licences or registration where there are objections, including liquor licensing. The Licensing sub-committee is convened to determine the majority of referred licensing applications. Its membership is drawn from the planning and licensing sub – committee. The chairman of each licensing sub-committee meeting is determined at the start of the meeting

	Nominated Member	Group
1	TBC	Cons
2	TBC	Cons
3	TBC	Green
4	TBC	Green
5	TBC	Green
6	TBC	Green
7	TBC	Labour
8	TBC	Labour
9	TBC	Labour
10	TBC	Labour
11	TBC	Lib Dem
12	TBC	Independent

4.7 Personnel Committee

The function of this Committee is to:

- Exercise the Council's powers to determine the terms and conditions of staff
- Carry out the selection process, interview and appoint chief officers and make recommendations to the council on the appointment of the chief executive.

It is proposed that the Membership of the Personnel Committee be as shown below:

	Nominated Member	Group
1	TBC	Cons
2	TBC	Green
3	TBC	Green
4	TBC	Labour
5	TBC	Labour

5. COMMITTEE CHAIRMEN/VICE-CHAIRMEN

- 5.1 The council appoints the chairmen and vice-chairmen of the committees other than the joint standards hearing committee, the chairmanship of which alternates each meeting between a district and parish / town councilor.

The nominations for Chairmanship are set out below:

	Chair	Vice-Chair
Audit and Governance	TBC	TBC
Planning and Licensing	TBC	TBC
Personnel	TBC	TBC

6. LEGAL/FINANCIAL AND OTHER CONTROLS/POLICY MATTERS

6.1 Legal officer's comments (AK)

There are no legal implications arising directly from this report.

6.2 Finance officer's comments

There are no financial implications arising directly from this report.

6.3 Diversities and equalities implications

No implications arising directly from this report.

9. CONTACT OFFICER AND BACKGROUND DOCUMENTS

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

Amandeep Khroud, Assistant Director – Governance and Law
Telephone: 01303 853539
Email: amandeep.khroud@folkestone-hythe.gov.uk

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

None

This report will be made public on 16 May 2023

Report number **A/23/03**

To: Council
Date: 24 May 2023
Status: Non – executive decision
Head of service: Amandeep Khroud, Assistant Director - Governance, Law & Regulatory Services

SUBJECT: SCHEME OF DELEGATION OF NON-EXECUTIVE FUNCTIONS

SUMMARY: The Council's constitution requires that the scheme of delegations be agreed by the Council at its annual meeting. This report sets out the scheme.

REASON FOR RECOMMENDATIONS:

The council is asked to agree the recommendations set out below because it is required to agree the scheme of delegation at its annual meeting.

RECOMMENDATIONS:

1. To receive and note report A/23/03.
2. To agree the scheme of delegation set out in the appendix to this report in so far as it relates to the non-executive functions of the Council.

1. INTRODUCTION

- 1.1 The council's constitution requires the annual council meeting to agree a scheme of delegations for non-executive functions – see part 4.2 of the Constitution "Council Rules of Procedure", rule 1.1 h.
- 1.2 The functions of the council are divided into executive and non-executive functions. The rules on which functions are executive or non-executive are set out in the Local Authorities (Functions and Responsibilities) Regulations 2000. The council decides non-executive function delegations, the Leader of the Council decides executive function delegations.

2. THE SCHEME OF DELEGATION

- 2.1 The scheme of delegation to officers is attached at appendix 1. This is the current scheme which appears at part 8.1 of the Constitution.
- 2.2 The scheme includes executive and non-executive functions. The council can only approve those parts which relate to non-executive functions and this is reflected in the recommendations.

3. LEGAL/FINANCIAL AND OTHER CONTROLS/POLICY MATTERS

3.1 Legal officer's comments (AK)

There are no legal implications arising directly from this report.

3.2 Finance officer's comments

There are no financial implications arising from this report.

3.3 Diversities and equalities implications

No implications arising directly from this report.

4. CONTACT OFFICER AND BACKGROUND DOCUMENTS

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

Amandeep Khroud, Assistant Director Governance and Law

Telephone: 01303 853253

Email: amandeep.khroud@folkestone-hythe.gov.uk

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

None

Appendices:

Appendix 1 : Scheme of delegation to officers

PART 8.1 – DELEGATION TO OFFICERS

SCHEME OF DELEGATION TO OFFICERS

1. SCHEME OF DELEGATION TO OFFICERS

NOTE: This scheme of delegation does not include functions or powers delegated by the Council, Cabinet or regulatory committees to officers for a specified period not exceeding six months. The delegations to officers are made with the intent that they lead to a streamlining and simplification of the processes of the Council and accordingly should be interpreted widely rather than narrowly. In addition, under paragraph 1.4 below officers may authorise other officers to exercise their delegated powers and it is the intention for this scheme that powers are exercised at the most appropriate level.

- 1.1** Exercise of delegated powers: First Tier Officers , namely the Head of Paid Service), the Director of Corporate Services, the Director of Place, the Director of Housing and Operations, the Second Tier Officers namely the Assistant Director of Governance and Law, Economic Development Advisor, the Chief Officer Human Resources the Chief Officer - Planning, Chief Officer - Financial Services, Chief Officer – Place and Growth, Chief Officer – Place and Regulatory, Chief Officer – Housing, Chief Officer - Operations and the Chief Officer - Development (all collectively referred to in this scheme of delegation as “the Senior Officers”) can discharge all functions where they have managerial or professional authority except for matters specifically reserved to the Cabinet, a cabinet member, cabinet committees (if any), committees or the Council.
- 1.2** They will not take decisions that are expressly reserved to another decision-making body under this Constitution however First Tier Officers, (or in the absence of all First Tier Officers either the Monitoring Officer or Chief Officer - Financial Services):
- May make key decisions, as defined in Article 12 of the Constitution, if it is impractical for the Cabinet to do so because of the urgent nature of the decision to be made; and
 - May take decisions that are reserved to Council or Cabinet under this Constitution in an emergency and if it is lawful for them to do so.
- 1.3** They may use whatever means they consider appropriate within budget and in accordance with financial regulations to discharge those functions, including:
- Incurring expenditure and collecting income;
 - Engaging and deploying staff;
 - Deploying other resources within their control; and
 - Placing contracts and procuring other resources within or outside the Council.

In doing so, they must act within the law and the Council's Constitution and follow Council policy and the lawful instructions of Council committees and the Cabinet. If, exceptionally, they need to depart from Council policy or those instructions, they must report to the relevant body as soon as possible.

- 1.4 They may authorise other officers to exercise delegated powers on their behalf. They may also authorise appropriately experienced officers whose services are placed at the disposal of the Council pursuant to section 113 of the Local Government Act 1972 to exercise any powers or functions delegated to them or to specified officers.
- 1.5 Emergency action taken under delegated powers must be reported to the relevant body as soon as possible.
- 1.6 Significant decisions taken by Officers will be published and recorded in accordance with the Access to Information Procedure Rules. There will be no requirement to keep a written record of operational decisions within the budget and policy framework.
- 1.7 The Senior Officers of the Council shall be entitled to exercise the powers and functions set out below.

1.8 Decisions Delegated to the Senior Officers after appropriate consultation

The Senior Officers, in respect of matters falling within their remit, may take any action on behalf of the Council, including action relating to executive and non-executive functions, where the proposed action conforms with the policy and budget framework but where in his or her opinion, the matter is politically sensitive or raises issues of public or local concern, after consultation with the Leader and/or relevant portfolio holder, or the chair of the appropriate non-executive committee in the case of non-executive functions, and may respond to consultation documents after consultation as set out above.

1.9 Decisions Delegated to Senior Officers without prior consultation

The Senior Officers, in respect of matters falling within their remit, may take any action on behalf of the Council, including action relating to Executive and non-executive functions, where the proposed action conforms with the policy and budget framework and where in their opinion it is not of such political sensitivity or public concern that consideration by members is necessary.

- 1.10 The Head of Paid Service may discharge any of the functions of any other officer unless prohibited from doing so by any legislation or regulatory rule.

2. GENERAL DELEGATION TO THE SENIOR OFFICERS

In addition to those matters expressly delegated to individual officers, all the Senior Officers (save where expressly reserved to chief officers only) shall have the following delegated powers:

2.1 Power to Take Urgent Decisions

First Tier Officers (and in the absence of all First Tier Officers, either the Monitoring Officer or Chief Officer – Financial Services) may take urgent decisions if they are of the opinion that circumstances exist which make it necessary for action to be taken by the Council prior to the time when such action could be approved through normal council procedures. They shall, where practicable, first consult with the Leader and relevant portfolio holder or the chair of the appropriate non-executive committee in the case of non-executive functions.

2.2 Staffing Issues

The Senior Officers may deal with any matter relating to staffing other than those expressly reserved to Council, or the Head of Paid Service under paragraph 3.2 below, provided that they are in accordance with approved human resources policies, procedures and within the approved budget framework.

2.3 Orders/Agreements for Work, Goods and Services

In accordance with standing orders, financial regulations and codes of procedure relating to contracts:

- To issue orders for work, goods and services;
- To accept tenders;
- To sign agreements;
- Tenders or quotations may be submitted, and contractual arrangements entered into for carrying out work and / or providing services for other parties with the approval of the head of paid service (in consultation with the other chief officers) provided that the value of such contracts does not exceed £40,000; and
- To appoint specialist advisors or consultants.

2.4 Operational Decisions

To take decisions relating to all operational and professional matters within their remit.

2.5 Ombudsman Matters

To agree local settlements where they consider it in the interests of the Council to do so.

2.6 Land and buildings

In respect of any development of land and buildings which is proposed to be carried out for the purposes of statutory functions within the sphere of his/her responsibility, power to authorise an application for planning permission to the Planning and Licensing Committee, or for any other permission for works or the use of land, and once such permission has been received, to authorise the carrying out of such development in accordance with the terms and conditions of such permission.

2.7 Legal Proceedings

In consultation with the Assistant Director - Governance and Law, to: -

- i. institute and defend legal proceedings on the Council's behalf; and
- ii. authorise any suitable officer of the Council to appear on the Council's behalf in proceedings before any Magistrates Court and/or County Court.

2.8 Fees and charges

To exercise, in accordance with any current policy, all of the Council's functions relating to those fees and charges falling within their remit. This does not, for the avoidance of doubt, include the determination of fees.

2.9 Compensation

To pay compensation for service failure where they consider it appropriate up to a maximum amount of £1,000 in respect of any single issue.

2.10 In addition to the General Scheme of Delegation to the Senior Officers set out above, individual Senior Officers shall be entitled to exercise the powers and functions expressly delegated to them in the following paragraphs, subject to the conditions and restrictions set out above.

3. SPECIFIC POWERS AND FUNCTIONS DELEGATED TO THE HEAD OF PAID SERVICE

3.1 To exercise the powers and responsibilities of the Head of Paid Service for the purpose of Section 4 of the Local Government and Housing Act 1989.

3.2 To determine and to amend staffing structures.

3.3 To give such directions as he/she may consider necessary:

- To secure the efficient management and execution of the Council's functions;
- To secure co-ordination of advice and forward planning of objectives and services;
- To secure a corporate approach to the affairs of the Council generally;
- To achieve the efficient and effective implementation of the Council's strategies and policies and the effective deployment of the Council's resources towards those ends;
- To maintain good internal and external relations;
- To determine the allocation of office accommodation

3.4 To take all such action as he/she considers appropriate in any emergency (as defined by the Head of Paid Service) including power to make or approve any necessary and urgent arrangements within the powers of the council for the protection of persons or property in any civil or other emergency.

- 3.5** To sign on behalf of the Council any document necessary to give effect to any resolution of the Council, the Cabinet, committees or sub-committees and/or officers acting under delegated powers.
- 3.6** To act as proper officer of the Council, except where legislation or this constitution names another officer or the Council has specifically determined otherwise.
- 3.7** In consultation with the other chief officers, settle employee and industrial relations matters, including issues involving the application or rates of pay, conditions of service or other staffing benefits etc.
- 3.8** To consider and approve applications and proposals for early retirement of staff who are subject to the Local Government Superannuation Regulations.
- 3.9** To determine and issue to officers general guidelines for the management of human resources in the areas of recruitment and planning; training and development; employee relations; health, safety and welfare (including occupational health); pay and performance and equality of opportunity.
- 3.10** To add posts to the list of politically restricted posts and to grant and supervise exemptions from political restriction under the Local Government and Housing Act 1989 (as amended).
- 3.11** To make any order requested by the chief constable and authorised by the Home Office prohibiting the holding of public processions or trespassory assemblies.
- 3.12** To provide assistance at elections to the county council, of the police and crime commissioner and to discharge functions relating to parliamentary, and local elections, referendums and polls (whether national or local) including appointment of staff and determination of fees payable to those staff.
- 3.13** To be the Council's Electoral Registration Officer pursuant to S 8(2) Representation of the People Act 1983 and to exercise all the functions of that post.
- 3.14** To be the returning officer pursuant to S 35(1) Representation of the People Act 1983.
- 3.15** To be the Returning Officer for the purpose of conducting parish polls pursuant to Rule 4 (1) of the Parish and Community Meetings (Polls) Rules 1987.
- 3.16** To exercise the powers and functions of the Council under S113 of the Local Government Act 1972 to enter into an agreement with another local authority;
- For the placing at the disposal of that authority for the purposes of their functions, the services of officers employed by the Council; and
 - For the placing at the disposal of the Council for the purposes of its functions, the services of officers employed by that authority.

- 3.17** To exercise the powers and functions of the Council under the Local Authorities (Goods and Services) Act 1970.
- 3.18** To exercise the Council's powers to make appointments to committees or sub-committees at the request of the relevant political group leader subject to the conditions that (a) the appointed member shall be a replacement for a committee or sub-committee member from the same political group or the appointee is to fill a vacant seat on the committee/sub-committee allocated to the political group of which he/she is a member and (b) the changes shall be reported to the next available meeting of the council. This delegation shall only be exercisable in respect of councillors who are members of a political group.
- 3.19** To grant dispensations under the Local Authorities (Executive Arrangements) Meetings and Access to Information) (England) Regulations 2012 to in respect of any declared conflict of interest by a cabinet member.
- 3.20** To take the lead on organisational transformation initiatives.
- 3.21** To be the lead on matters relating to improvement, efficiency and organisational development.
- 3.22** To be responsible for the planning policy functions of the council as the local planning authority.
- 3.23** To nominate if he/she sees fit a deputy to exercise all the powers and functions of the Head of the Paid Service in his / her absence.
- 3.24** Where the post of Monitoring Officer or S151 Officer falls vacant to designate the Monitoring Officer or S151 Officer on a temporary basis pending the council's consideration of which officer to designate as one of the statutory officers.
- 3.25** To delegate any of the functions of Head of Paid Service subject to such conditions or limitations as he / she considers appropriate.
- 4. SPECIFIC POWERS AND FUNCTIONS DELEGATED TO THE DIRECTOR – CORPORATE SERVICES**
- 4.1** To carry out those of the council's duties and functions as are shown in the table in appendix 1 to this scheme of delegation against the post title of the director together with the functions specified below
- 4.2** To be and carry out the duties of the Chief Finance Officer (Section 151 Officer), including ensuring the proper administration of the council's financial affairs.
- 4.3** To undertake the following specific roles:
- To be the Council's money laundering reporting officer
 - To appoint the deputy money laundering reporting officer
 - To set the council tax base

- To appoint the deputy Chief Finance Officer
- To agree external audit arrangements
- To be the council's lead on digital delivery

4.4 To write off bad debts, stores deficiencies and surplus goods or equipment up to £10,000 (higher value write-offs require the approval of the Chief Finance Officer in liaison with the Portfolio holder).

5. SPECIFIC POWERS AND FUNCTIONS DELEGATED TO THE DIRECTOR OF PLACE

5.1 To carry out those of the council's duties and functions as are shown in the table in appendix 1 to this scheme of delegation against the post title of the director

6. SPECIFIC POWERS AND FUNCTIONS DELEGATED TO THE DIRECTOR – HOUSING AND OPERATIONS

6.1 To carry out those of the council's duties and functions as covered by the 1985 Housing Act and as shown in the table in appendix 1 to this scheme of delegation against the post title of the director

7. SPECIFIC POWERS AND FUNCTIONS DELEGATED TO THE ASSISTANT DIRECTOR – LAW AND GOVERNANCE.

7.1 To carry out those of the council's duties and functions as are shown in the table in appendix 2 to this scheme of delegation against the post title of the Second Tier Officer together with the functions specified below

7.2 Monitoring officer

To be the Council's Monitoring Officer under Section 5 of the Local Government and Housing Act 1989.

To be the Proper Officer for the purposes of receiving applications for dispensation pursuant to section 33(1) of the Localism Act 2011.

To grant dispensations to members pursuant to section 32(2) of the

Localism Act 2011 and paragraph 8 of the adopted code of conduct to

Speak only or to speak and vote where:

- (i) so many members of the decision-making body have Disclosable Pecuniary or Other Significant Interests in a matter that it would impede the transaction of the business; or
- (ii) without a dispensation, no member of the executive would be able to participate on a particular item of business.

In consultation with the Chairman (or in his/her absence the vice-chair) of the Audit and Governance Committee to grant dispensations to speak and/or vote where it is not possible to convene a meeting of that committee where the application for dispensation is made on any of the following grounds:

- (i) Without the dispensation, the representation of different political groups on the body transacting the business would be so upset as to alter the outcome of any vote on the matter;
- (ii) That the authority considers that the dispensation is in the interests of persons living in its area; or
- (iii) Where the authority considers that it is otherwise appropriate to grant a dispensation.

In making the decision the Monitoring Officer shall have regard to the following criteria:

- a) The nature of the member's interest and allowing them to participate would not damage public confidence in the conduct of the authority's business.

If public confidence would be damaged, then such an application would be likely to be refused. It is unlikely that it would be appropriate therefore, for example, to grant a dispensation to a member who has an interest arising as a result of an effect on their personal financial position or on that of a relative.

- b) The interest is common to the member and a significant proportion of the general public.
- c) The participation of the member in the business that the interest relates to is justified by the member's particular role or expertise.
- d) The business that the interest relates to is about a voluntary organisation or a public body which is to be considered by an overview and scrutiny committee and the member's interest is not a financial one.

In circumstances such as these, the committee might believe that it is in the interests of the authority's inhabitants to remove the incapacity from speaking or voting.

And that any dispensations granted shall be reported back to the next meeting of the Audit and Standards Committee.

To receive complaints relating to alleged breaches of the adopted Code of Conduct and to process complaints in accordance with the adopted arrangements for dealing with Code of Conduct complaints.

7.3 Land of community value

To hear appeals under the provisions relating to land of community value.

7.4 Solicitor to the council

To act as solicitor to the council in particular:

- To institute, defend, conduct and settle civil and criminal legal proceedings; and
- To sign or authenticate documents of any kind.

8. **SPECIFIC POWERS AND FUNCTIONS DELEGATED TO THE CHIEF OFFICER - PLANNING**

8.1 To carry out those of the council's duties and functions as are shown in the table in appendix 2 to this scheme of delegation against the post title of the Second Tier Officer subject to any condition or limitation shown below

8.2 Planning

To exercise all the Council's functions, including determining all consents, permissions, licenses under the planning (including control of advertisements) and listed building legislation, and taking enforcement action, in relation to town and country planning, in accordance with the specific scheme of delegation for planning in paragraph 8.3.

8.3 Specific scheme of delegation for town and country planning.

8.3.1 The Chief Planning Officer is authorised to determine the categories of applications set out in paragraph 8.3.2 except those that:

- a) Have been called in to the committee at the request of any district councillor;
- b) Represent a significant departure from the development plan and which the Chief Officer - Planning considers should be approved;
- c) The Council has a substantial interest in, other than small-scale proposals, (e.g. extensions and alterations to council owned properties and means of enclosure, accesses, installation of windows);
- d) Relate to proposals submitted by or on behalf of any member (including any co-opted member) or employee of the Council other than small scale works to which there have been no objections and related renewals and amendments;
- e) The Chief Officer - Planning believes raise issues which should be considered by the Planning and Licensing Control Committee;
- f) Are planning applications where the view of the parish or town council differs strongly from that of the Chief Officer - Planning except where an objection:

- i. relates to the principle of a proposal which already has outline planning permission; an issue determined at outline stage or an application of similar scale or character to one already approved;
 - ii. is for the renewal of a planning permission without stating what, in the view of the town or parish council, planning circumstances have changed since the grant of the original permission which would justify a refusal, is made without giving any reasons, or is only made on the basis that the work has already been implemented;
 - iii. is made without giving any reasons;
 - iv. is based upon a technical issue where the body responsible for providing advice on the issue is satisfied with the proposal subject to any evidence which contradicts that advice first being investigated;
 - v. is to minor operational development (e.g. domestic extensions, alterations to buildings, means of enclosures, accesses).
- g) Are planning applications where the view of a parish or town council differs strongly from that of the Chief Officer - Planning except where it expresses support for an application, but that application is clearly contrary to development plan policy and / or government guidance.

8.3.2 The categories of application which the Chief Officer - Planning may determine are:

- i. applications for planning permission under Section 70 Town and Country Planning Act 1990;
- ii. applications under Sections 73 and 73A of the Town and Country Planning Act 1990 to retain a building or to continue to use without complying with a condition subject to which planning permission has been granted;
- iii. applications to determine reserved matters and details arising from: grants of planning permission, e.g. landscaping schemes, details of external appearance, samples of materials, means of access, including listed building consents, conservation area consents, advertisement consents and permissions under the above;
- iv. applications submitted under General Permitted Development Order requirements; and
- v. applications for listed building and conservation area consents, subject to the agreement of the Secretary of State in cases where this is necessary.

8.3.3 The Chief Officer - Planning is authorised to determine:

- i. notifications under Sections 198 and 211 to 213 of the Town and Country Planning Act 1990 Act for the felling, topping or lopping of trees; and
- ii. applications for minor amendments/revisions in substitution for approved plans, including those for listed building consent, conservation area consent, advertisement consent or for permission to lop, top or fell trees.

8.3.4 Subject to the limitations in paragraph 10.3.1, the Chief Officer - Planning is authorised to:

- i. approve submissions respect of developments under Regulations 3 and 4 of the Town and Country Planning General Regulations 1992 made by the council and to raise objection or raise no objection to such submissions made by Kent County Council; and
- ii. respond to formal consultations by statutory bodies and development proposals by government departments.

8.3.5 In cases of urgency or where the breach of planning control relates to householder development or development that has already been refused planning permission, after consultation (if practicable) with the chairman or vice chairman of the Planning and Licensing Committee, the Chief Officer Planning - is authorised to:

- i. issue enforcement notices under Section 172 Town and Country Planning Act 1990;
- ii. serve a listed building preservation notice under 3 and 4 Planning (Listed Buildings and Conservation Area) Act 1990;
- iii. issue temporary stop notices under Section 171E Town and Country Planning Act 1990;
- iv. serve a stop notice under S183 Town and Country Planning Act 1990;
- v. make application for and serve injunctions under Section 187B Town and Country Planning Act 1990; and
- vi. serve urgent repairs notices under Section 54 Planning (Listed Buildings and Conservation Areas) Act 1990.

8.3.6 The Chief Officer - Planning is authorised to make directions under Article 4 Town and Country Planning (General Permitted Development) Order 1995 to take away rights conferred by Class A, part 2, Schedule 2 of the Order in relation to the erection, construction, maintenance, improvement or other alteration of a gate, fence, wall or other means of enclosure, subject to prior consultation with the relevant member of the Executive.

- 8.3.7** The Chief Officer - Planning is authorised to exercise all other functions relating to town and country planning.
- 8.238** The Chief Officer Planning is authorised, after consultation (if practicable) with the Chairman or vice-chairman of the Development Control Committee to arrange site visits for the committee where he/she considers it appropriate for the committee to visit the site. The Chief Officer - Planning can arrange such visits at any time during the processing of an application.
- 8.3.9** The Chief Officer - Planning may authorise other officers to exercise delegated powers on his/her behalf. In this case, the officers act in the name of the Chief Officer - Planning and he/she remains accountable for the action or decision.
- 8.4** Planning agreements
To negotiate Section 106 Agreements.
- 8.5** Listed buildings and conservation areas
To promote conservation of historic buildings and areas and make recommendations as to the designation of conservation areas.
- 8.6** Land of community value
To administer the list of land of community value.
- 9. SPECIFIC POWERS DELEGATED TO THE CHIEF OFFICER - HUMAN RESOURCES**
- 9.1** To carry out those of the council's duties and functions as are shown in the table in appendix 2 to this scheme of delegation against the post title of the Second Tier Officer

APPENDIX 1 – Areas of Responsibilities – First Tier Officers

Director of Corporate Services	Director of Place	Director of Housing & Operations		
Human Resources	Licensing	Transportation		
Finance	Environmental Health	Grounds Maintenance		
ICT & Digital Services	Economic Growth	Lifeline		
Case Services (Corporate Services)	Waste Partnership (with DDC)	Estates and Assets		
Strategy and Policy	Building Control	Engineering and Technical Services		
Legal	Development Management	Housing Landlord Functions		
Democratic and Committee Services	Customer Services	Housing Strategy and Needs		
Leadership Support	Case Services (Place)	Strategic Development		
Procurement and Corporate Contracts	Communities			
Communication and Engagement	Community Safety			
Revenues & Benefits				

APPENDIX 2 - Areas of Responsibilities – Section Tier Officers

Chief Officer - HR	Assistant Director – Governance & Law	Economic Development Advisor	Chief Officer - Planning	Chief Officer – Place and Growth	Chief Officer - Place and Regulatory	Chief Officer	Chief Officer – Corporate Estate and Development	Chief Officer – Housing	Chief Officer – Financial Services
HR	Corporate Contracts and Procurement	Economic and business development	Development Management	Economic Growth, Business Development and Skills	Environmental Health and Licensing		Regeneration and Development Programmes	Housing Landlord functions	Treasury Management
Payroll	Legal Services		Building Control	Economic and place based Strategy	Environmental Protection		HRA Regeneration and Development	Housing strategy and Needs	Corporate Debt
Training	Democratic Services & Elections			Town Centre Regeneration	Procurement Team		Corporate Estate and Asset Management		Accountancy
Lifeline	Leadership Support			External funding	Waste Partnership (with DDC)		Engineering		Case Services (Corporate)
Customer Services	Communications and Engagement			Grounds Maintenance & Technical Services	Community Safety				

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	Policy and Strategy			Corporate Health & Safety	Hythe Pool				

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This report will be made public on 16 May 2023

Report number **A/23/01**

To: Council
Date: 24 May 2023
Status: Non-Executive Decision
Responsible Officer: Amandeep Khroud, Assistant Director - Governance, Law & Regulatory Services

SUBJECT: SCHEDULE OF MEETING DATES 2023/24

SUMMARY: The Council is required to approve the annual schedule of meetings for the municipal year 2023/2024. The proposed annual schedule of meetings for 2023/24 is appended to this report, including dates for the whole of May for the following municipal year, as per the Council Procedure rules set out in part 4.2, paragraph 1.1.2(i) of the constitution.

REASON FOR RECOMMENDATIONS:

Council is asked to agree the recommendations set out below in order to set a programme of dates for meetings of the Council and its committees.

RECOMMENDATIONS:

1. To receive and note report A/23/01.
2. To approve and adopt the schedule of meetings for 2023/24 appended to this report as appendix 1.

1. INTRODUCTION

- 1.1 In accordance with the council rules of procedure, part 4.2, paragraph 1.1 of the constitution the council is required to approve the annual schedule of meetings for the municipal year 2024/24.
- 1.2 The proposed annual schedule of meetings for 2023/24 is appended to this report.

2. LEGAL/FINANCIAL AND OTHER CONTROLS/POLICY MATTERS

2.1 Legal officer's comments (AK)

There are no legal implications arising directly from this report.

2.2 Finance officer's comments (LW)

None arising directly from this report.

2.3 Diversities and equalities implications (AK)

No implications arising directly from this report.

3. CONTACT OFFICERS AND BACKGROUND DOCUMENTS

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

Jemma West
Democratic Services Senior Specialist
Telephone: 01303 853369
E-mail: jemma.west@folkestone-hythe.gov.uk

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

None

Appendix:

Appendix 1 – Proposed schedule of meetings 2023/24.

SCHEDULE OF MEETINGS 2023/24

	COUNCIL	OVERVIEW AND SCRUTINY COMMITTEE	FINANCE AND PERFORMANCE SCRUTINY - SUB COMMITTEE	CABINET	AUDIT AND GOVERNANCE COMMITTEE	PLANNING AND LICENSING COMMITTEE	PERSONNEL COMMITTEE	FH&JPC	JTB
	7.00 PM	Time to be confirmed	Time to be confirmed	Time to be confirmed	Time to be confirmed	Time to be confirmed	Time to be confirmed	Time to be confirmed	Time to be confirmed
	WEDNESDAY	TUE	TUE	WEDNESDAY	WEDNESDAY	TUESDAY	THURSDAY	THURSDAY	MONDAY
2023									
MAY	24-May								
JUN		27-Jun		14-Jun		06-Jun			
JUL	26-Jul		04-Jul	12-Jul	20/07/2023 (thu)	11-Jul	13-Jul	27-Jul	03-Jul
AUG						08-Aug			
SEPT		26-Sep		20-Sep	13-Sep	05-Sep		14-Sep	11-Sep
OCT	04-Oct	31/10/2023 - this date is for community safety/prevent items only	10-Oct	18-Oct		03-Oct			
NOV	29-Nov	14-Nov		15-Nov		07-Nov		16-Nov	20-Nov
DEC			05-Dec	13-Dec	06-Dec	12-Dec			
2024									
JAN		30-Jan	23-Jan	31-Jan		16-Jan	25-Jan	18-Jan	
FEB	28-Feb	27-Feb		28-Feb		20-Feb			26-Feb
MAR			12-Mar	20-Mar	13-Mar	19-Mar		14-Mar	
APR	03-Apr	23-Apr		17-Apr		16-Apr			
MAY	08-May			22-May		21-May			



This report will be made public on 16 May 2023

Report number **A/23/02**

To: Council
Date: 24 May 2023
Status: Non-Executive Decision
Responsible Officer: Amandeep Khroud, Assistant Director – Governance and Law

SUBJECT: ANNUAL POLICIES AND STRATEGIES ADOPTED BY CABINET AND AN UPDATE ON URGENT DECISIONS 2022/23

SUMMARY: This report is the annual report of policies and strategies that have been adopted, by Cabinet, during the 2022/23 municipal year.

REASON FOR RECOMMENDATIONS:

The Council is asked to agree the recommendations set out below, as the Council's constitution (Part 4.1, paragraph 1.2.4) provides that Cabinet is required to submit an annual report, to Council, detailing the policies that have been approved by the cabinet during the previous municipal year. Council shall also have the option of including any of the policies in the Policy Framework

RECOMMENDATIONS:

1. To receive and note report A/23/02.
2. To consider including any of the policies and/or strategies, outlined in this report, in the Policy Framework.

1. INTRODUCTION

- 1.1 In accordance with the Folkestone and Hythe District Council Constitution (Part 4.1, paragraph 1.3), Cabinet shall submit an annual report to Council, detailing the policies that have been approved in the previous municipal year, which are not those mentioned in the Policy Framework.
- 1.2 Following consideration of the report, Council shall have the opportunity of including any of those policies or strategies, approved by Cabinet, in the Policy Framework.
- 1.3 In addition, this report will also serve to report to council on the use of urgency powers when the call-in procedure has not applied, in accordance with the provisions of the Constitution (Part 6.3, paragraph 19.4).

2. POLICIES AND STRATEGIES THAT HAVE BEEN ADOPTED, REVISED OR UPDATED DURING THE YEAR 2022/23

- 2.1 Policies and strategies that have been adopted, revised or updated by Cabinet during the 2022/23 municipal year are shown below:

- Housing Repairs and Maintenance Policy
- Housing Rechargeable Repairs Policy
- Income and Debt Management Policy
- Flexible Use of Capital Receipts Policy
- Green and Blue Infrastructure Strategy
- Budget Strategy
- Housing Disabled adaptations policy
- Events management policy

3. DECISIONS TAKEN UNDER THE URGENCY PROVISIONS

- 3.1 As per paragraph 19.4 of part 6 of the Constitution, there is a requirement that executive decisions taken using Rule 13 (Special Urgency) in the preceding year be reported to the Annual meeting, along with a summary of the matters in respect of which those decisions were taken. There were no decisions taken using Rule 13 in the municipal year 22/23.
- 3.2 There were however 10 urgent decisions taken using Rule 12 (General Exception) and call-in was disregarded for 5 of those decisions as per paragraph 7 of part 6 of the constitution (Call-in and urgency).

4. LEGAL/FINANCIAL AND OTHER CONTROLS/POLICY MATTERS

4.1 Legal Officer's Comments (AK)

There are no legal comments.

4.2 Finance Officer's Comments

There are no direct financial implications associated with this report: the financial implications of individual policies would have been contained within the specific reports at the time the policies were adopted.

4.3 Diversities and Equalities Implications (AK)

Where necessary, an equality impact assessment has been prepared in support of each policy and is appended to that policy.

5. CONTACT OFFICER AND BACKGROUND DOCUMENTS

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

Jemma West, Democratic Services Senior Specialist
Telephone: 01303 853369
Email: jemma.west@folkestone-hythe.gov.uk

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

None

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This report will be made public on 16 May 2023



Report number **A/23/06**

To: Council
Date: 24 May 2023
Status: Non-executive decision
Responsible Officer: Amandeep Khroud – Assistant Director Governance Law and Regulatory Services

SUBJECT: ANNUAL REPORT OF THE AUDIT AND GOVERNANCE COMMITTEE

SUMMARY: This report summarises the achievements of the Audit and Governance Committee against the terms of reference for the period 1 April 2022 to 31 March 2023 and details the impact that it has made on the overall system of internal control in operation.

RECOMMENDATIONS:

1. To receive and note report A/23/06.

1. INTRODUCTION

- 1.1 The purposes of the Council's Audit and Governance Committee are outlined in the constitution.
- 1.2 Listed below are the terms of reference for the Audit part of the Committee:
- a) Review and approve the financial statements, external auditor's opinion and reports to members, and monitor management action in response to the issues raised by external audit.
 - b) To consider the Head of Internal Audit's annual report and opinion on the Council's corporate governance arrangements.
 - c) To conduct reviews of the effectiveness of the Council's system of internal audit.
 - d) Be satisfied that the authority's assurance statement, including the annual governance statement, properly reflects the risk environment and any actions required to improve it.
 - e) Approve (but not direct) internal audit's strategy, plan and monitor performance.
 - f) Review summary internal audit reports and the main issues arising, and seek assurance that action has been taken, where necessary.
 - g) Consider the effectiveness of the authority's risk management arrangements, the control environment and associated anti-fraud and anti-corruption arrangements, and seek assurance that action is being taken to mitigate those risks identified.
 - h) To make recommendations to Council on Contract Standing Orders.
 - i) To make recommendations to Council on the Financial Procedure Rules.
 - j) To maintain an overview of the Council's Whistle-blowing Policy.
- 1.3 The Audit and Governance Committee seeks to ensure it has effective communication with the authority, which includes the Executive, the Council's statutory officers, the Head of Internal Audit, the external auditor and other stakeholders. This is mainly achieved through the work of the Committee, but is further enhanced by the submission of this annual report to the Council's annual meeting.

2. ANNUAL REPORT

- 2.1 This report summarises the work of the Audit and Governance Committee over the past year and concludes that it has received clear, concise and relevant information, has received appropriate training on topics specific to the business of the Committee, and has done all that it can to meet the aims and objectives for the Committee.
- 2.2 Members of the Audit and Governance Committee seek to robustly challenge any weaknesses in the reports from auditors and officers. In particular we will continue to ask senior officers to attend meetings to outline and identify risks within their service areas; how they are mitigating those risks; and meeting their responsibilities.

- 2.3 The Audit and Governance Committee is assured on the integrity of data held in the financial statements. It receives clear, concise reports and actions are dealt with in an appropriate timescale. The members of the Committee receive specific training which gives them the skills required to carry out these functions effectively.
- 2.5 The work of the Internal and External Audit provides detailed assurance on the reliability and integrity of the information held in the financial statements.
- 2.6 The Director - Corporate Services, external audit and internal audit together support the Committee in forming their opinion of the financial statements, enabling the Committee to agree to sign them off in accordance with regulations.
- 2.7 The Committee receives a regular report on agreed actions from the annual governance assurance process. The Committee is able to request senior officers and, where necessary, the relevant Cabinet member to attend the Committee to give an update on progress against agreed actions to reduce risk and/or improve governance.
- 2.8 The Committee considers the effectiveness of internal audit by reviewing the annual assessment of the Director – Corporate Services, the view of external audit and the quality of reports, actions and follow up through the quarterly reports submitted throughout the year to Committee.
- 2.9 During the year the committee has considered a large number of reports including:
- Regular detailed updates from the East Kent Audit Partnership (EKAP), the Council’s internal auditors
 - Regular detailed updates from Grant Thornton, the Council’s external auditors
 - Grant Thornton Risk Assessment work
 - Accounting Policies
 - The annual Statement of Accounts 2020/21 and 2021/22
 - Annual Governance Statement
 - Annual Governance Statement actions update
 - Review of Corporate Risk Register
 - Review of Risk Management Policy
 - Auditor’s Annual Report
 - Audit Findings for Folkestone and Hythe District Council
 - Quarterly Code of Conduct Complaints
 - Appointment of External Auditor
 - Maintaining Ethical Standards
 - Annual Report of the Audit and Governance Committee
 - Internal Audit Charter and Draft Internal Audit Plan 2023/24 from the Head of East Kent Audit Partnership

3. GOVERNANCE

3.1 Listed below are the terms of reference for the Governance part of the Committee:

- a) To promote and maintain high standards of conduct by members and co-opted members of Folkestone and Hythe District Council and to make recommendations to Council on improving standards.
- b) To advise and assist parish/town councils, and parish/town councillors, to maintain high standards of conduct and to make recommendations to parish/town councils on improving standards.
- c) To advise the District Council on the adoption of, or revisions to, its Code of Conduct.
- d) To advise, train, or arrange to train, district members, co-opted members and parish/town councillors on matters relating to the Code of Conduct.
- e) To assist the district councillors, co-opted members and parish/town councillors to observe their respective Codes of Conduct.
- f) To monitor and assess the operation and effectiveness for dealing with the Code of Conduct and to review and manage the arrangements for dealing with Code of Conduct complaints.
- g) To advise on local ethical governance protocols and procedures.
- h) To maintain oversight of the District Council's arrangements for dealing with Code of Conduct complaints.
- i) To act as an advisory body in respect of any ethical governance matter.
- j) To monitor and review the procedures for the Register of Members' Interests and declaring gifts and hospitality.
- k) To receive quarterly reports (or less frequently, if there are no complaints to report), from the Monitoring Officer, on the number and nature of complaints received, and action taken, as a result, in consultation with the Independent Person.
- l) To receive an annual report on the District Council's ethical governance arrangements.
- m) To make recommendations to Council on the appointment of an Independent Person(s) under S28 of the Localism Act 2011.
- n) To grant dispensations pursuant to Section 33(2) of the Localism Act 2011 and paragraph 8 of the adopted Code of Conduct where:
 - so many members of the decision-making body have Disclosable Pecuniary Interests in a matter, that it would impede the transaction of the business; or
 - without a dispensation, no member of the executive would be able to participate on a particular item of business;
 - without a dispensation, the representation of different political groups, on the body transacting the business, would be so upset as to alter the outcome of any voting on the matter;
 - that the authority considers that the dispensation is in the interests of persons living in the area; or
 - where the committee considers that it is otherwise appropriate to

grant a dispensation.

4. COMPLAINTS

- 4.1 During the financial year 22/23, 5 complaints were received relating to district and parish Councillors, compared with 6 in 21/22, 17 in 20/21 and 16 in 19/20. During 22/23, 2 complaints related to district councillors, and 3 related to parish Cllrs.

5. WHISTLEBLOWING

- 5.1 During the financial year 22/23, there have been no incidents of Whistleblowing.

6. LEGAL, FINANCIAL AND OTHER CONTROLS/POLICY MATTERS

6.1 Legal officer's comments (AK)

There are no legal issues arising out of this report.

6.2 Finance officer's Comments

There are no financial issues directly arising out of this report.

6.3 Diversities and equalities implications (AK)

This report does not directly have any diversity and equality implications.

7. CONTACT OFFICERS AND BACKGROUND DOCUMENTS

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

Amandeep Khroud

Tel: 01303 853253

E-mail: 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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This report will be made public on 16 May 2023



Report number **A/22/04**

To: Council
Date: 24 May 2023
Status: Non-executive decision
Responsible Officer: Amandeep Khroud, Assistant Director – Governance and Law

Subject: Annual report of the Overview and Scrutiny Committee 2022/23

SUMMARY: This report sets out the work that the Overview and Scrutiny Committee and the Finance and Performance Sub-Committee have completed during 2022/2023.

RECOMMENDATIONS:

1. To receive and note report A/22/04.

1. INTRODUCTION

- 1.1 This report sets out the work that the Overview and Scrutiny Committee have completed during the municipal year 2022/23.

2. WORK OF THE OVERVIEW AND SCRUTINY COMMITTEE, AND THE FINANCE AND PERFORMANCE SCRUTINY SUB-COMMITTEE FOR THE MUNICIPAL YEAR 2022/23

- 2.1 The Overview and Scrutiny Committee and Finance and Performance Scrutiny Sub-Committee have considered a number of topics in the municipal year 22/23 which are set out in the Annual Report (Appendix 1 of this report)

3. LEGAL AND FINANCE COMMENTS

3.1 Legal officer's comments

There are no legal comments.

3.2 Finance officer's comments (RH)

There are no financial implications arising from this report.

3.3 Diversities and equalities implications

There are no diversity or equality implications arising directly from this report.

4. CONTACT OFFICERS AND BACKGROUND DOCUMENTS

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

Jemma West, Democratic Services Senior Specialist

Telephone: 01303 853369

E-mail: jemma.west@folkestone-hythe.gov.uk

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

None

Appendix 1 – Overview and Scrutiny Annual report 22/23.

Annual report of the Overview and Scrutiny Committee 2022–23

Folkestone & Hythe District Council



Foreword by Overview & Scrutiny Chair Cllr Michelle Keutenius

The Overview and Scrutiny Committee (OSC) performs an essential function for Folkestone & Hythe District Council (F&HDC). It helps to improve public policies and services by encouraging open, transparent, and accountable decision making, scrutinising proposals and decisions on matters of importance to the district.

Over the course of the year, OSC has focused on numerous policies, strategies, updates and plans. It has also scrutinised topics at the request of full council.

Recently OSC conducted a review of self-contained holiday lets and waste collection for holiday lets. After hearing from officers, OSC made comments and recommendations about how the council should deal with the matter.

On 7 February 2023, following a request from full council, OSC conducted a review into the circumstances surrounding traffic disruption experienced within the district. There was a focus on the first weekend of the school summer holidays, between 22 and 24 July 2022, when significant disruption was felt. The meeting was well attended by a number of relevant organisations, including representatives from local business, the Department for Transport, National Highways and senior officers from neighbouring councils and the emergency services.

Following a motion unanimously supported by full council, OSC held a dedicated Cost of Living Summit on 20 September 2022. More than 100 people from 60 different organisations were invited. During the event there were presentations from Andrew Hatcher, F&HDC's Revenues and Benefits Lead Specialist, Jon Wilson, Chief Executive

at Romney Marsh Community Hub and Sue Day, District Manager at Citizens Advice. The summit provided a dedicated opportunity for many local organisations to come together and discuss the challenges ahead as winter approached. This summit generated a number of action points that were taken forward by the council and partner organisations to help support local residents. As a result, support was more co-ordinated and given a higher profile, and in turn this helped to improve the reach and penetration of support offered across the district.

During the 2022/23 year OSC also received a detailed presentation regarding the Carbon Reduction Approach for the council's housing stock. OSC heard how the council had a programme of improvements that aimed to improve the housing stock to a minimum energy performance certificate rating of C by 2030, with the ambition to be net zero by 2050.

OSC has also scrutinised vital topics such as community safety, safeguarding, and conducted the Folkestone & Hythe Community Safety Partnership Annual Review.

This committee is a way for councillors to come together and ensure we are working in the best way possible for everyone in the district. OSC is not able to cover everything that is important to our residents, but I would encourage residents to take the opportunity to submit suggested topics for the committee to consider.

Councillor Michelle Keutenius

*Chairman of the Folkestone and Hythe
Overview and Scrutiny Committee*



Overview and Scrutiny Committee

F&HDC decisions are largely made by the council leader and cabinet under a scheme of delegation set out in the council's constitution. The OSC is made up of non-cabinet members and its membership is politically balanced, drawing on the input from all parties that make up the council. Members scrutinise and review the council's decisions, considers how it makes policy to shape the resulting policy framework, examines how the council performs against key targets and indicators in deploying its budget, and investigates specific issues affecting the district.

The committee can:

- Question cabinet's decisions
- Make its own recommendations to Cabinet
- Ask the cabinet and other decision-makers to reconsider decisions
- Refer a decision to the Full Council (known as a call-in)

Call-in usually refers to key decisions, i.e. those with a significant impact on finance or local communities, it is a powerful tool in supporting local democracy.

O&S has met nine times during the 2022/23 year and considered 26 items. A summary is given below:

26 April 2022

- OSC agreed its annual report for 2021-22
- A work programme was agreed for 2022-23
- Income and Debt Management Policy – the committee provided feedback on the policy proposal, shaping it, before it went to cabinet for adoption
- Dog Control Public Spaces Protection Order – the committee considered the proposals and provided comments that were included in the consultation process, shaping the ultimate outcome of the Order
- Anti-Social Behaviour Public Spaces Protection Order – the committee received an update on the proposals and provided comments that were included in the consultation process, shaping the ultimate outcome of the Order
- Housing Repairs and Maintenance Policy and Rechargeable Repairs Policy – OSC reviewed the policies and made recommendations to cabinet which influenced the final policy framework

31 May 2022

- Otterpool Park Stewardship – the committee received an update on the emerging strategy to provide long term stewardship at Otterpool Park. The committee gave considerable input and requested that the item be bought back for consideration when further information became available
- Levelling Up Fund – the presentation included an overview of the Levelling Up Fund proposal, a summary of the priority projects in the Folkestone Place Plan, a report on engagement with stakeholders, and the selection of projects to be included in the F&HDC submission. OSC’s support was critical in council decision-making on the matter and the ultimate outcome was a successful award of around £20m funds made from DLUH
- UK Shared Prosperity Fund – following a presentation, OSC highlighted a number of areas for consideration to ensure that the fund was allocated appropriately to maximise the impact of the available funds

13 July 2022

EXTRAORDINARY MEETING

- Call-in of decision number 22/015; High Street Fund – following OSC’s scrutiny of how grants were awarded, it agreed that the proposed improvements to the process should be immediately implemented and that these should apply to all council grant programmes.

6 September 2022

- Cost of Living Summit – OSC agreed the arrangements for a Cost of Living Summit. The successful summit took place on 20 September 2022 drawing on a wide range of local partners
- Ship Street, development of the design brief – OSC received an update on the strategy to provide housing- led regeneration of the former gas works site. The committee strongly supported the proposals and emphasised that the buildings needed to be future-proofed in terms of energy performance and quality
- Otterpool Park Stewardship - the presentation built upon the themes and issues considered at the meeting in May 2022, and detailed the development of a bespoke stewardship vehicle
- Draft Statement of Community Involvement (SCI) update – OSC considered the work carried out to update the SCI and offered suggestions on how to engage most effectively with groups and residents across the district

26 October 2023

EXTRAORDINARY MEETING

- Safeguarding Update – OSC received an update on the council’s important safeguarding activity since the committee approved the safeguarding policy in November 2021
- Folkestone & Hythe Community Safety Partnership Annual Review – each year the OSC acts as the Crime and Disorder Scrutiny Panel, its aim is to ensure that the partnership is working effectively and extensive discussion took place with a wide range of partners to review activities of the past 12 months. Recommendations were made that shaped the work and actions of the Partnership

8 November 2023

- Otterpool Park LLP Business Plan 2023-24 – during consideration of the strategic business plan, OSC looked back at the progress achieved to date, and its future priorities. It provided opportunity for Members to scrutinise those activities and proposed plans
- Medium Term Financial Strategy – OSC considered the strategy and offered suggestions on how to encourage public engagement during the budget consultation on this important financial document
- Cost of Living Summit – OSC reviewed the event and offered suggestions about how to implement some of the actions arising from it
- Petition concerning closure of the footpath south of Seaview Bridge, Hythe – OSC thoroughly reviewed the circumstances that brought about the petition. They agreed that the path should be closed when works commenced

17 January 2023

- Assistance for parish and town Councils with moving on illegal encampments – OSC had a detailed presentation on the matter and how illegal encampments are dealt with. Members suggested that an information sheet be produced outlining the processes and support available to parish and town councils from F&HDC to aid communication
- Housing - OSC received a detailed presentation that proposed the strategic priorities and themes for the Housing Revenue Account 30-year Business Plan and Housing Carbon Reduction Approach. Members agreed with the priorities and supported efforts to reduce the carbon emissions arising from the council’s housing stock while improving energy efficiency

- Operation Brock, Holiday Traffic Disruption – more than 15 organisations attended a detailed review of the significant disruption and scrutinised the various actions taken by a wide number of organisations. OSC’s comments from the review were submitted to the county-wide Operation Fennel review to convey, in strongest possible terms, the extent of and local impacts arising from the disruption

14 February 2023

- Princes Parade (motion from full council) – OSC noted the lessons learnt arising from the delivery of large complex capital schemes and made a number of recommendations in relation to the type of reports considered by cabinet and the Audit and Governance Committee, communication with councillors, expertise of resources, and risk training
- Homes for Ukraine Scheme update – OSC received a detailed presentation about the work that had taken place over the year and the priorities for 2023 to support those from Ukraine residing in the district
- Review of self-contained holiday lets and waste collection for holiday let businesses – (referred from full council) – OSC scrutinised the matter and asked for an update once the relevant small businesses in the district had been contacted to remind them about the requirement to have a commercial waste collection arrangement in place

Finance and Performance Scrutiny Sub-Committee

This sub-committee of the Overview and Scrutiny Committee was created in October 2020 to scrutinise the council's performance against key performance indicators (KPIs) and financial monitoring data against the budget. It makes recommendations to the main committee, where appropriate, which is also reported to Cabinet in support of their decision-making.

The sub-committee comprises five councillors who are drawn from the OSC membership, currently there is one vacant position.

Review of the year from Chairman, Cllr Connor McConville

The sub-committee has met six times during the year and considered 17 items. The sub-committee gives councillors the time to consider and analyse often sizable financial and performance-based reports and provides the opportunity to ask probing questions.

Just like OSC, the sub-committee does not exist to make decisions, instead it holds the council to account with regards to its budget process and overall performance. I believe that the work of the sub-committee has proven beneficial to council operations this year.

I would like to thank those councillors who have sat on the sub-committee this year and all the officers who have provided insight and information through well-written reports and attendance at meetings.

14 June 2022

- Annual Performance Report 2021/22 and Draft KPIs 2022/23
- General Fund Capital Programme Outturn 2021/22
- Housing Revenue Account Revenue and Capital Financial Outturn 2021/22
- General Fund Revenue 2021/22 Provisional Outturn

11 October 2022

- Quarter 1 Performance Report 2022/23
- General Fund Revenue Budget Monitoring - 2nd Quarter 2022/23
- General Fund Capital Programme Budget Monitoring 2022/23
- Housing Revenue Account Budget Monitoring Quarter 2

6 December 2022

- 2022-23 Quarter 2 Performance Report
- Budget Strategy 2023/24

10 January 2023

- General Fund Capital Budget Monitoring 2022/23
- Quarter 3 22/23 General Fund Revenue Budget Monitoring
- Quarter 3 22/23 Housing Revenue Account Budget Monitoring
- General Fund Revenue Detailed Draft Budget 2023/24
- Housing Revenue Account Draft Budget 2023/24
- Update to the General Fund Medium Term Capital Programme to 2027/28

7 March 2023

- 2022-23 Quarter 3 Performance Report



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This report will be made public on 16 May 2023



Report number: **A/23/05**

To: Council
Date: 24 May 2023
Status: Non- executive decision
Responsible Officer: Amandeep Khroud, Assistant Director – Governance, Law and Regulatory Services

SUBJECT: ANNUAL SCRUTINY WORK PROGRAMME 2023/24

SUMMARY: This report presents recommendations for the work programme for the overview and scrutiny committee for 2023/24.

RECOMMENDATIONS:

1. To receive and note report A/23/05.
2. To approve the annual scrutiny programme for 2023-24 attached to this report.

1. INTRODUCTION

- 1.1 The overview and scrutiny procedure rules require that the work programme of the committee be approved at the annual meeting of the council (the programme can be a rolling one) as the annual scrutiny programme. See rule 7.2 of the overview and scrutiny procedure rules.
- 1.2 The Committee needs to consider what work programme should be adopted as the annual scrutiny programme. This report sets out the recommendations of the Overview and Scrutiny Committee.
- 1.3 The Overview and Scrutiny Committee performs all scrutiny functions on behalf of the Council.

2. RECOMMENDATIONS OF THE OVERVIEW AND SCRUTINY COMMITTEE

- 2.1 In winter 2022/23, suggestions for Scrutiny topics were sought from various sources, with the criteria that only issues which affected residents across the whole district would be considered.

In addition, the following topics would not be considered:

- Individual service complaints.
- Topics outside of the remit of the council, where the council has no powers or influence.
- Issues where Scrutiny has considered in the last 12 months
- Areas relating to quasi-judicial functions, ie Planning and Licensing.

The final list of topics included Member and officer suggestions, community concerns, policies which were due for renewal, and topics rolled over from the previous year's Scrutiny work plan.

- 2.2 These suggestions were then circulated to Members of the Overview and Scrutiny Committee, who were invited to score each item from 1-5 (5 highest, 1 lowest), based on each of the following criteria:
 - High general public concern,
 - Critical to council priorities and plans,
 - High financial value,
 - Risks in successful delivery.
- 2.3 Somewhat disappointingly, only four of the eight OSC Members provided scores for this exercise. Based on the scores received, the nine highest scoring items were selected for the Scrutiny workplan, with an additional four in 'reserve' for the Committee. These 'reserve' items will allow for some flexibility in the workplan, in the event that the Committee is required to consider other urgent matters. There are also two additional items for the work plan which have been referred from Full Council. The Committee will also act as the Council's Crime and Disorder Committee and meet for that purpose at least once a year.

2.4 The Overview and Scrutiny Committee considered the proposed programme at their meeting on 25 April 2023.

2.5 The recommended programme, including the scoring given by the Overview and Scrutiny Committee Members, is shown in Appendix 1.

3. RISK MANAGEMENT ISSUES

A summary of the perceived risks are as follows:

No perceived risks.

4. LEGAL/FINANCIAL AND OTHER CONTROLS/POLICY MATTERS

4.1 Legal officer's comments

There are no legal comments.

4.2 Finance officer's comments

Any financial implications arising from the overview and scrutiny work programme which is not covered by existing budgets will need to be considered within the council's medium term financial planning processes.

4.3 Diversities and equalities implications

There are no specific diversities and equalities Implications arising from this report.

5. CONTACT OFFICER AND BACKGROUND DOCUMENTS

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

Jemma West – Democratic Services Senior Specialist

Tel: 01303 853369

Email: Jemma.west@folkestone-hythe.gov.uk

Appendices:

Appendix 1: Suggested Annual Scrutiny Work Programme 2023/24.

Background documents:

[Scoring for all items](#)

[Description of all items](#)

Appendix 1 – proposed Scrutiny Workplan 23/24

Item No	Topic	Total score
1	HRA Business Plan	72
2	Review of Corporate Plan	72
3	Community Infrastructure Levy (CIL)	71
4	Levelling Up Fund delivery	71
5	Medium Term Financial Strategy -2022/23-2025/26	69
6	Civic Centre relocation	68
7	Carbon Action Plan	64
8	Budget Strategy	63
9	Environment Act 2021 – Implications on Waste Collections	63
10	Development of Design Codes	60
11	Parking Strategy (Folkestone Town Centre and Harbour areas)	60
12	Customer Access Strategy	58
13	PREVENT & Safeguarding (statutory item)	n/a
14	Otterpool Park LLP Business Plan	n/a
15	Removal of hoardings at Princes Parade (Petition presented to Council on 22 February 2023)	n/a
16	Princes Parade to be abandoned and the site re-wilded (Petition presented to Council on 29 March 2023)	n/a
17	Establish an FHDC Youth Council (Opposition Business presented to Council 29 March 2023)	n/a