

## **Council – 19 November 2023**

### **Councillor Questions and answers:**

#### **1. From Councillor Thomas to Councillor Tim Prater, Deputy Leader and Cabinet Member for Finance and Governance**

In 2016, Shepway District Council passed a resolution to recharge Parish Councils for the full cost of By-Elections in their respective Parishes. Would the Deputy Leader of the Council reconsider this approach to recharging Parish Councils, as these costs can have a significant financial impact on smaller Parishes.

#### **ANSWER:**

Many thanks for your question Paul.

You'll know that I have a lot of sympathy with your position, and the position of Town and Parish Councils facing paying for the costs of by-elections in their area. Sitting on Two Town Councils and Chairing a Parish I could hardly think otherwise.

We've run the numbers, and in the period 2018-2022 there were 12 recharged contested Town / Parish by-elections, 4 in New Romney, 2 in Lydd, 2 in Dymchurch, 2 in Hythe, 1 in Newchurch and 1 in Hawkinge. There were also 4 by-elections held in May 2021 at the same time as the County elections that due to additional grant from the Government were not recharged. Total recharge cost was £78,913.57 - so around £20,000 a year, although as there could be no by-elections in 2020-21, probably best to assume it would usually be a bit higher: say £30,000 a year. That is a lot for Towns and Parishes to absorb, although it is worth saying that well managed ones will have a sinking elections reserve putting aside money for the 4 yearly elections each year: its worth adding some extra to cover the cost of by-elections too.

However I have to have sympathy with the district taxpayer and team too. The cost would be a straight transference from Parish to District, and as I've had to mention in the past: there is very little money here as we tackle slashing the £18m deficit over 4 years left to us by the previous administration. Tackling that means we're in the process of voluntary redundancy as we speak. Adding another £20-30k a year to our elections budget is essentially the salary of another person.

The district have no scope to further increase Council Tax beyond a fixed level without triggering a referendum, but Towns and Parishes do.

I would be happy to investigate a joint scheme with Towns and Parishes putting in an amount each "pro-rata" to support by-elections in Town and Parishes as a mutual support fund, but that would require the significant majority of Councils taking part. With a payment of say 25p per elector, that would create the sort of scale fund that would be needed, but whether you can convince Councils like Folkestone that £7,000 a year is a reasonable

price to pay is open to question, but happy that the question is asked. There will also end up being questions on distribution, like any insurance fund: the by-elections for that period seem to be disproportionately on some Councils more than others. Is it right tax papers in one part of the district directly support those in others?

However, I'm happy to say that the Elections Team do understand the pressures. They would be pleased to discuss a payment plan with any Town or Parish with by-election costs they can't meet in year, to allow them to stretch it over financial years if that would help.

**Supplementary Question:**

Can the Deputy Leader of the Council consider a one-off agreement to absorb the By-Election cost for the recent Dymchurch Parish Council contested election, due to the extraordinary circumstances in which this By-Election was called. As we are all aware, it was due to the conviction and sentencing of an unrepentant sexual offender who joined the Council in an uncontested election in May of this year. It seems extremely unfair that due to the selfish actions of this individual, Dymchurch residents will have to suffer the financial impact of this By-Election.

**ANSWER:**

As you say, the individual in question was elected in an uncontested election in May. The four yearly elections are a cost every Town and Parish are also liable for, and most save towards them through the period. As in Dymchurch they were uncontested in May, there was a very significant saving there, which offsets a bit of the cost of the subsequent by-election.

Almost every by-election is unfortunate. I've seen by-elections for people not turning up, moving away, resigning due to life change, bereavement or other causes. It's impossible to "draw a line" to say under what circumstance it's more or less reasonable for the Council in question to pay for the by-election.

I'm afraid that due to this, and no budget set for this year out of which such a payment could come, I have to say no: sorry.

~~2. **From Councillor Wimble to Councillor Jim Martin, Leader of the Council and Cabinet Member for Otterpool Park and Planning Policy**~~

~~Can Councillor Martin provide clarity on the decision to exclude half of the elected members from the Romney Marsh Partnership, especially considering every elected member has the right to an equal say and vote on matters affecting the Romney Marsh residents?~~

**THIS QUESTION WAS WITHDRAWN BY COUNCILLOR WIMBLE.**

**3. ~~From Councillor Wimble to Councillor Rich Holgate, Cabinet Member for Place Plan, Heritage, Tourism and District Economy~~**

~~I would like to know when actual work will be started on the Folkestone improvements to the town Centre, bus depot and station. This work is very time sensitive and as I understand it has to be physically started by November. I appreciate the officers have been working hard on the planning, but could the Cabinet Member please update us as to when we can see shovels in the ground?~~

**THIS QUESTION WAS WITHDRAWN BY COUNCILLOR WIMBLE.**

**4. From Councillor Keen to Councillor P Blakemore, Cabinet Member for Transport, Regulatory Services and Building Control**

During the summer months the number of BBQ that are taking place on our beaches seems to be increasing. People are taking all kinds of BBQ equipment including gas bottles which in my view is a H&S risk as well as hot coals being buried in the sand or pebbles or place in our street bins. Can I ask that all BBQ are banned on all FHDC beaches and that signage in the first instance is placed in plain view? I fully understand that this would put a strain on us already over stretched resources but before someone is seriously hurt or the coastal park is set on fire by a stay ember.

**ANSWER:**

Thank you for the question.

Councillor Keen makes a good point about the hazards that can come from BBQs. In the Coastal Park, we have experienced damage to tables, benches, and bins which is one of reasons their use is now restricted within the park. I know many councils who have considered and, in some cases, introduced bans or restrictions (for example banning disposable BBQs) however, on balance I think a general ban would be difficult to enact and potentially counterproductive for the following reasons.

Firstly, the experience in the Coastal Park, where restrictions have been enforced for a couple of years, is that a ban in one area often results in BBQs being displaced to other public areas. Therefore, we would either need to introduce a series of area specific bans over several years or a general ban covering most of beaches and probably our parks as well.

Enacting a general ban on BBQs would need an amendment to the existing Public Space Protection Order or more likely a new standalone PSPO. Legally, the council would need to be able to justify a ban in line the conditions set out in the Anti-social Behaviour, Crime and Policing Act 2014 and undertake a public consultation on any proposals. Whilst there are hazards from BBQs, it is a social activity that many of the public enjoy. A general ban penalises the families and groups that act responsibly. For many of our residents, a ban would be seen as unfair, disproportionate, and heavy-

handed. A more limited ban may simply displace the activity to other areas. A ban on certain types of BBQ like disposable BBQs, strays into legal definitions of 'disposable', which would be better achieved by national legislation that would restrict at the point of sale.

Finally, we need to be realistic about how a ban general or limited would be enforced. As Councillor Keen says our resources are stretched. Enforcing a ban effectively along our coastline at the height of summer would need a significant increase in staffing and budget, which clearly in the current financial circumstances we cannot commit to. The environmental enforcement team must also prioritise their activities where they can make the greatest impact, for example enforcing the existing public space protection orders and investigations of fly tipping and other environmental offences.

**SUPPLEMENTARY QUESTION:**

None.

**5. From Councillor Keen to Councillor P Blakemore, Cabinet Member for Transport, Regulatory Services and Building Control**

Before next summer can we please have some assurance that adequate parking will be available for people visiting our towns and beaches but specifically in the Harbour Ward? The Harbour ward suffers greatly with visitors who were being diverted from other areas of the district down into the harbour. As we are all aware last summer was particularly bad and the roads in the Harbour area were gridlocked a majority of the time which made it difficult for the local residents to go about their business. Before the summer becomes a reality, we need an appropriate parking strategy that will not impact on our residents who live in the Harbour ward.

**ANSWER:**

Thank you for your question, Councillor Keen.

Last summer was horrendous in terms of the traffic and parking issues in the Harbour area. Rest assured we do continue to look at what can be done to control parking and ease congestion in this area.

Two additional loading bays were installed in September from which the benefit will hopefully be seen come the next summer season.

A couple of weeks ago, I met with Cllr Meade and officers on The Stade to discuss what further measures can be taken to protect local residents from problems such as those experienced last summer. Officers are now looking at installing further measures such as marked parking bays and on-road signage and we will continue to monitor the situation.

A draft Parking Strategy for Folkestone Town Centre and the Harbour is currently being finalised. The strategy will look at how best the council can

maximise parking at the Harbour. We intend to consult on this Draft Strategy in the early part of next year.

We are also looking at how best we can increase parking enforcement efficiency in parts of the district, so that officers can spend more time patrolling in busier seafront areas during the summer months.

**SUPPLEMENTARY QUESTION:**

Could the signage around the district directing people to the Harbour area be stopped?

**ANSWER:**

This is a matter that would need to be taken up with Kent Highways. I will add it to my list of matters to raise with them.

**6. From Councillor Cooper to Councillor Prater, Deputy Leader and Cabinet Member for Finance and Governance**

In May 2023 the council resolved to put aside up to £100,000 for the costs of its transformation from a cabinet to a committee system. Could you please advise how much of that has been spent so far, how much is scheduled to be spent and what will the remaining balance of that £100,000 be come May 2024?

**ANSWER:**

Thank you for your question.

To 11 September we had been invoiced £11,294.50 and I'm told that to the 14 November we had incurred additional costs of £5,670.

As that totals under £17,000 to there, we remain confident that the total cost to get to the new system will remain under £100,000. It is, however, (as we still have an entire constitution to write) rather early to know by how much.

**SUPPLEMENTARY QUESTION:**

None, although Councillor Cooper stated that he was pleased to have seconded the motion in June.

**7. From Councillor Cooper to Councillor Shoob, Cabinet Member for Housing and Homelessness**

Could you please thank the relevant staff for their swift decision on implementing the councils SWEP arrangements including the call for the hidden homeless to come forward prior to the recent storms. I am being asked if the district council can do this for homeless people from day one, why can't it be done all of the time?

**ANSWER:**

Thank you for your question. I will certainly pass on your thanks to the officers involved in implementing the severe weather arrangement earlier in the month. The purpose of the SWEP arrangements is to provide emergency accommodation for people who have been confirmed as rough sleeping by our Outreach Team in periods of severe weather. I share your concerns about people rough sleeping in the district, whatever the weather happens to be. When the SWEP is not in operation, our outreach team continue to work with people confirmed as rough sleeping in the district, helping them to access accommodation and support services where possible. Unfortunately, a significant number of current clients are particularly complex cases and the individuals have declined assistance from the outreach team. Despite this, the team continue to work to support these clients.

The Winter Shelter, which will be put in place by the Rainbow Centre and its partners from next month, with support from the Council, will provide accommodation and intensive support for people who are rough sleeping in the district, or who are at risk of rough sleeping in the district. The partnership will be working to assist as many people as possible into accommodation and ensure that they receive any necessary ongoing support to maintain their accommodation.

I think it's worth noting that for more than thirteen years, local authority funding has been severely reduced and services stretched. At the same time people's incomes have been squeezed, rents have soared and the cost of living crisis continues.

Homelessness is a complex issue and comes in many forms from the more visible rough sleeping to hidden forms such as sofa surfing and overcrowding. It's not an issue local authorities can fully address without real political will from central government.

To sum up, I'd like to quote from the recently published Kerslake Commission on Homelessness and Rough Sleeping, which found that the government will fail to meet its goal of ending rough sleeping by 2024:

"There are simply not enough homes which are affordable and available to people on the lowest incomes, and which have the right level of support in place. The shrinking supply of social rented and supported housing has left the country reliant on a private rented sector which is unsuitable for many people at risk of or experiencing homelessness. As a last remaining safety net, private rented accommodation is rapidly becoming inaccessible. It is this which is primarily driving record high rates of homelessness and the use of temporary accommodation, with rough sleeping at the sharp end."

**SUPPLEMENTARY QUESTION:**

Could I ask that we take some further action? I understand that the recent count showed an increase of at least 30% in homelessness. Would it be possible if we as a council can write to the government to ask for an uplift in the Local Housing Allowance rate, because of the squeeze on people's income?

**ANSWER:**

The Leader signed a letter recently following a summit organised by Eastbourne calling for a rise in the Local Housing Allowance rates. I'm pleased to note that it was restored to the thirtieth percentile of local rents, although we need to see how this looks for Folkestone, and if it is in line with the rents we do have. Once we have this information, I would be happy to write if needed.

**8. From Councillor Chapman to Councillor Speakman, Cabinet Member for Assets and Operations**

Several pavements in and around my ward have been getting more and more treacherous with leaves that have fallen being left and breaking down into a slippery substance making them difficult to navigate safely. How quickly should residents expect pavements to be cleared and made safe, and who is checking that Veolia are meeting their contractual obligations to residents?

**ANSWER:**

Thank you for the question.

It is the responsibility of the Waste Team to monitor the performance of the contractor Veolia. This is done on-the-ground by the local Waste Officers. During the autumn, Veolia employ additional staff for leaf removal. A difficulty for the street cleansing team is that heavy storms and rain will regularly bring down large volumes of leaves across the district in a single night, and we have had several of these this month. It is often the case that no sooner have cleansing team finished clearing a street then they need to start over again.

Contractually, the turnaround for leaf removal depends on how a street is zoned (usually by its expected footfall), with many streets to be cleared within 7-days from a service request being made. There is also a leafing schedule that lists streets, which due to the foliage, exceptional levels of leaf fall can be expected. As explained in my earlier answer, the council will be shortly publishing information on street zoning.

The public can report service requests online through the website and I would be happy to raise any streets with the Waste Team on Cllr Chapman's behalf.

**SUPPLEMENTARY QUESTION:**

The current process for reporting this on the website was very difficult, and should be made easier for the public to report areas needing to be cleared of

leaves. There were two areas of leaves in Dover Road which needed to be reported, but when you click on the drop down box, there were 88 different locations to choose from! Please could we do something to make this easier?

**ANSWER:**

I will discuss this with officers to see if this could be streamlined.

**~~9. From Councillor Lockwood to Councillor Polly Blakemore, Cabinet Member for Transport, Regulatory Services and Building Control~~**

~~In 2022, SYSTRA carried out 'A major review of parking in Folkestone town centre'. Have the results of this review been published? Can members have a copy and could it also be published on the council website?~~

**THIS QUESTION WAS WITHDRAWN BY COUNCILLOR LOCKWOOD.**

**10. From Councillor Lockwood to Councillor Speakman, Cabinet Member for Assets and Operations**

Will the council supply to members and publish minimum levels of cleanliness for each street area/zone, how often zones or areas will be cleaned and also the response times for where service standards are included within the contract, based on those within the Code of Practice under the Environment Act 1990?

**ANSWER:**

Thank you for the question.

Yes, the council will be publishing details on the website in December of the zones for each street and will detail the response times set for Veolia within the contract to maintain standards of cleanliness. The Waste Team are currently checking that the road listings information is up-to-date and considering how best to cross reference to the response times in the contract and the Code of Practice.

**SUPPLEMENTARY QUESTION:**

Will the council commit to publishing this information before proposing any changes to cleaning levels.

**ANSWER:**

I can't see any problem with that, but I will need to discuss this with officers, how this is being scheduled.

**11. From Councillor Godfrey to Councillor Shoob Cabinet Member for Housing and Homelessness**



Ross House was the first of the Councils apartment blocks to undergo significant energy efficiency improvement measures including insulation, Air Source Heat pumps and Solar Panels. Now that the apartments have been tenanted for some months and so that the Council can be informed for future projects could you advise what measures are being taken to monitor energy performance and tenant satisfaction both from efficiency and cost to tenants?

**ANSWER:**

Thank you, Cllr Godfrey, for your question.

Although the Ross House decarbonisation works were only part funded by SHDF Wave 1 (fabric first/ insulation works), the Department for Energy Security and Net Zero (DESNZ) have commissioned an external evaluation of SHDF Wave 1 which will provide a comprehensive review of the process.

DESNZ have partnered with IFF Research, Technopolis, UCL and BRE to collect and evaluate data, including surveys and interviews with residents, installers, Landlords, (including Local Authorities and delivery partners/agents) that will inform energy consumption analysis, fuel poverty analysis and economic evaluation. FHDC provide monthly data uploads providing extensive information including Pre and Post Energy Performance ratings, modelled energy consumption reductions, and cost analysis of selected Energy Efficiency Measures for all properties across SHDF Wave 1 project.

In addition, the FHDC delivery team are engaged in a continued process of monitoring that includes collecting meter readings for each property to establish a comprehensive baseline of energy performance data. This period will extend to a minimum of 12 months to ensure validity of data for energy consumption and performance accuracy of installed measures across Summer and Winter periods to ensure an accurate depiction of the actual annual usage vs the modelled data. Discrepancies in energy consumption at this point will trigger a period of further evaluation and intensified monitoring, in line with DESNZ guidance, to provide in-depth analysis relating to the direct performance of the newly installed energy efficiency measures.

It has been agreed that Tenant satisfaction surveys will not be undertaken in regard to the installation of energy efficiency measures at Ross House as only 2 of the 16 residents previously housed at this block returned following the process of vacating the property to allow for the completion of the works, therefore not providing a representative reflection of the measures installed compared to pre-installation. However, as part of the 12-month evaluation process tenant engagement will be sought to provide subjective data relating to their satisfaction of installed measures and energy consumption.

Once the full evaluations have been completed the SHDF team would be happy to give a full report back to Council on the energy performance and tenant satisfaction both from efficiency and cost to tenants' perspective.

**SUPPLEMENTARY QUESTION:**

None.

12. **From Councillor A Martin to Councillor M Blakemore, Cabinet Member for Community and Collaboration**

The Migrant Boat situation still provides significant concern for people living in Lydd on Sea, Dungeness and other surrounding areas. Much of the focus in media is around the political debate on stopping the boats and what should happen to those who arrive on our beaches.

I am concerned for my residents who are often forgotten, and are very much stuck in the middle of this difficult situation with genuine concerns for their safety.

I know that under the previous Administration, regular 'teams' meetings took place with the Home Office, Police, Health Agencies, KCC etc to discuss Napier Barracks and the use of the hotels in our District for asylum seekers. Can you confirm that these meetings are still taking place, that they include the arrival of small boats, and explain what support the council provides currently, and what can be done in addition to support these residents either directly or through engagement with the various agencies responsible?

**ANSWER:**

The multi-agency meetings continue and are mainly centred around Napier Barracks and the use of local hotels. The hotels are currently in the process of being stood down. There is ongoing wider asylum work, which covers Ukraine and Afghan families, and these are also subject to liaison across partners.

We do receive in the meetings updates from the Home Office about recent boat arrivals, how Border Force have responded and how new arrivals are processed. This does provide an opportunity for the council to raise any general or specific local concerns. I am sorry to hear residents are concerned about their safety and feel forgotten. It is important that anyone experience a crime reports it to the Police. The districts Multi agency Community Safety Unit is also keen to hear about any concerns, and you shouldn't hesitate to contact the team directly, or get in touch with me and I will do so.

**SUPPLEMENTARY QUESTION:**

I'm conscious that those with the loudest voices, aren't necessarily directly impacted by this, but have strong opinions, and my concern is their strong opinions drown out the concerns of those who are impacted but aren't reporting the matter. I would propose we hold a community meeting in order for those less vocal residents to share their concerns, and fill that vacuum in order to move the dialogue to those who need the support.

**ANSWER:**

There are many things I've been involved with lately in terms of community engagement, and if you'd like to arrange this, I'd be delighted to attend a meeting on the Marsh, and to see who else we can get to attend. I would add that some of those loud voices are stirred up by government dialogue, and media amplifying these messages.

**13. From Councillor Goddard to Councillor J Martin, Leader of the Council and Cabinet Member for Otterpool Park and Planning Policy**

With the past adverse wet weather conditions of late Copperfields & the Derings in Lydd have suffered with flooding of sewage caused by poor and inadequate infrastructure owned and maintained by Southern Water. The pumping station located in the Derings is not fit for purpose. Can you please write to the MD of Southern Water and ask for an immediate survey on all infrastructure in the said area?

**ANSWER:**

Thank you, Councillor Goddard, for your very pertinent question. I am meeting with Southern Water at Uden Rd between Dymchurch and Hythe this Friday afternoon along with Tony Hills and Jenni Hawkings, local KCC Councillors. We are meeting John Mealey the area manager from Southern Water to discuss 3 principle issues:

The flooding in Uden Rd, which has caused so much heartbreak for local people. The failure of the pumps at the Range Rd pumping station which has resulted in vast quantities of untreated sewage being pumped into Hythe Bay, and, The awful situation at Copperfields and the Derings, where residents have suffered and continue to suffer because of inadequately sized pumps.

All of these problems are caused by Southern Water's failure to renew or provide adequate infrastructure. I will be following up this meeting with a letter precisely in line with your excellent suggestion, indeed I will go further and ask for details of how these problems will be addressed in their much-publicised infrastructure investment plan, along with regular updates from Southern Water of their progress in preventing these problems occurring again.

Councillors Alan Martin and Paul Thomas have also drawn my attention to different issues concerning Southern Water regarding other pumping stations and the clearing of drainage ditches, which I will also raise.

For your information, I, along with almost all of the Leaders in Kent, Sussex and Hampshire (where Southern Water operate) recently attended an online meeting organised by the Environment Agency. At the end of the meeting all of the leaders, including myself, signed a letter drafted by the Environment Agency, addressed to OFWAT, the water regulator, asking OFWAT to take

action against Southern Water for their consistent failure to deliver the services required by their customers.

I will copy you into my letter when it is sent.

**SUPPLEMENTARY QUESTION:**

None.

**14. From Councillor Goddard to Councillor Prater, Deputy Leader of the Council and Cabinet Member for Finance and Governance**

With all the financial uncertainty, can you reassure members and more importantly the community groups that apply for the funds, that the ward members grants of 3K each won't be cut or scrapped?

**ANSWER:**

We have tried to protect frontline services as much as we can. However, the challenge of dealing with the forecast £18m deficit over the next 4 years left to us by the previous administration does mean that in some areas, we have to look for modest savings.

We know how important the ward budget scheme is. Although not every Council has one, we wanted to protect it in order to give Councillors the opportunity to offer direct, flexible support to organisations in their area.

However, a reduction in the total amount available from £90,000 a year to £75,000 - a per Councillor reduction from £3,000 to £2,500 - is one of the proposals being put to the Finance and Scrutiny Sub Group for consideration in their meeting on 5th December.

**SUPPLEMENTARY QUESTION:**

None, but Councillor Goddard stated that although he was disappointed the budget was being cut, £2,500 was better than nothing.

**15. From Councillor Mrs Hollingsbee to Councillor Jim Martin, Leader of the Council and Cabinet Member for Otterpool Park and Planning Policy**

As the Council is seeking third-party investment (public and/or private sector) for the Otterpool New Garden Town on a joint venture basis, can the Leader confirm that negotiating criteria will ensure that the Council will retain a minimum 51% of the equity/land and will adhere to the original Charter and the Planning Heads of Terms?

**ANSWER:**

Thank you for your excellent question. The Council is seeking a strategic partner to assist in the development of Otterpool Park. I cannot guarantee that the eventual development vehicle will be a "joint venture" as indicated in your

question, but the partnership negotiations will be based totally on the Otterpool Charter and the resolution to grant that we currently have.

Over the lifetime of the partnership, we will sell almost all of the land to individual housebuilders or developers, as was always the plan, so ultimately, we will not retain the land in perpetuity. In terms of the negotiations, FHDC currently own 44% of the land with 46% of the land controlled under option by FHDC. The remaining 10% is owned by Homes England.

If we are able to put all of our land into a joint venture vehicle and it is matched with cash by the strategic partner, this would make us 50/50 partners. This arrangement, however, would not make sense because many millions of pounds would be lying idle in the partnership. It is therefore likely that we will introduce our land gradually to be matched with cash from our strategic partner. This would mean that at any stage we would have the majority land holding but some of it might be in the strategic partnership, and some would remain outside until required.

Perhaps, the short answer you require is: Yes, the intention is that FHDC will retain control of a minimum of 51% of the land/equity.

**SUPPLEMENTARY QUESTION:**

This matter is important to local residents who are very concerned that we might lose control – are you confirming that we are not losing control?

**ANSWER:**

The intention is that we stay in control, yes.