

FOLKESTONE AND HYTHE DISTRICT COUNCIL

Minutes for the meeting of the Council held at the Council Chamber - Civic Centre Folkestone on Wednesday, 28 September 2022

Present: Councillors Mrs Ann Berry, Danny Brook, Miss Susan Carey, John Collier, Gary Fuller, Peter Gane, Clive Goddard, David Godfrey, Anthony Hills (Vice-Chair), Mrs Jennifer Hollingsbee, Nicola Keen, Jim Martin, Philip Martin (Chairman), Connor McConville, Jackie Meade, Ian Meyers, David Monk, Terence Mullard, Stuart Peall, Tim Prater, Patricia Rolfe, Rebecca Shoob, Georgina Treloar, Douglas Wade, Lesley Whybrow, David Wimble and John Wing

Apologies for Absence: Councillors Laura Davison, Ray Field and Michelle Keutenius

28. Declarations of Interest

There were no declarations of interest at the meeting.

29. Minutes

The minutes of the meeting held on 27 July 2022 were submitted, approved and signed by the Chairman.

30. Chairman's Communications

The Chairman advised on the events he had attended since the last meeting which included:

- In May, he had attended an event to mark the anniversary of the Sidney Cooper Fountain. He extended thanks to all those who had attended.
- On 4 August, he had hosted his own event at Westenhanger Castle. He stated it had been a fantastic day, and he would recommend for anyone who hasn't already, that they visit the castle.
- On 6 August he attended the annual Shrievalty of Canterbury event.
- On 11 August, he attended the Memorial Service for Roman Casino at the Royal British Legion.
- On 12 August he attended a charity bowls event in Dartford, which was his first attempt at bowls.
- On 15 August he attended a VJ Service where he laid a wreath.
- On 17 August he attended the Hythe Venetian Fete. He stated that the event gets better each year.
- On 31 August he attended a walkabout in his ward with the Chief Executive. He thanked her for her time.
- On 2 September, he attended a moving Merchant Navy War Memorial Service in Dover and laid a wreath.
- On 11 September, he attended a county proclamation service in Maidstone, and led the district proclamation outside the council offices. He commented that it was a sad day.
- On 15 September he attended the Battle of Britain Memorial and laid a wreath.

31. **Petitions**

The Lead Petitioner, Chris Farrell, presented her Petition, which asked for the path between the Seaview Bridge and the Tram Shelter on Princes Parade to remain accessible after work is completed daily and at weekends.

Proposed by Councillor Prater,
Seconded by Councillor Whybrow; and

RESOLVED:

That the petition be referred to the Overview and Scrutiny Committee for their observations before deciding whether to examine the issues raised by the petition (option b as set out in the report).

(The recommendation was agreed by affirmation of the meeting).

32. **Questions from the Public**

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

33. **Questions from Councillors**

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

34. **Announcements of the Leader of the Council**

The Leader gave the following announcements:

“Thank you Chairman. Good evening to you all.

Following the recent turmoil in the energy market and its effect on inflationary pressures across the national economy I have asked our officers review our spending and see if there are any areas in which we can make savings. As you heard in my answer to Councillor Jim Martin we do in fact keep our finances under constant review, but I feel that the situation needs to be assessed rapidly and that it would not be wise to delay any remedial solutions that are found. I have every confidence that the budget managers, as they have over the last two years, will come up with some cost saving ideas, they have been asked to protect front line services. We must be very wary of taking on any more non-essential costs.

You may have noticed that the occupancy of the Civic Centre is a lot less than it used to be as a result of more people working from home, Covid has accelerated what was a transformation objective. This has led us to ask if we need both of our large floors open especially during the winter, so from the 10th October we will trial shutting the first floor, thereby, saving on our heating bill and reducing our carbon emissions.

There is no doubt in my mind that a lot more fiscal pain is to come over the next two to three years, I do believe that we are in a position to weather it but only if we are prudent”.

Councillor McConville, on behalf of the Opposition, responded to the points raised and stated that on the news they had reported that this would be happening on a national level due to the extraordinary times we find ourselves in. He asked that the Finance and Performance Scrutiny Sub-Committee be consulted in respect of any possible ideas, and to look at any long-term prospective scenarios.

The Leader responded that he would be more than happy for the Sub-Committee to be consulted.

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

RESOLVED:

That the announcements of the Leader be noted.

(The recommendation was approved by affirmation of the meeting).

35. Opposition Business

The Leader of the Labour Group, Councillor McConville, set out the Opposition Business which related to prospective councillor information and events.

Proposed by Councillor McConville,
Seconded by Councillor Meade; and

RESOLVED:

That Option (d) (Adopt the issue raised by opposition business provided that the decision so made is within the policy framework and budget) be agreed for the business below:

- To agree a programme of prospective councillor information and events.
- This programme should include:
 - Both in person and virtual events at various dates and times between now and the deadline for close of applications.
- Events should have officers and councillors in attendance to both answer questions and offer insight into the day to day processes of being a councillor and also hear first hand the pros and cons associated with the life of a councillor.
- A comprehensive package of information detailing (but not limited to)
 - The remit of the council
 - How to become a councillor, election timetables

- Election processes, expenses, ballot papers etc
- Councillor Job description
- New councillor training.
- Council meetings.
- Other possible roles/commitments as a councillor.
- How council decisions are made and a decision making structure
- Major projects and their implications.
- Current Plans and Policies
- A regular communication stream reminding residents of
- The election in May and key associated dates.
- The opportunity to become a councillor
- what the council is responsible for (as opposed to KCC etc)
- The prospective councillor programme and how to get involved.

(The recommendation was agreed by affirmation of the meeting).

36. Motions on Notice

Councillor Whybrow, Green Group, set out her motion which raised concerns about water quality and the impact of regular wastewater discharge.

Councillor Peall proposed an amendment to the original motion, to remove the second point within the motion, and add in a point that Southern Water be invited to attend a meeting of the Overview and Scrutiny Committee to find a practical way to address the issue, and that the matter be referred to an appropriate Working Group, whether a new group, or an existing one. Councillors Whybrow and Prater both accepted the amendment. Therefore the amendment became the substantive motion.

Proposed by Councillor Whybrow
Seconded by Councillor Prater; and

RESOLVED:

That the following actions be agreed:

1. Recognise this Council's obligation to protect its rivers and seas, including from the cumulative impacts of pollution,
2. That Southern Water be invited to attend a meeting of the Overview and Scrutiny Committee in order to find practical ways to address the issue, and that the matter be referred to an appropriate working group, whether that be a new group or existing one.
3. Seek to better understand the cumulative impact of wastewater discharge including untreated sewage on our local rivers, wildlife and the health of our residents.

4. To take a lead on addressing this issue, working constructively with other agencies.
5. Ask Southern Water, from this date onwards, in its planning consultation responses for major development, to clarify which treatment works will be managing the sewage; whether it has the information available to assess the impact on the number or duration of sewage discharges into local rivers or seas, and if it does have this information to share it (noting that this can only be requested not required).
6. Request that planning officers, from now onwards, include in all reports relating to major development a specific section on the impact on watercourses including the potential for the development to affect sewage outflow into watercourses (i.e. cumulative impact), or to flag if this information is not fully available, so that this information (or the lack of it) is clearly and transparently set out.

(Voting figures: 24 for, 1 against, 2 abstentions).

37. Update to the General Fund and Housing Revenue Account Capital Programmes

The report updated the General Fund and Housing Revenue Account Capital Programmes for changes which have occurred since the Council approved the budget for these on 10 and 23 February 2022 respectively. Changes to the Capital Programme, including updated Capital Prudential Indicators, are required to be submitted to full Council for consideration and approval.

Proposed by Councillor Godfrey,
Seconded by Councillor Monk; and

RESOLVED:

1. That report A/22/17 be received and noted.
2. That the changes to the General Fund and Housing Revenue Account Capital Programmes be approved, as outlined in section 2 of the report.
3. That the updated Capital Prudential Indicators, as outlined in section 3 of the report, be approved.

(Voting figures: 23 for, 0 against, 4 abstentions).

38. Regulation of Investigatory Powers Act 2000 - Policy

The report set out the Council's policy on the use of directed surveillance and covert human intelligence sources under the Regulation of Investigatory Powers Act 2000.

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

RESOLVED:

1. **That report A/22/18 be received and noted.**
2. **That the RIPA policy and procedure, as set out in appendix 1 to the report, be approved.**

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

39. **Report to Council on a decision 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 Monk,
Seconded by Councillor Prater; and

RESOLVED:

That report A/22/16 be received and noted.

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