



Agenda

Meeting: **Council**
Date: **24 January 2024**
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 Chair 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. **Declarations of Interest (Pages 5 - 6)**

Queries about the agenda? Need a different format?

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Email: committee@folkestone-hythe.gov.uk or download from our
website
www.folkestone-hythe.gov.uk

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

3. **Minutes (Pages 7 - 16)**

To receive the minutes of the meeting of the council held on 29 November 2023 and to authorise the Chair of the Council to sign them as a correct record.

4. **Chair's Communications**

5. **Petitions**

There are no petitions to be presented.

6. **Questions from the Public**

There are no questions from the public.

7. **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.

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

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

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

9. **Portfolio Holder reports to Council (Pages 17 - 26)**

10. **Opposition Business**

There is no opposition business.

11. **Motions on Notice**

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

notice:

1. From Councillor J Martin, Leader of the Council

The majority of Councillors in the chamber are fully supportive of the move to a committee system and away from a cabinet system. The working group has made great progress and has been well supported by officers and external consultants.

The principles and processes of a committee system are not in question, the problem is the deadline of May 2024 and the lack of time for members to become familiar with the mechanisms and detailed operations of the committee system.

I would therefore like to put forward the following motion - This council believes that the current work on this important project should continue with the view of introducing the changes in May 2025. The proposed governance changes will be presented to the Audit and Governance Committee and Full Council for approval. This will allow more time for all councillors to be familiar with, and understand, the changes involved in the move to a committee system of governance.

12. Refresh of the Council's Children, Young People and Vulnerable Adults Safeguarding Policy 2023 and general update (Pages 27 - 66)

The Council is part of the statutory safeguarding role within the wider public sector, with responsibilities to children, young people and vulnerable adults. The children, young people and vulnerable adults safeguarding policy of the Council has been updated and is attached at Appendix 1. Council are advised of the changes made to the 2023 policy as the refresh takes place every two years. Council are also advised of the wide range of activity that has taken place over the last few years year with updates on safeguarding practice. Due to the nature of the content of the safeguarding policy Council are presented with a public version (available on the website). An internal version containing personal information is available on the intranet for staff and members.

13. Review of polling districts and polling places 2023 (Pages 67 - 82)

Section 18 of the Representation of the People Act 1983 (as amended by Part 4 of the Electoral Administration Act 2006) places a duty on the Council to conduct a review of polling places and polling districts every four years. The last review was concluded by Folkestone & Hythe District Council in September 2019. This report outlines the steps the Council is taking to comply with this duty and seeks approval from Council to approve the recommendations made in the latest review which concluded on 17 November 2023.

14. Second Home and Empty Home Council Tax Premiums (Pages 83 -

92)

This is a report to re-affirm a decision passed on 22 February 2023 by Full Council under report number A/22/25. This is due to a delay in Royal Assent being received and therefore a delay of 12 months from the previous decision.

From 1 April 2025, billing authorities will be given the ability to add a Council Tax premium to second homes. Billing authorities will also be given the ability to amend existing long term empty home Council Tax premiums from 1 April 2024. This report reviews these proposals and recommends that some changes are introduced from the financial year 2024/25 and other from the financial year 2025/26.

15. **Medium Term Financial Strategy 2024/25 to 2027/28 (Pages 93 - 136)**

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 2028. 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.

16. **Committee Membership Changes (Pages 137 - 140)**

The report advises on changes to the political balance of Folkestone and Hythe District Council, following the resignation of Councillor Liz Grant on 14 December 2023. It also sets out the appointments since the last Council meeting, under Part 8.1 of the constitution, 'Delegation to Officers', paragraph 3.16, which authorises the Chief Executive to make appointments to committees or sub-committees at the request of the relevant political group leader.

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, 29 November 2023

Present: Councillors Abena Akuffo-Kelly, Mike Blakemore, Polly Blakemore, James Butcher, Bridget Chapman, Tony Cooper, Laura Davison, Clive Goddard, David Godfrey, Rich Holgate, Mrs Jennifer Hollingsbee, Anita Jones, Nicola Keen, Adrian Lockwood, Alan Martin, Elaine Martin, Jim Martin, Connor McConville, Jackie Meade, Tim Prater, Stephen Scoffham, Rebecca Shoob, Jeremy Speakman, Paul Thomas, Belinda Walker, David Wimble and John Wing

Apologies for Absence: Councillors Gary Fuller and Liz McShane

51. **Declarations of Interest**

Councillor Lockwood made a voluntary declaration in respect of the fourth motion on the agenda (Minute No 60) as the progressive procurement could be of benefit to local companies, and he owned and ran a local business.

Immediately prior to the consideration of the third motion on the agenda (Minute No 60), relating to accommodation for care leavers, Councillor Keen declared an Other Significant interest as she was employed by KCC. She left the Chamber during the debate, and returned after the vote had taken place.

52. **Minutes**

The minutes of the meeting held on 20 September 2023 were submitted, approved and signed by the Chair.

53. **Chair's Communications**

The Chair gave the following communications:

“Since my last communication I have had the great honour of representing the district throughout our national period of remembrance. I first attended Dover Cruise Terminal to pay my respects to those men from Belgium, France and the United Kingdom who made the ultimate sacrifice. I witnessed the machine corp and the annual remembrance Sunday Service and Parade. I visited the plaque to commemorate the entry of the unknown soldier onto to British shores before their journey to their final resting place. The anonymity of the unknown soldier means that he belongs to all of us. Through him we collectively pay tribute to all who perish in war, wars from the past, the present and wars unfortunately yet to come.

Today instead of wearing red to signify the human deaths in war and purple to commemorate the many animals that died in the worlds wars I am wearing orange. Orange is in honour of 16 Days of Activism Against Gender-Based Violence. This is an international campaign that takes place annually to raise awareness about and combat gender-based violence, this includes various

forms of violence and discrimination targeting individuals based on their gender. The campaign starts on November 25th, the International Day for the Elimination of Violence Against Women, and concludes on December 10, which is Human Rights Day, because violence against women and girls is the most pervasive and prevalent human rights violation.

UN Women UK prevalence of sexual harassment statistics found that only 3% of 18-24 did not recall experiencing sexual harassment, 26% of women aged 15+ have been subjected to intimate partner violence. In 2021, 56% of female homicide victims were murdered by their intimate partner or family member. In politics a survey by the IPU found that psychological violence affects over 80% of women parliamentarians and over 40% of surveyed women parliamentarians received threats of death rape, beatings and abduction during their term.

Politics can be hard but it is even harder having to sit back and not have a voice in decision making. That is why myself and the Vice chair Anita Jones did a talk with Folkestone Women's Forum to encourage more women into local and national politics. Another woman in politics regardless of her political shade is a win for all of us.

So today I ask that we stand in honour of all women. You may choose to stand in silence but I choose to stand and clap because many women have already been silenced. Orange is a colour of hope, visibility, it's vibrant and enthused with life and I will honour the lives of those who are no longer here. Please stand for one minute and honour women in the way you wish to".

54. Petitions

There were no petitions to be presented at the meeting.

55. Questions from the Public

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

56. Questions from Councillors

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

57. Announcements of the Leader of the Council

The Leader gave the following announcements:

- “1. To start with, some good news! I successfully completed the Folkestone Half Marathon, a brilliant event which I have completed a number of times before and one I highly recommend to everyone, including Councillors!
2. I have been honoured to attended a number of events with an Armed Forces connection in my role as Leader but also Armed Forces Champion: the Ghurka Memorial Service, the Dedication of the Royal British Legion Standard in Hythe, Armed Forces Champion training at Ashford Barracks and of course Remembrance Sunday, which was both poignant and moving.
3. The Leaders of the four political groups and Independent Councillor Paul Thomas have been meeting regularly as we move towards a committee system.
4. I have attended many meetings regarding Otterpool Park with government agencies, developers and potential Joint Venture Partners, these discussions continue.
5. I have been delighted to visit many businesses in our District: Holiday Extras, who have created one of the most exciting and dynamic work environments I have ever been in, Port Lympne who, at the height of the summer season, employ over 600 people full or part time and Church and Dwight a long established Folkestone Company who are busy making and exporting nasal spray to China! Impressive, dynamic, forward looking, our business community creating jobs, offering training and giving people a future. This Council is a friend to good business.
6. Princes Parade hoarding: We are now out to tender to obtain prices from contractors to remove the hording and the concrete blocks that support it, and then erect a low level fence around the site. Once the site is refenced we will be consulting next year to ask local people for their views on the future of Prince's Parade.
7. Following their announcement of cuts to local bus services I have been in almost daily contact with Stagecoach to discuss. The Stagecoach Managing Director will be considering my views on how we might save further routes . There have been meetings, email and some difficult discussions with Stagecoach but so far my only success is the No.10 bus service which has been reinstated to Lympne.
8. I have been in regular contact with Southern Water mainly because of the sewage on the Copperfield's Estate in Lydd, the flooding on Udan Rd in Dymchurch and the failure of the pumps at the Range Road pumping station in Hythe. I have a site meeting with Southern Water and KCC Councillors on 1st December.
9. Along with many coastal District Councils I attended a meeting organised by the Environment Agency to collectively express our shared concern about Southern Water's consistent failure to meet the needs of their customers. As a result of the meeting I signed a joint letter along with all the other leaders, addressed to OFWAT, the water regulator, asking them to take action against Southern Water.

10. I have attended the Kent Leaders Forum to discuss the issues which affect the Council's in Kent. I have also attended meetings of the East Kent Leaders forum which has a more focused view of the issues affecting the East Kent Districts.
11. I have held meetings with Go Folkestone to try and locate the foundation stone to the long demolished Folkestone Pier in its original location.
12. I was delighted to attend the opening of the Sunflowers Room on the Bayle, I was equally pleased to attend a breakfast prayer meeting at the Baptist Church in Cheriton and I ate too much when I attended the Rotary Club dinner in Hythe”.

Councillor McConville, Leader of the Labour Group then responded to the announcements and echoed his support in respect of the Leader completing the half marathon. He also stated he was glad to have joined the Leader at the opening of the Sunflowers Room on the Bayle and looked forward to fostering community wealth building across the district. Everyone knew residents needed it. He echoed the comments in relation to Stagecoach, and expressed disappointment that they did not attend the recent consultation event relating to the new bus stop layout, and transformation of the current bus station. There were many residents who would have wanted to talk to someone from Stagecoach, and a lot of questions were taken in writing and sent to the directors of Stagecoach. They needed to be more involved in the community. He also stated, in respect of 'big business', it was important to recognise the challenges faced by small businesses in the current climate, and there had been a flurry of new businesses opening recently, particularly in Folkestone, and he hoped that this council, despite its stretched resources, gave full support to these new businesses in terms of queries on licensing, planning, food safety and all the other things they had to navigate. He also added that it was the last meeting before Christmas, and wished all staff and Councillors a festive and safe holiday period.

The Leader of the Conservative Group, Councillor Mrs Hollingsbee also responded and stated that she thought that the council had always been business friendly, and the previous administration had bought in lots of schemes. She added that the previous administration had not left a £18.5 million budget gap, but had saved by putting non-essential spending into action, £1.2million, and then a rebate of over £500,000. She stated that she was looking forward to the consultation on Princes Parade, and was hoping residents would realise the importance of the asset, and that something would be done with this asset. She added that without the previous administration, the council would not have had the Otterpool Park project, and every member of the council who was a previous member voted against it, but now stressed it's importance. She also stated that the previous administration had initiated the Folkestone Regeneration scheme and levelling up. She wished everyone a happy Christmas, and thanked all the staff who worked extremely hard, particularly given the challenging circumstances they faced at the moment.

The Leader then responded to the points raised by the Opposition Group Leaders and added that he echoed the thoughts in respect of staff being hard working, and highlighted the support he had personally received from officers, which said a lot about the culture of the council. He referred to the homelessness count which had taken place the night before, and stated that the officer who had carried out this work had done so in their own time, unpaid. He then wished all Members a Merry Christmas.

Proposed by Councillor J Martin,
Seconded by Councillor Prater; and

RESOLVED:

That the announcements of the Leader of the Council be noted.

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

58. Portfolio Holder reports to Council

The Portfolio Holder reports had been circulated within the agenda pack and noted by Members.

59. Opposition Business

There was no opposition business.

60. Motions on Notice

1. From Councillor Mrs Jenny Hollingsbee, Leader of the Conservative Group

Councillor Mrs Jenny Hollingsbee presented her motion which sought support for nuclear energy production at Dungeness.

Proposed by Councillor Mrs Hollingsbee,
Seconded by Councillor Wimble;

1. That the council confirm in writing their unequivocal support for a new era of nuclear energy production at Dungeness by writing a letter to:
 - Andrew Bowie MP, Minister for Nuclear and Networks
 - Roger Gough, Leader of Kent County Council
 - Damian Collins OBE MP, Member of Parliament for Folkestone and Hythe
2. That all members of the Cabinet, at every possible opportunity, actively promote Dungeness as a location for new nuclear power generation.

It was then proposed by Councillor J Martin,
Seconded by Councillor Scoffham;

That the motion be amended as follows:

- In the sentence “To confirm in writing our unequivocal support for a new era of nuclear energy production at Dungeness by writing a letter to:”
- In place of the word “nuclear”, add “clean” - in place of the words “at Dungeness”, add the words “in the district” So the sentence reads: “To confirm in writing our unequivocal support for a new era of clean energy production in the district by writing a letter to:”
- In the list of letter recipients: - In place of the words “Andrew Bowie MP, Minister for Nuclear and Networks”, add “Minister of State (Minister for Energy Security and Net Zero)”
- In the sentence “That all members of the Cabinet, at every possible opportunity, actively promote Dungeness as a location for new nuclear power generation.”
- In place of the words “all members of the cabinet”, add the words “this council”
- In place of the words “promote Dungeness as a location for new nuclear power generation.”, add the words “promotes the district as a location for clean energy generation.” So the sentence reads: “That this council, at every possible opportunity, actively promotes the district as a location for clean energy generation.”

(Voting figures: 21 for, 6 against, 0 abstentions).

The amendment was therefore won and became the substantive motion.

During the consideration of the amendment, the meeting was adjourned for a five minute period.

Proposed by Councillor J Martin,
Seconded by Councillor Scoffham; and

RESOLVED:

1. To confirm in writing our unequivocal support for a new era of clean energy production in the district by writing a letter to:
 - a. The Minister of State (Minister for Energy Security and Net Zero)
 - b. Roger Gough, Leader Kent County Council
 - c. Damian Collins OBE MP, Member of Parliament for Folkestone and Hythe
2. That this council, at every possible opportunity, actively promotes the district as a location for clean energy generation.

(Voting figures: 21 for, 6 against, 0 abstentions).

2. From Councillor Dr Stephen Scoffham, Cabinet Member for Climate Change, Environment and Biodiversity, on behalf of the Green Group

Councillor Scoffham introduced his motion which sought support for the Kent AONB unit in promoting its bid for a UNESCO Global Cross Channel Geopark.

Proposed by Councillor Scoffham,
Seconded by Councillor M Blakemore; and

RESOLVED:

That, as far as existing resources allow:

- To support the Kent Downs AONB Unit in promoting the bid, working with other organisations and Local Authorities in Kent
- To raise public awareness about the bid and the benefits it will bring to the local community and natural environment
- To include reference to the Cross Channel Global Geopark in our communications and promotional activities
- To assist the Kent Downs AONB Unit in reaching out to school children, students, and young people to help shape the bid and, if successful, on any projects that follow
- To contribute towards identifying Geosites in the Folkestone-Hythe district
- To further the development of the Cross Channel Global Geopark through the positive deployment of appropriate Council functions, resources, and responsibilities.

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

3. From Councillor McConville, Leader of the Labour Group

Councillor McConville introduced his motion which raised concerns around KCC's decision to stop providing accommodation for care leavers over the age of 19.

During the consideration of this item, Councillor Keen made a declaration of interest as she worked for Kent County Council. She left the Chamber while the matter was debated, and returned after the vote had taken place.

Proposed by Councillor McConville,
Seconded by Councillor M Blakemore; and

RESOLVED:

- a) That the Leader of the Council write to Kent County Council asking for an immediate suspension of Decision 23-00083.
- b) That this item be referred to the Overview and Scrutiny Committee and Cabinet to allow members, working with officers, to find a suitable path forward in service provision from April 2024.

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

4. From Councillor Davison, Deputy Leader of the Labour Group

Councillor Davison outlined her motion which sought a review of the council's procurement plan, to make it more progressive.

Proposed by Councillor Davison,
Seconded by Councillor Speakman; and

RESOLVED:

- To refer to the Overview and Scrutiny Committee to review the council's procurement plan, with specific reference to section 5 in the action plan, Local Suppliers and SME participation, which is to be reviewed quarterly.
- To explore further Progressive Procurement practises which are designed to encourage more local businesses to engage with our procurement process.
- That a reviewed policy should highlight not only the financial cost of projects, but also the economic benefits of localised procurement and investing capital within our own district. As well as ensuring value for money, not only for our community but also in partnership with them.
- That any revised policy be decided by committee after May 2024.

(Voting figure: 26 for, 0 against, 1 abstentions).

61. Report to Council on decisions made in accordance with the constitution's call-in and urgency rule

The constitution provides that, when an urgent decision is made by the Cabinet or Cabinet Member, for which any delay in implementation, likely to be caused by the call-in process, would seriously prejudice the Council's or public interest, then the 'Call-in Rules of Procedure', Part 6.3, rules 1-6 do not apply. Decisions, taken as a matter of urgency, must be reported to the next available meeting of the Council, together with the reasons for urgency.

Proposed by Councillor Holgate,
Seconded by Councillor Prater; and

RESOLVED:

That report A/23/16 be received and noted.

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

62. Extension of term of independent persons under the Localism Act 2011

The report set out the Audit and Governance Committee recommendations on the extension of the appointment of Chris Harman, David Carter and Ken London as the Independent Members under s28(7) of the Localism Act 2011.

Proposed by Councillor Prater,
Seconded by Councillor Cooper; and

RESOLVED:

1. That report A/23/18 be received and noted.
2. That the term of Chris Harman, David Carter and Ken London as the Independent Persons be extended under s28(7) of the Localism Act 2011 for a further term of four years.

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

63. Committee Membership Changes

Under the Folkestone and Hythe District Council Constitution, Part 8.1 'Delegation to Officers', paragraph 3.18, the Head of Paid Service is authorised to make appointments to committees or sub-committees at the request of the relevant political group leader. The report sets out the appointments made, under these powers, on the instruction of the Leader of the Green Group.

Proposed by Councillor Prater,
Seconded by Councillor P Blakemore; and

RESOLVED:

1. That report A/23/17 be received and noted.

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

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Council 24 January 2024

Agenda item 9 (Portfolio Holder reports)

1. Report of the Leader and Cabinet Member for Otterpool Park and Planning Policy

Portfolio Holder's Report for Planning Policy update:

As portfolio holder for planning, I continue to liaise with the Planning Department and all officers. This year there will be a call for sites to allow us to create our five year land supply pipeline as required by the Government. We continue to receive a high level of planning applications per year, although the pressure on the planning department is often very high, I am very confident in our group of officers to manage these high levels of applications with skill and professionalism.

Portfolio Holder's Report for Otterpool Park:

I have been delighted to welcome Gary Ridgewell as the new Managing Director of Otterpool Park LLP. Gary has been the Construction Director for two years and is intimately familiar with the development. We are continuing our discussions with Homes England and potential strategic partners. We are in discussion with landowners, Government Agencies, KCC and other stakeholders. We have received a proposal to create a solar farm on land owned by FHDC at Otterpool. We are hopeful that this solar farm will enable Otterpool Park to become a Net Zero development from the outset.

Leaders Announcements:

1. I would like to wish all members and officers a very happy new year and I hope it will be a good one, I know it will be a challenging one!
2. I was delighted to be a guest at the Cheriton Community Centre for the Nepalese Community to welcome me as Leader.
3. The leaders of the four political groups and Independent Councillor Paul Thomas have been meeting regularly as we move towards a committee system.
4. I have attended many meetings regarding Otterpool Park with government agencies, developers and potential Joint Venture Partners and these discussions continue.
5. I attended a training session with many other Council representatives in my role as Armed Forces Champion.
6. I have been delighted to visit many businesses in our District, including Euro Tunnel, which was fascinating. I committed this Council to do whatever we can to help Euro Tunnel face the further challenges of Border Control which when introduced this summer may slow access to the Port of Dover and the Euro Tunnel site. This Council is a friend to good business.
7. Princes Parade hoarding: I am delighted to announce that the hoarding surrounding the Princes Parade site will shortly be dismantled. I am also delighted to announce that the hoardings and the concrete blocks that support it will be recycled to Otterpool, where they will be stored and used as required.

Once the site is re-fenced we will be consulting next year to ask local people for their views on the future of Prince's Parade.

8. Following their announcement of cuts to local bus services I have been in almost daily contact with Stagecoach to discuss, indeed I recently attended a 6.00am meeting at Dover Bus Garage to establish for myself the feelings of the relocated drivers from Folkestone.
9. I have been in regular contact with Southern Water and held meetings with them, mainly because of the sewage on the Copperfield's Estate in Lydd, the flooding on Udan Rd in Dymchurch and the failure of the pumps at the Range Road pumping station in Hythe. I have further meetings with Southern Water and KCC Councillors this month.
10. Along with many coastal District Councils I attended a meeting organised by the Environment Agency to collectively express our shared concern about Southern Water's consistent failure to meet the needs of their customers.
11. I have attended the Kent Leaders Forum to discuss the issues which affect the Council's in Kent. I have also attended meetings of the East Kent Leaders forum which has a more focused view of the issues affecting the East Kent Districts.
12. I joined FHDC's excellent Licencing team on their regular Saturday night patrol around Folkestone. I was amazed the warm welcome we received in every pub and restaurant we went into, clearly the licencing team is seen as part of the solution to many of the nighttime economy problems and not seen as the enemy by licensees.
13. I joined our local police force on a daytime patrol in the centre of Folkestone to see for myself the types of problems they encounter. On the run up to Christmas the patrol officers are particularly on the look out for shop lifters, street crime and organised begging. I was impressed by the individual officers knowledge and understanding of the specific problems that affect Folkestone.
14. I was delighted to attend the Panto, Beauty and the Beast at the Leas Cliff Hall.
15. I spent a morning with our front-line staff who answer the telephone and deal with all the problems our residents have. To say I was impressed by the care and understanding exhibited by our team is an understatement.
16. Without doubt my most pleasurable task this month was to join colleagues as we said goodbye to Karen Everett after 46 years of excellent service to this Council. Karen is a remarkable person, loved by colleagues and residents alike. We all wished Karen well in her new adventure and she will be greatly missed.

2. Report of the Deputy Leader and Cabinet Member for Finance and Governance

The Key Focus over the last months remains our budget for 2024-25 and a new MTFS for the 4 years 2024-2028.

I won't need to remind people (but will!) that the Medium Term Financial Strategy left to us by the last administration forecast a budget deficit of £4,501,000 for 2024-25 and a forecast deficit for the 4 years 2023-27 of over £18m. It was not the job the incoming administration wanted to fix the mess left to us, but it is the card we were dealt.

And in December, we brought to Cabinet a “first draft” budget for 2024-25 showing a £638,000 deficit for the year, and a 4 year MTFs deficit of £4,609,000. This hugely improved forecast is due to the hard work of the Chief Executive, S151, Finance Team, Officers and all staff in looking at our costs, management structure and staffing to give us a significant saving from the “transformation” of the Council to reduce our staffing costs while trying to protect from line services. **We owe them huge thanks.** Councillors have really paid their part too, understanding that although there are some difficult decisions to be made they are necessary, but rightly working as hard as possible to defend those services we see most important.

Following that first draft, the Provisional Local Government Finance Settlement was announced **by the Department for Levelling Up, Housing & Communities (DLUHC) on 18 December 2023.** Although not generous or welcomed by all Councils, it was better for Folkestone and Hythe than we had expected (plan for the worst, hope for the best!) and has further improved our forecast budget for 2024-25.

After a lot of work by Ola and the Finance Team over Christmas on the implications of that Finance settlement, **I’m now really hopeful that we will be able to vote for a balanced budget – one that does not rely on drawing from our General Reserve – for 2024/25 in February.** From a forecast deficit of £4.501m to zero in one year will have been an extraordinary turn-around, and one better than I had thought likely six months ago.

Also, the newest version of the MTFs forecast shows a cumulative funding gap of **£2.78m over the four year lifetime of this MTFs – some £15m better than the version left to us by the administration.** There is no deficit forecast in the 1st year, and a sub £100k deficit in the second year (which we’ll seek to address before we set the 2025-26 budget!).

And there is further good news in the end of Q3 finance monitoring, showing that is this financial year, **we’re currently predicting a deficit reduction of £458k on the budget.** The budget for this year of the last administration relied on drawing £1,786,000 from our General Reserves. We are now forecasting that will be a draw instead of £1,328,000 – a really significant improvement in our position (still clearly a deficit, but a much reduced one). Again – this has only been achieved in year with a steely determination from the whole team to save money against budget where possible, and to do more with less.

From a position where this Council was going to be in serious financial difficulty in three years to one where we have a genuinely balanced budget, and can now seek to regroup and go forward. That’s a huge step.

3. Report of Councillor Mike Blakemore, the Cabinet Member for Community and Collaboration

In my last update I mentioned the various discussions I have been involved in aimed at improving the health of our district and in December I added Kent

Health & Wellbeing Board to the list, joining this Kent County Council forum as FHDC's representative. I am delighted to be part of such important work – having worked in communications roles in the NHS and at a medical Royal College, the subject is close to my heart, especially the need to address health inequalities.

Linked to this to this, of course, is the cost of living crisis and the challenge many people currently face feeding themselves and their families. I was also pleased, therefore, to attend another meeting of the District Food Network, and to hear more about the important role being played by the mobile food service, launched last year, and by local community fridges and pantries.

Earlier, I attended a workshop on migration run by South East Councils and the South East Strategic Partnership for Migration.

One piece of news that rightly received a very warm welcome as we began 2024 was that the council has begun working with community partners to develop a practical proposal to reopen the library service at Grace Hill and to create new opportunities for the community to use this landmark Folkestone location.

I have been pleased to be part of these discussions, along with the Leader and Cllr Holgate, and am grateful to officers for their support – it is very early days as far as this particular proposal goes but it is a terrific example of the council's commitment to working with and engaging the community.

Finally, I was delighted to be invited to the Marsh Academy's prize-giving evening. It was my first visit to the school and I was made very welcome. I was extremely impressed by the faultless choreography of the evening, with dozens of certificates and trophies handed to well-deserving students without misstep or misspeak.

4. Report of Councillor Polly Blakemore, the Cabinet Member for Transport, Regulatory Services & Building Control

In collaboration with our Transportation Manager, who has worked hard to prioritise the CPZ applications made by residents over the past year, I am looking at a shortlist of proposed schemes. The next step for each of these will be an informal consultation to gauge if there is wider support.

In early December I attended a public meeting for residents of Broadmead regarding the cuts to local bus services, in particular the 73. Meridian TV attended the meeting and I had the opportunity to draw attention to the impact of the local bus cuts on the local news. We continue to communicate with the County Council and to keep up pressure on Stagecoach to restore a bus service that is fit for purpose following last year's devastating cuts.

I have been working with officers to formulate the district council's response to the Kent Cycling and Walking Infrastructure Plan to identify preferred routes, prioritise investment and improve connections across Kent. The plan aims to integrate walking and cycling into transport policies and to provide evidence to support local projects. Three of the 15 routes are within, or pass through, our

district so our engagement in this process is essential to ensure the district is best placed to secure future funding for the schemes. Following input from ward councillors and Sandgate Parish Council, our response has now been submitted.

Work continues on plans for EV on-street charging and it is hoped that installation of charging points in selected locations will commence in the Spring.

The first Licensing Forum of 2024 is scheduled for January 18th. The purpose of these events is to facilitate positive and collaborative communication between the council, Kent Police and all local stakeholders to enhance working relationships. I will provide an update on this meeting in my February report.

5. Report of Councillor Gary Fuller, the Cabinet Member for Resident Engagement and Accountability

This month we say thank you and good luck to Karen Everett who retires having completed more than 45 years of service. She will be a tough act to follow, and I would like to thank her for everything she has done for the council over the years, and for her incredible patience in helping me get up to speed as a cabinet member.

It has also been a month in which we begin reviewing our customer access policy and digital strategy. With the increasing move to online systems and automation of decision making, we will need to be mindful of how we can ensure that our services continue to be responsive to the needs of residents and that we don't lose the important human component. I would welcome any feedback from residents on how things stand currently and what needs to improve, though I'm sure that speaking to the public will be an important part of our strategy review process.

As part of the preparation for reviewing these strategies, I have attended training on digitalisation. This highlighted the range of ways in which councils have managed digital transformation projects and how they have ensured that residents are at the centre of these projects and their outcomes. I particularly enjoyed learning about Wigan's transformation, known as the Wigan Deal, though I'm pleased to note that our take up on My Account appears to be even higher than theirs at more than 70% of properties.

With the general election expected this year, along with PCC elections in May, and a district by-election in February, officers are working hard to ensure that everything is in place and residents know what to expect. There will be changes affecting postal voting as well as new constituency boundaries (affecting North Downs East and West) to contend with. I would encourage all residents to read about the various changes so that they don't miss out on the chance to vote.

I hope that all residents managed to have a joyful and restful Christmas and New Year and I look forward to offering further updates as the year progresses.

6. Report of Councillor Rich Holgate, the Cabinet Member for Place Plan, Heritage, Tourism and District Economy

Since the last report we have delivered an exceptional and well attended public engagement event for the Levelling Up Programme. Over 400 in attendance makes it one of the most well attended events in years and upholds this administrations intent to be communicative with local communities.

On which note, it was fantastic working with Cllr Blakemore and several local community interest groups on a revised, refreshed approach to saving Folkestone Library.

From a Heritage perspective, it has been very exciting to hear about plans for workshops later this year to greater support Heritage knowledge and understanding across the district. Looking forward to supporting our passionate local Heritage forums in delivering these workshops.

Ahead, plans have been made for the third annual 'Skills and Jobs' event in Romney Marsh. Last years INSPIRE event was a huge success and looking forward to building on that this year.

7. Report of Councillor Stephen Scoffham, the Cabinet Member for Climate Change, Environment and Biodiversity

This has been a relatively quiet period given the Christmas and New Year break. But it has also been a chance to review the last seven months since the May elections and what has been achieved. I have been struck by the diversity of the portfolios which all Cabinet members hold. My own role spans not only activities to do with climate change, carbon reduction, land management and biodiversity loss, but it also includes inland drainage, sea water quality, beach defences, recycling and waste disposal. One of my key objectives since the election has been to get to know the staff at FHDC. I have been delighted to meet so many officers all who appear enthusiastic and dedicated to their roles. The positive and supportive culture which I have witnessed is a credit to all concerned.

District Wide Carbon Reduction Strategy

The public consultation has now closed and the results are being analysed. These will inform the actions which are yet to be identified and enumerated in the strategy. The consultation itself reached out the local community in a number of different ways. The short videos which were posted on the website were particularly engaging and well produced.

Bathing Water Quality

There has been some really disappointing news about bathing water quality, especially in and around Romney Marsh. Preliminary investigations have failed to yield any definitive results and we are pressing hard for decisive action. This is a problem which is distressing to local residents, damaging to health, detrimental to marine life and has significant implications for the economy of the district.

Inland Drainage

Together with around 20 other local authorities, we are making representations to central government about inadequate funding for the maintenance and flood protection services in marshes and low-lying areas around the coast. As a representative of the District Council, I shall be attending a high-level reception at House of Commons to press for proper funding.

Waste and Recycling

Recycling rates remain steady or slightly improved at just under 50%. I have been involved with volunteer groups to discuss ways of recycling electrical waste and raising awareness of recycling across the district through targeted campaigns.

UNESCO Geopark Bid

In early December I attended a meeting with the UNESCO assessor and trustees from both the UK and French Geopark committees. The feedback was that we were making strong progress and that the criteria to submit the bid could well be met in the next couple of years. The resolution to actively support the bid which was passed unanimously at the Council on 29 November was very well received and I am now liaising with staff from the AONB about a range of possible actions.

8. Report of Councillor Rebecca Shoob, the Cabinet Member for Housing and Homelessness

Although not freezing, it was still a very cold night at the end of November when the annual rough sleeper count took place. I was able to join the many professionals and volunteers who undertake this task. It was an invaluable opportunity to get some small insight into the outreach work that council and other outreach teams undertake across our district. The knowledge and dedication of the teams that work on the ground is to be commended. A couple of nights after the count the temperatures dropped a few more degrees and SWEP was implemented.

As well as regular portfolio briefings from the housing team, I have attended a couple of external briefings including one by the Regulator of Social Housing detailing how the new inspection regime to improve consumer standards will apply to local authority landlords and one hosted by Eastern Community Homes on local authority approaches to community led housing.

I attended the Independent Living Forum held in Dymchurch for tenant representatives from our independent living schemes to discuss issues affecting the different schemes. I also attended the December Strategic Tenants Advisory Panel which amongst other things heard updates on the HRA business plan and the repairs and maintenance options appraisal. I also sat in on the STAP scrutiny sub-committee which has been looking at how tenant complaints are handled, again an extremely valuable opportunity to hear tenants' experiences on specific areas.

Finally, I've joined officers, councillors and residents for neighbourhood walkabouts in Folkestone and Dymchurch to look at different issues such as rubbish bins, parking, access and grounds maintenance.

9. Report of Councillor Jeremy Speakman, the Cabinet Member for Assets and Operations

As well as casework and attending meetings relating to my Hythe Rural Ward, I continue to have regular meetings and correspondence with relevant officers and residents on matters specifically relating to my portfolio.

Assets

- Grounds maintenance staff currently undertaking usual winter projects, top dressing fine turf and bedding across parks and gardens
- Cut back of vegetation growth along the top of Leas Cliff started (every 2 years), and the bandstand has been repainted
- Landslip on the Leas has closed off a section of the Coastal Park path. Officers are liaising with landslip consultants to establish the best way to stabilise the area. Looking to introduce vegetation to stabilise the slope. Likely to remain out of use until the Spring.
- The Changing Places Toilets for Disabled Adults Project remains on track in budget to deliver new facilities at The Coastal Park, Radnor Park and Dymchurch main car park.
- A redecoration schedule is in place for a number of public toilets
- The new Hawkinge maintenance depot has been handed over and finalising internal fittings
- Biggins Wood site exchange of contracts with buyer expected in February and completion in March
- Ship Street site currently being market tested and planning submission being finalised. Report expected to go to Cabinet in March
- Varne site – contracts exchanged with services being relocated prior to completion
- Offers on High View site received and officers are working through these. Will be reported to Cabinet, probably March
- Letting of Connect 38 office block ongoing, 50% first floor secured reducing remaining vacant space.
- Coast Drive Beach Hut and Visitor Centre project redesigned due to land title and ecological complexities. Approved Cabinet 13 December. Tender to be released shortly
- Ongoing work to identify savings options in Asset budget relating to KCC mowing contract as outlined in report to Cabinet on 13 December
- Potential solar park at Otterpool - negotiations to commence with preferred supplier as reported to Cabinet on 13 December.
- Ongoing case work with residents addressing concerns regarding vegetation overgrowth on Leas Cliff
- Ongoing correspondence addressing residents' concerns relating to potential solar park development at Otterpool

- Princes Parade – tenders received for removal of the hoarding and erection of a new fence. Officers working through the tender returns and preparing a report for the Leader

Waste Management

- Ongoing work with officers and Waste Management Team on the action plan to address the issues identified in the audit of the service earlier last year. This included publication on the website of the cleansing zones by street and a description of services, and improvements to service monitoring arrangements, and the process of issuing contract deductions.
- Ongoing work to identify savings to street cleansing service and review of waste management fees and charges as part of the Council's budget setting exercise.
- Ongoing discussions with Veolia on revised Garden Waste collection routes to improve capacity and scheme participation.
- Meeting with Hythe Environmental Community Group to look at options for the expansion of their e-waste recycling scheme, which has enjoyed much local success.
- Ongoing case work including relocation and replacement of litter bins, consideration of the government's 'Simpler Recycling' proposals, liaison with Enforcement over fly tipping issues and support to local litter picking initiatives.

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This Report will be made
public on 16 January
2024

Report Number **A/23/20**

To: Full Council
Date: 24th January 2024
Status: Non key decision
Responsible Officer: Andy Blaszkowicz, Director of Housing and Operations

SUBJECT: Refresh of the Council's Children, Young People and Vulnerable Adults Safeguarding Policy 2023 and general update

SUMMARY: The Council is part of the statutory safeguarding role within the wider public sector, with responsibilities to children, young people and vulnerable adults. The children, young people and vulnerable adults safeguarding policy of the Council has been updated and is attached at Appendix 1. Council are advised of the changes made to the 2023 policy as the refresh takes place every two years. Council are also advised of the wide range of activity that has taken place over the last few years year with updates on safeguarding practice. Due to the nature of the content of the safeguarding policy Council are presented with a public version (available on the website). An internal version containing personal information is available on the intranet for staff and members.

RECOMMENDATIONS:

1. To receive and note report C/23/20.
2. To agree and adopt the updated safeguarding policy.

Introduction

- 1.1 Section 11 of The Children Act 2004 places a statutory duty on key organisations to ensure that, in discharging their functions, they have regard to the need to safeguard and promote the welfare of children and vulnerable young people. Similar obligations apply to vulnerable adults under The Care Act 2014.
- 1.2 The Council is part of the statutory safeguarding role within the wider public sector, with responsibilities to children, young people and vulnerable adults.
- 1.3 The safeguarding policy was last published in October 2021 and is subject to a review on a 2 yearly cycle. Since the policy was last published there have been some changes to legislation, policy and practice and the following changes / additions have been made to the policy:
 - Additional responsibilities placed on organisations including Local Authorities to address the changing trends in safeguarding matters highlighted.
 - Council's response to changes in terms of practice where applicable is shown.
 - The Violence Reduction Bill 2021 resulting in the Serious Violence Duty in 2022 is reflected in the refreshed policy.
 - The policy has been streamlined and some sections changed from previous versions of the policy to improve its layout and to provide links to relevant updated websites etc.
 - Changes to practice eg requirement to apply the Mental Capacity Act for decision making by vulnerable people and clarifying how the Safeguarding Adult Review (SAR) process can be initiated (when anyone feels that an adult has died or come to serious harm from a failure in partnership working). This has been added as a result of findings from audits on FHDC practice.
 - Where types of abuse were set out in the scope of the policy these are now set out in the appendix section of the new policy. The types of abuse have been added to a table of definitions as opposed to being described individually in the glossary of terms. In addition, updated embedded links have been added.
 - The internal version of the policy is updated with new DO (Designated Officer) details.
- 1.4 Due to the nature of the content of the safeguarding policy Council are presented with a public version (available on the website). An internal version containing personal information is available on the intranet for staff and members.
- 1.5 On 14th November 2023, OSC considered a paper and accompanying documents including the policy and key points made by OSC asked for a flow chart on how councillors and members of the public can make safeguarding referrals. This will be made clearer on the website and link to the new policy. Anonymised case studies will also be added to the website. Contractor training on safeguarding will be part of a further review on commissioning key contracts.

1.6 On 13th December 2023, Cabinet considered the policy and report and additional thoughts included further detail on signs of abuse and additional information on training which will be developed over the coming months

2. General updates on Safeguarding

2.1 Over the last 2 years the Council has been the subject of a number of audits and has participated in various reviews and taken the lead for the County on some of these. Feedback has been positive, and our work has often been cited as best practice, for example when the new KMSAB strategy was being consulted on FHDC carried out exactly how KMSAB wanted guided conversations to take place (with partners and internal staff). We were the only District Council in Kent that did this and KMSAB were keen to point out we had shown best practice in this.

2.2 KCSMP also carried out a review of their priorities which we supported as well as leading and coordinating across Kent on a number of other requests from KMSAB and KCSMP. This included a single all Kent District Councils-wide view on changed protocols and approaches to particular safeguarding cases (ie not individual District views).

2.3 There continues to be staff turnover across the organisation and as result an ongoing need to recruit new DOs from across council teams. The safeguarding page on the Intranet continues to be revised and updated including the DO rota.

2.4 Mandatory training on both child and adult safeguarding is monitored by the OD team and additional courses made available to key staff as appropriate. In the last year higher profile has been given to raising awareness of safeguarding (particularly as a result of receiving a number of Domestic Homicide Reviews (DHRs) and staff briefings and member briefings have been carried out).

2.5 The Council uses a new cloud based GDPR compliant system for managing safeguarding concerns and referrals. This system has now been in use by DOs and key staff (fully trained and supported by the Safeguarding Specialist) since January 2023. The system is being used county-wide and is useful for creation of reports and other information as it gets populated.

2.6 In Autumn 22, a piece of work around care leavers requirements was undertaken. KCC shared with Districts a package of support they offered care leavers. Work was carried out to see whether a similar generic package could be offered by all Districts. Due to differences in practice and funding requirements this work was postponed. However, a draft care leaver package drawn up for FHDC contained a lot of good practice and intent and a basic bespoke package for FHDC will be finalised and placed on a new safeguarding page on the website. This will include practice such as offering guaranteed job interviews for care leavers where practically possible.

3.0 Data analysis and trends

- 3.1 All safeguarding concerns are recorded using relevant forms (available on the intranet). Staff are guided to the process and completion of the forms is the responsibility of the designated DO on duty or their reserve on any given day.
- 3.2 Previously all information was stored on a safeguarding drive and data analysis carried out manually. The new online system began to be fully utilised in January 2023. Therefore, data is supplied in two batches using the manual system and the online system for the latest data.
- 3.3 1st April 2022 – 31st March 2023 manual system records show:

	Child	Adult	Total
Q1	8	13	21
Q2	8	28	36
Q3	10	24	34
Q4*	4	16	20
Total	30	81	111

*In Q4 there is some overlap with the new QES system – this table only shows those not captured on the QES system

1st January 2023 - mid September 2023 QES shows:

	Child	Adult	Both	Total
Q4	2	7	0	9
Q1	4	16	2	22
Q2	4	11	3	18
Total	10	34	5	49

By way of comparison a breakdown of concerns received in 20-21 and 21-22 is provided below:

	Child (20-21)	Adult (20-21)	Child (21-22)	Adult (21-22)
Q1	1	13	5	17
Q2	1	14	4	26
Q3	2	11	4	17
Q4	0	12	6	27

A summary across a number of years shown below:

Year	Child	Adult	Both	Total
2020-21	4	50	n/a	54
2021-22	19	87	n/a	106
2022-23	30 + 2	81 + 7	n/a	111 + 9
2023-24 (to date)	8	27	5	40

In addition to the above data, the council applies the KMSAB Hoarding policy and in particular the work of the private sector housing team is important in dealing with hoarding and neglect cases. The hoarding coordinators (Peabody) have recorded the following number of neglected and hoarding cases in the District:

	New cases	Closed cases
2021/22	47	34
2022/23	33	27

3.4 Trends and comparisons

From the above data the increase in adult concerns over the years potentially reflects a number of changes in practice as well as societal issues. Over the last few years, housing and welfare cases feature more as these teams are now involved heavily in safeguarding work. The impact of Covid / cost of living etc has seen a rise in calls for support and help. The rise may also be related to potentially increased safeguarding awareness amongst practitioners and additional issues falling under safeguarding e.g. dementia and increased mental health issues are having an impact. Staff are guided to signpost to support services as not all cases will be safeguarding but they can be complex and where any doubt it is always advised that a safeguarding concern is raised and DOs are then able to assess further.

4.0 Safeguarding audits, case reviews and staff inputs

- 4.1 F&HDC are required to complete a very detailed child safeguarding audit every 2 years and this is a statutory s11 audit compiled by KSCMP. This was undertaken in the Summer of 2022, with all sections completed in time and with evidence attached covering projects, case studies, meeting notes, emails, guidance documents, policy and process as well as screenshots of the intranet and website amongst some of the evidence needed to demonstrate compliance. The majority of the S11 audit was deemed compliant. A few areas e.g. development of the website, updated recruitment policy etc. remained amber and are works in progress.
- 4.2 For the KMSAB a very detailed annual statutory SAF (Self-Assessment Framework) is required to be completed. This involves an annual peer review and assessments of outstanding work from previous audits and progress on the current one. The SAF is extremely detailed requiring information on the councils approach to adult safeguarding covering governance, training, accountability, partnership working etc. with large amounts of evidence required. The SAF for this year was due for completion by early November 2023 and the peer review took place in mid-November. The majority of the SAF was deemed compliant. A few areas e.g. staff awareness of the Mental Capacity Act, Carer Assessments, and co-occurring conditions, as well as further training for contractors, etc. remained amber/red and are works in progress. Overall, the Council's SAF return was considered by the panel to be very strong and we have been asked to share practice with other agencies to help drive improvement.
- 4.3 The KMSAB also send out an annual Interagency report template requiring the Council to demonstrate how it is meeting the priorities of the Safeguarding Adults Board, again with evidence. FHDC duly completed this and provided the evidence required.

4.4 Council are informed that over the last year or so FHDC for the first time has been involved in a number of detailed adult case reviews including Statutory Domestic Homicide Reviews (DHRs).

4.5 It is recommended that full Council adopt the refreshed safeguarding policy.

5.0 Risk Management

5.1

Perceived risk	Seriousness	Likelihood	Preventative action
Policy not adopted and statutory duty to compromised	Medium	Low	To adopt the policy

6. LEGAL/FINANCIAL AND OTHER CONTROLS/POLICY MATTERS

6.1 Legal Officer's Comments (NM)

There are no legal implications arising directly out of this report. As stated in the body of the report statutory duties are imposed on local authorities by the Children Act 2004, the Care Act 2014 and most recently the Domestic Abuse Act 2021. The updated policy provides the framework for the Council to fulfil these statutory obligations.

6.2 Finance Officer's Comments (RH)

The annual contribution to the new QES system (expected to be between £2,500 and £3,000) can be funded from the current 23/24 base budget.

6.3 Equalities and Diversities comments (GE/JL)

The safeguarding policy sets out how the most vulnerable in society are protected and covers all protected groups. An up to date EQIA has been completed.

7. CONTACT OFFICERS AND BACKGROUND DOCUMENTS

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

Jyotsna Leney (Health wellbeing and Partnerships Senior Specialist)
Telephone: 01303 853460
Email: jyotsna.leney@folkestone-hythe.gov.uk

The following background documents have been relied upon in the preparation of this report: None.

Appendices:

Appendix 1 - Children, Young People and Vulnerable Adults Safeguarding Policy

Children, Young People and Vulnerable Adults Safeguarding Policy

Public Version

Date:	October 2023
To Be Reviewed:	October 2025
Contact Name:	Folkestone and Hythe District Council
Telephone:	01303 853 000

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Foreword

The safeguarding of children, young people and vulnerable adults is of paramount importance. The Council is required to review its Safeguarding Policy to ensure its arrangements adequately reflect statutory responsibilities and the additional requirements currently being placed on it, and that these are being fully considered in the approach being taken to protect people from abuse and harm.

We are therefore pleased to introduce this revised Safeguarding Policy which aims to outline the responsibilities of the Council, and how they dovetail with other agencies, to safeguard vulnerable children and adults with care and support needs from abuse and harm. The policy also reflects new responsibilities for District Councils since the last review.

We believe that everyone has the right to be safe from harm, deserves the opportunity to fulfil their full potential and to have their rights and choices protected, and as such this Safeguarding Policy is the Council's commitment to this and to meet our statutory obligations on Safeguarding.

Susan Priest
Chief Executive

Cllr Jim Martin
Leader of the Council

1. Executive Summary

- 1.1** This overarching Safeguarding Policy aims to ensure that a consistent approach to safeguarding exists across all Council functions. It outlines key roles and responsibilities of individual officers and elected members to embed safeguarding policies, practices and procedures to ensure the Council meets the requirements of these additional responsibilities.
- 1.2** In carrying out these duties the Council works in partnership with other agencies that have a role to play in relation to the welfare of its residents, aiming to ensure they are protected against abuse, neglect and exploitation.
- 1.3** In recent years, safeguarding duties placed on the Council have been extended beyond safeguarding children and vulnerable adults to encompass domestic abuse and violence, Prevent and counter-terrorism, trauma informed practice, and other areas of responsibility, as set out in Section 4.0.
- 1.4** More recently, the council has had to respond to requirements to address a number of current safeguarding incidents around Domestic Homicide Reviews, and other multi-agency reviews on adult safeguarding incidents, including input to the format and protocols around the management of these reviews. This policy sets out the Council's responsibilities towards safeguarding reviews.
- 1.5** Where there have been requirements to address additional training needs following audits or changes in practice, these are also highlighted, for example care leaver requirements and the application of the Mental Capacity Act etc.
- 1.6** The council has also participated in statutory safeguarding audits, including Section 11 self-assessments for child safeguarding led by the [KSCMP](#) (Kent Safeguarding Children's Multi Agency Partnership), Self-Assessments for Adult Safeguarding led by the [KMSAB](#) (Kent & Medway Adult Safeguarding Board), as well as the KMSAB yearly Agency Template which requires the Council to show how it is meeting the priorities of the KMSAB, and in particular requires evidence of strong partnership working across all safeguarding matters.

2. Policy Statement

- 2.1** Folkestone & Hythe District Council (The Council) is committed to working in partnership with others to safeguard its residents from all forms of abuse and neglect. The Council will raise awareness of safeguarding issues to ensure that the needs and interests of children, young people and vulnerable adults are incumbent in decision making processes and through service provision.
- 2.2** This Policy aims to ensure that an overarching approach to safeguarding is embedded within all Council services and that staff, elected members, volunteers and those delivering contracts on behalf of the Council

understand their role and responsibilities in supporting all residents to live a life free from abuse, neglect, exploitation and intimidation.

- 2.3 The Council will create an environment where staff, volunteers and elected members are adequately trained and encouraged to think of safeguarding as being their responsibility, understanding the need for them to play a full and active part in the delivery of the Council's response. External training providers will be used to deliver training where necessary.
- 2.4 The Council works in partnership with the [KMSAB](#) and [KSCMP](#) to ensure its practices meet the statutory requirements as set out in key legislation and guidance documents, including [Working Together to Safeguarding Children \(2018\)](#) and the [Care Act \(2014\)](#). The Council will ensure that its Policy complies with all relevant legislation, a summary of which is listed in Appendix 5.
- 2.5 The structure of the Boards are set out at the links provided above, but of paramount importance is the role of key statutory agencies. For example, for child safeguarding the responsible authorities are the police, health, and the Local Authority (KCC). All other agencies including the District Council are part of the wider safeguarding partnership. Appendix 5 sets out the legislation and guidance that all agency partners are required to adhere to.

3. Effective Information Sharing

- 3.1 Better defined statutory provisions for information exchange are set out in [Working Together to Safeguard Children \(2018\)](#). This guidance provides information sharing advice for practitioners providing safeguarding services to children, young people, parents and carers. It is also specifically for all frontline practitioners and senior managers working in child and/or family services who have to make decisions about sharing personal information on a case by case basis. This simplifies current legislation and guidance and dispels common information sharing myths. Appendix 3 sets out the 'Myth-Busting Guide to information sharing'.
- 3.2 When there is a reasonable cause to believe that a person or persons may be suffering or may be at risk of suffering significant harm, consideration will always be given to referring these concerns to Kent County Council Children's or Adult Social Care departments (as appropriate) and/or the relevant emergency service.
- 3.3 Information about children, young people, families and vulnerable adults will be shared appropriately, and always in accordance with the Kent and Medway Information Sharing Protocols, which can be found at: <https://www.kelsi.org.uk/school-management/data-and-reporting/access-to-information/information-sharing>

4. Scope of Policy

It is the responsibility of the Council to observe the requirements of this Safeguarding Policy. The policy provides the Council and its staff, members and volunteers with information and guidance on how to meet our statutory

obligations with regards to safeguarding, and how to report concerns (see Appendix 7 for details of our reporting procedures)

4.1 Safeguarding and Promoting the Welfare of Children and Young People

This encompasses the protection and welfare of children under the age of 18 (including unborn babies) and statemented ('vulnerable') young people under the age of 25, and those particularly vulnerable due to disabilities. It also incorporates the additional aims of preventing the impairment of children's health and development; ensuring they grow up in circumstances consistent with the provision of safe and effective care. Details of the responsibilities for Councils are set out in [Working Together to Safeguard Children \(2018\)](#). For definitions of types of abuse and neglect (e.g. Female Genital Mutilation, Grooming, Child Sexual Exploitation, etc) please see Appendix 4.

4.2 Safeguarding and Promoting the Welfare of Adults

This encompasses the protection from harm or neglect of a person aged 18 and over who may need community care services due to a disability, age or illness, who cannot take care of, or protect themselves from significant harm or exploitation. Adults with care and support needs should be supported in maintaining control over their lives and to make informed choices without coercion. Details of responsibilities for Councils are set out in the [Care Act \(2014\)](#). For definitions of types of abuse and neglect (e.g. Domestic Abuse, Hoarding, Financial Exploitation etc) please see Appendix 4.

4.3 Mental Health

A key consideration when addressing safeguarding is the mental and emotional wellbeing of vulnerable people. Mental and physical wellbeing is championed at various partnership boards and meetings for both children and adults. Safeguarding concerns often require input or referrals to mental health teams. The Council works across many partnerships, such as the Local Children's Partnership Group (LCPG), Integrated Care Partnership (ICP) for integrated health care services, the Community Safety Partnership (CSP) and Community Safety Unit (CSU). See also Section 7 for further details of these partners.

The council is required to be aware of the [Mental Capacity Act \(2005\)](#) and [DoLS \(Deprivation of Liberty Safeguards\)](#) which addresses decision making for those who are incapacitated in some way.

There has been increasing awareness around mental health and a rise in threats of suicide and suicide rates in the County. Some Council staff have been trained on how to deal with threats of suicide. Mental Health services and other support services are now outlined in a guide to staff available on the intranet (Appendix 2 lists a number of these support services). Training is discussed in more detail in Section 6.

4.4 Partnership Working

This policy advocates the need to work in partnership on a wide range of other issues that impact the safeguarding of vulnerable people, including online safety, trauma informed practice, contextual safeguarding concepts

(including participation in the District Contextual Safeguarding Meeting), and wider work involving the Community Safety Partnership and Local Children's Partnership Group (see Section 7 for further details). However, there are other key issues that form the scope of this policy, as set out below.

4.5 Safeguarding people with disabilities and special needs

Children and young people and adults with disabilities are particularly at risk of abuse, and therefore it is crucial that professionals ensure that this group is protected through good safeguarding processes. It is recognised that the Council will do all that is necessary to ensure that this group is supported should safeguarding concerns arise by liaising with appropriate partners (e.g. Kent Children's Social Care and Adult Services).

Because people with disabilities and special needs are particularly vulnerable every effort will be made to safeguard these groups, working with relevant agencies as appropriate when any safeguarding concerns present themselves. This policy is subject to an Equality Impact Assessment which covers these groups.

4.6 Care leaver requirements

The requirement to promote and safeguard the welfare of care leavers is set out in the Children and Social Work Act (2017) and in a [Kent-wide strategy document](#).

Folkestone & Hythe District Council recognise that care leavers require specific support and guidance as they leave their caring arrangements. The District Council offers [council tax support for care leavers](#) and a package of additional support is currently in development. However KCC, who have the overall responsibility for children in care and care leavers has detailed support and guidance at <https://www.kent.gov.uk/social-care-and-health/children-in-care/care-leavers-local-offer>.

4.7 Making Safeguarding Personal

The Council will undertake a person centred approach and endeavour to work sympathetically with any person requiring safeguarding support. This includes listening to the voice of the child and voice of the adult, taking into account their wishes (as far as possible). It has been possible to demonstrate some of this feedback through the safeguarding audits that the Council participates in.

KMSAB have [further information](#) relating to Making Safeguarding Personal.

4.8 Trauma Informed Practice
Adverse Childhood Experiences (ACE) and Trauma Informed Practices i.e. ensuring trauma experienced in early life is acknowledged in practice are now taken into account by practitioners when addressing safeguarding and other behavioural problems faced by

So What?

ACEs impact a child's development, their relationship with others and increase the risk of engaging in health-harming behaviours and experiencing poorer mental and physical health outcomes in adulthood. Compared with people with no ACEs, those with 4+ ACEs are:



individuals. Typically 9% of the population experience four or more ACEs, and about 47% experience one.

The important point is that even if adversity is suffered, longer term negative outcomes are preventable if the trauma experienced is properly supported and the voice of the child and the adult is heard. KCC have [further resources](#) on this subject on their [SPACE Matters](#) (Supporting People with Adverse Childhood Experiences) website.

4.9 Hoarding and Neglect Policy

The Kent and Medway Adult Safeguarding Board (KMSAB) has a [policy for dealing with hoarding and self-neglect cases](#). This outlines to all partner agencies the procedure for identifying and working with individuals who self-neglect or demonstrate hoarding behaviour which puts the individuals or others at risk of harm. FHDC's own Hoarding Co-ordinators carry out crucial work intervening and providing support for individuals within the district.

4.10 Domestic Abuse and Violence

Domestic abuse is defined as any incident or pattern of incidents of controlling, coercive or threatening behaviour, violence or abuse between those aged 16 or over who are or have been intimate partners or family members regardless of gender or sexuality. Types of domestic abuse are set out in Appendix 4. Domestic abuse has a significant impact on children and young people. Children may experience domestic abuse directly, as victims, or indirectly due to the impact of abuse on others, such as the non-abusive parent.

Further details on the legislation around this can be found at Section 2 and Appendix 5 of this policy.

4.11 Prevent

Prevent is a Government strategy led by the Home Office and focuses on working with individuals and communities who may be vulnerable to the threat of violent extremism and terrorism. Supporting vulnerable individuals and reducing the threat from violent extremism in local communities is priority for statutory partners and their partners. Schedule 6 of the Counter Terrorism and Security Act 2015 lists District councils as one of the "specified authorities" in England that are to have a duty to address Prevent and to have "due regard to the need to prevent people from being drawn into terrorism", in the exercise of their functions.

Prevent is a key priority for the Folkestone and Hythe Community Safety Partnership (CSP) who update the Prevent action plan for the district (see Appendix 2 for further details on how to make a Prevent referral).

4.12 Modern Day Slavery (MDS)

Modern slavery encompasses slavery, human trafficking, forced labour, and domestic servitude. It is an international crime involving a number of source and transit countries. Modern slavery involves the recruitment, transportation, transfer, harbouring or receipt of people who, with the threat or use of force, coercion, abduction, abuse of power or deception are exploited for the purposes of prostitution, forced labour, slavery or other similar practices. Victims are trafficked all over the world, including in and around the UK.

Under the Modern Slavery Act 2015 Duty to notify and National Referral Mechanism (NRM) was introduced. Under this Act, local authorities have a duty to notify the Home Office of any individual encountered in England and Wales who they believe is a suspected victim of slavery or human trafficking.

As a first responder the Council will respond to any concerns that are raised where MDS is suspected. Staff are required to undergo relevant training. The Council are considering the development of a Modern Day Slavery statement. MDS is a key priority for the CSP.

4.13 Local Authority Designated Officer Role and People in Positions of Trust

Information about the LADO function for children is set out at <https://www.kscmp.org.uk/procedures/local-authority-designated-officer-lado>. Where there is a suspicion of a member of staff having acted inappropriately with children or young people the requirement to investigate could result in a referral to the KCC LADO service. This ensures that children are protected and that the individual is dealt with appropriately, including informing the DBS if required. The Safeguarding Lead and HR should be notified prior to making a LADO referral.

KMSAB partner agencies are required to have their own policy and procedures in place for responding to concerns against any person who works with adults in positions of trust (in either paid or unpaid capacity) in line with the Care Act 2014.

This also applies to all organisations commissioned to provide services by them, so they respond appropriately to allegations made. The Council will use its existing disciplinary processes to address such allegations. KMSAB have further information on the requirements for [People in Positions of Trust \(PiPoT\)](#). Furthermore, the council has a whistleblowing policy which is widely available to staff should a requirement to report present itself.

4.14 Serious Case Reviews including Domestic Homicide Reviews

From time to time the Council is required to participate in serious case reviews. This is very rare and generally has only applied to any information the council may hold in relation to a Safeguarding Adult Review (SAR). However, the council could be required to participate in Domestic Homicide Reviews, Child Death Overview Panels, and deep dive audits on these matters.

The KMSAB have asked the Council to put in place a process for managing SARs. This process is shown at appendix 6 with accompanying flowchart.

5. Folkestone & Hythe District Council's approach to implementing the Policy

- 5.1** Whilst other partnerships and organisations, as referred to in section 6 of this Policy, have roles in co-ordinating and ensuring the effectiveness of the Council's work to safeguard and promote the welfare of children and adults with care and support needs, they are not accountable for the Council's

operational work. The Council retains its own lines of accountability for safeguarding and promoting the welfare of children and adults with care and support needs through its own service delivery and provision. The Council does work in close partnership through for example the Community Safety Partnership (CSP) to meet requirements as a multi-agency approach is often required to deal with issues.

- 5.2** All staff, volunteers and elected members are to ensure they familiarise themselves with the Council's Safeguarding Policy, and participate in training that they are required to undertake, including all mandatory courses, to ensure they are able to recognise the varying forms of abuse and report any concerns, incidents or allegations as appropriate. See section 6 for more information about training.
- 5.3** All staff, volunteers and elected members are subject to safer recruitment processes. Depending on an individual's job role, and their involvement in safeguarding work, the Council will ensure that the relevant level of DBS check is undertaken, including renewal when required.
- 5.4** Guidance for staff on how to report a safeguarding concern is set out on the staff intranet. Members of the public with a safeguarding concern should report it directly to KCC Social Services as set out in section 5.5 and Appendix 2.

5.5 Making Referrals

Kent County Council now operates an Integrated Front Door Service through which support for children, young people and families requiring intensive or specialist support can be accessed. To access this support on behalf of residents, appropriate staff at Folkestone and Hythe District Council, including Designated Officers (DOs), submit referrals to the relevant KCC teams via an [online form](#), or by contacting social.services@kent.gov.uk or 0300 041 1008 for Early Help. Details of the process are available on the [KELSI website](#).

Where adults are concerned, the [Kent Adult Safeguarding online form](#) is used.

5.6 Escalation policy

If a partner(s) is deemed not to be supporting / carrying safeguarding functions appropriately these can be flagged through the [KMSAB escalation policy](#) for adult safeguarding or the [KSCMP escalation policy](#) for child safeguarding. Where DOs or other staff are unsure of decisions taken by key partners these can be flagged through this escalation route.

5.7 Procurement and working with Contractors

It is the responsibility of staff and elected members to consider safeguarding implications in their decision-making processes, including the procurement of services.

- 5.8** All external organisations and contractors providing services to the Council are required to comply with the Council's Safeguarding Policy as a minimum standard. Where relevant, they should have their own safeguarding policy and procedures in place.

5.9 Key safeguarding roles

Whilst safeguarding is the responsibility of all Council staff, volunteers, elected members and contractors, there are a number of safeguarding roles within the Council with specific responsibilities briefly set out below:

Role	Key Responsibilities
Executive Lead	<ul style="list-style-type: none"> • Raise the profile of safeguarding, support the Policy and promote the development of initiatives to ensure the protection of residents within the district. • Allocate resources to enable the Council to meet its responsibilities. • Scrutinise and authorise relevant reports and plans.
Designated Safeguarding Lead	<ul style="list-style-type: none"> • Development of Policy, issuing operational guidance, promoting good practice and making policy recommendations to Council. • Submit progress reports to Corporate Management Team and relevant Committees to ensure that the Council's Safeguarding Policy is being met. • Make a referral to KCC's Local Authority Designated Officer (LADO) for child safeguarding as appropriate and work with HR services as appropriate. • Ensure that action taken is coordinated and monitored. • Provision of audit returns as appropriate, e.g. KMSAB annual agency template, participation in County wide groups and coordination of any serious case review work.
Designated Staff for Safeguarding	<ul style="list-style-type: none"> • Support the implementation of key safeguarding activities. • Support the work on audits for submission to the Kent Safeguarding Children Multi-Agency Partnership (KSCMP) and KMSAB audits. • Support and advise the Council's contractors, leaseholders and grant recipients on the development of safeguarding policies, where necessary. • Handle safeguarding concerns reported to them by colleagues as having arisen in their respective lines of duty, including making referrals to the KSCMP or the KMSAB, as appropriate. • Participate in support networks for the DOs.
Elected Members, Cabinet Member for Communities (Portfolio Holder)	<ul style="list-style-type: none"> • Leader of the Council to nominate Cabinet Member lead for safeguarding. • Scrutinise the Council's Safeguarding Policy and endorse safeguarding reports to relevant Committees.

	<ul style="list-style-type: none"> • Portfolio Holder with responsibility for safeguarding will act as the Council's safeguarding champion. • Training to be undertaken as necessary.
Directors /Managers	<ul style="list-style-type: none"> • Make staff aware of their duty to report any allegations or suspicions of abuse to a DO and the procedure for doing so. • Operate safe recruitment practices and routinely take up and check references. • Adhere to and operate within the Council's Whistleblowing Policy (part of anti-fraud and corruption framework) and support staff who raise concerns. • Ensure all staff receive training in safeguarding consistent with their job roles and responsibilities. • Monitor compliance with Council's Safeguarding Policy with contractors, leaseholders and grant recipients as appropriate.

6. Training

- 6.1** The level of safeguarding training required to be undertaken by members, staff, volunteers or contracted service providers working for or on behalf of the council will reflect the likely level of contact and/or responsibility for children, young people or adults at risk associated with their role.
- 6.2** Category A – ad hoc contact in public places, would never be left alone with a child, young person or adult at risk. Staff in this category must complete mandatory eLearning covering both adult and child safeguarding, as well as Prevent.
- 6.3** Category B – the likelihood of coming into contact with 0-18 year olds, young people, or adults at risk through the nature of the role and could be exposed to lone contact, but no responsibility for supervision. Staff in this category must complete the mandatory eLearning, and additionally should receive more comprehensive training covering both adult and child safeguarding, as well as training focussed on topics relevant to their role. Staff within this category will also be required to have a basic DBS check.
- 6.4** Category C – responsibility for supervision of 0-18 year olds, young people or adults at risk as part of their role. This category would include all Designated Safeguarding Officers. In addition to the Category A and B training, these staff should complete higher level safeguarding training, either in person or through eLearning provided by KSCMP. Staff within this category will also be required to have an enhanced DBS check.
- 6.5** Any specific individual safeguarding training requirements will also be highlighted through the staff appraisal process and fed-back to the Learning and Development Officer.

7. Working Together: Key Partnerships and their roles

7.1 The Council will work with other agencies to prevent the abuse of its residents in all its forms.

7.2 Kent Safeguarding Children Multi-Agency Partnership (KSCMP)

[KSCMP](#) has a wide range of responsibilities, including the development and review of procedures to protect children; the provision of training for staff and volunteers who work with children; reviewing the death of all children to find out what lessons can be learnt to safeguard other children and raising public awareness of safeguarding.

The Council is required to participate in a statutory Section 11 audit on child safeguarding for KSCMP every two years. This requires a full assessment of the inputs made by partnerships and internal council teams and officers on themed subject areas, and is a substantial piece of work. The Council is required to satisfy KSCMP that it is meeting all elements of the assessment satisfactorily, and if not an action plan to complete any outstanding work is required.

The aim of the Partnership is to improve outcomes for children by co-ordinating the work of local agencies to safeguard and promote the welfare of children and ensuring the effectiveness of that work.

7.3 Kent and Medway Safeguarding Adults Board

The Kent and Medway Safeguarding Adults Board ([KMSAB](#)) is a statutory service which exists to make sure that all member agencies are working together to help keep Kent and Medway's adults safe from harm and protect their rights.

The aim of KMSAB is to promote and develop effective protection systems for vulnerable adults across a wide range of agencies and where preventative strategies fail to ensure professionals are equipped to deal with incidents.

The KMSAB is the main forum for making sure that we keep safe those adults with care and support needs who are at risk of abuse and neglect and unable to protect themselves. The Care Act 2014 places a duty on the Council to cooperate with the KMSAB.

KMSAB also assess how well the council is meeting its adult safeguarding responsibilities through a series of audits and annual reports. The Council is required to satisfy KMSAB that it is meeting all elements of the assessment satisfactorily, and if not an action plan to complete any outstanding work is required.

7.4 Folkestone and Hythe [Community Safety Partnership](#)

The Crime and Disorder Act 1998 (as amended) placed a duty on local authorities and the Police to form a local partnership and cooperate in the development and implementation of a strategy for tackling crime and disorder in the area. This local partnership is known as the Folkestone and Hythe Community Safety Partnership (CSP), of which the Council is a lead member.

The Partnership is a multi-agency forum which brings together responsible authorities as set out in the Crime and Disorder Act 1998 and other relevant legislation to work to reduce crime and improve community safety. The CSP also acts as the formal body to meet the requirements of the Act and it is also a statutory requirement for the Partnership to work with Kent County Council to undertake a multi-agency Domestic Homicide Review (DHR) following a domestic homicide to identify what needs to change to reduce the risk of further incidents, as well as other requirements. DHRs now include cases of suicide.

The CSP's work is very wide ranging and includes activity relating to Prevent, MDS, Domestic Abuse, County Lines, Cuckooing, Violent Crime, and Online Safety as well as approaches to managing complaints and situations that could require contextual safeguarding approaches and participation in District Vulnerability Panel meetings.

7.5 Folkestone and Hythe [Local Children's Partnership Group](#)

The KCC led LCPG for Folkestone and Hythe District has three key priorities that cut across a number of safeguarding principles:

- Children And Young People Are Supported To Develop Well So They Can Positively Engage in Learning
- Building Strong Families
- Children and Young People Feel Safe

The group works across a range of partners including schools, Children's Centres, Health Visiting Service, Police, and F&HDC amongst others.

7.6 Kent County Council

Kent County Council is one of the three local strategic partners and has responsibilities as the Children's Social Care Services Lead and the Adult Social Care Services Lead for Kent.

All safeguarding concerns, incidents and allegations regarding the welfare of a child or adult with care and support needs will be reported using the relevant referral mechanisms. Relevant officers at Kent County Council are responsible for coordinating any investigation. Allegations against staff are dealt with by the Local Authority Designated Officers (LADO) at KCC (see Appendix 2). The District Council will always liaise with the LADO on any such concerns as necessary, including disclosures to the DBS where applicable while following all relevant reporting lines.

7.7 Kent Police

Kent Police (also a local strategic partner) has an essential role in protecting children, young people and adults with care and support needs from abuse and are under a legal duty to carry out their functions 'having regard to' (taking account of) the need to protect and promote the welfare of these groups.

Section 11 of the Children Act 2004 states that Police and Crime Commissioners (formally police authorities) and the Chief Officer of each Police force in England must make sure that they protect and promote the welfare of children. This means that, while officers that lead on child abuse investigations have a critical role to play in child safeguarding, it is not just down to them - it is a basic part of the duties of all Police Officers.

As well as their duty to investigate criminal offences, Kent Police have emergency powers to enter premises and make sure they can provide immediate protection for children and adults with care and support needs believed to be suffering, or likely to suffer, significant harm.

7.8 Health Services

As a strategic partner Health have a critical role to play, and local links with health partnerships, mental health services etc. as well as links with partnerships such as LCPG, CSP and CSU enables cross flow of information.

In recent years the health service have improved their practices, and for example where children have not been taken to GP appointments these are recorded differently (i.e. instead of missed appointments it is recorded that the child/ young person was not brought to the appointment by their parent/ carer).

7.9 Additional Council Functions

There are a number of specific Council functions that also require a robust understanding of safeguarding approaches. These include the Council's Homelessness service, Private Sector Housing service, and Lifeline as key service areas.

7.10 The contact details for key agencies and organisations can be found in Appendix 2: Lead Agencies - Essential Contact, though this is not an exhaustive list.

8. Conclusion

8.1 This policy provides the framework for the Council to meet its statutory safeguarding responsibilities. It provides the latest information on the legislation, reporting mechanisms and staff responsibilities, enabling the wellbeing of vulnerable people to be safeguarded.

**Designated (Safeguarding) Officer Contacts (as of August 2023)
(Personal information redacted)**

Name	Fixed Line No.	Email

APPENDIX 2:

Lead Agencies - Essential Contacts (This list is not comprehensive but covers key organisations)

Kent Safeguarding Children Multi-Agency Partnership (KSCMP)

Email: kscmp@kent.gov.uk
<https://www.kscmp.org.uk/>

Kent and Medway Safeguarding Adults Board (KMSAB)

Email: KMSAB@kent.gov.uk
<https://www.kmsab.org.uk/>

Kent Social Services

Child Safeguarding
Tel: 03000 41 41 11
Email: social.services@kent.gov.uk

Adult Safeguarding
Tel: 03000 41 61 61
Email: social.services@kent.gov.uk
Or complete the [online form](#)

Out of Hours for Child or Adult
Tel: 03000 41 91 91

Police

Emergency – Tel: 999
Non-emergency – Tel: 101

PREVENT (Radicalisation)

Email: prevent@kent.gov.uk

Immediate Threat: Tel: 999

[Report radicalisation or extremism \(Prevent\) - Kent County Council](#)

Operation Willow (Child Sexual Exploitation)

Tel: 101 – Combined Safeguarding Team
'Say Something Helpline': 116 000 (for anonymous reporting)

LADO (Allegations against staff)

County LADO Service
Tel: 03000 410 888
Email: kentchildrenslado@kent.gov.uk
[Online LADO referral form](#)

Mental Health / General Wellbeing

Shepway Community Mental Health Team

The Shepway Community Mental Health team provides support and treatment in the community to adults between the ages of 18-65 who are experiencing a mental illness. The team includes psychiatrists, community mental health nurses, occupational therapists, psychological services and support staff. The team also works in partnership with social care.

Tel: 01303 227510

<https://www.kmpt.nhs.uk/our-services/shepway-community-mental-health-team/>

Release the Pressure

Phone 0800 107 0160 for free confidential support at any time.

Free expert advice from trained counsellors is available for every mental health concern, including anxiety; depression; low self-esteem; money worries; relationship troubles; stress; suicidal thoughts.

Live Well Kent

Free mental health support for children and young people.

Tel: 0800 567 7699

Or complete the online form at: <https://livewellkent.org.uk/how-to-get-help/>

Samaritans

Tel: 116 123 (free phone number)

Alternative no. 03300 945 717

Web: www.samaritans.org

Address: Samaritans House, 9 Cambridge Gardens, Folkestone CT20 1DB

Safe Haven

For those experiencing a non-emergency deterioration in mental health

Tel: 07827 533 871

Email: folkestone.haven@hestia.org

Domestic Abuse

Clarion now operates a phone line for professionals to get advice on domestic abuse concerns: 07745 207 247

Clarion support for individuals experiencing domestic abuse: 0800 2889 092 or 0737 663 7069

One Stop Shop for advice and support for domestic abuse.

Tel: 07375 261 215

Address: Early Years Centre, Dover Road, Folkestone, CT20 1QF

Support Service Guide

In addition, all staff have access to a safeguarding support services guide This guide facilitates frontline staff in signposting customers/service users to relevant services available in the local community, as appropriate.

Myth-busting Guide to Information Sharing (Source: [Working Together to Safeguard Children 2018](#))

Myth-busting guide to Information Sharing

Sharing information enables practitioners and agencies to identify and provide appropriate services that safeguard and promote the welfare of children. Below are common myths that may hinder effective information sharing.

Data protection legislation is a barrier to sharing information

No – the Data Protection Act 2018 and GDPR do not prohibit the collection and sharing of personal information, but rather provide a framework to ensure that personal information is shared appropriately. In particular, the Data Protection Act 2018 balances the rights of the information subject (the individual whom the information is about) and the possible need to share information about them.

Consent is always needed to share personal information

No – you **do not** necessarily need consent to share personal information. Wherever possible, you should seek consent and be open and honest with the individual from the outset as to why, what, how and with whom, their information will be shared. You should seek consent where an individual may not expect their information to be passed on. When you gain consent to share information, it must be explicit, and freely given. There may be some circumstances where it is not appropriate to seek consent, because the individual cannot give consent, or it is not reasonable to obtain consent, or because to gain consent would put a child's or young person's safety at risk.

Personal information collected by one organisation/agency cannot be disclosed to another

No – this is not the case, unless the information is to be used for a purpose incompatible with the purpose for which it was originally collected. In the case of children in need, or children at risk of significant harm, it is difficult to foresee circumstances where information law would be a barrier to sharing personal information with other practitioners.

The common law duty of confidence and the Human Rights Act 1998 prevent the sharing of personal information

No – this is not the case. In addition to the Data Protection Act 2018 and GDPR, practitioners need to balance the common law duty of confidence and the Human Rights Act 1998 against the effect on individuals or others of not sharing the information.

IT Systems are often a barrier to effective information sharing

No – IT systems, such as the Child Protection Information Sharing project (CP-IS), can be useful for information sharing. IT systems are most valuable when practitioners use the shared data to make more informed decisions about how to support and safeguard a child.

Glossary of Terms and Definitions

Abuse and neglect: forms of maltreatment. A person may abuse or neglect a child, young person or vulnerable adult by inflicting harm, or by failing to act to prevent harm, including failing to ensure that the standard of care adequately supports health or development. The table below sets out the main types of abuse and neglect for both children and adults.

Examples of Types of Abuse Impacting Children

Physical Abuse*	A form of abuse which may involve hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating or otherwise causing physical harm to a child. Physical harm may also be caused when a parent or carer fabricates the symptoms of, or deliberately induces, illness in a child.
Emotional Abuse*	The persistent emotional maltreatment of a child such as to cause severe and persistent adverse effects on the child's emotional development. It may involve conveying to a child that they are worthless or unloved, inadequate, or valued only insofar as they meet the needs of another person. It may include not giving the child opportunities to express their views, deliberately silencing them or 'making fun' of what they say or how they communicate. It may feature age or developmentally inappropriate expectations being imposed on children, for instance those beyond their developmental capability, impacts on learning and social interaction, and other forms of ill-treatment including bullying. Some level of emotional abuse is involved in all types of maltreatment of a child, though it may occur alone.
Sexual Abuse*	Involves forcing or enticing a child or young person to take part in sexual activities, not necessarily involving a high level of violence, whether or not the child is aware of what is happening. The activities may involve physical contact, or non-contact activities, such as production of or forcing children to watch sexual images, or grooming a child in preparation for abuse.
Neglect*	The persistent failure to meet a child's basic physical and/or psychological needs, likely to result in the serious impairment of the child's health or development. Neglect may occur during pregnancy as a result of maternal substance abuse. Once a child is born, neglect may involve a parent or carer failing to: a. provide adequate food, clothing and shelter (including exclusion from home or abandonment) b. protect a child from physical and emotional harm or danger c. ensure adequate supervision (including the use of inadequate caregivers) d. ensure access to appropriate medical care or treatment It may also include neglect of, or unresponsiveness to, a child's basic emotional needs.
Child Sexual Exploitation*	Child sexual exploitation is a form of child sexual abuse. It occurs where an individual or group takes advantage of an imbalance of power to coerce, manipulate or deceive a child or young person under the age of 18 into sexual activity (a) in exchange for something the victim needs or wants, and/or (b) for the financial advantage or increased status of the perpetrator or facilitator. The victim may have been sexually exploited even if the sexual activity appears consensual. Child sexual exploitation

	does not always involve physical contact; it can also occur through the use of technology.
Extremism* and radicalisation	Extremism goes beyond terrorism and includes people who target the vulnerable – including the young – by seeking to sow division between communities on the basis of race, faith or denomination; justify discrimination towards women and girls; persuade others that minorities are inferior; or argue against the primacy of democracy and the rule of law in our society. Extremism is defined in the Counter Extremism Strategy 2015 as the vocal or active opposition to our fundamental values, including the rule of law, individual liberty and the mutual respect and tolerance of different faiths and beliefs. Radicalisation is the process by which people come to support terrorism and extremist ideologies associated with terrorist groups, leading to terrorism.
Child Criminal Exploitation and Gangs*	As set out in the Serious Violence Strategy , published by the Home Office, where an individual or group takes advantage of an imbalance of power to coerce, control, manipulate or deceive a child or young person under the age of 18 into any criminal activity (a) in exchange for something the victim needs or wants, and/or (b) for the financial or other advantage of the perpetrator or facilitator and/or (c) through violence or the threat of violence. The victim may have been criminally exploited even if the activity appears consensual. Child criminal exploitation does not always involve physical contact; it can also occur through the use of technology.
Domestic Abuse*	Domestic abuse can encompass a wide range of behaviours and may be a single incident or a pattern of incidents. Domestic abuse is not limited to physical acts of violence or threatening behaviour, and can include emotional, psychological, controlling or coercive behaviour, sexual and/or economic abuse. Domestic abuse continues to be a prevalent risk factor identified through children social care assessments for children in need. Domestic abuse has a significant impact on children and young people. Children may experience domestic abuse directly, as victims in their own right, or indirectly due to the impact the abuse has on others such as the non-abusive parent.
Coercive or controlling behaviour*	Also known as coercive control, the use of control and coercion in relationships is a form of domestic abuse. Controlling behaviour can include acts designed to make a person subordinate or dependent on the perpetrator. Coercive behaviour is act(s) of assault, threats etc used to harm, punish or frighten the victim. This pattern of abuse creates high levels of anxiety and fear. This has a significant impact on children and young people.
Bullying and cyberbullying #	Bullying is behaviour that hurts someone else – such as name calling, hitting, pushing, spreading rumours, threatening or undermining someone. It can happen anywhere – at school, at home or online. It's usually repeated over a long period of time and can hurt a child both physically and emotionally. Bullying that happens online, using social networks, games and mobile phones, is often called cyberbullying. A child can feel like there's no escape because it can happen wherever they are, at any time of day or night
Online abuse #	Online abuse is any type of abuse that happens on the internet. It can happen across any device that's connected to the web, like computers, tablets and mobile phones. And it can happen anywhere online, including:

	<ul style="list-style-type: none"> • social media • text messages and messaging apps • emails • online chats • online gaming • live-streaming sites. <p>Children can be at risk of online abuse from people they know or from strangers. It might be part of other abuse which is taking place offline, like bullying or grooming, or the abuse might only happen online.</p>
Grooming #	<p>Grooming is when someone builds a relationship, trust and emotional connection with a child or young person so they can manipulate, exploit and abuse them.</p> <p>Children and young people who are groomed can be sexually abused, exploited or trafficked.</p> <p>Anybody can be a groomer, no matter their age, gender or race. Grooming can take place over a short or long period of time – from weeks to years. Groomers may also build a relationship with the young person's family or friends to make them seem trustworthy or authoritative.</p>
So-Called Honour Based Violence, including Female Genital Mutilation (FGM) and Forced Marriage # \$	<p>So- called honour-based violence (HBV) is the term used to refer to a collection of practices used predominantly to control the behaviour of women and girls within families or other social groups in order to protect supposed cultural and religious beliefs, values and social norms in the name of 'honour'. HBV incidents and crimes include specific types of offence, such as FGM and forced marriage, and acts which have long been criminalised, such as assault, rape and murder.</p> <p>Female genital mutilation (FGM) is the partial or total removal of external female genitalia for non-medical reasons. It's also known as female circumcision or cutting.</p> <p>Forced marriage is where one or both people do not (or in cases of people with learning disabilities, cannot) consent to the marriage and are pressured into it either physically, emotionally or psychologically. It is illegal in the UK. It is a form of domestic abuse and a serious abuse of human rights. In some cases people may be taken abroad without knowing they are to be married and on arrival their passport/travel documents may be taken to stop them returning to the UK.</p>
Child Trafficking and modern slavery #	<p>Child trafficking and modern slavery are child abuse. Many children and young people are trafficked into the UK from other countries like Vietnam, Albania and Romania. Children are also trafficked around the UK.</p>

*Taken from [Working Together to Safeguard Children \(2018\)](#)

Taken from NSPCC website: <https://www.nspcc.org.uk/what-is-child-abuse/types-of-abuse/>

\$ Taken from government website:

<https://www.gov.uk/government/publications/what-is-a-forced-marriage>

Examples of Types of Abuse Impacting Adults

Physical Abuse*	Including: assault; hitting; slapping; pushing; misuse of medication; restraint; inappropriate physical sanctions
Domestic Violence*	Any incident or pattern of incidents of controlling, coercive, threatening behaviour, violence or abuse between those aged 16 or over who are, or have been, intimate partners or family members, regardless of gender or sexuality. The abuse can encompass but is not limited to: psychological;

	physical; sexual; financial; emotional; so-called 'honour' based violence.
Sexual Abuse*	Including: rape; indecent exposure; sexual harassment; inappropriate looking or touching; sexual teasing or innuendo; sexual photography; subjection to pornography or witnessing sexual acts; sexual assault; sexual acts to which the adult has not consented or was pressured into consenting
Psychological Abuse*	Including: emotional abuse; threats of harm or abandonment; deprivation of contact; humiliation; blaming; controlling; intimidation; coercion; harassment; verbal abuse; cyber bullying; isolation; unreasonable or unjustified withdrawal of services or supportive networks
Financial or Material Abuse*	Including: theft; fraud; internet scamming; coercion in relation to an adult's financial affairs or arrangements, including in connection with wills, property, inheritance or financial transactions; the misuse or misappropriation of property, possessions or benefits
Modern Slavery*	Including: Slavery; human trafficking; forced labour and domestic servitude; traffickers and slave masters using whatever means they have at their disposal to coerce, deceive and force individuals into a life of abuse, servitude and inhumane treatment
Discriminatory Abuse*	Including forms of harassment; slurs or similar treatment because of race, gender, gender identity, age, disability, sexual orientation or religion
Organisational Abuse*	Including neglect and poor care practice within an institution or specific care setting such as a hospital or care home, for example, or in relation to care provided in one's own home. This may range from one off incidents to on-going ill-treatment It can be through neglect or poor professional practice as a result of the structure, policies, processes and practices within an organisation
Neglect and Acts of Omission*	Including: ignoring medical, emotional or physical care needs; failure to provide access to appropriate health, care and support or educational services; the withholding of the necessities of life, such as medication, adequate nutrition and heating
Self-Neglect*	This covers a wide range of behaviour neglecting to care for one's personal hygiene, health or surroundings, and includes behaviour such as hoarding. It should be noted that self-neglect may not prompt a Section42 enquiry. An assessment should be made on a case-by-case basis. A decision on whether a response is required under safeguarding will depend on the adult's ability to protect themselves by controlling their own behaviour. There may come a point when they are no longer able to do this without external support
Cuckooing	This is the term used to define situations where drug dealers take over the homes of vulnerable people to use as a base for dealing. Older people, those suffering from mental or physical health problems, female sex workers,

	single parents, people living in poverty, and people suffering from addiction are amongst the groups who become victims of cuckooing. Victims of cuckooing may be subjected to domestic abuse, sexual exploitation, financial abuse and violence, and in some cases may be forced to leave their homes, making themselves homeless
Modern Day Slavery (MDS) including Trafficking	Modern slavery is defined as the recruitment, movement, harbouring or receiving of children, women or men through the use of force, coercion, abuse of vulnerability, deception or other means for the purpose of exploitation. It is a crime under the Modern Slavery Act 2015 and includes holding a person in a position of slavery, servitude forced or compulsory labour, or facilitating their travel with the intention of exploiting them soon after.

Taken from the government guidance:

<https://www.gov.uk/government/publications/care-act-statutory-guidance/care-and-support-statutory-guidance>

Other Frequently Used Terms

Adult Social Care: County Council’s social care services for adults.

Channel Panel: Part of the Prevent Strategy, Channel is a programme which focuses on providing support at an early stage to people who are identified as being vulnerable to being drawn into terrorism. The programme uses a multi-agency approach to protect vulnerable people by: identifying individuals at risk; assessing the nature and extent of that risk; and developing the most appropriate support plan for the individuals concerned. The panel, which comprises statutory partners and the Channel Co-ordinator is chaired by the responsible local authority.

Child or young person is defined by the Children Act 1989 and Children Act 2004 to be anyone who has not yet reached their 18th birthday.

Child in Need: Under Section 17 of the Children Act 1989, a child whose vulnerability is such that they are unlikely to achieve or maintain a reasonable standard of health and development without the provision of services. This includes disabled children. The critical factors to be taken into account when deciding whether a child is in need under the Children Act 1989 are what will happen to the child’s health or development without services, and the likely effect the services will have on the child’s standard of health and development.

Child Protection is a key part of the safeguarding process and describes the activity that is undertaken to protect specific children who are identified as either suffering, or likely to suffer, significant harm as a result of abuse or neglect.

Children’s Social Care: a functional division within Kent County Council which provides support, protection and care services to children and their families.

Disclosure: A disclosure is the act or process of revealing, uncovering or sharing of information directly or indirectly.

Direct disclosure: a direct statement by the victim to another person that he/ she (the victim) is being or was abused.

Indirect disclosure: Making an experience of abuse known via means other than telling someone directly. Indirect disclosures may be made through behaviours, emotions, art, writing, appearance, inquiries, discussions about fears, concerns or relationships, indirect statements with conditions e.g. “Promise not to tell” and third-party statements e.g. “My friend’s parents hurt him every day.”

Domestic Homicide Review (DHR) is a statutory requirement for local authorities to undertake a multi-agency review following a domestic homicide or suicide to identify what needs to change to reduce the risk of further incidents.

Harm: Under Section 31(9) of the Children Act 1989 as amended by the Adoption and Children Act 2002, harm is defined as the ill-treatment or the impairment of health or development of another, including, for example, seeing or hearing the ill-treatment take place. Under the same piece of legislation health includes physical or mental health.

Ill-treatment: Under Section 31(9) of the Children Act 1989 as amended by the Adoption and Children Act 2002, ill-treatment includes physical or sexual abuse as well as forms of ill-treatment that are not physical.

Kent and Medway Safeguarding Adults Board (KMSAB)

See section 7 for more details.

Kent Safeguarding Children Multi-Agency Partnership (KSCMP): See section 7 for more details.

Serious Case Review: usually convened when a child either sustains a life-threatening injury or dies (including through suicide) and abuse or neglect are known or suspected to be a factor in the death. Serious Case Reviews are also usually conducted upon the death of a vulnerable adult as a consequence of harm or neglect and for whom the local authority (Kent County Council) had responsibility.

Significant Harm: The Children Act 1989 introduced the concept of significant harm as the threshold that justifies compulsory intervention in family life in the best interests of children. There are no absolute criteria on which to rely when judging what constitutes significant harm, however consideration of the severity of ill-treatment may take into account the degree and extent of physical harm; the duration and frequency of abuse and neglect; the extent of premeditation, and the presence or degree of threat, coercion, sadism and bizarre or unusual elements.

Terrorism: is defined in the Terrorism Act 2000 (TACT 2000) as an action that endangers or causes serious violence to a person or people, causes serious damage to property or seriously interferes or disrupts an electronic system. The use of threat must be designed to influence the government or to intimidate the public and is made for the purpose of political, religious or ideological gain.

Well-being: The meaning of well-being is encapsulated within Section 10 of the Children Act 2004 as children’s physical and mental health; protection from harm and neglect; education, training and recreation; contribution to society; and emotional, social and economic well-being.

Vulnerable adult: a person over the age of 18 years who may be in need of community care services (including health care) by reason of mental or other disability, age or illness, and who is or may be unable to take care of him or

herself or unable to protect him or herself against significant harm or exploitation (No Secrets 2000).

Legislative Framework

A summary of the relevant legislation is listed below, although it should be noted that this list is by no means exhaustive.

[Working Together to Safeguard Children \(2018\)](#) was substantially updated in December 2020 and set out structural requirements for the new multi-agency local safeguarding partnership arrangements. The legislation and Working Together require the three Safeguarding Partners to discharge a 'shared and equal duty' to safeguard and promote the welfare of children. An update to this document is due to come into effect late 2023/early 2024.

[Care Act \(2014\)](#)

Sets out a clear legal framework for how local authorities and other parts of the health and care system should protect adults at risk of abuse or neglect.

[Domestic Abuse Act 2021](#)

This Act provides further protection for people who experience domestic abuse (DA), as well as strengthening measures to tackle perpetrators of DA. It created a statutory definition of DA, established in law the Office of the Domestic Abuse Commissioner, and placed a duty on Local Authorities in England to provide accommodation based support to victims of DA and their children in refuges and other safe accommodation. Further useful information relating to the Act can be found at: <https://www.gov.uk/government/publications/domestic-abuse-bill-2020-factsheets/domestic-abuse-bill-2020-overarching-factsheet>.

[Domestic Violence, Crime and Victims Act \(2004\)](#) and **[Domestic Violence, Crime and Victims Act \(Amendment\) \(2012\)](#)**

The Domestic Violence, Crime and Victims (Amendment) Act 2012 extends the offence in section 5 of the 2004 Act to cover causing or allowing serious physical harm (equivalent to grievous bodily harm) to a child or vulnerable adult.

[The Online Safety Bill](#) is due to come into effect in 2024. This bill is a new set of laws to protect children and adults online. It will make social media companies more responsible for their users' safety on their platforms.

[Serious Violence Duty 2022](#) will require local authorities, police and other agencies to work together to formulate an analysis of the problems associated with serious violence in the local area and produce a strategy detailing how to respond to these issues.

[Mental Health Act \(2007\)](#)

Section 127(2) – Provides that it is an offence for any staff member of a hospital or mental nursing home or for any person to ill-treat or wilfully neglect a patient or person who is subject to his/her guardianship under this Act. It is also an offence for a guardian, or other person who has care of a mentally disordered person living in the community, to ill-treat or wilfully neglect that person.

[The Mental Capacity Act \(2005\)](#)

The five principles are outlined in the Section 1 of the Act. These are designed to protect people who lack capacity to make particular decisions, but also to maximise their ability to make decisions, or to participate in decision-making, as far as they are able to do so.

Modern Slavery Act (2015)

The act makes provision about slavery, servitude and forced or compulsory labour and about human trafficking, including provision for the protection of victims.

Counter Terrorism and Security Act (2015)

The Counter Terrorism and Security Act 2015 place duties on local authorities to ensure that publicly-owned premises are not used to disseminate extremist views.

Crime and Disorder Act 1998 (as amended)

This act brought into being the statutory requirement for Community Safety Partnerships, including the scope of the partnership and the responsible authorities amongst other duties.

Anti-social Behaviour, Crime and Policing Act (2014)

The Anti-Social Behaviour, Crime and Policing Act 2014, makes it a criminal offence to force someone to marry, and Forced Marriage is now a criminal offence punishable by law (16 June 2014).

Criminal Justice Act (2003)

Section 39 – Common Assault – Assault is defined as any physical contact without consent. It includes acts or words involving threats of violence. No physical evidence may be present. It includes assault and battery, which involve the threat of immediate violence and which are summary offences.

Serious Crime Act (2015)

The act outlaws causing emotional distress of children, regulate corrupt accountants and other businesses who assist criminal gangs, regulate “drug cutting agents”, and deal with offences related to female genital mutilation, paedophilia, and amend the Terrorism Act 2006.

Homelessness Act (2002)

Under Section 12 of the Homelessness Act 2002, as a housing authority, the Council is required to refer homeless persons with dependent children who are ineligible for homelessness assistance or are intentionally homeless, to Children’s Social Care, as long as the person consents. If homelessness persists, any child in the family could be in need. In such cases, if Children’s Social Care decides the child’s needs would be best met by helping the family to obtain accommodation, it can ask the Council for reasonable assistance in this.

Housing Act (1996)

Part VII – This Act places a duty on local authorities to provide accommodation for homeless people with a priority need, i.e. people who are vulnerable because of old age and homelessness, mental illness, learning and physically disability or other special reason.

Sections 145 & 149 – Provides a new ground for the granting of a possession order on the application of the local authority/housing association where a partner has left the dwelling because of violence or threats of violence by the other partner and the court is satisfied that the partner who has left is unlikely to return.

[The Allocation of Housing and Homelessness \(Eligibility\) and Immigration Control Regulations \(2022\)](#)

The 2022 amendment to this legislation ensures that victims of Human Trafficking or MDS are granted access to social housing and homelessness assistance.

[Safeguarding Vulnerable Groups Act \(2006\)](#)

Introduced the new vetting and barring scheme for those working with children and vulnerable adults in a paid or voluntary capacity. The Disclosure and Barring Service replaces the Criminal Records Bureau and the Independent Safeguarding Authority. The Disclosure and Barring Service process requests for criminal records checks; decide whether to place or remove an individual from a barred list; place or remove a person from the children's or adults barred lists for England, Wales and Northern Ireland.

[Children and Young Persons Act \(2008\)](#)

The purpose of the Act is to reform the statutory framework for the care system in England and Wales by implementing the proposals in the White Paper that require primary legislation. This forms part of the Government's programme to ensure children and young people receive high quality care and support. The Act also includes provisions in relation to well-being of children and young people, private fostering, child death notification to Local Safeguarding Children Boards and appropriate national authorities, the powers of the Secretary of State to conduct research and applications for the discharge of Emergency Protection Orders.

[Keeping Children Safe in Education \(2021\)](#)

[The Children Act \(2004\)](#)

Councils are defined in section 13(3) of the Children Act 2004 as partners on the Local Safeguarding Children Board. As a "Board partner", the Council has a duty to contribute to the effective work of the Board. As such, and under Working Together to Safeguard Children Guidance 2013, the Council has a legal obligation to complete a self-assessment, or audit, of its safeguarding activities around children.

[The Children Act \(1989\)](#)

The Children Act 1989 came into force in October 1991. It brought together legislation on caring for and protecting children and is still the framework for safeguarding children and promoting their welfare.

[Children and Social Work Act \(2017\)](#)

This Act also includes requirements to support Care Leavers.

[The Forced Marriage \(Civil Protection\) Act \(2007\)](#) makes provision for protecting children, young people and adults from being forced into marriage without their free and full consent.

[Sexual Offences Act \(2003\)](#)

In England, the legislation relating to Child Sexual Exploitation is covered under the Sexual Offences Act 2003. Girls and boys under the age of 16 cannot by law, consent to sexual intercourse and anyone engaging in sexual activity (as defined in The Sexual Offences Act 2003) with a child under the age of 16 is committing an offence. Children under 13 years of age cannot under any circumstances consent to sexual activity and specific offences, including rape, exist for child victims under this age.

Female Genital Mutilation Act (2003)

The Female Genital Mutilation Act 2003 came into force in March 2004. It introduced the issue of extra-territoriality, which makes it an offence for FGM to be performed anywhere in the world on UK nationals or UK permanent residents. The 2003 legislation also increased the penalty for aiding, abetting or counselling to procure FGM to 14 years imprisonment or a fine or both. Section 5B of the Act introduced a mandatory reporting duty which came into force in October 2015. Commonly known as the **FGM mandatory reporting duty**, it requires regulated health and social care professionals and teachers in England and Wales to report to the Police all 'known' cases of FGM in under 18s which they identify in the course of their professional work.

The Adoption and Children Act (2002)

This act replaces the Adoption Act 1976, updates the Children Act 1989 and modernises the existing legal framework for domestic and inter-country adoption in England and Wales.

The Protection of Children Act (1999)

Under this act, childcare organisations (defined as those that are concerned with the provision of accommodation, social services or health care services to children or the supervision of children) must make use of the Disclosure Service in their recruitment and reporting processes and urges other organisations working with children to also do so.

Data Protection Act (2018)

This act relates to recording information, including information about children. Under the act, personal information must be obtained fairly and processed lawfully. Information can only be shared in certain circumstances, and it has to be accurate, relevant and kept securely.

Equality Act (2010)

The Act makes it unlawful to discriminate against people on the basis of age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex; and sexual orientation.

The Human Rights Act (1998)

The Human Rights Act applies the European Convention on Human Rights to domestic law. Article 8, which covers respect for private and family life, limits state intervention in family life, which must be "in the interests of national security, public safety or the economic well-being of the country, for the prevention of disorder or crime, for the protection of health or morals, or for the protection of the rights and freedoms of others". This ensures that a child's right to protection overrides a family's right to privacy.

United Nations Convention on the Rights of the Child (1989)

This international agreement sets out the minimum standards for protecting children's rights and refers to all children up to the age of 18 years old. The principles and standards are binding on states that have ratified them. There are 54 articles: 40 give direct rights to children. The Convention defines the basic human rights of all children and specifies 14 basic rights.

Folkestone & Hythe District Council Safeguarding Adult Review Process

The Kent and Medway Safeguarding Adults Board (KMSAB) have a duty to carry out a [Safeguarding Adults Review \(SAR\)](#) when an adult at risk in Kent or Medway dies as a result of abuse or neglect, whether known or suspected, and there is concern that partner agencies could have worked more effectively to protect the adult. KMSAB must also arrange a SAR if the same circumstances apply where an adult is still alive but has experienced serious neglect or abuse.

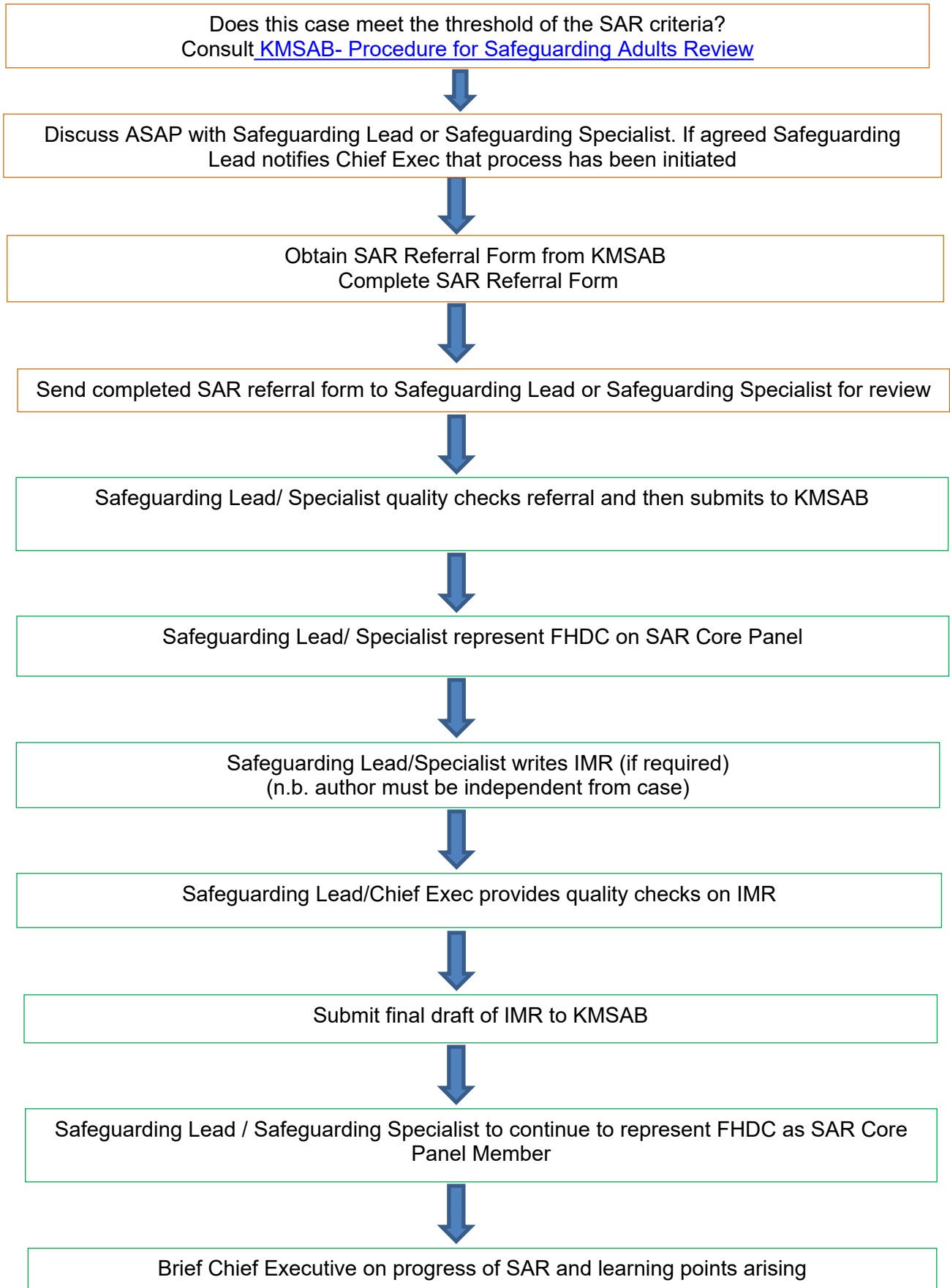
The current multi-agency SAR procedure states that any agency representative or professional must refer a case which is believed to meet the threshold of the SAR criteria. This document focuses on the internal SAR referral process for Folkestone & Hythe District Council (FHDC). Any individual member of staff can initiate this process when appropriate.

It is essential that FHDC internal process does not discourage, hinder or delay the statutory SAR processes.

Step	Detail	Lead Responsibility
1	Discuss potential SAR referral with Safeguarding Lead or Safeguarding Specialist to gain agreement to proceed*	FHDC staff
2	Email KMSAB@kent.gov.uk to request a safeguarding adults review form and complete the form.	FHDC staff
3	Send completed SAR referral form to Safeguarding Lead or Safeguarding Specialist	FHDC staff
4	Quality check referral and submit referral	Safeguarding Lead/ Safeguarding Specialist
5	Represent FHDC on SAR Core Panel (if required)	Safeguarding Lead/ Safeguarding Specialist
6	Outcome of SAR referral decision to be fed back to referrer	Safeguarding Lead/ Safeguarding Specialist
7	Write Independent Management Report (IMR) (if required)	Safeguarding Lead/ Safeguarding Specialist
8	Provide quality checks on IMR	Safeguarding Lead/ Chief Exec
9	Submit final IMR to the Safeguarding Adult Board	Safeguarding Lead/ Safeguarding Specialist
10	Continue to represent FHDC as SAR Core Panel Member	Safeguarding Lead/ Safeguarding Specialist
11	Brief Chief Exec on progress of SAR, and on any potential learning points to embed in FHDC practice	Safeguarding Lead

*If both Lead and Specialist are unavailable, a SAR referral should be made without waiting for their return.

SAR Referral Process Flowchart



Procedure for Members of the Public to Report a Safeguarding Concern

The procedure for members of the public is as follows:

If you have concerns about an adult, contact Adult Safeguarding on:

- Telephone: 03000 416161
- Email: social.services@kent.gov.uk

If you have concerns about a child, contact Children’s Safeguarding on:

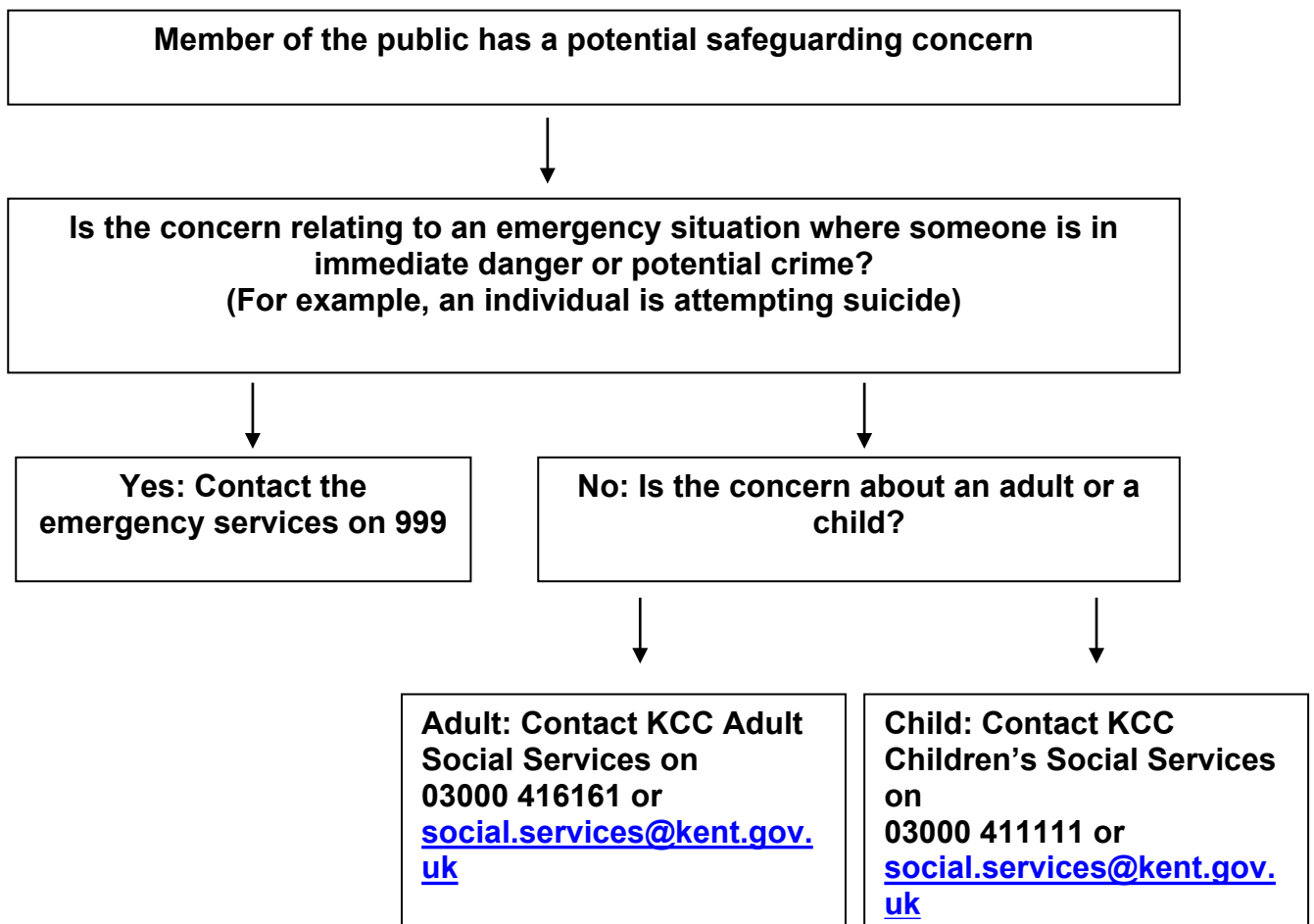
- Telephone: 03000 411111
- Email: social.services@kent.gov.uk

For out of hours contact:

- Telephone: 03000 419191

In an emergency, or if a crime is being committed, contact the emergency services on 999.

More information about reporting a concern can be found at:
<https://www.kent.gov.uk/social-care-and-health/report-abuse>



This Report will be made public on 16 January 2024



Report Number **A/23/21**

To: Full Council
Date: 24th January 2024
Status: Non-Key Decision
Responsible Officer: Susan Priest, Chief Executive

SUBJECT: REVIEW OF POLLING DISTRICTS AND POLLING PLACES 2023

SUMMARY: Section 18 of the Representation of the People Act 1983 (as amended by Part 4 of the Electoral Administration Act 2006) places a duty on the Council to conduct a review of polling places and polling districts every four years. The last review was concluded by Folkestone & Hythe District Council in September 2019. This report outlines the steps the Council is taking to comply with this duty and seeks approval from Council to approve the recommendations made in the latest review which concluded on 17 November 2023.

RECOMMENDATIONS:

1. To receive and note report A/23/21.
2. To adopt the recommendations as outlined in Appendix 2, with the implementation to coincide with the revision or alteration of the electoral register on 01 February 2024.

1. BACKGROUND

- 1.1 Local authorities are responsible for dividing their constituency into polling districts for UK Parliamentary elections. Polling districts, polling places and polling stations are kept under review to maintain electorate balance and the suitability of venue choices. There is a duty on the Council of the local authority to conduct a review at least once every four years. The compulsory review period started on 01 October 2023 and will end on 31 January 2025.
- 1.2 The last review concluded in September 2019, with the current set up of polling districts and stations proposed as final recommendations. The current review started on Monday 02 October 2023 and will conclude at the revision or alteration of the Electoral Register on Thursday 01 February 2024.
- 1.3 The length of the review process is not prescribed under legislation, provided that all points in the review schedule are covered and a suitable consultation period is planned to allow sufficient time for anyone wishing to submit their comments on matters are able to.
- 1.4 There are currently 62 polling districts, 53 polling places and 58 polling stations across the Folkestone & Hythe Parliamentary constituency.
- 1.5 In line with the Council's constitution, the responsibility of this review is with the Audit and Governance Committee. A presentation by the Democratic Services and Elections Lead Specialist on Wednesday 13 September 2023 outlined the details of this review and the importance of keeping to the regulations set by the Representation of the People Act 1983 and Electoral Administration Act 2006.
- 1.6 This review concentrates on the following elements of a parliamentary constituency:
 - 1.6.1 Polling district

A polling district is a geographical area created by the sub-division of a constituency, ward or division into smaller parts. The "administrative" boundary lines of a polling district can be changed, however the governed lines that form Parish, District and County wards/divisions can't be changed as part of this review.
 - 1.6.2 Polling place

A polling place is a building or geographical area in which a polling station is located. It is good practice to specify where a polling place is, as a building instead of an area to ensure there is a clear indication to electors within and outside of a polling district.
 - 1.6.3 Polling station

A polling station is the room or area within the polling place where voting takes place. Polling stations are chosen by the Returning Officer for each election, and not by the Council.

2. CONSULTATION

- 2.1 The consultation for this review began at the publishing of the review notice on Monday 02 October 2023. A notice was placed on the Parish, Town and District notice boards and on the website which was shared via Facebook and Twitter. A press release was also published to newspapers to invite representations.
- 2.2 In addition to a notice, over 900 authority contacts across community groups, organisations and professional bodies from the area were contacted directly to seek their views on the current set up of our polling places/stations. The following were also contacted:
- Damian Collins MP,
 - Kent County councillors for the Folkestone & Hythe area,
 - District councillors,
 - All Parish and Town councils and meetings,
 - All political parties that took part in the last local election; and
 - Susan Priest, the (Acting) Returning Officer for the Parliamentary constituency of Folkestone & Hythe area.
- 2.3 The Acting Returning Officer's representation, which included various proposals based on pre-requisite work carried out by the elections team, was also published on Monday 02 October 2023 on the website and was also available to view at the Civic Centre. Anyone could make comment on this representation up until Friday 17 November 2023.
- 2.4 General representations from the public, and those people, organisations and charities personally invited had until Friday 17 November 2023 as well, to submit their views to the Democratic Services and Elections Lead Specialist. The representations and comments that were received in time can be found in Appendix 3 of this report.

3. REVIEW SCHEDULE

- 3.1 Legislation sets a specific review schedule that must be adhered to, I am happy to confirm that Folkestone & Hythe DC have conducted this review within these obligations.
- 3.2 The review timetable, against the guidelines set by legislation is below for your information:

Notice of Review published & start of consultation	Monday 02 October 2023
Acting Returning Officer's representation published	Monday 02 October 2023
Submission of Representation deadline	Friday 17 November 2023
Submission of Comments on ARO statement deadline	Friday 17 November 2023
Proposals submitted to Audit & Governance Committee	Wednesday 06 December 2023
Recommendations reported to Full Council	Wednesday 24 January 2024
Revised Electoral Register published with changes (if any)	Thursday 01 February 2024

3. REVIEW

- 4.1 A total of 11 representations and 13 comments on the Acting Returning Officer's representation were received during the consultation period. Each representation was used to consider any changes that could be introduced for future elections.
- 4.2 In addition to the representations and comments, information collected at polling stations during the full local elections and European Parliamentary elections was utilised to form a better understanding of how staff and visiting electors perceive the current venue choices.
- 4.3 Statistical data and information was collected as part of this review to establish the potential for an increase or decrease in electorate over the next 4 years. The Electoral Commission guidance recommends that a manageable number of electors allocated to a polling station is capped at 2,500.
- 4.4 All polling districts boundary lines were considered (where possible) to understand where amendments may have been made to the lineage to group electors differently to balance out numbers and avoid breaching the 2,500 recommended by the Electoral Commission.
- 4.5 Using the current list of polling places, polling stations and any contributory information known to the elections team. A check of the historic availability of each premises has been considered going forward, likewise some information received on certain polling stations has been considered when sourcing potential replacements or alternative venues.
- 4.6 This review has resulted in proposals that affect the following polling districts:

BR1	Broadmead Ward
CH2 / CH3	Cheriton Ward
HR1 / HR2	Hythe Rural Ward
RM1	Romney Marsh Ward
RM2	Romney Marsh Ward

4. RISKS/CONTROLS

- 4.1 In light of the fact that there are minimal proposals as part of this review, there are no significant risks identified.

7. LEGAL/FINANCIAL AND OTHER CONTROLS/POLICY MATTERS

7.1 Legal Officer's Comments (AK)

The legal issues have been dealt with in the Report.

7.2 Finance Officer's Comments (OO)

There are no additional financial implications associated with this report. The ongoing consultation process and review will be conducted within the existing service budgets.

7.3 Diversities and Equalities Implications (GE)

The outcome and recommendations of a review of polling districts and polling places are specifically designed to ensure that all voters can exercise their right to vote and where voters chose to vote in person at polling stations, that these are accessible to all regardless of disability.

The report demonstrates that extensive consultation has taken place with community groups, organisations, professional bodies, and members of the general public. Representations and comments received on proposals have been included in appendix 3 of this report.

8. CONTACT OFFICERS AND BACKGROUND DOCUMENTS

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

Paul Butler
Democratic Services and Elections Lead Specialist
Telephone: 01303 853497
Email: paul.butler@folkestone-hythe.gov.uk

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

- The Representation of the People Act 1983
- The Electoral Administration Act 2006
- Electoral Commission Guidance – Review of polling districts, polling places and polling stations
- Association of Electoral Administrators – Review or polling districts, polling places and polling stations training

Appendices:

Appendix 1: Notice of Review of polling districts, polling places and polling stations – dated 02 October 2023

Appendix 2: Polling district and polling stations recommendations

Appendix 3: Representations and comments received with officer comments.

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NOTICE OF REVIEW OF POLLING DISTRICTS, POLLING PLACES AND POLLING STATIONS



Notice is hereby given that Folkestone & Hythe District Council is conducting a review of the polling districts, polling places and polling stations that fall in the Folkestone & Hythe Parliamentary constituency.

In accordance with The Review of Polling Districts and Polling Places (Parliamentary Elections) Regulations 2006, the Acting Returning Officer will be invited to make a statement on the existing arrangements and any proposals made. In addition, we are seeking feedback from electors, political representatives, town and parish councils, community organisations and political parties from within the District area. Representations should include views and opinions on:

- the proposals regarding the structure of our current polling districts;
- current polling places;
- the accessibility of our current polling stations;
- alternative venues to use as polling stations; and
- Acting Returning Officers comments and/or proposals.

Any representations must be received in writing by **Friday, 17 November 2023**. Comments are also welcomed on the Acting Returning Officer's statement and must be submitted by **Friday, 17 November 2023**.

If you wish to make representation or comment, please send your correspondences as follows:

By post: Democratic Services and Elections Lead Specialist
Folkestone & Hythe District Council
Civic Centre, Castle Hill Avenue, Folkestone, CT20 2QY

By email: elections@folkestone-hythe.gov.uk

We would also like to welcome the views of any person or body with expertise in access for persons with any type of disability.

A timetable, and other documents relating to this review can be inspected at the Council offices at the below address, or online at <https://www.folkestone-hythe.gov.uk/elections/polling-review-2023>.

Decisions relating to the review will be made in January 2024 and the review will conclude on 01 February 2024.

Folkestone & Hythe District Council
Civic Centre
Castle Hill Avenue
Folkestone
CT20 2QY

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POLLING DISTRICTS, POLLING PLACES AND POLLING STATIONS REVIEW 2023



RECOMMENDATIONS

This document contains the final recommendations for the polling districts, polling places and polling stations in the Folkestone & Hythe District Council area.

Please note the following points before reading this document:

- Electoral Commission guidance recommends a maximum polling station electorate of 2,500.
- The electorate figures in this report have been reduced by 21% to accommodate the average amount of postal voters in an area. Postal voters do not attend a polling station to vote.
- Any polling district, polling place or station not mentioned in this document does not have a recommendation for change, therefore current polling arrangements used at previous elections will remain in place.
- Identified housing developments carry an average of 2 electors per household, this has been considered for future electorate calculations.
- Natural population growth is set at 1.07% in line with the national average for areas without large housing developments.

Paul Butler
Democratic Services and Elections Lead Specialist

Initial Draft: 06 December 2023

Ward: Broadmead

Polling districts: BR1

Polling district	Current electorate	Potential electorate (over next 4 years)	Current polling place	Proposal
BR1	2,431	2,601	Grace Taylor Hall	To keep Broadmead as one polling district and to change the polling place from Grace Taylor Hall to Folkestone Sports Centre

Comments:

- The electorate for Broadmead has not grown substantially in the past twelve years.
- A small housing development is being built but it is not substantial enough to warrant splitting the polling district.
- Broadmead was split in the past to BR1 and BR2 but was later made back in to one, whole polling district.
- Grace Taylor Hall has been used as a polling place for many years and the staff and booking agents have always been more than helpful in an election timetable.
- Grace Taylor Hall does not meet some accessibility criteria.
- Broadmead polling district contains other venues that satisfy accessibility requirements, so an investigation had to take place.
- Folkestone Sports Centre has disabled parking, a car park, is close to 3 bus stops at different areas of Broadmead, has a large, ramped door and has an area that can be allocated for a polling station.
- No representations or comments have been received either for or against this proposal in the Acting Returning Officer's statement.

Ward: Cheriton

Polling districts: CH2

Polling district	Current electorate	Potential electorate (over next 4 years)	Current polling place	Proposal
CH2	1,794	1,814	1 st Cheriton Scout Hut	To move the polling place from 1 st Cheriton Scout Hut to the Shorncliffe Pavilion when it is up and running.

Comments:

- **The Scout Leader at the 1st Cheriton Scout Hut has been such a great booking agent for past elections and will be missed.**
- **Staff and elector feedback has led the elections team to seek a different venue for the CH2 polling district.**
- **The Scout Hut is in CH3 polling district and has very limited access for electors from Hawkins Road when the turnout is high for an election.**
- **Electors from the CH3 polling district have attend the Scout Hut thinking it was their polling station.**
- **The Shorncliffe Pavilion has parking, disabled parking, and adequate rooms to accommodate holding a polling station there.**
- **Comments have been received in favour of this proposal in the Acting Returning Officer's statement.**

Ward: Hythe Rural

Polling districts: HR1 and HR2

Polling district	Current electorate	Potential electorate (over next 4 years)	Current polling place	Proposal
HR1 HR2	798 1730	806 1851	Win Pine House Palmarsh Hall	To keep HR1 and HR2 intact. To keep Win Pine House as the polling place for HR1 electors.
Comments: <ul style="list-style-type: none">• The housing development at Nickolls quarry will not have an immediate impact on these polling districts that requires them to change now. This can be reviewed on an interim basis, or at the next review.• Win Pine House was used as a polling place for the May 2023 elections.• The polling station is part of the communal lounge that has its own access, keeping residents separate from polling station activities.• The building is accessible with unrestricted, on-street parking.• Win Pine House is opposite the previous polling place of the Football Club and its car park.• There is no proposal to change Palmarsh Hall as the polling place for HR2.• No representations or comments have been received about this proposal in the Acting Returning Officer's statement.				

Ward: Romney Marsh

Polling districts: RM2

Polling district	Current electorate	Potential electorate (over next 4 years)	Current polling place	Proposal
RM2	270	272	Dymchurch Village Hall	To keep Dymchurch Village Hall as the polling place for RM2 electors.

Comments:

- The Neptune could no longer accommodate us for future elections, so Dymchurch Village Hall was used as a double polling station serving electors in RM2 and RM3 for elections in 2023.
- As part of our process in finding another venue for the RM2 area, we visited and checked:
 - Sandy Bay (couldn't do it),
 - Eastfleet Caravan Park (not suitable/accessible),
 - Newbeach/Neptune owned by the same company that could no longer offer a venue for elections and could not guarantee space for the future,
 - Environment Agency at Willop Depot (couldn't do it); and
 - Jehovah's Witness Hall is occupied on Thursdays.
- The polling district boundary lines for RM2 start from the sluice gates just past Sandy Bay and end at the sluice gate near the Willop Depot.
- Appointing a polling place in a neighbouring polling district for RM2 will confuse electors in that neighbouring polling district. They will have to travel past that one to get to their own polling station.
- The turnout difference between the 2021 poll (at The Neptune) and 2023 (at the Village Hall) was down 4% which can be attributed to more than just the location of a polling place. 2021 was the first set of combined elections since Covid-19 lockdowns. In 2023, the elections were for local and parish seats which carry the lowest turnout of all types of elections. Dymchurch Parish Council election was also uncontested in 2023 which meant the elections in Dymchurch were not combined.
- One comment was received objecting to the permanent move.

Ward: Romney Marsh

Polling districts: RM1

Polling district	Current electorate	Potential electorate (over next 4 years)	Current polling place	Proposal
RM1	154	155	Burmarsh Church Hall	To move the polling place from Burmarsh Church Hall to The Shepherd and Crook Inn.
Comments: <ul style="list-style-type: none">• An original proposal to move the polling place to Fallow Fields campsite will not be pursued.• I would like to include a note of thanks to the staff at Fallow Fields for offering their venue and space to us.• 10 comments were received objecting to the proposal for Fallow Fields in the Acting Returning Officer's statement.• Most of the suggestions received from the public included The Shepherd and Crook Inn as a suitable replacement for the Church Hall• The Shepherd and Crook Inn is opposite the Church Hall, accessible and can provide suitable facilities to both staff and electors for future elections.• The owners at the Shepherd and Crook Inn are very helpful and keen to assist for future elections.				

Representation		Officer Comments
Polling District	Polling Place / Station	
FH1	-	Regarding the wards , the boundaries of Folkestone harbour should be changed to exclude jocks Pitch and the green areas surrounding wear bay road. The people who live there are not representative of the harbour ward and the local requirements
RM1	Burmarsh Church Hall	Move the Polling Station to the Shepherd and Crook. Central to the village and as pubs have been used in Old Romney and St Marys in the Marsh clearly appropriate.
RM1	Burmarsh Church Hall	I note that you say that local residents have been asked about these new arrangements. This is not true as far as I know - I would have expected that the Burmarsh Parish Council would have been consulted before any publication of a change of Polling Station was considered. We have not been consulted and the first I knew about this was a posting on social media. Not really acceptable. I appreciate that the owners of the Church Hall may have been consulted but this village has a number of elderly residents without transport - the location suggested (Fallow Fields) is far to far away from the village centre for those who are mobility challenged. There are no street lights outside of the main part of the village and should an election be called for the winter months this venue in Donkey Street would be most unsuitable for many residents unless they have access to their own transport. Have you approached the owner of the Shepherd and Crook public house - it is in the centre of the village, has parking spaces and is easily accessible for older residents? I understand that they have a separate room that could be used and has been used at previous elections.
RM1	Burmarsh Church Hall	Object to the proposal to move the polling station from the church hall to Lathe barn. It would reduce the turn-out as a number of older people in the parish have mobility issues, but live centrally to the village, so using the Church Hall is the most logical option. Also by moving to Lathe barn, it would mean more people choose to drive to the polling station that day, and not every person has access to alternative transport, so again reduces the turnout as well as the impact on vehicle traffic/ emissions etc. There were plans to renovate the Church Hall, but the Diocese appears to be less willing on this, so surely it is better for the council to help encourage the Diocese to support the village's plans to improve the hall rather than move the polling station.
RM1	Burmarsh Church Hall	Why could the Shepherd & Crook not be used as it has been used for several elections previously. The room containing the pool table could be utilised as it doesn't have to sell alcohol. Fallow fields is only open for part of the year - what would happen when it's closed and an election is called ? More disruption for the village as the venue will have to be changed yet again. If they were to open specifically, they would be in breach of their planning permissions. If the polling station is relocated further out of the village itself to this basic campsite there will be a significant drop in voting numbers, If villagers have no transport it is a long dangerous walk down an unlit road with no footpath to this entirely unsuitable venue
CH2	Cheriton Scout Hut	Due to housing development and consequential population growth, there needs to be a polling station in the Shorncliffe Heights area. It no longer makes sense for all the Cheriton polling stations to be situated centrally along the main road.
RM1	Burmarsh Church Hall	I would like to offer my facilities as an alternative as its in the heart of the village, making it accessible for elderly and disabled residents of Burmarsh I have also sent a letter to the Returning Officer, suggesting my facilities as an alternative
NDW9	Lyminge Scout Hut	Given the scout hut is in the far corner of the village I would prefer a more central location such as the school or the Methodist Church.
RM1	Burmarsh Church Hall	Fully understand reasons for moving but Fallowfield Campsite access has no street lights or pavements and would cause issues for people getting to and from it. Have you tried the back room of local pub
RM5	The Star Inn	Could the polling station at the Star inn be moved to the new Village Hall/ Community Hub once it opens.
RM1-6	-	Why can't there be mobile voting buses on the Marsh especially for the older voters and disabled voters.
NDW9	Lyminge Scout Hut	The location and facilities are fine for the public. Attention to the staff's views who have been on duty is the most important factor.
CH2	Cheriton Scout Hut	Will you be opening the car park at Shorncliffe Stadium
RM1	Burmarsh Church Hall	We have a village pub that could be considered. It has a private room, toilet facilities and it's central in the village
RM1	Burmarsh Church Hall	I object to the new siting of the Polling Station as it is outside of the main village which will put a lot of residents off polling, it would also create extra traffic as many residents would not be able to walk that far
RM1	Burmarsh Church Hall	The new proposal is too far away from elderly residents in the village. If the Burmarsh Church Hall can not be used please could we have the polling station in The Shepherd & Crook public house like it used to be. Many residents feel the same and the new landlady is happy to support this change.
CH2	Cheriton Scout Hut	A lot of people from around us (Hawkins Road and surrounding) had asked why they had to go to Morehall to vote when we were a Polling station on their road.
RM2	Dymchurch Village Hall	I have been both PO and PC for many years at the Holiday Camp and then The Neptune serving the residents of the Redoubt Estate. For the last two elections we have been located at the Dymchurch Village Hall as a second station but this has been a disaster for the residents. Many are elderly and either are unable or unwilling to travel into the village. Previously many would call in to vote while walking the dog. This has resulted in only a handful of voters coming in over a period of 16 hours. This seems such a waste of resources as well as failing to support the residents. This could also lead to an unrepresentative election result.If the Neptune no longer wish to accommodate a Polling Station could the Holiday Camp not be persuaded to let us have a caravan for the day, as used to happen? I do feel strongly that something needs to change from the last two elections, especially with a possible General election on the cards.
RM1	Burmarsh Church Hall	In my opinion moving the poling station to the proposed new location would disadvantage many within the community forcing them to travel further to vote the church hall is a central location in a rural location and with improvement works currently ongoing is a very suitable place to hold the poling station
CH2	Cheriton Scout Hut	I support the change to the Shorncliffe Pavillion as this would be nearer to parts of Cheriton that are currently at quite a distance from a polling station.
NDW4	Sellindge Village Hall	The Council did consider this and it was agreed that no changes were required at the Durling Hall.

Jocks pitch is within polling district FH1, which covers the area from Tram Road through to the Warren. Wear Bay Road and Jocks Pitch is central to this polling district. The Harbour Ward boundary lines can not be changed, as this review can not change 'governance' boundary lines.

The recommendation is to move the polling place from Burmarsh Church Hall to The Shepherd and Crook Inn.

The consultation opened on Monday, 02 October 2023 to invite comments from residents. There is no requirement to contact residents directly about the review. The Parish Council were contacted to inform them of the review, the notice and the Acting Returning Officer's statement and proposals.

The recommendation is to move the polling place from Burmarsh Church Hall to The Shepherd and Crook Inn.

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The recommendation is to move the polling place from Burmarsh Church Hall to The Shepherd and Crook Inn.

The Acting Returning Officer's statement includes a proposal to use the Shorncliffe Pavilion as a polling place for future elections, when it is up and running. This is to replace the Cheriton Scout Hut. We are hoping this will be available by the next election in May 2024.

Thank you for your offer, the recommendation is to move the polling place from Burmarsh Church Hall to The Shepherd and Crook Inn.

The authority and Acting Returning Officer avoid the closure of any schools for elections purposes if there are other suitable venues available. Where possible, places of worship are not to be used as this was requested in 2019 by councillors. The Scout Hall is located next to the village hall which used to be the polling station. There is adequate parking at the Scout Hut with an accessible entrance.

The recommendation is to move the polling place from Burmarsh Church Hall to The Shepherd and Crook Inn.

This will be taken in to account and reviewed when a village hall / community hub has opened.

Unfortunately, there is no funding for this to take place. There is also no requirement in law to offer a mobile voting service. There is always the option to vote by post or by proxy (where someone votes on your behalf). You can get in contact with the elections team on 01303 853497 to request a postal or proxy vote application or apply online at www.gov.uk.

Thank you for your comments.

Yes. We hope to use the Shorncliffe Pavilion for future elections. We are waiting for arrangements to be finalised.

The recommendation is to move the polling place from Burmarsh Church Hall to The Shepherd and Crook Inn.

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The recommendation is to move the polling place from Burmarsh Church Hall to The Shepherd and Crook Inn.

Thank you. This is one of the reasons why we are hoping to use the Shorncliffe Pavilion for future elections as it is in the same polling district and will stop any confusion.

As part of our process in finding another venue for the RM2 area, we visited and checked Sandy Bay (couldn't do it), Eastfleet Caravan Park (not suitable/accessible), Newbeach/Neptune owned by the same company that could no longer offer a venue for elections and can not guarantee space for the future, Environment Agency at Willop Depot (couldn't do it), Jehovah's Witness hall is occupied on Thursdays. The polling district boundary lines for RM2 start from the sluice gates just past Sandy Bay and end at the sluice gate near the Willop Depot. There are no other options within or near to the RM2 polling district boundary lines. If a polling place is situated within the neighbouring polling district of RM3, electors from this polling district will have to go past the polling place for RM2, causing the same confusion as already stated on row 19 regarding Cheriton. To avoid this confusion the most logical recommendation is to keep Dymchurch Village Hall as a double station for both RM2 and RM3 polling districts. The turnout difference between 2021 poll and 2023 was down 4% which can be attributed to more than the location of a polling place.

The recommendation is to move the polling place from Burmarsh Church Hall to The Shepherd and Crook Inn.

Thank you for your comments, we are hoping to use the Shorncliffe Pavillion when it is ready.

Thank you for your comments.

HY / HR	-	<p>I am a member of Girlguiding and we have a Guide & Brownie Hall, in St. Nicholas Rd, Hythe CT21 6JQ. The Hall is situated a few metres from the Dymchurch Road where there is parking or easily accessed by a 5 minute walk from Sainsbury's car park. There are bus stops at the Light Railway and close to Sainsbury, each within a 5 minute walk. The Hall has ample indoor space to accommodate a Polling Station and availability would not be a problem. Please can this venue be given consideration for future use as a Polling Station.</p>	<p>Thank you for your kind offer. There is no proposal to change polling places in the Hythe or Hythe Rural areas at the moment. The hall was visited (outside only) and the hall itself has a ramped access. A concern is that access ramp finishes on the road. In some quiet, rural areas this is unavoidable, however this hall is situated in a densely populated polling district. St Nicholas Road is a narrow, one way road that could become gridlocked if the turnout for an election was high. At the time of the visit to Dymchurch Road, there were no available parking spaces on the left side of the street, nearest to the venue.</p>
RM6	Newchurch Village Hall	<p>I am writing on behalf of the Newchurch Parish Council in response to your request for comments about the polling district and polling station arrangements in place. We as a Parish Council are very keen that our polling station at Newchurch Village Hall (Ref 48, District RM6) should continue to be used for all elections. As the established polling station, as well as being used regularly used for local events, it remains the best venue for use as a polling station. We believe that local democracy is best served by keeping polling stations accessible and locating them within the local community. This is particularly important given the lack of regular local bus services. Newchurch Village Hall is easily accessed by all voters within the village of Newchurch, whether on foot or by car. We look forward to receiving confirmation that Newchurch Village Hall will continue to be used as the polling station for all future elections.</p>	<p>Thank you for your comments, there is no proposal to change the polling place in Newchurch.</p>

This Report will be made public on 16 January 2024



Report Number **A/23/22**

To: Council
Date: 24 January 2024
Status: Key Decision
Responsible Officer: Lydia Morrison, Corporate Service Director

SUBJECT: SECOND HOME AND EMPTY HOME COUNCIL TAX PREMIUMS

SUMMARY:

This is a report to re-affirm a decision passed on 22 February 2023 by Full Council under report number A/22/25. This is due to a delay in Royal Assent being received and therefore a delay of 12 months from the previous decision.

From 1 April 2025, billing authorities will be given the ability to add a Council Tax premium to second homes. Billing authorities will also be given the ability to amend existing long term empty home Council Tax premiums from 1 April 2024. This report reviews these proposals and recommends that some changes are introduced from the financial year 2024/25 and other from the financial year 2025/26.

RECOMMENDATIONS:

1. To receive and note report A/23/22.
2. To introduce a Council Tax premium to second homes from the 2025/26 financial year onwards.
3. To adopt amendments the Council Tax empty home premiums from the 2024/25 financial year onwards as demonstrated in Table 2.

1. BACKGROUND

- 1.1 On 20 February 2019 Council resolved 'to adopt new Council Tax empty home premiums in accordance with changes in legislation from the 2019/20 financial year onwards.'
- 1.2 These premiums were introduced as agreed at the rates and introduction dates listed in Table 1.

Table 1

Introduction date	Premiums that can be applied
1 April 2019	100% premium for properties empty 2 years +
1 April 2020	100% premium for properties empty 2 – 5 years 200% premium for properties empty 5 years +
1 April 2021	100% premium for properties empty 2 – 5 years 200% premium for properties empty 5 – 10 years 300% premium for properties empty 10 years +

- 1.3 Latest figures shows that there are currently 150 properties attracting a 100% premium, 45 properties attracting a 200% premium and 18 properties attracting a 300% premium.
- 1.4 In the Levelling-up and regeneration bill originally dated May 2022 (updated to Levelling-up and Regeneration Act 2023) Government announced an amendment to the Long-Term empty dwellings (England) legislation providing Councils discretion to apply a premium of up to 100% of the Council Tax charge on those properties that have been empty for more than two years to be amended to apply to properties that have been empty for one year plus rather than two. This provision was introduced by Central Government as a tool to assist local authorities in the drive to bring empty properties back into use.
- 1.5 This bill received Royal Assent on 27 October 2023.
- 1.6 The Levelling-up and regeneration bill also introduced new legislation relating to dwellings occupied periodically (England). This relates to properties that are classed as 'second homes'. This provides Councils discretion to apply a premium of no more than 100% to qualifying properties.

The conditions of this criteria are:

- a) There is no resident of the dwelling, and
- b) The dwelling is substantially furnished.

- 1.7 Council passed recommendations relating to this bill on 22 February 2023 under report A/22/25. However, due to the delays in receiving Royal Assent it is required to re-affirm the decision to introduce the permitted premiums.
- 1.8 The Council will also explore using any additional income generated to consider increasing the support offered to low-income households via the Council Tax Reduction Scheme. Any decision will be subject to further consultation and agreement with Kent County Council as the major preceptor.

2. EMPTY HOMES AMENDMENTS

- 2.1 Amendments will allow Councils to introduce the premium for empty homes a year earlier than existing agreements; substituting 2 years for 1 year for the empty premium:

Table 2

Introduction date	Existing premiums	Premiums that can be applied
1 April 2024	100% premium for properties empty 2 years +	100% premium for properties empty 1 years +

- 2.2. The amendments have an impact for financial years beginning on or after 1 April 2024 and it does not matter if the start date of the property being empty is before this comes into force.
- 2.3 It is expected that by reducing the time a property in empty the premium will allow local authorities to strengthen the incentive for owners of empty homes to bring them back into use.
- 2.4 No public consultation is required to introduce this change.
- 2.5 Liable parties will be able to appeal via standard Council Tax appeal routes if they disagree with the applying of a premium on an account based upon facts of an individual case, for example, they state that the property is not empty. The principle of a premium will not be open to appeal.

3. SECOND HOMES AMENDMENTS

- 3.1 Under existing legislation properties classed as second homes have a full charge (100%) and there are no discounts or premiums in place.
- 3.2 By introducing a premium on these properties, it is expected that properties that are not in constant use may be encouraged to be brought back into use for local residents. It would also remove potential loopholes regarding empty homes where an owner could furnish a property to remove it from the list as being classed as an empty home to avoid the premiums that this can attract.

- 3.3 There is no minimum timeframe on this premium and if the premium is agreed any property classed as a second home would attract the premium with effect from 1 April 2025.
- 3.4 The conditions are that there is no resident of the dwelling, and the dwelling is substantially furnished. A billing authority's first determination under this section must be made at least one year before the beginning of the financial year to which it relates.
- 3.5 Taxpayers affected by the changes will be notified prior to the 1 April 2025 so they may make changes to the property before they are impacted by the changes.
- 3.6 It is recognised that some taxpayers may consider moving properties into Non-Domestic rating due to letting legislation to avoid a premium. This will be monitored by the Council and cases investigated as appropriate.
- 3.7 All recommendations are subject to consideration of a Government consultation regarding exceptions to the premium. Details of the questions contained within this consultation can be found in Appendix 2. This closed on 31 August 2023 and results are yet to be published. It is recommended that as part of the decision to introduce any new or amendments to a premium that delegation can be made to the Council's Section 151 officer in consultation with the Cabinet Member responsible for Finance and Governance with regards to finalising a policy to be introduced with consideration to any passed exceptions, once announced.

4. FINANCIAL IMPLICATIONS

- 4.1 Table 3 illustrates the estimated financial impact the additional properties that would be impacted if introduced in April 2024. Please note these figures are based on 2023/24 Council Tax rates and upon Council records as at 1 November 2023.

Table 3: Projection of empty homes premium changes

	Accounts	Average Council Tax charge*	100% premium charge value	Total chargeable (accounts x total charge)	FHDC Benefit (12.93%)
2024/25 projection	308	£2,222.12	£2,222.12	£684,413	£88,495

**Based upon Council Tax Band D average from Council report A/22/31 (22/2/23)*

- 4.2 Table 4 demonstrates the potential impact of introducing the second homes premium. The figures below are provided upon Council records as at 1 November 2023.

Table 4: 100% Council Tax Premium yield on second homes based on latest figures

	Accounts	Average Council Tax charge*	100% premium charge value	Total chargeable (accounts x total charge)	FHDC Benefit (12.93%)
2025/26 projection	1,077	£2,222.12	£2,222.12	£2,393,223	£309,444

**Based upon Council Tax Band D average from Council report A/22/31 (22/2/23)*

4.3 Indicative rates above are based on 100% collection. The Council is aware that not all cases will yield 100% collection in year. Based upon latest figures the collection rates for each category impacted by this report are listed below. These are figures based on in year collection at the end of October 2023. Council targets for in year collection at the end of October 2023 is currently 64.00%. The end of year target for overall collection of Council Tax is 97.3%.

- Accounts with Empty Home Premiums currently in place: 44.50%
- Accounts listed as Second Homes: 27.98%

MANDATORY PROCESS

- 5.1 A full Council resolution is required to introduce the amendments detailing exemptions and agreements of introduction dates and premium amounts.
- 5.2 As detailed in Section 3.5, a policy will be published, mindful of guidance once published by Central Government and in consideration of the outcomes of the Government consultation on possible exceptions.
- 5.3 Final decisions must be passed by 31 March 2024 to be able to introduce any changes from 1 April 2024 for Empty Homes premium changes, and from 1 April 2025 for the introduction of a Second Home premium.
- 5.4 Following any formal decision to change, publication of the change must be published in the local press within 21 days of the date of the determination.

6. RISK MANAGEMENT

6.1 A summary of the perceived risks follows:

Perceived risk	Seriousness	Likelihood	Preventative action
Additional income to FHDC is not fully realised due to the impact of the current economic climate on collection rates.	High	Medium	Collection to be closely monitored.

7. LEGAL, FINANCIAL AND OTHER CONTROLS/POLICY MATTERS

7.1 Legal Officer's comments

As set out in the Report, the Levelling Up and Regeneration Act allows councils to introduce a new discretionary council tax premium on second homes of up to 100% and amend existing long term empty home Council Tax premiums.

7.2 Finance Officer's comments

All necessary financial information is included within the body of this report.

7.3 Diversities and Equalities Implications

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

7.4 Communications

Publication of the decision must be made with 21 days of the decision as stated in the report.

7.5 Climate Change Implications

There are no climate change implications for this report.

8 CONTACT OFFICERS AND BACKGROUND DOCUMENTS

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

Report author: Andrew Hatcher

Telephone: 01303 853348

Email: andrew.hatcher@folkestone-hythe.gov.uk

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

Appendices:

Appendix 1 – Levelling-up and Regeneration Act 2023 (Points 79-80)

<https://www.legislation.gov.uk/ukpga/2023/55/enacted>

Appendix 2 – Overview of Government consultation on when not to charge premiums

Appendix 1



Levelling-up and Regeneration Act 2023

2023 CHAPTER 55

An Act to make provision for the setting of levelling-up missions and reporting on progress in delivering them; about local democracy; about town and country planning; about Community Infrastructure Levy; about the imposition of Infrastructure Levy; about environmental outcome reports for certain consents and plans; about nutrient pollution standards; about regeneration; about the compulsory purchase of land; about information and records relating to land, the environment or heritage; about the registration of short-term rental properties; for the provision for pavement licences to be permanent; about governance of the Royal Institution of Chartered Surveyors; about the charging of fees in connection with marine licences; for a body to replace the Health and Safety Executive as the building safety regulator; about the transfer of land for Academy schools; about the review of maps of open country and registered common land; about the regulation of childminding; about qualifying leases under the Building Safety Act 2022; about road user charging schemes in London; about National Parks, areas of outstanding natural beauty and the Broads; and for connected purposes.

[26th October 2023]

BE IT ENACTED by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

Council tax

79 Long-term empty dwellings: England

- (1) In section 11B of the Local Government Finance Act 1992 (higher amount for long-term empty dwellings: England)—
 - (a) after subsection (1C) insert—

“(1D) In exercising its functions under this section a billing authority must have regard to any guidance issued by the Secretary of State.”;
 - (b) in subsection (8), for “2 years” substitute “1 year”.
- (2) The amendments made by [subsection \(1\)](#) have effect for financial years beginning on or after 1 April 2024 (and, in relation to the amendment made by [subsection \(1\)\(b\)](#), it does not matter whether the period mentioned in section 11B(8) of the Local Government Finance Act 1992 begins before [this section](#) comes into force).

80 Dwellings occupied periodically: England

- (1) The Local Government Finance Act 1992 is amended in accordance with [subsections \(2\)](#) and [\(3\)](#).
- (2) After section 11B (higher amount for long-term empty dwellings: England) insert—

“11C Higher amount for dwellings occupied periodically: England

- (1) For any financial year, a billing authority in England may by determination provide in relation to its area, or such part of its area as it may specify in the determination, that if on any day the conditions mentioned in [subsection \(2\)](#) are satisfied in respect of a dwelling—
 - (a) the discount under section 11(2)(a) does not apply, and
 - (b) the amount of council tax payable in respect of that dwelling and that day is increased by such percentage of not more than 100 as it may specify in the determination.
- (2) The conditions are—
 - (a) there is no resident of the dwelling, and
 - (b) the dwelling is substantially furnished.
- (3) A billing authority's first determination under this section must be made at least one year before the beginning of the financial year to which it relates.
- (4) In exercising its functions under this section a billing authority must have regard to any guidance issued by the Secretary of State.
- (5) Where a determination under this section has effect in relation to a class of dwellings—
 - (a) the billing authority may not make a determination under section 11A(3), (4) or (4A) in relation to that class, and
 - (b) any determination that has been made under section 11A(3), (4) or (4A) ceases to have effect in relation to that class.
- (6) A billing authority may make a determination varying or revoking a determination under this section for a financial year, but only before the beginning of the year.
- (7) Where a billing authority makes a determination under this section it must publish a notice of the determination in at least one newspaper circulating in the area.
- (8) The notice must be published before the end of the period of 21 days beginning with the date of the determination.
- (9) The validity of the determination is not affected by a failure to comply with [subsection \(7\)](#) or [\(8\)](#).

Section 11C: regulations

- (1) The Secretary of State may by regulations prescribe one or more classes of dwelling in relation to which a billing authority may not make a determination under [section 11C](#).
 - (2) A class of dwellings may be prescribed under [subsection \(1\)](#) by reference to such factors as the Secretary of State thinks fit and may, amongst other factors, be prescribed by reference to—
 - (a) the physical characteristics of, or other matters relating to, dwellings;
 - (b) the circumstances of, or other matters relating to, any person who is liable to the amount of council tax concerned.
 - (3) The Secretary of State may by regulations specify a different percentage limit for the limit which is for the time being specified in [section 11C\(1\)\(b\)](#).
 - (4) A statutory instrument containing regulations made under [subsection \(3\)](#) may not be made unless a draft of the instrument has been approved by resolution of the House of Commons.”
- (3) In consequence of the amendment made by subsection (2)—
- (a) in section 11 (discounts), in subsection (2), after “11B” insert “, 11C”;
 - (b) in section 11A (discounts: special provision for England), in subsection (4C), at the end insert “and 11C(5)”;
 - (c) in section 13 (reduced amounts), in subsection (3), after “11B” insert “, 11C”;
 - (d) in section 66 (judicial review), in subsection (2)(b), after “11B” insert “, 11C”;
 - (e) in section 67 (functions to be discharged only by authority), in subsection (2)(a), after “11B” insert “, 11C”;
 - (f) in section 113 (orders and regulations), in subsection (3), after “under section” insert “11D(3),”;
 - (g) in Schedule 2 (administration), in paragraph 4(7), after “: England),” insert “11C(1)(b) (higher amount for dwellings occupied periodically: England),”.
- (4) A determination for the purposes of section 11C of the Local Government Finance Act 1992 as inserted by [subsection \(2\)](#) may not relate to a financial year beginning before 1 April 2024 (but this does not affect the requirement for the determination to be made at least one year before the beginning of the financial year to which it relates).

Appendix 2

Government consultation on when not to charge premiums

Proposed circumstances in which the empty homes and second homes premiums should not be applied;

Question 1 – Do you agree that properties that are unoccupied or have no resident following the death of the owner should be an exception to either or both of the council tax premiums following the grant of probate or letters of administration?

• **Question 2** – Do you agree that a period of 12 months after probate, or letters of administration have been granted, is an appropriate period?

• **Properties being actively marketed for sale or let;**

• **Question 3** – Do you agree that properties actively being marketed for sale or let should be an exception to either or both of the council tax premiums?

• **Question 4** – Do you think an exception to the premiums for up to 6 months for properties being marketed for sale or let is a reasonable period?

• **Question 5** – Do you agree that the evidence requested above would be appropriate to demonstrate that the property is actively being marketed for sale or let?

Empty homes: proposed circumstances in which the long-term empty homes premium should not be applied;

• **Empty properties undergoing major repairs – time limited**

• **Question 6** – Do you agree that properties undergoing major repair work is appropriate should be an exception to the empty homes premium?

• **Question 7** – If so, do you agree that 6 months is a reasonable length of time for an exception to apply whilst major repairs or structural alterations are being undertaken?

• **Question 8** – do you agree that this exception should only be applied to the empty homes premium?

• **Second homes: proposed circumstances in which the second homes premium should not be applied;**

• **Annexes forming part of, or being treated as part of, the main dwelling**

• **Question 9** – Do you agree that furnished annexes which are being used as part of the sole or main residence should be an exception to the council tax premium on second homes?

• **Job-related dwellings**

• **Question 10** – Do you agree that the second homes premium should not apply to properties that are subject to the job-related dwelling discount?

Occupied caravan pitches and boat moorings

• **Question 11** – Do you agree that pitches occupied by caravans and moorings occupied by boats should be an exception to the second homes premium?

- **Seasonal homes where year-round or permanent occupation is prohibited or has been specified for use as holiday accommodation or prevents occupancy as a person's sole or main residence**
- Question 12 – Do you agree that seasonal homes, where year-round occupation is prohibited, should be an exception to the second homes premium?
- Question 13 – Are there any other circumstances in which property should be an exception to either of the council tax premiums and if so, why?
- Consultation ended 31 August 2023.

This Report will be made public on 16 January 2024



Report Number: **A/23/23**

To: Council
Date: 24 January 2024
Status: Key Decision
Corporate Director: Lydia Morrison – Interim Director Governance and Finance
Cabinet Member: Councillor Tim Prater, Deputy Leader, and Cabinet Member for Finance

SUBJECT: Medium Term Financial Strategy 2024/25 to 2027/28

SUMMARY: 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 2028. 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.

REASONS FOR RECOMMENDATION:

Council is asked to agree the recommendations set out below because: -

- (a) The MTFS (amended) is the Council's key financial planning document.
- (b) The strategy defines the financial resources needed to deliver the Council's corporate objectives and priorities and covers the financial implications of other key strategies.
- (c) The Council needs to be able to carry out an early assessment of the financial implications of its approved policies and strategies and also external financial pressures facing the authority to ensure that it has robust budgeting and remains financially viable.
- (d) The amended MTFS (Appendix 1) was discussed by the Finance & Performance Sub-Committee at its meeting on 23rd January 2024 and will be considered by the Cabinet at its meeting on 31st January 2024.

RECOMMENDATIONS:

1. To receive and note Report A/23/23.
2. To recommend that the Medium Term Financial Strategy, as appended to this report, is adopted by Full Council
3. To adopt the Reserves Policy outlined in appendix 3.

1. THE MEDIUM TERM FINANCIAL STRATEGY (MTFS)

- 1.1 The MTFS is the Council's key financial planning tool and underpins the strategic approach to managing the Council's finances. It is a live document which needs to be periodically reviewed to reflect changing priorities and objectives. As the MTFS outlines the financial resources necessary to deliver strategic priorities, it should not be viewed in isolation but as part of the wider corporate process.
- 1.2 The Council last reviewed the MTFS at its meeting of 23 November 2022 and on 13 December 2023. The attached MTFS has updated the document agreed at that point based on the work completed to date through the budget setting process, and in the preparation of the 2024/25 budget. The MTFS provides the medium term view of the financial position of the Council.
- 1.3 The attached document reflects a summarised version of the key financial elements facing the Council. It covers key areas of the Council's finances and in particular updates the financial projections which are of importance at this stage of the process and considers emerging issues including legislative requirements and the new corporate plan. Every effort has been taken to incorporate the impact of the wider economic as well as other key uncontrollable factors such as inflation and the impact of Otterpool over the medium term. However, the MTFS is a high level planning document, and it is accepted that there will be a need to continue to monitor and review our assumptions on these projections and be agile.
- 1.4 As in recent years, local authority financial management is set against a background of uncertainty and the MTFS is subject to influence outside the Council's control. A previously government announced spending review (SR21) provided high level indications for the direction of the Provisional Local Government Finance Settlement, which will be announced in December.
- 1.5 Cabinet will also be aware that the Chancellor of the Exchequer, the Right Honourable Jeremy Hunt MP, delivered the 2023 Autumn Statement on 22nd November 2023. As well as the usual updates on the state of public finances and the performance of the economy, the Chancellor organised his policies into five key areas: reducing debt; cutting tax and rewarding hard work; backing British business; building domestic and sustainable energy; and delivering world-class education.
- 1.6 There were a few positives to take from the Autumn Statement with new planning reforms and the unfreezing of the local housing allowance both announced. There was also the further geographic rollout of existing policy with four new devolution deals and the extension of the Investment Zones in both time and money. This was coupled with some additional regeneration funding in the form of Levelling Up monies and £50 million for regeneration projects.

- 1.7 However, these announcements do not address the deep-set financial and operational challenges facing local government. Therefore, the Local Government Finance Settlement will send far greater reverberations across the sector.

Local Government Finance Settlement.

- 1.8 On 18 December 2023, the Government published the provisional local government finance settlement for 2024/25. The 2024-25 settlement is effectively the second year of a two-year settlement. Almost everything in the settlement has already been announced, either in the Autumn Statement (22 November 2023), the Policy Statement (5 December 2023), or the response to the technical business rates consultation (14 December 2023).
- 1.9 The settlement continues the series of real terms increases in Core Spending Power that started in 2020-21. Funding increases might not feel very generous to authorities who are wrestling with very significant spending pressures – but they have been higher than the headline rate of inflation and will be again in 2024-25. However, CSP increases are likely to be lower from 2025-26 onwards, and reliant on council tax rises rather than grant increases.
- 1.10 The current strategy has been developed in the context of the current period of uncertainty, with the war in Ukraine ongoing, the effects of the current economic climate including energy price rises and cost of living crisis. Also, with inflation still running at high levels with the interest rates and the cost of borrowing pressures. As such, assumptions have had to be made with regard to future income streams and assessments of future government grant and permissible increases to Council Tax. Although these are very much best estimates, they are taken in the context of the current economic climate and the uncertainties identified above. As such, a difficult but realistic forecast of income trends has been incorporated into this MTFs model.
- 1.11 There is a long-term pressure upon the finances of the Council as the MTFs shows. The pressures are a combination of continued downward projections of central government support for local authorities, inflationary cost pressures, capital financing costs including increased borrowing costs, and demand for services.
- 1.12 There are a number of risks to the assumptions in the MTFs and these include pay and price inflation which in turn has resulted in both a cost of living crisis and higher costs to the services that the Council provides.
- 1.13 Provision of 3% for pay awards (and 1% for increments) has been made in each of the years covered by this Medium Term Financial Strategy. If future pay awards are greater than this assumption, including acceptance of the National Employer's offer in 2023/24, then this will add a significant additional pressure to this Strategy and the requirement to identify additional income or savings in order to balance the budget in each of these years.

- 1.14** Recognising the challenge of bridging the estimated budget gaps for the period of the Strategy, whilst at the same time seeking to ensure that the Council's budget is robust, resilient, and sustainable, another savings programme through the priority based budgeting has been established.
- 1.15 Priority Based Budgeting (a new approach)** - For the 2024/25 budget, the Council utilised a new budgeting approach known as Priority Based Budgeting (PBB). Having carried out a self-assessment of the Council current budget setting processes, the Council identified a new approach to budget setting that would ensure that the Council have a Priority Based Budgeting (PBB) approach, which allocates scarce budget resources to the areas of service that are of highest priorities and delivers the outcomes the Council want to achieve for local people under the new administration.
- 1.16** The model seeks to ensure that budgets are set to ensure service areas are resourced to deliver their priority areas, with any budget savings being made in areas that are considered lower priority. The core concepts are to –
- Prioritise services.
 - Eliminate the unnecessary spending.
 - Budget within the Council means.
 - Understand commitments, controllable cost & non-controllable, etc.
 - Be transparent about community priorities.
 - Be transparent about financial implications.
 - Responsible budget holder accountability.
 - Discretionary or Statutory service review.
- 1.17** The PBB approach allows Budget Managers, Chief Officers, Directors, and Elected Members through various budget meetings including the Star Chamber to have the opportunity to be involved in setting the priorities, strategy, and direction at the outset of the budget setting process.
- 1.18** The PBB work has led to a number of additional savings proposals for consideration by the Cabinet during the Autumn of 2023. Those approved for implementation, or consultation as required, will subsequently be built into the 2024/25 Budget and Provisional Budgets for 2025/26 - 2027/28.
- 1.19** The MTFs aims to improve the Council's financial sustainability in order that the Council can withstand economic shocks in the future and deal with the current uncertainty. Whilst the Strategy might consider one-off use of reserves to support the Council in dealing with the pressures outlined in this report, the use of such one-off funding sources such as reserves, to support ongoing budgetary pressures is not financially sustainable. As such, the Strategy provides for the continuation of base budget increase to the General Reserve to improve future financial resilience.
- 1.20** The Strategy reflects the limitations on the ability of local authorities to raise local funding. The Council is currently restricted to a 3% increase on core Council Tax, before the requirement for a referendum. Should referendum limits be increased by Government this might help in meeting the reported budget gap.

- 1.21 Following the Provisional Local Government Finance Settlement announced by the Department for Levelling Up, Housing & Communities (DLUHC) on 18 December 2023, the MTFS has been updated to include all the recently announced government financial settlement, economic pressures, latest CPI increases, additional borrowing costs, energy costs, service pressures and changes to funding as best known. A Council Tax rise of 2.99% has been assumed so far following the limit outlined in the publication of the local government finance policy statement in December 2023, applicable to 2024/25 budget.
- 1.22 Due to the projected financial resources (including the government provisional settlement) and economic pressures outlined above, the current MTFS forecast shows a cumulative funding gap of £2.78m over the lifetime of this MTFS. The table below shows the cumulative deficit over the period of the MTFS.

Medium Term Financial Strategy Forecast (2024/25 to 2027/28)

Financial Forecast	2024/25 £000	2025/26 £000	2026/27 £000	2027/28 £000
Deficit / (Surplus)	-	85	717	1,982
Cumulative Deficit	-	85	802	2,783

- 1.23 The MTFS forecasts a balanced budget for the forthcoming financial year 2024/25, following new approach to budget setting, transformation programme, recently announced positive Government Provisional Settlement, etc.
- 1.24 Much of these future budget pressure will need to be addressed through the base budget additional savings in the early part of each year. The Council does have reserves to help mitigate the impact of the deficits in the MTFS, but these reserves will diminish over time and might not sufficient (at this point in time) to absorb future long term budget deficit. It should also be noted that the Council has a Reserves Policy (Appendix 3) which sets out the required level of reserves. No changes are proposed to the Reserves Policy which is included as previously agreed and for completeness. Future income from initiatives such as Otterpool Park and efficiency savings will be required to help bridge the MTFS funding gap.
- 1.25 The MTFS covers the key aspects of the Council's future plans to address the projected deficit and also to place the Council on a sustainable and secure footing for the future. This is an overarching view and detail will be found in subsequent reports to Cabinet and Council.
- 1.26 The MTFS is included within the appendices to this report and sets out the financial forecast for the Council.

2. RISK MANAGEMENT ISSUES

2.1 A summary of the perceived risks follows:

Perceived risk	Seriousness	Likelihood	Preventative action
The Council does not remain up to date up to date with changes in legislation and other developments.	High	Low	<p>Financial Services are keeping abreast of finance changes.</p> <p>Directors and Chief Officers to keep up to date with / communicate changes to their areas of work.</p> <p>MTFS is prepared in consultation with all directorates to ensure such changes are identified</p>
Assumptions may be inaccurate	High	Medium	<p>Budget monitoring process is up to date and a close eye is being kept on financial developments nationally. Assumptions are constantly reviewed and amended in light of information received.</p> <p>The MTFS was completely refreshed with service input from all areas during Autumn 2023. There are opportunities to review, and amend, assumptions for the 2024/25 budget up to the point of Cabinet recommendation in February 2024.</p>
Local Government Finance Settlement is worse than anticipated.	High	Medium	<p>Realistic assumptions have already been included and any new information is being assessed as to its likely impact. This is subject to ongoing review especially given the changes in future funding arrangements.</p>
MTFS becomes out of date	High	Low	<p>This is reviewed annually through the budget process.</p> <p>Should an exceptional event occur then the MTFS</p>

Perceived risk	Seriousness	Likelihood	Preventative action
			could be updated at any time.
Significant financial shocks worsen the current position of the council	High	Medium	There is ongoing monitoring of the overall financial position and climate and by adopting the MTFS a longer term time horizon is maintained to anticipate and respond to uncertain events. A prudent approach to the impact of cost of living and the war in Ukraine with associated impact on financial and energy markets on assumptions have been made. An MTFS stress testing exercise is being undertaken alongside a self-assessment against the CIPFA Financial Management standards and review of CIPFA's financial resilience index.

3. LEGAL/FINANCIAL AND OTHER CONTROLS/POLICY MATTERS

3.1 Legal Officer's Comments (NM)

There are no specific direct legal implications set out in the report. The legal duty to spend with propriety falls under s151 of the Local Government Act 1972. Under Section 151 Local Government Act, the Council must make arrangements for the proper administration of its financial affairs and the Council's Chief Finance Officer and Director of Corporate Resources have responsibility for the administration of those affairs.

3.2 Finance Officer's Comments (OO)

There are no direct financial consequences arising from this report. However, the strategy will influence the management of the council's resources ensuring that the focus is on the objectives and targets outlined in the corporate plan. The Council is under a statutory responsibility to set a balanced budget. Under Section 28 of the Local Government Act 2003 the Council is required to periodically conduct a budget monitoring exercise of its expenditure and income against the budget calculations during the financial year. If the monitoring establishes that the budgetary situation has deteriorated, the Council must take such remedial action as it considers necessary to deal with any projected overspends. This could include action to reduce spending, income generation or other measures to bring budget pressures under control for the rest of the year. The Council must act

reasonably and in accordance with its statutory duties and responsibilities when taking the necessary action to reduce the overspend.

Under Section 3 of the Local Government Act 1999, the Council, as a best value authority, must make arrangements to secure continuous improvements in the way in which its functions are exercised, having regard to a combination of economy, efficiency, and effectiveness. This MTFS is one of the ways in which the Council can secure best value within its budget envelope. Under Section 15 of the Act, the Secretary of State has the powers to intervene if satisfied that the Council is failing to meet its best value duty. This includes the power to issue direction that the function of the Authority be exercised by the Secretary of State, or a person nominated by him for a specified period.

3.3 Diversity and Equalities Implications (OO)

There are no diversity and equality implications arising from this document. When the budget for 2024/25 is prepared, an Equalities Impact Assessment will be completed.

3.4 Climate Change Implications (OF)

The Medium Term Financial Strategy covers the key aspects of the council's future plans to address the projected financial deficit and also to place the council on a sustainable and secure financial footing. It is an overarching document and detail will be found in subsequent reports to Cabinet and Council.

Climate change implications of the various projects referenced in the Medium Term Financial Strategy (Annex A) will be assessed as part of the development and implementation phases of those projects through the appropriate decision-making processes.

3.5 Communications and Engagement Implications (KA)

There are no communication implications arising from this report.

4. CONTACT OFFICERS AND BACKGROUND DOCUMENTS

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

Ola Owolabi, Chief Financial Services Officer
Email: ola.owolabi@folkestone-hythe.gov.uk

The following background documents have been relied upon in the preparation of this report: *No background documents have been used.*

Appendices:

1. Medium Term Financial Strategy 2024/25 – 2027/28 (Updated)

2. MTFS workings
3. Reserves Policy
4. MTFS assumptions used (indices)

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MEDIUM TERM FINANCIAL STRATEGY

2024/25 TO 2027/28

(Version produced in December 2023)



MEDIUM TERM FINANCIAL STRATEGY

Introduction

The Medium Term Financial Strategy (MTFS) is one of the key strategies of Folkestone & Hythe District Council and is a four year strategy that sets out in financial terms the Council's commitment to provide services which meet the needs of the people locally and that represent good value for money.

This document sets out the key challenges and approach of the Council in relation to the Council's MTFS and it provides an integrated view of the whole of the Council's finances, and it also maps out the objectives to be secured, policies to be applied and risks to be managed over the period. It links the Council's vision and priorities with its financial budgets and details how the Council's finances will be structured and managed to ensure that this fits with, and supports, the priorities of the Council and its partners.

Since the introduction of austerity in 2010, local government has taken a disproportionately large share of the reductions in public expenditure as part of efforts to balance the nation's finances and the previously integral part of Local Government funding that was Revenue Support Grant is now completely phased out for this District as well as most other Councils.

Local and National funding – the current year

During the current financial year 2023/24, a number of new and significant pressures have arisen for both Central and Local Government, these being: -

- The ongoing war in Ukraine and its impact on the world economy and financial climate
- Maintenance of the high price of utilities such as electricity and gas
- Huge fluctuations in the price of crude oil and supply side pressures
- High inflation e.g., consumer price inflation (CPI) now at 6.3% in the U.K.
- Bank of England base rates, now at 5.25% (as of 27/10/2023) with further increases possible to combat inflation.
- Increases in the cost of borrowing due to higher interest rates.
- Volatility in the bond and currency markets affecting the financial climate.

All the events above have led to an environment of increasing financial pressure, and great uncertainty over the future financial support that is available to local government for 2024/25 and onwards.

The Chancellor of the Exchequer, the Right Honourable Jeremy Hunt MP, delivered the 2023 Autumn Statement on 22nd November 2023. As well as the usual updates on the state of public finances and the performance of the economy, the Chancellor organised his policies into five key areas: reducing debt; cutting tax and rewarding hard work; backing British business; building domestic and sustainable energy; and delivering world-class education.

There were a few positives to take from the Autumn Statement with new planning reforms and the unfreezing of the local housing allowance both announced. There was also the further geographic rollout of existing policy with four new devolution deals and the extension of the Investment Zones in both time and money. This was coupled with some additional regeneration funding in the form of Levelling Up monies and £50 million for regeneration projects.

However, these announcements do not address the deep-set financial and operational challenges facing local government. Therefore, the Local Government Finance Settlement will send far greater reverberations across the sector.

Key Headlines

- There was no new funding for adult or children's social care or any general local government funding for 2024-25, beyond what was announced last year.
- Resource Departmental Expenditure Limit (DEL) budgets will increase by 1.0% in real terms over the medium term to 2028-29, which actually implies real terms cuts for 'unprotected departments' like the Local Government DEL.
- Local Housing Allowance rates will be raised to a level covering 30% of local market rents.
- Local Authority Housing Fund to be extended with a third round worth £450m to deliver new housing units and temporary accommodation for Afghan refugees.
- Local planning authorities to receive £32m to tackle planning backlogs.
- There are plans to allow local authorities to be able to fully recover the cost of planning fees for major planning applications if decisions are made within certain timelines.
- Additional UK-wide funding of £120m for homelessness prevention in 2024-25.
- The standard business rate multiplier will be increased by September CPI (6.7%) and the small business rate multiplier will be frozen for a fourth consecutive year.
- The 75% Retail, Hospitality and Leisure (RHL) business rates relief scheme will be extended to 2024-25.
- Local authorities will be fully compensated for the loss of income because of these two measures and will receive new burdens funding for administrative and IT costs.
- Reforms to the Local Government Pension Scheme (LGPS), including confirmation of guidance that will implement a 10% allocation ambition for investments in private equity, and establish a March 2025 deadline for the accelerated consolidation of LGPS assets into pools.

Based on initial analysis of the statement, FHDC will still need to make over £658,000 of savings in 2024-25, as part of an estimated £4.67 million funding gap over the next four years. FHDC has worked hard to protect its budgets, but there is no painless way to make savings on the scale required. Any low hanging fruit and general efficiencies are gone through the Priority Based Budgeting. Various Councils plan to use their reserves to balance budgets over the next four years. This is not sustainable.

Regarding local taxes, FHDC continues to argue that neither council tax (still reliant on property values from 1991) nor business rates (an increasingly burdensome tax for bricks and mortar business) are fit for purpose.

It is anticipated at this stage, that the Provisional Local Government Settlement will still be announced in December as usual and not delayed. This settlement announcement advises all Councils of their key Spending Funding Assessment (SFA) numbers for the next financial year. A final Local Government Settlement is published in late January to confirm final numbers.

Further details of the possible funding assumptions for this Council are detailed below in the detailed sections of this strategy report.

Medium Term Financial Plan update and rationale

Medium Term financial planning is critical in ensuring that the Council has a clear understanding of the level of available resources, the costs of delivering services and plans for new projects and services. This financial planning facilitates strategic choices around service delivery, efficiency, and service reductions. The MTFS informs the annual budget process, and the Council has a legal requirement to set a balanced budget each year.

The last Government Spending Review 2021 (SR21) was announced on 27 October 2021 alongside and set out the Government's spending priorities, resource and capital budgets and devolved administrations' block grants for the three years from 2022/23 to 2024/25. Key measures announced in the Spending Review for local government included:

- Local government in England will receive an additional £4.8bn increase in grant funding over the next 3 years (£1.6bn in each year).
- There were also smaller allocations within the core funding announcement, including £200m for the "cross-government Supporting Families programme", £37.8m for cyber security, and £34.5m to "strengthen local delivery and transparency".

Since the SR21, the Local Government Settlement policy statement for 2023/24 made a change to the referendum limits for Council tax. Council tax thresholds for "core" Council tax increased to 2.99% (and the adult social care precept by a further 2%) for the years 2023/24 and 2024/25 at least.

It is important to note that the Local Government grant increase (above) of £4.8bn was £1.6bn per year. This means that after adding £1.6bn to base budgets in year one (2022/23), the following years of 2023-24 and 2024-25 are flat cash with no further growth for inflation pressures or pay award.

Furthermore, the Fair Funding Review and business rates changes have been pushed back to at least 2025/26, if not later, as announced by the Government as part of the finance policy statement in December 2022. Latest updates suggest that the Fair Funding Review is being modelled for 2025/26 with a view to implementation in 2026/27. Therefore, the longer term funding picture continues to remain unknown and uncertain, which makes financial planning in the long term more challenging.

In response to the financial challenges experienced over the past ten years, local government has innovated, streamlined services, and increased productivity over recent years. The Government's plans to devolve more responsibilities to local government through the localisation and retention of business rates have been delayed again. This work is currently being considered alongside the Fair Funding Review.

In terms of Council Tax, the current referendum limit for District Councils for the core element is 2.99% or £5, whichever is the greater. It is possible that the Autumn Statement or Local Government Settlement may vary this to give Councils an opportunity to raise Council Tax above this level. The outcome of that review at HM Treasury is still awaited.

In summary, the MTFs is a critical document in setting out the Council's approach to establishing a strong financial base to enable the Council's policies and priorities to be delivered whilst ensuring the Council's finances are sustainable and in-line with latest policy from Central Government. Within the document are some key issues which will need to be tackled due to the financial pressures outlined in the introductory sections of this strategy report. The Council's annual budget setting and strategy process will set out the detailed actions required to meet these but will in all cases be consistent with the direction and objectives of the MTFs.

Folkestone and Hythe Council - the Current Position

Folkestone and Hythe Council is a coastal district in south eastern England and home to a diverse collection of towns, villages, and environments. It covers an area of 140 square miles and has a population of over 100,000 people with approximately 51,000 dwellings in the district. The majority of the residents live in urban areas (67%) with the remaining 37% to be found living in rural areas. The Council has responsibility for a wide range of services including waste collection, planning, environmental enforcement, housing and homelessness, parking, and grounds maintenance. In 2023/24 the Council planned to spend approximately £19.8 million per annum net revenue (after income) on expenditure for services.

Continuing challenges for the Council to consider when establishing its priorities and financial strategy include, but are not limited to: considerable deprivation relative to the national average but with significant inequality within the District; rural areas have poorer access to services and facilities; the district suffers from high levels of disability/long term illness, reflecting, in part, the relatively high proportion of older people living in the District and bringing associated demands on local services; an increasing demand for housing is outstripping supply and there are rising house costs particularly in the private rental market as well as high demand for affordable housing and increasing levels of homelessness.

To add to this list in 2023/24, are increased mortgage interest rates for homeowners, unprecedented increases in the cost of living due to increases in energy costs, pay rises not linked to CPI rates and the growing use of food banks and potential homelessness.

The Council's Aspirations

Following a period of public consultation, the Council has outlined its vision and strategic objectives in the new Corporate Plan 2021/2030 – Creating Tomorrow Together:

The plan is focused on four service ambitions, positive community leadership, a thriving environment, a vibrant economy and quality homes and infrastructure and by 2030 will have achieved the following:

Creating Tomorrow Together

- **Positive community leadership** – local leadership in community services will be recognised for the vital contribution in creating a sense of place, health, and wellbeing. This will be a shared ambition with partners across our communities. Local leadership will address many of the inequalities that exist between our communities, and we will have improved access to services in our most deprived neighbourhoods. A strong and distinctive sense of place will prevail.
- **A thriving environment** - we will be recognised as an outstanding place and known as a green exemplar Council. Across the district, we will ensure excellent accessible open spaces for all. We will have invested in green infrastructure to enhance our superb natural environment and the Council itself will generate net zero carbon emissions.
- **A vibrant economy** - Folkestone & Hythe will have a thriving, distinctive and dynamic economy. It will have capitalised on major investment, will have responded positively to the structural challenges facing high streets, and will enjoy a diverse range of economic opportunities in its towns and rural areas. Building on its excellent connectivity it will attract more, higher-value employment, driving aspiration and demand for skills.
- **Quality homes and infrastructure** - Residents in Folkestone & Hythe will have better access to a wider choice of homes. New development will embrace high standards of sustainability and the district will be delivering planned, high quality housing with the necessary infrastructure to meet identified need, anchored by an ambitious new Garden Town at Otterpool Park.

At the heart of everything the Council does, it wants to build sustainable, resilient, and prosperous communities and has set out six guiding principles to run through all activities, they are:

- **Locally Distinctive**
- **Sustainable Recovery**
- **Greener Folkestone & Hythe**
- **Transparent, Stable, Accountable & Accessible**
- **Working effectively with partners**
- **Continuous Improvement**

The Council has also developed a detailed action plan which provides focus for the first three years and outlines the outcomes anticipated to be delivered over that period relating to the Corporate Plan service ambitions.

The Council will continue to deliver a range of major projects as outlined in the plans and initiatives focusing on putting the community and our customers first, whilst ensuring financial stability, and continuing the journey of service improvement alongside realising development projects at sites including Mountfield Industrial Estate, Biggins Wood and ultimately, Otterpool Park – a garden town for the future and the creation of new homes in-line with the Council's Local Plan.

Strategic Financial Objectives

The MTFs covers all areas of Council spending and is underpinned by the strategic financial objectives as set out below:

- To maintain a balanced Budget such that expenditure matches income from Council Tax, fees and charges, and government and other grants and to maintain that position.
- To maximise the Council's income by setting fees and charges, where it has the discretion and need to do so, at a level to ensure at least full cost recovery, promptly raising all monies due and minimising the levels of arrears and debt write offs.
- To ensure a long term sustainable view is taken of any investments and the appropriate risk analysis is provided in considering those.
- To set a rate for Council Tax which maximises income necessary for the Council to deliver its strategic objectives but ensures that government referendum limits are not exceeded. The percentage increase will be reviewed annually.
- To ensure resources are aligned with the Council's strategic vision and corporate priorities.
- To safeguard public money and ensure financial resilience.
- To maintain an adequate and prudent level of reserves.
- To estimate the expenditure requirements over the life of the Strategy to ensure value for money is achieved and resources are utilised where outcomes are measurable and have real impact.
- To continue to improve value for money – managing people and money more efficiently and effectively to continue to improve value for money, standardise, streamline, and share best practice, getting better value from commissioning and procurement, whilst seeking to minimise the impact of budget savings on priority services.
- To bring together the key issues affecting the Revenue Budget, the Housing Revenue Account, Treasury Management, and the Capital Programme.

- To review emerging issues and other influences affecting the Council's financial strategy, the forecast impact of these changes on both the demand for services and likely funding due to:
 - Global, national, and local economic factors
 - Demographic changes
 - Technological advances
 - Climate change
 - New legislation
 - Policy initiatives by both the Government and the Council.

The Council faces a number of difficult financial decisions if it is to achieve its corporate priorities in the current economic and financial climate which remains challenging. Effective prioritisation and management of resources therefore continues to remain significant for the coming years. It is prudent to assume a limited level of support from Central Government in the next years and if the U.K. enters a challenging period despite its ambition to grow the economy and boost investment within the sector.

Supporting the production of the delivery of sound financial planning for the Council are several Council wide documents and programmes including:

- The Corporate Plan 2021 – 2030 'Creating Tomorrow Together'
- Council Constitution, Part 10 – Financial Procedure Rules, Contract Standing Orders and Auditing the Council
- Economic Development Strategy
- The Medium Term Financial Strategy
- The HRA Business Plan
- Housing Delivery Action Plan
- The Council's Capital Strategy and Investment Strategy (Treasury Management)
- CIPFA Financial Management Code self-assessment and action plan
- The investment in longer term strategic developments to secure the financial future of the Council.
- The development of the garden town at Otterpool Park with a long term financial benefit for the Council and establishing sustainable communities for the future
- Otterpool Park LLP Business Plan
- The Folkestone Place Plan
- A sustainable and prudent reserves policy to underpin the financial resilience of the Council.

An MTFs stress testing exercise is now executed annually alongside a self-assessment against the CIPFA Financial Management standards and review of CIPFA's financial resilience index. The MTFs stress test ensures that the Council can constantly monitor a series of best and worst case scenarios to ensure that its financial plans are robust and based on varied assumptions.

The range of strategy documents and approaches provides the overall strategy of the Council in delivering its future agenda and as a combination they are owned by the Council as a whole. This MTFS brings together the financial strands of that approach in the context of the current financial climate and essentially provides a golden thread that runs through all the Council's plans to ensure sound financial planning, management, and stewardship.

Budget Process

The MTFS represents an overarching view of the finances of the organisation. It is the document that takes a medium term view of the financial environment the Council is operating in and looks to anticipate future demands and pressures so the Council can make longer term decisions over its financial sustainability. In addition to this, there are a number of key documents which contribute to the overall financial health of the organisation. These are:

- The Budget Strategy. This is produced on an annual basis and sets out the strategy for setting and managing the budget for the new financial year. It is here the detailed decisions on expenditure are taken including determining key growth and savings and fees and charges for the year ahead. MTFS assumptions are also refined for further details where these are available. For 2024/25, the Budget Strategy will also include the implications and impact for the Council that are contained in the Medium Term Fiscal Plan that is due to be announced by the Chancellor of the Exchequer on 22 November 2023 (where feasible given the time restraints).
- The detailed revenue estimates. These represent the operational detail for the following year's budget and form the basis of the following years budget monitoring and management.
- The Medium Term Capital Programme. This sets out the Council's capital expenditure plans over the medium term. This also informs the revenue budget of the costs and implications of any proposed developments. For 2024/25 this is highly critical due to the increased costs of capital financing because of higher interest rates and long term borrowing rates.
- The Housing Revenue Account. This sets out the annual capital and revenue budget for the Council's housing stock and links to the 30-year business plan. For 2024/25 the impact of CPI inflation on costs, borrowing and rent increases or a cap on increases will be a key consideration.
- The Treasury Management, Capital, and Investment strategies. These documents set out the approach to managing the cash available to the Council and how to maximise its value to the Council. They also consider all the Council's investments and plans to achieve future returns over the longer term. Again, the strategy for 2024/25 will be crucial to the impact of interest rate increases on both investments and borrowing costs for the Council.
- Fees and Charges. This sets out a corporate view of the fees and charges which are levied by the Council for consideration each year.

Together these reports lead to the final Council Tax setting report that will be presented to Full Council in February 2024 and the agreement of the Budget for the new financial year.

Priority Based Budgeting

For the 2024/25 budget, the Council utilised a budgeting approach known as Priority Based Budgeting (PBB). Having carried out a self-assessment of the Council current budget setting processes, the Council identified a new approach to budget setting that would ensure that the Council have a Priority Based Budgeting (PBB) approach, which allocates scarce budget resources to the areas of service that are of highest priorities and delivers the outcomes the Council want to achieve for local people under the new administration.

The model seeks to ensure that budgets are set and that service areas are resourced to deliver on their priority areas, with any budget savings being made in areas that are considered lower priority. The core concepts are to –

- Prioritise services.
- Eliminate the unnecessary spending.
- Question spending
- Budget within the Council means.
- Understand commitments, controllable cost/non-controllable, contract, etc.
- Be transparent about community priorities.
- Be transparent about financial implications.
- Responsible budget holder accountability.
- Discretionary or Statutory service review.

The PBB approach allows the Budget Manager, Chief Officers, Directors, and Elected Members through various budget meetings including the Star Chamber to have the opportunity to provide an input and be involved in setting the priorities, strategy, and direction at the outset of the budget setting process.

The draft budget package prepared by officers consider savings from both corporate reviews as well as departmental proposals, but all should reflect the agreed priorities and focus on the use of resources. This also ensure that members have an opportunity to review the draft budget package and make changes before it is formally submitted to Council. Members would still make the final decisions on budgets as is the case now but with a focus on delivery of priorities and outcomes rather than the detail of every individual proposal.

Financial Pressures and Projections

The last eight years have seen significant shifts in funding for the local government sector. The spending review in 2015 confirmed a transition away from direct central government Revenue Support Grant (RSG) and for Folkestone and Hythe this grant was consistently reduced from £4.901 million in 2013/14 to nil. This is in line with the Government's intention to see more money raised locally for its core spending base from local taxation (Council Tax and Business Rates) to provide local services. The Government's intention was to introduce a new funding regime for Local Government based on a Fair Funding formula coupled with a major review of the Business Rates system to help Council's keep more of their business rates growth.

Since April 2020, there have been constant delays and setbacks to the introduction of the Fair Funding Review. The review was anticipated to make major changes in the structure of local government finance including local business rates retention, a revised allocation of resources and new arrangements to replace the New Homes Bonus to reward those Councils which support home building. A spending (SR21) was finally announced on 27 October 2021 alongside an Autumn Budget, and this set out the government's spending priorities and funding plans for 2022/23 through to 2024/25. However, whilst this provided a steer of the financial impact for the Council over this period, the Council like others is still dependent upon a local government settlement that is announced annually in December. This is known as the Provisional Local Government Finance Settlement.

The degree of uncertainty to the projections made within the MTFs remains on-going and funding announcements will have to be factored into the MTFs as they are announced. The Chancellor's Autumn Statement was delivered on the 22 November 2023 and the statement is still being analysed to determine how the Council projected deficit of £4.6 million will be addressed.

For 2024/25, a range of different economic factors have had to be considered in the MTFs, in light of the higher CPI inflation and increases in utility costs and the cost of living crisis. There has been turbulence in the financial markets and the costs of borrowing for Local Government has increased markedly due to the above factors. Many of these factors have not been previously expected by councils and so most Medium Term Financial plans have had to be re-cast to allow for these changes, some of which are still considered variable due to the uncertainty in the economic and financial environment that U.K. faces.

Key Financial Assumptions

The preparation of a four-year MTFs is based on a number of working assumptions. These inevitably become more difficult to predict as the period covered lengthens. Potential medium-term implications are considered as part of the risk assessment section of the report. The key financial assumptions, based on known and expected changes, in the revised MTFP 2024/25 to 2027/28 are detailed below and are summarised as follows:

- Business rates income – pending the result of the 2023 revaluation, the overall Business Rates income is unchanged from the previous MTFs.
- Securing a level of external funding through capital schemes.
- Council Tax Base (dwellings) – an increase of 1.00% in 2024/25 and growth of 1.0% p.a. thereafter.
- Council Tax model increases of the higher of 2.99% at Band D equivalent for 2024/25 or £5.00 (whichever is the higher) per annum.
- An assumed pay award of 3.0% p.a. for 2024/25, 3.0% for subsequent years and 1% for salary increments and maintaining the adoption of the Real Living Wage.
- Selective prices inflation at an average of 5.5% to reflect contractual commitments and price risk areas.
- Interest rates receivable budget in 2024/25 of 5.5% in line with advice provided by our treasury advisers.

As many economic commentators have reported, Councils currently faces a future of “known–unknowns” and this makes for a period of great uncertainty in terms of effective financial planning. As such, the forecasts set out below for the MTFS recognise current service levels plus any known and agreed variations. They are based on a continuation of those service levels and reasonable assumptions in relation to pay and price inflation and other known pressures. The forecast is based on a mid-range scenario and will need to be updated in line with government announcements and as new information becomes available as detailed in the introductory sections of this strategy report.

2024/25 Provisional Local Government Finance Settlement and adjustments to the Budget

The Provisional Local Government Finance Settlement was announced by the Department for Levelling Up, Housing & Communities (DLUHC) on 18 December 2023. The broad approach is based on a uniform roll-over of the core elements of the 2023/24 settlement funding assessment (SFA) however, new additional resources have been made available for one further year consisting of a reduced New Homes Bonus; a 3% Funding guarantee grant and a reduced service grant – plus a CPI multiplier cap compensation for Business Rates. These new resources are in the form of one-year grants and have been welcomed by all councils.

The 2024-25 settlement is effectively the second year of a two-year settlement. Almost everything in the settlement has already been announced, either in the Autumn Statement (22 November 2023), the Policy Statement (5 December 2023), or the response to the technical business rates consultation (14 December 2023).

The settlement continues the series of real terms increases in Core Spending Power that started in 2020-21. Funding increases might not feel very generous to authorities who are wrestling with very significant spending pressures – but they have been higher than the headline rate of inflation and will be again in 2024-25. However, CSP increases are likely to be lower from 2025-26 onwards, and reliant on council tax rises rather than grant increases.

It has been a good provisional settlement for Folkestone and Hythe District Council. In particular, the Council benefits from the receipt of additional new grants (one year only) for a reduced New Homes Bonus; a 3% Funding level guarantee and a reduced Service Grant allocation.

The current MTFS forecast, set out at Table 1 below, and identifies the future pressure that the Council would be facing, and it is clear to see that the Council faces a marked increases in cost and price pressures in years 2024/25 onwards. It should be noted at this stage that due to the projected financial resources (including the government provisional settlement) and economic pressures outlined above, the current MTFS forecast shows a cumulative funding gap of £2.78m over the lifetime of this MTFS.

The table below shows the cumulative deficit over the period of the MTFS.

Medium Term Financial Strategy Forecast (2024/25 to 2027/28)

Financial Forecast	2024/25 £000	2025/26 £000	2026/27 £000	2027/28 £000
Deficit / (Surplus)	-	85	717	1,982
Cumulative Deficit	-	85	802	2,783

The MTFFS currently forecasts a balanced budget for the forthcoming financial year - 2024/25, following the Council's new approach to budget setting, transformation programme, achieved savings, recently announced positive Government Provisional Settlement, etc. Some of the key underlying assumptions and drivers are set out in the paragraphs below:

Council Tax

Council Tax is one of the key core funding streams for the Council and accounts for approximately two thirds of the Council's income. Although this is a significant funding source, it is subject to restrictions by central government. The Localism Act included a requirement to hold a local referendum if any Council Tax increase is deemed 'excessive' and this level is currently set at 2.99% by central government, or £5 for a district Council (whichever is the higher). It is possible that changes to these limits may be introduced by the Government as highlighted in the introductory sections of this strategy report.

The MTFFS as presented here, assumes an ongoing Council Tax increase of 2.99% per annum however this will be subject to a member decision on an annual basis dependent on circumstances at the time. A 1% increase in Council tax, based on the revised Council tax base and other adjustments, will raise approximately £110k for the Council in 2024/25, which is approximately 0.7% of net revenue spend (excluding Town and Parish precept costs).

Use of Reserves

The Council has a level of reserves which includes a General Fund Reserves Balance and a level of Earmarked Reserves. These reserves provide the Council with some protection against the difficult economic times and short term gaps in funding. The level of reserves currently held by Folkestone and Hythe gives it a secure financial base however it is important to have an appropriate balance between supporting the financial position of the Council and planning the delivery of services. The Council has identified specific uses for much of the reserves including setting aside sums to support the regeneration of High Streets and sums to support the Council's carbon net zero ambitions amongst other key priorities. Whilst the Council will seek to continue to add to earmarked reserves and seek to deploy them for their intended purpose, in the current financial climate it may be necessary to deploy reserves for other important needs.

The Council had to use a level of reserves to balance its 2023/24 Budget, and this may also have to be considered for the 2024/25 Budget due to the likely cost pressures outlined in the earlier sections of this strategy report.

Appendix 3 to the 13th December Cabinet report sets out the Council's overall reserves policy and the context in which decisions are made as to the appropriate level of reserves.

Table 2 – Reserves available at Q3 – 2023/24 as at December 2023

Earmarked Reserve	Balance at 1/4/2023	2023/24 Movement		Estimated Balance at 31/3/2024	Purpose
		In	Out		
	£000s	£000s	£000s	£000s	
Business Rates	(1,657)	-	26	(1,631)	To support the Rates Retention Scheme.
Leisure	(497)	-	-	(497)	To meet future leisure improvements.
Carry Forward	(2,298)	-	88	(2,210)	For items of expenditure not incurred or grant & income not applied in the previous financial year
Vehicles, Equipment and Technology Reserve	(277)	(200)	-	(477)	To meet vehicle, equipment and technology replacement needs or improvements.
Maintenance of Graves	(12)	-	-	(12)	Amounts held in perpetuity for grave sites.
New Homes Bonus (NHB)	(409)	-	200	(209)	To fund the anticipated additional cost of services
Corporate Initiatives	(687)	-	500	(187)	To support Corporate Plan objectives and goals.
IFRS Reserve	(5)	-	-	(5)	Accounting code changes support
Economic Development	(1,923)	-	1,364	(559)	Towards the regeneration of the district match funding
Community Led Housing	(253)	-	-	(253)	Ringfenced to support community-led housing
Lydd Airport	(9)	-	-	(9)	Support monitoring the conditions at Lydd Airport.
Homelessness Prevention	(925)	-	90	(835)	Flexibly fund ways to reduce the homelessness
High Street Regeneration	(1,233)	-	528	(705)	Regeneration projects within the district's high street areas.
Climate Change	(4,656)	-	1,155	(3,501)	To fund initiatives to help the Council achieve net-zero carbon emissions by 2030.
Transformation Fund	0	(1,500)	414	(1,086)	Set aside to enable investment in initiatives that will deliver future savings.
VAT Backdated Claim	0	(405)	405	0	Backdated claims refunded by the HMRC
Covid Reserve	(30)	(26)	56	0	To support collection fund deficit
Total Earmarked Reserves	(14,871)	(2,131)	4,826	(12,176)	
Total General Fund Reserve	(7,038)	(458)	1,786	(5,710)	

The Council's prudent approach to reserves means that a number of investments have been made using reserves to support initiatives such as Oportunitas (a company wholly owned by Folkestone & Hythe District Council to provide more homes for local people and to promote new employment and housing opportunities across Folkestone and Hythe) contributions towards Mountfield Road Industrial Estate and the acquisition of Folca. Table 2 above shows the levels of reserves currently available at Quarter 3 in 2023/24.

The Council holds a range of Reserves for a variety of reasons. The actual number and value fluctuate over the year as monies are spent on projects, new money is received from funders (most often from Government but not exclusively) and new reserves are created to respond to changing financial pressures. The Reserves are held as funding for specific projects, against known or potential expenditure or to meet future costs or allow for service developments and to allow value for money improvements.

A review of the Council reserve will be taking place in 2024/25 to consider the forecast use of reserves and to ensure that the Council retains a prudent level of reserves over the medium term. The review would cover a number of stages:

- To understand the spending plans regarding the current reserves over the next few years.
- Consider what level of general balances that FHDC should hold, based on a risk assessment.
- Identifying those reserves that are ringfenced as they have specific grant objectives to deliver.
- Considering what strategic earmarked reserves FHDC should hold.

Cost of Living

The Council's economic and fiscal position is clearly impacted by the wider national and international economic context. The United Kingdom's cost of living crisis started in 2021, when prices for many essential goods increased faster than household incomes, resulting in a fall in real income. Global and local factors have contributed to this. Global factors include (but are not limited to): cost of living crisis, the energy crisis and rising energy process, a supply chain crisis and Russia's invasion of Ukraine in 2022. Local factors, some unique to the UK, include high inflation, labour shortages (in part caused by the exit from the EU), and rises in Council Tax. Household incomes have not kept pace with rising prices.

New Homes Bonus Funding (NHB)

The New Homes Bonus was introduced in 2011/12 and has become an important funding source for Councils. It is designed by Central Government to incentivise new house building. Local authorities are rewarded with a financial bonus, equal to the national average Council Tax on each additional property built and paid for the following six years after the occupation as a non-ring fenced grant. This bonus is currently split in two tier areas 80% to the District Council and 20% to the County Council and includes where properties which have been empty for more than six months are brought back into use. There is also an enhancement for affordable homes.

In recent years, the government set out its intention to end New Homes Bonus, however with the delays to the Fair Funding Review its future remains unclear. The intention is to replace this mechanism with a different means of incentivising and rewarding housing growth.

Currently, the Council has a residual reserve of unused New Homes Bonus of £409k (see Table 2 above) and this is available for use if approved as part of the Budget Strategy. It should be noted that the Council utilised £2.18m of its earmarked and £1.78m of general reserves in 2023/24 to balance its Budget. This reserve is likely to continue to be depleted in 2024/25 unless the Government provide a compensating alternative.

On 18 December 2023, the Secretary of State for the Department for Levelling Up, Housing and Communities (DLUHC), released a written statement to Parliament on the provisional local government finance settlement 2024/25.

Reduced New Homes Bonus - New Homes Bonus (NHB) will continue in 2024-25. The government provided a one-year extension to the NHB scheme for 2024/25 and has stated the future of NHB will be set out ahead of the future settlement. The council received a reduced amount of £0.135m in 2024/25 (£0.366m in 2023/24).

Homelessness, Asylum, & Refugees

The 2023 Autumn Statement on 22nd November 2023, include the following: -

- Local authorities will receive £120m to invest in homelessness prevention. DLUHC subsequently confirmed this is new money for 2024-25, but the share for England is yet to be confirmed.
- A third round of funding of £450m from the Local Authority Housing Fund to deliver 2,400 new housing units and temporary accommodation for Afghan refugees.
- 'Thank you' payments for 'Homes for Ukraine' sponsors will be extended another year (and continue at £500).

Business Rates (Non Domestic Rates)

The Governments long standing Business Rate Scheme through which local authorities would be able to retain a proportion of any business rates growth above a set baseline. The purpose was to give local authorities a financial incentive to encourage and foster economic growth within their area and to work collaboratively with other authorities and business organisations to achieve that growth. Whilst this scheme has been broadly welcomed by local authorities, there are concerns over the potential volatility of this income stream with the level of appeals and that even a small variation in the overall revenue generated can carry a significant financial impact. The government is currently undertaking a review of how business rates operate and has stated its intentions to achieve 75% localisation of business rates, the commencement of this proposal has been delayed alongside the Fair Funding Review.

Regarding the MTFs, the Council has welcomed the emphasis on economic growth but has been cautious about building this into the base budget. Part of this is due to the impact of appeals and the volatility of the income which makes it more complex to forecast. Where possible, any surpluses have been placed within a reserve until there is a degree of certainty that they can be used which may well not be until the following financial year. This is prudent management to manage the natural fluctuations of the business cycle.

The role of business rates in the funding of the Council will be affected by the Fair Funding Review. The full impact of this will only become clear as proposals are developed with likely implementation from 2025/26. This adds a further element of uncertainty to the projected position and suggests caution is needed in any future projections.

The 2023 Autumn Statement on 22nd November 2023 made the following reference to business rates -

- The small business rate multiplier will be frozen for another year at 49.9p whilst the standard rate multiplier will be updated with September CPI (6.7%) to 54.6p.
- The 75% Retail, Hospitality and Leisure (RHL) business rates relief scheme will be extended to 2024-25 with a £110,000 cash cap per business.
- For both the rate freeze and RHL relief measures, local authorities will be compensated for the loss of income and for new burdens related to administrative and IT costs.

Office for Budget Responsibility forecasts

Previous analysis of data provided by the Office for Budget Responsibility (OBR) showed that the economy was being adversely affected by the cost-of-living crisis and the impacts of the war in the Ukraine. A summary of the economic data and forecasts published as part of today's Autumn Statement are as follow -

GDP Growth - Table A1 shows the GDP growth forecasts against those published in previous announcements. The table shows that the forecast for UK wide economic growth for 2023/24 is now 0.4% higher than in the Spring Budget 2023. However, it is then shown lower for the subsequent two years by 1.2% in 2024/25 and 0.9% in 2025/26, before being broadly the same in the final two years of the forecast.

Table A1 GDP Growth Forecasts

	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28
Autumn Statement 2023	1.7%	0.6%	0.9%	1.5%	2.0%	1.9%
Spring Budget 2023	1.4%	0.2%	2.1%	2.4%	2.1%	1.8%
Autumn Statement 2022	1.3%	-1.2%	2.0%	2.6%	2.6%	2.1%
Spring Statement 2022	2.2%	1.9%	2.1%	1.7%	1.7%	

Inflation – CPI - Table A2 shows the CPI inflation forecasts against those published in previous announcements. The most significant message the table shows is that after reaching a peak at 10% in 2022/23 there will then be a decline in the level of CPI in 2023/24 to 6.1% followed by further reductions to 3.0% in 2024/25 and an average of 1.6% per annum in the following three years.

These latest forecasts for CPI inflation are however higher in every year of the forecast from 2023/24 onwards by on average 1.4% per annum than at Spring Budget 2023.

Table A2 CPI Inflation Forecasts

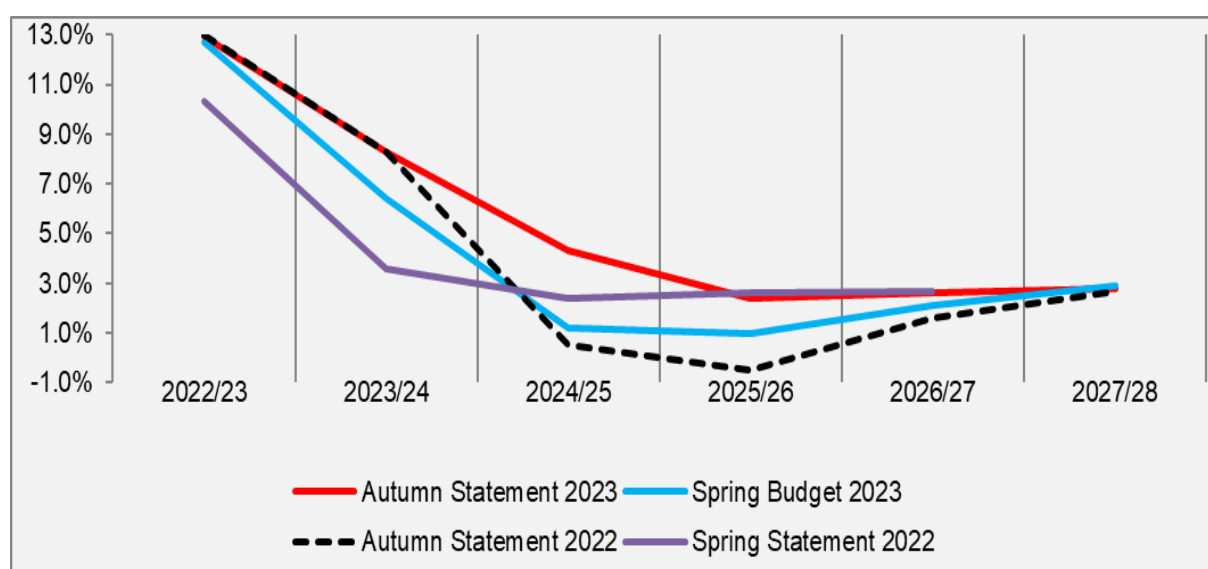
	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28
Autumn Statement 2023	10.0%	6.1%	3.0%	1.6%	1.5%	1.8%
Spring Budget 2023	9.9%	4.1%	0.6%	0.0%	0.8%	1.7%
Autumn Statement 2022	10.1%	5.5%	0.0%	-1.0%	0.8%	1.8%
Spring Statement 2022	8.0%	2.4%	1.7%	2.0%	2.0%	

Inflation – RPI - Table A3 shows the RPI inflation forecasts against those published in previous announcements. The most significant message the table shows is that after reaching a peak of 12.9% in 2022/23, the forecast is for reductions to RPI in 2023/24 and beyond. However, RPI is shown higher at the Autumn Statement 2023 compared to the Spring Budget for the next four years by on average 1.7% per annum up to 2026/27.

Table A3 RPI Inflation Forecasts

	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28
Autumn Statement 2023	12.9%	8.3%	4.3%	2.4%	2.6%	2.8%
Spring Budget 2023	12.7%	6.4%	1.2%	1.0%	2.1%	2.9%
Autumn Statement 2022	13.0%	8.3%	0.5%	-0.5%	1.6%	2.7%
Spring Statement 2022	10.3%	3.6%	2.4%	2.6%	2.7%	

Figure A3 RPI Inflation Forecasts



Climate Emergency

The Council formally recognised, in 2019, that there is a climate & ecological emergency and has agreed to commit to several activities which will reduce its carbon footprint, and which will move towards a carbon neutral district. A Working Group has been established to consider the options and implications and an Action Plan for our own estate has been adopted and a district wide strategy is anticipated to be created during 2022. The Council has allocated funds to an earmarked reserve to manage the financial implications of the actions required and facilitate progress on the agenda. The Council has a Climate Change reserve, and this reserve currently holds £3.9 million.

Future Strategies

The current negative forecast means that there will need to be significant work undertaken to address the forecast deficit over the term of the MTFs. Set out below are some of the key areas to be developed through the 2024/25 budget strategy and beyond to address those financial challenges.

Re-focusing of Priorities: The Council needs to prioritise and rephase the work it is undertaking to recognise the financial challenges it faces. We will continue to undertake and re-focusing work throughout the term of the medium term financial strategy but with a focus upon the early years of the plan, with the intention of delivery base budget recurring savings. This work will include a review of services performed, identification of opportunities to improve the efficiency, improve service delivery and resilience through improved ways of working.

Strategic Investments: The Council is looking to take advantage of its position with a number of developments to produce financial returns whilst at the same time supporting the delivery of housing and regenerating parts of the district.

Bigginwood was acquired with the objectives of boosting the local economy, increase job opportunities and providing more homes (including affordable homes) and is anticipated to deliver 77 residential units, 660m² of commercial office units and 5,142m² of light industrial units. The Council has undertaken remediation and infrastructure works to the site to enable it to be sold for the planned redevelopment; it is currently in the process of being sold.

The largest development is that of the proposed new town at Otterpool Park and options are being explored to generate future revenue and capital streams. A full financial model was completed in 2019 to consider the long term potential returns from the development. During 2020 the Council acquired its partner's stake in the site and now has full control of the project. Also, during 2020 the Council established a Limited Liability Partnership (LLP) to manage the delivery of the project. The LLP's first Strategic Business Plan was approved by the Council in January 2021 and the first review of this was approved by Cabinet in January 2022.

The draw-down of funds from the Council will be linked to key milestones contained in separate detailed funding agreements which will be the subject of expert advice to be commissioned by the Director of Corporate Services (the S151 Officer of the Council) to regulate the milestones for draw down, the terms for repayment, security, and all other provisions which it would be prudent to include. The MTFS incorporates income from Otterpool Park, which is represented as interest on the loans the Council will make to the LLP to facilitate infrastructure and land acquisition. As outlined within the risks, this is a volatile area with many dependencies affecting the financial position, the sums do have an impact upon the MTFS itself, so will be monitored closely.

The Council's Cabinet on Wednesday, 18th October 2023 considered a paper on Otterpool Park LLP. The report presents an update on Otterpool Park and details outcomes of the governance, finance, and management reviews to ensure the successful continuation of this important significant project.

Recommendations cover the strategic direction, funding, and future delivery of the project. The report, which also includes details on delivery and financial risks for the Council is available through the link below.....

<https://folkestone-hythe.moderngov.co.uk/mgCalendarMonthView.aspx?M=11&CID=0&OT=&C=-1&MR=0&DL=0&D=1&ACT=Earlier&DD=2023>

The Cabinet resolved that the Council explores third-party investment (public and/or private sector) on a joint venture basis, reporting the outcome to Cabinet for further consideration and decision. The broad principles on which this should be based are proposed as:

- A Joint Venture (JV) between the Council and third party on a strategic, site-wide basis.
- The JV partner to demonstrate a track record of facilitating development at scale, and a commitment to delivering the vision for Otterpool Park.
- The JV partner to share the role, risk, and responsibility as Master Developer for the whole site.
- The Council retaining a significant stake - preferably 51% control.
- The JV partner makes a financial contribution to costs already incurred by the Council.
- The JV agreement to release an early capital repayment to the Council.
- Future profit / returns to be on a shared 'risk and reward' basis; and
- Delivery and financial risk to the Council mitigated to an acceptable level of tolerance.

Folkestone Town Centre Levelling Up Funding Application

The Council was successful re the Levelling Up Funding (LUF) bid of £19.8m from the Government to support its plans for the regeneration of Folkestone town centre. The bid builds upon the Council's Place Plan for the centre of Folkestone and seeks funds for three key strands of work which aim to improve the appearance and use of the town centre including key links to it. A provision has been made in the existing approved Medium Term Capital Programme for this scheme.

A **financial review** of previous years' outturn and our base budget to ensure maximum value is obtained from those resources already allocated – effectively to ensure financial discipline and good housekeeping are maintained. This is a fundamental annual review of our current operations in order to maximise the use of our current resources.

Using **reserves** in a sustainable and prudent manner to support the Council's strategies and priorities. These are informed by the reserve's strategies at Appendix 2, and it is recognised that these can only be used on a "one off" basis. However, they can play an important part in supporting initiatives or investments which can produce benefits in the future. The current financial climate means the Council may need to utilise reserves in the short term to protect front line services whilst its longer term plans are brought to a conclusion. It is highly likely that the Council's reserve balances will be further depleted if the Government's financial support to Local Government for 2024/25 is below inflationary levels.

Using opportunities as they arise including government initiatives or incentives. In particular, the Council will seek to participate in the Business Rates Pooling scheme to maximise the financial benefit from this area. It has utilised Flexible Capital Receipts where possible to fund the transformation programme and to take pressure off the revenue account. All these are managed on an ongoing basis.

To maintain the Council's financial standing it is important that it continues its proactive approach to financial planning and ensures that the savings plans are deliverable and that any investments are focussed on the financial health of the authority.

Housing Revenue Account

The Council has a separate ring-fenced account, the Housing Revenue Account (HRA) which supports local authority housing throughout the district. The HRA is required to produce a 30 year business plan which demonstrates the affordability and sustainability of the management and investment in the Council's housing stock. This financial plan is being brought to Cabinet alongside this MTFS.

The Chancellor of the Exchequer, the Right Honourable Jeremy Hunt MP, delivered the 2023 Autumn Statement on 22nd November 2023, which include the following-

- From April 2024, the government will raise Local Housing Allowance (LHA) rates to the 30th percentile of local market rates. This is intended to relieve housing cost pressures for those on low incomes and living in the private rented sector.
- Housing supply measures were announced for specific local areas, including London, which, subject to business case approval, is to receive £23m in bus network funding to support housing in the Docklands 2.0 scheme.
- Additional planning funds were also announced, including £5m for DLUHC's Planning Skills Delivery Fund for local planning authorities to improve capacity, and £110m for a Local Nutrient Mitigation Fund to deliver schemes to offset nutrient pollution.
- There are plans to guarantee accelerated delivery decisions for major developments in exchange for a fee paid to local authorities. If accelerated timelines are not met, developers will receive a refund of these fees.

- There will be a new consultation early in 2024 on a new permitted development right to convert one house into two flats without changing the façade.

Medium Term Capital Programme

The Medium Term Capital Programme (MTCP) sets out how capital resources are used to achieve the Council's vision and corporate priorities. Funding for capital projects is limited and where possible external funding is used to supplement the programme. The Council has an affordable Capital Programme, and this is assessed against business cases taking into account future resources to support projects. A strategy has been adopted which will look to utilise capital receipts to support investments for the Council. Demand for financing potential new projects continues to outweigh the funding available and developments such as Otterpool Park will need to be prioritised as part of the programme.

The main strategic objectives of the Capital Programme, which provide the underlying principles for financial planning, can be summarised as follows:

- To maintain a five year rolling Capital Programme which remains within the approved affordable, sustainable, and prudential limits.
- To ensure capital resources are aligned with the Council's strategic vision and corporate priorities by ensuring all schemes are prioritised according to the Council's prioritisation methodology.
- Prudential Borrowing to be undertaken to support the Council's priorities where there is a business case for it to do so and there are sufficient monies to meet in full the implications of capital expenditure, both borrowing and running costs.
- To maximise available resources by actively seeking external funding to support Council priorities and disposing of surplus assets.
- To use internal resources alongside external resources where appropriate to support the capital programme and minimise any borrowing costs.

The Council forecasts its capital programme over a 5 year period. A full update to the MTCP will be made to Cabinet in January 2024 before being submitted to full Council for approval in February 2024 as part of the annual budget setting cycle.

Risks and Sensitivities

In considering the future projections, it is recognised that there are unknowns which could impact upon the existing forecasts. The MTFs should therefore not be seen as a static document but rather one that is constantly evolving as the environment around it changes.

In terms of financial planning for 2024/25, the projection in the MTFs is likely to see many changes before the budget reaches Cabinet and Full Council in February 2024 for decision and approval.

It is a requirement of the CIPFA Financial Management Code that the Council considers different scenarios when developing its MTFs, and while it is accepted that the MTFs cannot be based on full knowledge of the future, there will be "events" which cannot be predicted or the impact of which cannot be quantified.

It is important to consider the Council's ability to withstand significant external 'shocks' and how it could potentially manage these. This testing is about the ability to cope should the "what if?" happen and not the likelihood of it happening which is dealt with through the risk management strategy and the review of the robustness of estimates and reserves.

Some of the key risks and sensitivities which are included in the Council's corporate risk register and need to be monitored are mentioned below.

- **Funding.** As previously explained, the future funding arrangements to be established by government pose a potential risk to the council. It is not expected that the new arrangements will come into place until 2025/26, a further delay to the previously extended delay, although final confirmation is awaited of this from the Government. Changes to the funding formula for Local Government have been delayed for several years, with the earliest opportunity for implementation being 2025/26.

The outcome from the review could increase or reduce funding compared to those values included in the medium-term financial strategy. At this stage no intelligence has been received from supporting professional bodies that would support different assumptions to those being used in the forecast.

The annual budget statement from the Chancellor of the Exchequer delivered on 22nd November 2023, could influence the medium-term financial strategy funding position. These are usually reflected within the Provisional Settlement that will be published prior to Christmas. This presents a level of risk, as additional grants could be awarded, but offsetting could be higher than anticipated costs, or reduced levels of existing grants that differ to the levels assumed within our current forecast.

The Autumn Statement updated the overall envelope for public spending to 2028-29. Total departmental spending will grow in real terms at 2.6% per year on average over this period. While the planned departmental resource spending will continue to grow at 1% per year on average in real terms, excluding the funding provided to local authorities in 2024-25 as part of the one-year RHL business rates relief scheme.

- **Economic conditions.** The impact of the economic cycle will need to be considered particularly in relation to business growth, inflationary pressures, and interest rate movements. The impact of changes and any impact on public finances will need to be fully evaluated on the financial model. The economy has recovered well following COVID-19 restrictions and the UK's labour market has proved more resilient than expected, although there are new national issues impacting on the picture due to the war in Ukraine and the cost of living crisis and rising interest rates affecting borrowing costs.

Funding settlements in the next spending review are likely to be very tight indeed. The Office for Budget Responsibility (OBR) forecasts increases in Departmental Expenditure Limits (DEL) of 3.9% and 3.7% in 2025-26 and 2026-

27 respectively. These uplifts are likely to be reduced and many services (mostly the NHS and Defence) are likely to take the lion's share of any increases.

For local government, there is no planned additional increase in grant funding. Even if the previous year's allocations are seen as generous, this is clearly insufficient to meet the cost of inflation and cost of living crisis over the 3 years of the spending review. Local Government expects DLUHC to make a bid to the Treasury for additional funding. Any additional funding is not likely to be announced until December. The chances of a material increase in funding for local government (outside social care) are considered to be slim.

- The Chancellor set out the Autumn Statement for 2023 with a lookback to three of the Prime Minister's five priorities which were explicitly economic: halving inflation, growing the economy, and reducing debt—his assessment is all three of these promises have been met.
- In halving inflation, CPI fell from its 11% peak in October 2022 to 4.6% in October 2023. This is predicted to reach the government's target of 2% CPI by the second quarter 2025.
- On growing the economy, the Office for Budget Responsibility assumed the UK economy would be 1.1% smaller by summer 2023 than its pre-pandemic level; however, Office for National Statistics figures showed the economy was 1.8% larger.
- On reducing debt, the government is predicted to hit its self-imposed fiscal targets across the forecast period, namely for public sector net debt to have fallen in the final year of the forecast (2028-29) and for public sector net borrowing to not exceed 3% of GDP by 2028-29.
- **Levelling up.** The government is seeking to level up across the whole of the United Kingdom to ensure that no community is left behind. Three new investment programmes have been launched, UK Community Renewal fund, Levelling Up fund and Community Ownership fund. The Council has submitted and was successful with its application for funding to support its key priorities and particularly the achievement of the objectives in the Folkestone Place Plan.
- **Otterpool Park.** Given the scale of the Garden Town project, it has a significant bearing on the Council's MTFS. There are several factors which present risk and sensitivity to the plan. The Otterpool Park LLP is fully funded by the Council. It is anticipated that the Council will be the lender of the LLP and will need to fund the initial infrastructure (through debt and equity in the LLP). Factors which have a financial impact on this plan in this regard include interest rates available to the Council, the timescale for the delivery of the infrastructure, the sequencing of that work, and indeed when the LLP will be in a position to sell serviced plots to housebuilders, and market rates of both constructions and plot prices.

The Council's Cabinet met on Wednesday, 18th October 2023, to consider a paper on Otterpool Park LLP – Strategic direction, funding, and delivery. The report covers the review outcome and key issues that the Council must consider concerning the strategic direction, funding, and delivery of Otterpool Park. The Cabinet resolved to explore the potential of a strategic joint venture partner leading to third party funding, skills, and expertise to support continued delivery of Otterpool Park based on broad agreed principles.

- **Local Government Finance Settlement.** Whilst the SR21 Spending Review (CSR) has provided some clarity we await the detail that the final finance settlement for 2024/25. On 18 December 2023, the Government published the provisional local government finance settlement for 2024/25. The 2024-25 settlement is effectively the second year of a two-year settlement. Almost everything in the settlement has already been announced, either in the Autumn Statement (22 November 2023), the Policy Statement (5 December 2023), or the response to the technical business rates consultation (14 December 2023). The settlement continues the series of real terms increases in Core Spending Power that started in 2020-21. Funding increases might not feel very generous to authorities who are wrestling with very significant spending pressures – but they have been higher than the headline rate of inflation and will be again in 2024-25. However, CSP increases are likely to be lower from 2025-26 onwards, and reliant on council tax rises rather than grant increases.

These are the main headlines from yesterday's provisional finance settlement:

- “Core” Band D council tax (2.99% maximum increase, or £5 for shire districts).
- Adult social care (ASC) precept (2% in 2024-25). No change from 2023-24 Policy Statement.
- Baseline Funding Level (BFL) and Revenue Support Grant (RSG). Local authorities' BFL allocations will be uplifted by the “weighted average index”. RSG allocations will be uplifted in line with the Consumer Price Index (6.62%).
- Cap compensation will be paid to compensate authorities for lost income arising from the decision to freeze the small business rating multiplier. Adjustments will be made to take into account different indexation factors used for BFL.
- 3% Funding Guarantee. Continues into 2024-25 and calculated on the same basis as in 2023-24.
- Services Grant will continue to operate in the same way in 2023-24 but with a significant reduced overall amount (down from £483m to £77m).
- New Homes Bonus (NHB) will continue in 2024-25. No future legacy payments.
- 100% business rates pilots will continue for another year, but ministers will review their contribution policy objectives. Business rates pooling will be available in 2024-25.

- **Government Finance Legislation.** There are key pieces of government legislation which will impact upon the future financial position of the Council. In particular the impact of the localisation of business rates and any additional responsibilities will need to be fully evaluated as well as the government's Fair Funding Review of local government finance which is now anticipated to take place future year.
- **Other Government Legislation.** There are a significant number of political initiatives particularly in relation to localisation and the role of local government. These will need to be assessed for their relevance to Folkestone and Hythe and the impact on future finances.
- **Buoyancy of income streams.** These will be sensitive to changes in consumer confidence and the economy so will need to be closely monitored. The 2023/24 budget prudently allowed for reductions in income for some facilities, whilst car parking income is returning to normality that is not yet the position with leisure facilities income.

Conclusion

The MTFS represents the collation of the key financial documents which looks to forecast the likely financial position the Council will be facing over the next 4 years. It is the critical financial planning tool for the Council and will provide the overall steer for the ongoing discussions throughout the annual budget cycles in dealing with the current economic climate.

Appendices (*attached to the 13 December 2023 Cabinet report*)

2. MTFS workings
3. Reserves Policy
4. MTFS summary of variations
5. MTFS assumptions used (indices)

MEDIUM TERM FINANCIAL STRATEGY - 2024/25 TO 2027/29					Appendix 2
	Base 2023/24 £	Most Likely Forecast 2024/25 £	Most Likely Forecast 2025/26 £	Most Likely Forecast 2026/27 £	Most Likely Forecast 2027/28 £
Heads of Service					
Leadership Support	740,960	739,010	739,010	739,010	739,010
Governance and Law	2,976,100	2,991,780	3,041,583	3,072,958	3,245,275
Human Resources	683,190	748,890	748,890	748,890	748,890
Finance, strategy and Corporate Services	8,445,560	8,226,684	8,226,684	8,226,684	8,226,684
Economic Development	413,180	361,770	461,770	311,770	311,770
Planning	165,400	129,350	129,350	129,350	129,350
Operations	2,483,630	2,269,070	2,229,070	2,229,070	2,229,070
Housing	3,048,610	2,990,340	2,990,340	2,990,340	2,990,340
Place	6,712,940	7,064,116	7,245,775	7,370,515	7,497,750
Changes not attributed to services	-	50,064	51,566	52,597	53,649
Recharges to non GF accounts	-5,919,556	-6,097,143	-6,102,470	-6,107,958	-6,113,610
Unallocated net employee costs	33,040	-1,142,616	-567,565	64,941	722,748
Total for Service	19,783,054	18,331,315	19,194,002	19,828,168	20,780,926
Internal drainage board levies	541,430	585,611	609,035	633,397	658,732
Interest payable and similar charges	2,502,000	2,381,000	3,281,000	4,181,000	5,243,000
Interest and investment income	-2,521,000	-3,043,000	-3,734,000	-4,784,000	-5,864,000
New Homes Bonus grant	-365,568	-135,703	0	0	0
Other non-service related grants	-4,616,551	-5,584,554	-5,334,554	-5,084,554	-4,834,554
Town and Parish Council Precepts	2,801,300	2,801,300	2,801,300	2,801,300	2,801,300
Minimum revenue provision adjust.	1,625,000	2,325,000	2,594,000	3,016,000	3,639,000
Financing of fixed assets	2,487,000	1,055,000	205,000	205,000	205,000
Net Revenue Expenditure Before Use Of Reserves	22,236,665	18,715,969	19,615,784	20,796,311	22,629,404
Net transfers to/(from) reserves	-2,180,000	57,721	-166,000	-166,000	-166,000
Total To Be Met From Taxpayers & Formula Grant	20,056,665	18,773,690	19,449,784	20,630,311	22,463,404
Transfer to/(from) Collection Fund	-59,451	0	0	0	0
Net business rates income	-3,921,454	-4,023,175	-4,070,877	-4,118,191	-4,165,128
Council Tax Requirement	-14,289,513	-14,750,515	-15,293,983	-15,795,311	-16,316,765
(Surplus)/deficit to General Reserve	1,786,247	0	84,924	716,809	1,981,511
			84,923	801,732	2,783,243

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Appendix 3 – Reserves Policy

INTRODUCTION

The establishment, monitoring, and review of the levels of reserves and balances are an important element of the council's financial management systems and financial standing.

The Chief Finance Officer (S151 Officer) is required by law to formally report to the Council his/her opinion on the adequacy of the council's reserves. Irrespective of this, a well-managed authority is clear about the reserves it needs now and, in the future, to support its service aspirations, whilst at the same time delivering value for money within a climate of significant resource pressure and economic/social risk.

This policy does not cover non-distributable reserves required to support financial accounting transactions e.g., the Revaluation Reserve, Capital Adjustment Account and Pension Reserve. (Non-distributable reserves are those that cannot be used for revenue or capital purposes.)

Reserves can be held for four reasons:

- A working balance to help cushion the impact of uneven cash flows and avoid unnecessary temporary borrowing.
- A contingency to cushion the impact of unexpected events or emergencies.
- A means of building up funds to meet known or predicted liabilities.
- A means of setting aside sums for future identified uses and / or investments.

Such reserves are generally referred to as earmarked reserves.

WHAT ARE RESERVES?

There is no clear definition of reserves even though reference is made to reserves in legislation. The Chartered Institute of Public Finance and Accountancy (CIPFA) states "amounts set aside for purposes falling outside the definition of provisions should be considered as reserves." Provisions are required for any liabilities of uncertain timing or amount that have been incurred.

Generally, there are two types of reserves, those that are available to meet revenue or in some cases capital expenditure (Usable) and those that are not available to finance revenue or capital expenditure (Unusable). Useable reserves result from events that have allowed monies to be set aside, surpluses or decisions causing anticipated expenditure to have been postponed or cancelled. They can be spent or earmarked at the discretion of the council.

The council must manage its reserves in accordance with its strategic longer term planning process.

LEVEL OF RESERVES

As mentioned above the council's reserves can be regarded as general and earmarked reserves. In addition, the council maintains a Usable Capital Receipt reserve.

As part of its MTFs, the council also adopts some fundamental principles as to how reserves are used:

- The reserves must primarily be used to fund one off expenditure.
- Any recurring item may only be funded from reserves if plans are in place to replenish the reserve within a defined period.
- Any unplanned revenue income receipt should be put in reserves pending any future decisions as to its use.
- Reserves should be maintained at a sustainable level to ensure an adequate working balance is maintained.
- Reserves may be used as part of a planned process to balance the budget in order to avoid short term responses which may not be in the best interests of the council.

The council has prudently built up its reserves in recent years to be able to provide for its priorities when required. The level of reserves has, in recent years, reduced in line with planned activities such as investments in Oportunitas and Otterpool and their use for other investment or in lieu of borrowing. This strategy means that reserves are currently at an adequate rather than excessive level however it is recognised this use is of a one off nature to secure future income streams for the council.

The use of reserves is a critical part of the council's budget strategy, and the level of reserves is kept under ongoing review. Any future calls on the reserves are considered by looking at the whole position and ensuring minimum reserve levels are adhered to. It is vital that the future needs of the authority such as through the VET reserve are continually refreshed and updated and that earmarked reserves are applied appropriately.

ASSESSING THE ADEQUACY OF RESERVES

The Chartered Institute of Public Finance and Accountancy (CIPFA) state that the Institute 'does not accept a case for introducing a statutory minimum level of reserves, even in exceptional circumstances.' It does however confirm that authorities should make their own judgment on such matters, taking into account all relevant local circumstances on the advice of their Chief Finance Officer / S151.

The Local Government Act 2003 requires the Chief Finance Officer to formally report on the adequacy of the proposed financial reserves.

To arrive at assessing the adequacy of reserves a number of issues need to be addressed:

- What are the strategic, operational, and financial risks facing the authority?
- Does the authority comply with the requirements to ensure that there is an adequate system of internal control?
- Are the key financial assumptions in formulating the council's budget robust and reasonable?
- Does the council have adequate financial management and cash flow arrangements?

In addition, there are a number of questions an authority can ask to demonstrate that it is managing its affairs satisfactorily, such as:

- What is the track record of the council in its budgetary and financial management?
- What is the council's record regarding Council Tax collection?
- What is the council's capacity to manage in-year budgetary pressures?
- What is the strength of the council's financial reporting?
- What are the procedures to deal with under and overspends during and at the year end?
- In the case of earmarked reserves, will there be expected calls on the reserves that prompted the setting up of the reserves in the first place?

Finally, there is a need to look at the assumptions made in setting the budget, not just for the coming year but also under the MTFS.

The budgetary assumptions cover:

- Inflation and interest rate projections.
- Estimate and timings of capital receipts.
- Treatment of planned efficiency savings.
- Financial risks involved in major funding arrangements.

The assessment of the adequacy of the reserves and the robustness of the estimates are contained within the Chief Finance Officers report to council as part of the budget setting process based upon Section 25 of the Local Government Act of 2003.

Allocation of Reserves

There are to be no withdrawals from reserves, unless of a one-off nature, or if they are part of a planned usage which will lead to the elimination of any deficit and the setting of a balanced budget. It is not normal practice to withdraw from the General Fund Reserve to balance the annual budget, unless the circumstances are exceptional, and plans are in place to provide for an ongoing balanced budget.

Budget Assumptions

These are set out in detail within the Budget Strategy and a sensitivity analysis has been undertaken regarding the financial forecasts for the next five years. The council is responsible for a number of demand-led budgets which are difficult to control.

The council has identified its strategic financial risks and has carried out an assessment of that risk. Based on this analysis, the following levels are considered appropriate:

Required Levels of Reserves

	Minimum Level £m
General Fund	1.5
Housing Revenue Account	2.0
Capital Receipts	0.5

The minimum level of the General Reserve balance has been arrived at after assessing the strategic financial risks faced by the council.

The table above shows that a minimum General Reserve balance of £1.5 million should be maintained until the 2025/26 financial year. This level will be monitored and should be addressed as savings proposals are developed and implemented over the term of this plan. The HRA minimum balance has been set at £2.0 million as part of the preparation of the HRA business plan.

OPPORTUNITY COST OF HOLDING RESERVES

Having set minimum levels, the opportunity cost of holding reserves needs to be considered. All balances are used to either reduce temporary borrowing or are invested subject to other cash flows. Therefore, in measuring any opportunity cost of holding these reserves, consideration needs to be taken of the interest saving. The opportunity cost of holding the reserves is therefore a judgment whether the 'worth' of expenditure foregone is more than the income generated. Given the current economic climate it is a balanced judgement as to whether to invest / spend reserves or to hold these. As part of the MTFs and budget setting, an assessment of the adequacy of reserves and the associated risks will be made annually.

REPORTING FRAMEWORK

The level of reserves is continually monitored, and a full review is undertaken each year.

MTFS Assumptions used (indices)					
	Base 23/24	Forecast 2024/25	Forecast 2025/26	Forecast 2026/27	Forecast 2027/28
<u>Key Assumptions</u>					
Inflationary contract increases		5.5%	3.0%	2.0%	2.0%
Main Pay increases (incl CLT)		3.0%	3.0%	3.0%	3.0%
Incremental Pay increases		1.00%	1.00%	1.00%	1.00%
Council Tax %		0.00%	0.00%	0.00%	0.00%
CT Base increase %		96.50%	97.00%	97.00%	97.00%
Consumer Price Index (CPI)		5.5%	3.0%	2.0%	2.0%
Retail Price Index (RPI)		10.7%	5.0%	3.0%	3.0%
Pension		20.2%	20.2%	20.2%	20.2%
Investment Rates (Avg)		5.0%	5.0%	5.5%	5.5%
Borrowing Rates (Long term Avg)		6.0%	5.5%	5.0%	5.0%
Internal Drainage Board increases		4.0%	4.0%	4.0%	4.0%
Final Tax Base	39,977.1	40,374.12	40,984.9	41,392.0	41,803.2
Average Band D (Inc Special Exp)	287.37	295.96	304.81	313.93	323.31

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This report will be made public on 16 January 2024



Report Number **A/23/19**

To: Council
Date: 24 January 2024
Status: Non- Executive Decision
Responsible Officer: Susan Priest, Chief Executive

SUBJECT: COMMITTEE MEMBERSHIP CHANGES

SUMMARY: The report advises on changes to the political balance of Folkestone and Hythe District Council, following the resignation of Councillor Liz Grant on 14 December 2023. It also sets out the appointments since the last Council meeting, under Part 8.1 of the constitution, 'Delegation to Officers', paragraph 3.16, which authorises the Chief Executive to make appointments to committees or sub-committees at the request of the relevant political group leader.

REASONS FOR RECOMMENDATIONS:

The Council is asked to agree the recommendation set out below because the Constitution requires any committee membership changes to be reported to the Council.

RECOMMENDATION:

To receive and note report A/23/19.

1 INTRODUCTION

- 1.1 On 14 December 2023, Councillor Liz Grant resigned as a Councillor. The resignation has had a small impact on the political balance of the Council.
- 1.2 Under the Folkestone and Hythe District Council Constitution, Part 8.1 'Delegation to Officers', paragraph 3.16, the Head of Paid Service is authorised 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 report sets out the appointments made.

2. APPOINTMENTS TO COMMITTEES/SUB-COMMITTEES

- 2.1 Following the resignation of Councillor Liz Grant on 14 December 2023, the political balance of Folkestone and Hythe District Council has altered slightly, as follows:

	% on Council prior to 14 December	Previous number of Cllrs	% on Council post 15 December	Current number of Cllrs
Conservative	16.667	5	13.79	4
Green	36.667	11	37.93	11
Labour	33.334	10	34.48	10
Liberal Democrats	6.667	2	6.90	2
Independent	3.334	1	3.45	1
Independent	3.334	1	3.45	1
Totals	100	30	100	29

- 2.2 The percentage allocations have been used to calculate the number of seats allocated to each group.

Group	No of seats pre 14 December	No of seats post 14 December	Difference
Conservative	6.00	5.00	-1
Green	12.00	13.00	+1
Labour	11.00	11.00	-
Liberal Democrats	2.00	2.00	-
Independent	1.00	1.00	-
Independent	1.00	1.00	-
Total	33.00	33.00	-

- 2.3 As a result, the Conservative Group will lose one seat, and the Green Group will gain one seat. The table below shows the new seat allocations. The Conservative Group will lose a seat on the Overview and Scrutiny Committee and the Greens will gain a seat.

The new seat allocations are shown below:

33 seats		Cons	Green	Labour	Lib Dem	Indep	Indep	TOTAL
Personnel	5	1.00	2.00	2.00	0.00	0.00	0.00	5.00
Overview	10	1.00	5.00	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	5.00	13.00	11.00	2.00	1.00	1.00	33.00

Councillor Liz Grant previously held a seat on the Audit and Governance Committee.

The following appointments to committees have been made:

Committee/Sub-Committee	Previous Committee Member	New Committee Member
Overview and Scrutiny Committee	Councillor David Godfrey (Cons)	Vacant (Green)
Audit and Governance Committee	Councillor Liz Grant (Cons)	Councillor David Godfrey (Cons)

3 LEGAL, FINANCIAL AND OTHER CONTROLS/POLICY MATTERS

3.1 Legal Officer's comments (AK)

There are no legal issues arising from this report.

3.2 Finance Officer's comments (RH)

There are no financial implications arising from this report.

3.3 Diversity and Equalities Implications (GE)

There are no diversity and equality implications arising from this report.

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

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

None