

**Council – 27 July 2022**  
**Councillors' Questions and answers**

**Questions 1, 2, 3, 4, 7, 8, 9 and 10 were not put at the meeting, due to the apologies of the questioners. However, written responses are provided at the bottom of this document.**

**5. From Councillor Wing to Councillor Field, Cabinet Member for Transport and Digital Transformation**

It has come to my attention that there are certain council services which can only be accessed online and the resident has to have registered a "my account" and then have to fill in the information live without the opportunity to download the form and then check they have all the information they may need before they start completing the form. Can you please tell me what steps will you put in place to make sure that our residents who are unable or unwilling to sign up to My Account will still be able to access these services in full?

**ANSWER:**

Thank you for your question.

Firstly, I would like to make it clear that there are no Council services which can only be accessed online through MyAccount.

A key part of the Council's Customer Access Strategy has been the introduction of MyAccount which improves the service we provide to the customers who want to interact with the council on a digital platform with the added advantage of it being available 24/7. There are currently over 33,000 residents with a MyAccount amounting to 63% of household across the district. This is a very positive uptake of MyAccount and reflects the changing needs of many of our customers. Where a customer does choose to use the online forms, and does not have all of the information required to hand, there is the ability on complex forms to save the information already entered and then return at a later time to complete the transaction.

There has always been the recognition that not all customers want or are able to interact online and these customers are supported via telephone calls by the Customer Service Team who provide advice and guidance on all council services, can complete a form on behalf of the customer or send a paper version of the form if available.

**SUPPLEMENTARY QUESTION:**

None.

**6. From Councillor Gane to Councillor Collier, Cabinet Member for Property Management and Grounds Maintenance**

I am concerned the price rise has put grassroots football under threat and I am sure this was not the intention do so. Could you reconsider and apply a discount to the league for use of the stadium in Church Road?

**ANSWER:**

Thank you Councillor Gane for your question.

I can assure you that we do not put prices up lightly and as far as I am aware our pitch charges across the board have only gone up by inflation with the exception of the Stadium. Last year the Stadium pitch fee was £69.50 for adults and this year the fee is £85 for adults or £64 for under 18's. This is due to the opening of the new FA standard changing rooms and showers.

As a comparison – our pitches at Cheriton Road Sports Ground, last year with changing facilities were £82 per game or £56.80 for under 18's. This shows that we have only added an inflationary rise this year for a pitch with changing facilities.

There is a massive amount of work that goes into looking after the pitches and associated facilities:

- Pitches are marked out before the start of the football season.
- The grass is cut regularly during the football season to maintain a good playing surface.
- The lines are over-marked each week to ensure that they are clearly visible.
- The nets are put up and the flags put out before each game, then taken down at the end of the day.
- The changing facilities that are provided require opening, closing and cleaning.
- There are also additional costs relating to heating, lighting and water use for showers and toilets.
- The goals are taken down at the end of the season for goalmouths to be refurbished.

The provision of council football pitches aims to be cost-neutral. This is to say that the charges we raise will at the end of the season cover the costs of the service without a profit. We are very aware of the cost pressures facing clubs and have not put prices up further to cover rising fuel costs and material costs.

We also have other pitches available within Folkestone that have a toilet but no changing facilities where the pitch fee is £72 for adults.

All of the prices above include VAT. There is a possibility that if the league can block book pitches in advance in blocks of 10 or more we may be able waive the VAT but it depends on certain criteria. This would bring the Stadium adult pitch fee down to £70.83. Officers have contacted the clubs in the Ashford and Folkestone leagues to work through the detail of this prior to the new season.

**SUPPLEMENTARY QUESTION:**

Prior to the changing room improvements, had any thought been given to staggering any fee increase, or giving the club notice of the increase?

**ANSWER:**

I can't see any reason why we would do that. As explained, there are other pitches in the Folkestone area which would provide the same facilities the stadium provided previously, for a price minimally more than the charge the previous year.

**11. From Councillor J Martin to Councillor Monk, Leader of the Council**

According to KCC, yet again, FHDC have the highest Council Tax in Kent, with inflation moving into double figures, I have to return to the recently published Risk Strategy published by the Council and the lack of any strategy to deal with inflation. At the last meeting Councillor Monk, you told me that all Council contracts are fixed except where the supplier is unwilling or unable to fix their costs, can you therefore tell us, which Council contracts are thus open ended?

**ANSWER:**

Thank you for your question.

In my answer to your last question, I explained that inflationary pressures were beyond our ability to control but where it is feasible the option of entering a fixed price contract could be considered if it helped mitigate the financial risk and the contractor was willing to negotiate on that basis.

As each contract is individually tendered and negotiated there is no single rule about how contract inflation (known as indexation) has been applied to our current contracts. You will appreciate that listing out each individual contract and saying whether contract indexation applies would take time. However, I can describe the general approach taken as follows –

- Short term contracts (12 months or less) will tend to have fixed prices and no indexation applied to the contract sum.
- Longer term contracts (over 12 months) will generally have indexation agreed in advance within the contract terms and this will automatically be applied on the anniversary of the contract. Standard national indices will be used commonly CPI (Consumer Price Index) although some contracts will use an index more applicable to their industry.

Examples of long-term contracts where indexation will apply as a standard include our main service contracts like the Waste and Street Cleansing Contract (with Veolia), the Housing Responsive Repairs Contract (with Mears) and Parking Services Contract (with NSL).

**SUPPLEMENTARY QUESTION:**

Is the second stage of the contract with BAM for the remediation of Princes Parade, construction of road and leisure centre has been finally signed and fixed, or is there a risk that the fixed price of £40k agreed by Cabinet in January will increase?

**ANSWER:**

I cannot confirm that.

**12. From Councillor Shoob to Councillor Godfrey, Cabinet Member for Housing and Special Projects**

With 40-degree summer temperatures now a reality for the UK, what measures will the Council take to ensure that any homes it builds from now on are designed to mitigate the impact of extreme heat on the safety and wellbeing of the people living in them?

**ANSWER:**

Thank you for your question.

The standards for housebuilding are set out in building regulations which are set nationally. In line with local and national policy the Council will remain supportive of proposals which seek to promote exemplars in sustainable development.

In terms of the Council's own new build programme, since the declaration of climate emergency, the HRA regeneration and development team has been studying the latest in design and technology to ensure all future development are energy efficient in both heating and cooling. I am pleased to say that we are seeking to offer better than Building Regulations requirements to make sure we have homes fit for what, at this time, is likely to be 2050 standards.

A good example of this is our new build scheme at Highview. The scheme was originally designed prior to the Council declaring a climate emergency, but it has now been reengineered to meet Zero Carbon in Use. This was done via the enhanced thermal performance of the buildings fabric which will help to insulate homes from extreme heat as well as cold winters. In addition they will have renewable energy technology such as solar panels and air source heat pumps to enhance the energy performance. The scheme is due to start on site later this year.

**SUPPLEMENTARY QUESTION:**

None.

**13. From Councillor Meade to Councillor Monk, Leader of the Council**

For quite some period of time, local social media has reported some very serious anomalies regarding Council reporting and processes on the following, but not limited to - the failure to report publicly on the council website, environmental figures including air pollution which are a statutory regulation and the accounts and payments since 2016 of the Council credit card, giving our residents visibility of what has been spent on it, by whom and why, None of these have been reported to sitting elected councillors, although we are entrusted by our residents to look after our services. I am sure the leader of the council, Cllr Monk, understands how serious these various reports are and I ask him to explain how he will keep all elected representatives informed and what measures are being put into place to ensure that these issues cannot be repeated and are rectified.

**ANSWER:**

Thank you Councillor Meade for your question.

As I am sure you are aware social media reporting is not always a reliable source of information. However, the statutory officers do give consideration to matters raised through these channels and evaluate whether the reports merit investigation. Council officers have made members of Audit & Governance Committee, and the relevant portfolio holders, aware of the investigations currently taking place, with one investigation being prompted by a social media report and others prompted by our own internal controls. Reports were made at the last meeting of A&G, and further consideration is due at their meeting tomorrow, and I expect at their meeting in September. Various internal audits have been commissioned, with draft reports pending, with others still in progress, and the relevant matters along with necessary management actions will be reported at the appropriate time.

**SUPPLEMENTARY QUESTION:**

Since I submitted my question, two years worth of credit card statements had been added to the council's website, but have duplicate information, and are therefore incorrect. Who checks the information for accuracy before it goes onto the website, and when will this information be corrected?

**ANSWER:**

I have only just been given this information, and will have to check how quickly this can be corrected.

**14. From Councillor Meade to Councillor Mrs Hollingsbee, Deputy Leader and Cabinet Member for Communities**

Given that Kent County Council is now longer prepared to fund the various agencies helping our homeless in the area and deferring it back to the District level - can the cabinet member, please assure me, that funding will be found to work with such agencies as Porchlight and the Rainbow Centre, in order to ensure smooth transition of these services and thereby ensuring that no

resident in our area need be concerned about having a safe roof over their head once this funding has ceased, which I believe is being withdrawn towards the end of the year, when we experience the worst weather?

**ANSWER:**

Thank you for your question.

Since KCC announced its intention to end its funding for Kent Homelessness Connects, the Council has been working closely with its partners to mitigate against the loss of this funding and to ensure that that service continue to be provided to support vulnerable homeless people or people at risk of homelessness in the district. In particular, we are working to ensure that supported accommodation available in the district will continue to be available for people in need. The Council will also continue its excellent work to prevent homelessness wherever, possible and will continue its ongoing outreach services to support people who are rough sleeping or at risk of rough sleeping to ensure that they are able to access accommodation and appropriate support services.

**SUPPLEMENTARY QUESTION:**

You did not answer my question – I asked whether funding would be available, as the funding for Porchlight is being withdrawn in six months. As the district will be providing the service going forward, what strategy is in place to ensure that districts talk to one another and co-ordinating action?

**ANSWER:**

I know that the districts, and community safety units do talk to one another. With regard to funding for Porchlight, I am not able to answer that question, but the service will be undertaken, and in a different format to that provided by KCC.

**15. From Councillor Keen to Councillor Prater, Cabinet Member for Revenues, Benefits, Anti-Fraud and Corruption**

Rental prices in the district have gone up by approx. 39% in the last two years. For residents on low incomes and claiming housing benefit this is causing financial hardship and some have fallen into debt. FHDC pay one of lowest Housing Benefit rates in East Kent and fall behind most other councils across the county. With the lack of council housing many of our residents have to privately rent, this is driving families out of our town in their effort to find accommodation they can afford. Why is our housing benefit lower than that of Ashford and Canterbury?

**ANSWER:**

Thank you for your question.

Rates of payable Housing Benefit for private rents are set in DWP guidance. This guidance allows rent to be paid up to the maximum Local Housing Allowance (LHA) rate based up the makeup of a household and the location of the property.

Within the district the Council is covered by 3 Broad Rental Market Areas (BRMAs) and the maximum rates are set by the Valuation Office Agency (VOA) across the country. A majority of the district is limited by the Dover-Shepway BRMA but there are areas in the district that are covered by the Canterbury and Ashford rates. BRMAs and LHA rates are set by postcode and not Council area. Rates are set prior to April each year and apply for the following 12 months. The Council has no discretion on the rates decided by the VOA.

Rates are split by household makeup allowing for bedroom rates up to 4. For example, if a single parent has three children under the age of 10 they would be eligible for 3 bedrooms under legislation (one for the parent, one for two children sharing and one for the third child). In Folkestone this would allow for a maximum of £172.60 per week/£749.99 per month in Housing Benefit. These rates are also used by Universal Credit for assessing the Housing Element of that benefit.

The rates are calculated and set by the VOA. The VOA state that they collect rental information from letting agents, landlords, tenants and other sources. LHA rates are based on private market rents being paid in the BRMA which can differ from advertised rents.

This data does not include all rents that might exist in each BRMA. In accordance with DWP legislation, Rent Officers are tasked with collecting a sufficient sample from the 12 month period ending 30 September prior to DWP publishing LHA rates on 1 April. These published data are the rents collected and comprises both new and renewal rents in payment, as negotiated between a landlord and tenant. These rents do not include any value attributed to services which are ineligible for housing benefit (effectively net rents). Housing benefit supported rents are also removed where possible.

In accordance with DWP legislation, mathematical calculations are applied to the list of rents to determine the LHA rate which is the lower of:

- the 30th percentile on a list of rents in the Broad Rental Market Area
- the currently set LHA.

#### **SUPPLEMENTARY QUESTION:**

Is there nothing that the district council could do to help these families? There are various grants available to top up businesses, but what about our most vulnerable residents, to avoid them having to move miles away from the area?

#### **ANSWER:**

There is a very good motion being discussed later in the meeting relating to the cost of living crisis. That issue is affecting residents across the district. If we gave even £500 support to 2,000 households, that is £1 million per year, which is what we pay for street cleansing annually. Housing Benefit is paid by the government and is set by the Valuation Office agency, and is not funded by the council.

**16. From Councillor Keen to Councillor Godfrey, Cabinet Member for Housing and Special Projects**

How many of our residents who find themselves homeless or in overcrowded accommodation have been relocated outside of the district?

**ANSWER:**

Thank you for your question. Over the last two years, 3 households have been assisted to relocate outside of this district. In each case, the households voluntarily requested to move away from this district.

**SUPPLEMENTARY QUESTION:**

None.

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

Folkestone has become a popular destination and most weekends we see many visitors arriving in our town and visiting our beaches. In order to accommodate this footfall we need to provide adequate service. What plans have we got to improve the car parking, street cleaning, enforcement officers and refuse collection during this period?

**ANSWER:**

Thank you for the question.

Folkestone as well as the rest of the district continues to attract large numbers of visitors, which is very welcome. This year, the council has already taken a number of actions to respond to the growth in visitor numbers.

- **Refuse Collections** – After a very difficult summer last year, the refuse collection service is running well. The number of missed bins has fallen and is now within the contractual target and has been for several months. Encouragingly, the refuse collection service has recently demonstrated a strong level of resilience taking the bad storms earlier this year in their stride and only last week moving shifts to an earlier start time to respond to the extreme heat in the first part of the week and managing through the severe traffic disruption at the end of that week.



- **Street Cleansing** – Veolia started their extended summer working hours in May and will continue until the end of September. The summer programme also includes the deployment of the seasonal beach cleaning teams. The council has as in previous years arranged for the deployment of additional bulk bins at popular locations all along our coast to deal with the litter generated by increased visitor numbers. This includes additional bulk bins located at the Coastal Park, Coronation Parade/Sunny Sands. This year the number of bulk bins deployed has been increased to 31 and the council has allocated £100,000 to empty and service these bins throughout the summer. There will be times when due to the sheer number of visitors, litter bins will overflow and when this happens, we continue to push the message about taking your litter home.
- **Environmental Enforcement** – The Environmental Enforcement Team continue to be deployed seven-days a week, patrolling and responding to incidents like unauthorised encampments, lost dogs, fly tipping, littering and dog fouling. Over the weekends they have focussed their efforts at the Coastal Park supporting the park keepers in enforcing the park restrictions in what is one of our busiest locations. The Environmental Enforcement Team are supported by a rota of other FHDC staff who also assist with weekend patrolling, which helps improve coverage of the district. Increased visitor numbers impact the evenings as well and the Licensing Team is regularly working on Friday or Saturday evening (and often both) over this summer season to carry out inspections of licensed venues.
- **Car Parking** – Car Parks and Parking Enforcement are not within my portfolio, but I can give the following comments. We have recently introduced variable message signs in key locations to direct motorists to alternative car parks, where they are more likely to find parking. Parking signs and road markings are being improved/refreshed to make restrictions clearer to motorists. Many of the car parks are being equipped with contactless card terminals to make it easier for motorists to pay for their parking. We have increased enforcement patrols in areas such as The Stade and The Coastal Park, where there are regular parking/traffic difficulties. Staff have been instructed to enforce the restrictions stringently.

These are just some actions the council is taking this summer to respond to the visitor numbers.

**SUPPLEMENTARY QUESTION:**

How many enforcement officers are on duty in any one weekend?

**ANSWER:**

This varies depending on events occurring, but enforcement officers did not solely operate in Folkestone, and resources were spread across the district.

**After the deadline, with the consent of the Chairman, the urgent question below was submitted, as per Part 4.2 (Council Procedure Rules), paragraph 10.3 of the constitution:**

**18. From Councillor Peall to Councillor Keutenius, Chairman of the Overview and Scrutiny Committee**

Following the appalling traffic chaos of the weekend, that led to queues for the first time in both directions of the M20, the length of the M20 being used again for Brock, the M2 and A2 brought to a halt, local residents being stuck in traffic for hours on journeys that would normally take minutes; the people of Hawkinge being essentially denied access to buses, schools, Folkestone, the beaches and shops on another great weather weekend; the impact on council services such as waste collection and street cleansing; tourists to our area; and local businesses, it is clear that in all the so called planning, Folkestone and Hawkinge have been forgotten, whilst focus is given to keeping streets clear in Dover.

Can I ask that Overview and Scrutiny arrange an urgent special meeting, open to include all members of the council if they so wish, to invite the Kent Resilience Forum, KCC Highways, National Highways, the Police, Eurotunnel, Port of Dover, the French authorities and any other relevant party to explain why we can expect a summer as “the hotspot of hell” and what they will do to avoid such issues with immediate effect?

**ANSWER:**

Thank you Councillor Peall for your question.

I agree that the disruption experienced at the weekend to residents and businesses across the district was unacceptable. I am happy to ask officers to support Members of OSC in preparing for and hosting a special scrutiny session as soon as is practicable.

**SUPPLEMENTARY QUESTION:**

None.

**The following questions were not put at the meeting due to the questioners giving their apologies at the meeting.**

**1. From Councillor Treloar to Councillor Mrs Hollingsbee, Deputy Leader and Cabinet Member for Communities**

Following the High Court's judgement that the Home Office breached the Equalities Act in keeping Napier Barracks running under emergency planning powers, if further to this the planning order is quashed by the court, what steps will the council as local planning authority take to enforce the decision?

**ANSWER:**

Thank you for your question.

The process for the High Court decision on whether the Special Development Order should be quashed or allowed to remain in force has not yet been completed and the planning permission granted remains in force. As a result there is no breach of planning control occurring at the site. Should circumstances change in future, the Council, as Local Planning Authority, will carefully consider what planning action is available, appropriate and expedient to take.

**2. From Councillor Treloar to Councillor Mrs Hollingsbee, Deputy Leader and Cabinet Member for Communities**

Can you assure our residents that the council will be transparent about its communication with the Home Office over this matter and show that it places the interests of our local community and the welfare of residents of Napier Barracks as a primary concern over any pressure from the Home Office to keep the camp in operation?

**ANSWER:**

Thank you for your question. I can absolutely assure our residents that the Council has been, and will continue to be, transparent about communications with the Home Office over this matter.

As an example, Members will recall that the Council organised 2 public webinars where concerns raised by residents were answered by senior officials from the Home Office and local partners. I think the response from the local community and support groups has been a great credit to our district and I thank those who are engaging positively with the site operators and Napier residents.

The Council position in relation to the use of Napier Barracks has been consistent from day one - Napier Barracks is not the right place to house those seeking asylum but the Council will play an active role, alongside our partners, to monitor the use of the barracks and seek to ensure that the facilities and services available to those housed there are suitable.

**3. From Councillor Treloar to Councillor Mrs Hollingsbee, Deputy Leader and Cabinet Member for Communities**

The council paid for a QC to attend the Napier Barracks judicial review in the High Court. Why did the council see that as necessary and how much did this cost?

**ANSWER:**

Thank you for your question.

The Council did not have legal representation in attendance at the Napier Barracks judicial review in the High Court. This is a mistake in the court judgement transcript and the QC has requested that this be amended to read – ‘The First Interested Party/Defendant did not attend and was not represented’.

**4. From Councillor Whybrow to Councillor Collier, Cabinet Member for Property Management and Grounds Maintenance**

Can I please have an update on the future of the memorial benches on Princes Parade?

**ANSWER:**

Thank you Councillor Whybrow for your question.

There are currently 19 donated memorial benches sited in the area of the promenade affected by the development. Of these 6 of the benches are outside of the 10 year donation period so can be reallocated or removed. Attempts have been made to contact these donors to enquire if they wish to extend their donation period, but no responses have been received as yet. 13 of the benches remain within their donation period and will need to be re-sited.

Whilst no formal policy position has been discussed regarding the existing benches Officers will work with the donors to establish positions further down the Princes Parade promenade that are appropriate for re-siting. Costs of relocation will be met by the Council.

As the new parkland and promenade is completed Officers will consider appropriate locations for new benches to be located.

**7. From Councillor Whybrow to Councillor Monk, Leader of the Council**

Local residents are understandably concerned about the dust being generated by the work on Princes Parade and the potential risk to their and their children's health. Will you please publish the results of the air sampling readings that it is claimed are being taken?

**ANSWER:**

Thank you for your question.

Whilst I completely understand the public concern to which you refer I can assure you that the contractors are working to strict guidelines with method statements and risk assessments in place to protect the public and the operatives on site. Dust suppression systems are in place with water bowsers dampening down areas where works are taking place. Air sampling has been taking place as outlined on the Council's website and all samples have come back well within safe guidelines. I am happy to ask the team to produce a monthly summary report of the air sampling readings which can be published on the website.'

**8. From Councillor Whybrow to Councillor Monk, Leader of the Council**

Can you please update me on the progress of the conveyance of the housing land at Princes Parade and the site of the existing Hythe pool to Sunningdale house Developments?

**ANSWER:**

Thank you Councillor Whybrow for your question.

I can confirm that the complex negotiation of the residential land sale at Princes Parade is nearing completion and we expect to be exchanging contracts in the next few weeks. The draft Heads of Terms has been issued relating to the land at South Road and the work on the draft contracts will commence after the legal work for Princes Parade has concluded.

**9. From Councillor Treloar to Councillor Prater, Cabinet Member for Revenues and Benefits, Anti-Fraud and Corruption**

The government's Levelling Up Bill proposes that councils will be able to charge up to double council tax on second homes that remain empty. Given the proliferation of luxury new-builds in our district, the increasing popularity of our seaside location – and in the context of a cost of living crisis with spiralling inequality and an impossible promise of affordable home ownership for many – will the council implement this council tax increase for second homes at the first opportunity once the Bill passes into legislation?

**ANSWER:**

Thank you for your question.

The districts and boroughs of Kent are in a joint discussion to approach Kent County Council regarding implementing this change. Any change would need to be agreed by March 2023 for introduction in April 2024.

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

I previously asked a question at full council about implementing restrictions on the use of jet skis in the district, pointing to the consultation that Canterbury City Council were conducting. Has any further work been done by FHDC to look at conducting our own consultation or to find a possible solution for curbing this environmental and antisocial menace?

**ANSWER:**

Thank you for the question.

Officers have contacted Canterbury City Council to ask about how the watercraft registration scheme they introduced last year is working. It is worth saying now that a registration scheme like Canterbury's would depend on being able to control the slipways in the district, which would be difficult as they are privately controlled. We will of course review any response received.

On the general point about jet ski use I would repeat the points I made when this was raised previously. The council sets rules governing the use of pleasure craft within a 200m shore limit in the 1996 Seaside Pleasure Boats byelaw. Historically, this has been a difficult byelaw to enforce for the practical reason that the council does not employ a coastal patrol vessel and trained crew who can enforce on the water. It is doubtful that the expense of deploying such a craft could be justified at this present time.

The council will be sending out communications reminding watercraft users of the rules specifically –

- Watercraft should not travel at speeds more than 8 nautical miles within 200m of the shore.
- No person should operate a craft dangerously and without due care and attention of other people.
- Watercraft should be fitted with appropriate noise silencing exhausts.