

Cabinet

Held at: Council Chamber - Civic Centre Folkestone

Date: Wednesday, 14 November 2018

Present: Councillors Mrs Ann Berry, John Collier,
Malcolm Dearden, Alan Ewart-James, David Godfrey,
Mrs Jennifer Hollingsbee, Rory Love, David Monk,
Dick Pascoe and Stuart Peall

*Councillors Love and Peall gave apologies for lateness.

Officers Present: Mrs Jess Harman (Community Projects Manager), Andy Jarrett (Chief Strategic Development Officer), John Bunnett (Corporate Director - Place and Commercial Services), Amandeep Khroud (Assistant Director), Jyotsna Leney (Community Services Manager), Chris Lewis (Planning Advisor), Tim Madden (Corporate Director - Customer, Support and Specialist Services), Susan Priest (Head of Paid Service), Matt Rain (Communications Manager), Sarah Robson (Assistant Director), Charlotte Spendley (Assistant Director), Adrian Tofts (Planning Policy Manager), Jemma West (Senior Committee Services Officer) and David Whittington (Planning Policy Team Leader)

NOTE: All decisions are subject to call-in arrangements. The deadline for call-in is Friday 23 November at 5pm. Decisions not called in may be implemented on Monday 26 November 2018.

38. **Declarations of Interest**

Councillor Mrs Hollingsbee made a voluntary announcement in that she owns two properties within the area of search for Otterpool Park. She remained present at the meeting during discussions.

During the consideration of the report relating to fees and charges for 2019/20, Councillor Love made a voluntary declaration in that rented a number of garages from the council.

39. **Minutes**

The minutes of the meeting held on 17 October 2018 were submitted, approved and signed by the Chairman.

40. **Councillors Access to Information**

The report provided a summary on the issue relating to a Member's right to access Council documents and information, and in particular to access legal advice and commercially sensitive information. The report outlined the findings of the Task Group (established by the Leader) who were instructed to discuss and investigate the above issue.

Proposed by Councillor Monk,
Seconded by Councillor Love; and

RESOLVED:

1. That report C/18/50 be received and noted.
2. That the Assistant Director – Governance, Law and Regulatory Services be instructed to prepare a guidance note on this issue for the benefit of Councillors
3. That a report on the matter to be prepared for Council.

(Voting figures: 9 for, 0 against, 0 abstentions).

REASONS FOR DECISION:

During a Full Council meeting held on 19 September 2018, the UKIP group raised the following issue as opposition business – *“Councillors of F&HDC have a right to inspect any document in order to make informed decisions. Previously information has been denied to us and we wish bring this to the attention of Full Council for debate”*.

It was resolved during this meeting that the item be referred to Cabinet or relevant Overview and Scrutiny Committee, as the case may be for their observations before deciding whether to make a decision on the issue.

41. **Otterpool Park Garden Town - Update**

The report considered the option for securing further parcels of land within the site of the proposed Otterpool Park Garden Town.

Proposed by Councillor Godfrey,
Seconded by Councillor Dearden; and

RESOLVED:

1. That report C/18/44 be received and noted.
2. That it be referred to full council that it borrows an additional £10 million to enable the council to purchase land for the Otterpool Garden Town project and to progress the scheme to the point where development can commence.

3. **That subject to the council approving the additional borrowing recommended above, the Corporate Director - Place and Commercial be authorised, in consultation with the Leader of the Council, the Cabinet Member for Finance and the Cabinet Member for Property Management and Environmental Health to acquire property in the Otterpool Park Garden Town area.**

(Voting figures: 9 for, 0 against, 0 abstentions).

REASONS FOR DECISION:

Cabinet were asked to consider the recommendations in order to request council to authorise additional borrowing and to enable, subject to council approval of the budget, acquisitions to proceed and to enable the Project to be taken to the stage where development can commence.

42. **Core Strategy Review - report on Regulation 18 Consultation and draft Regulation 19 plan**

The report provided more detail on the consultation on the Core Strategy Review (Regulation 18) document, the changing national planning policy context and further evidence work being undertaken. The report set out the draft Core Strategy Review (Regulation 19) document and outlines the main changes from the previous version. Cabinet was asked to agree the Core Strategy Review (Regulation 19) plan prior to consultation and submission.

The report had also been considered by the Overview and Scrutiny Committee at their meeting held on 13 November 2018. The minutes of their meeting had been circulated to Cabinet Members.

Proposed by Councillor Collier,
Seconded by Councillor Pascoe; and

RESOLVED:

1. **That report C/18/49 be received and noted;**
2. **That delegated authority be given to the Assistant Director, Strategy Performance and Communications in consultation with the Cabinet Member for the District Economy to make any amendments that may be necessary to the Core Strategy Review Submission Draft (Regulation 19) document prior to the submission consultation to reflect:**
 - a) **Updates to supporting evidence, including the findings of the Sustainability Appraisal, Habitats Regulations Assessment and the work outlined in Section 9 of this report; and**
 - b) **Any further changes to government planning policy, including the methodology for housing provision; and**
 - c) **The results of further checking and proof-reading for the purpose of improving clarity and consistency and updating factual information; and**
 - d) **Minor updates to maps, figures and diagrams;**

3. That the Submission Draft Core Strategy Review (Regulation 19) document be agreed for public consultation subject to recommendation 2 above; and
4. That the submission of the Submission Draft Core Strategy Review (Regulation 19) document to the Secretary of State for Housing, Communities and Local Government following the end of the consultation period be approved.

(Voting figures: 9 for, 0 against, 0 abstentions).

REASONS FOR DECISION:

Cabinet was asked to agree the recommendations in order to allow progress to be made on the submission and examination of the Core Strategy Review to ensure that the council has an up-to-date local plan framework to meet current development needs.

43. Sandgate Design Statement Review 2018

Sandgate Parish Council has reviewed and updated the Sandgate Design Statement. The original Design Statement was adopted by the District Council's Cabinet in June 2013 as a Supplementary Planning Document (SPD). Although the revisions were generally minor, the Statement needed to be subject to public consultation as a number of the policies have been changed.

Councillor Love asked for his thanks to the Cabinet Member and officers to be noted.

Proposed by Councillor Collier,
Seconded by Councillor Love; and

RESOLVED:

1. That report C/18/46 be received and noted.
2. That the publication of the amended Sandgate Design Statement for public consultation be agreed.
3. That if changes resulting from consultation are minor, the final version of the Sandgate Design Statement be delegated to the Assistant Director – Strategy, Performance and Communications in consultation with the Cabinet Member for the District Economy for agreement and adoption.

During consideration of this report, Councillor Peall entered the meeting.

(Voting figures: 10 for, 0 against, 0 abstentions).

REASONS FOR DECISION:

The Sandgate Design Statement was adopted by the District Council's Cabinet in 2013 as a Supplementary Planning Document, which provided it with greater weight when considering planning applications. The Design Statement has been reviewed and updates were proposed. To ensure that the Design

Statement continues to carry the same weight, the District Council needed to follow the processes for SPD set out in Government legislation. This includes a period of public consultation.

44. Fees and Charges 19/20

This report focused on the proposed fees and charges for 2019/20 which would contribute towards meeting the council's 2019/20 budget objectives and Medium Term Financial Strategy.

The Council's Fees and Charges Policy was revised and agreed by Cabinet on 15 November 2017 (Report C/17/54).

The report had also been considered by the Overview and Scrutiny Committee at their meeting held on 13 November 2018. The minutes of their meeting had been circulated to Cabinet Members.

During the consideration of this report, Councillor Love made a voluntary declaration in that he rents a couple of garages.

Proposed by Councillor Dearden,
Seconded by Councillor Ewart-James; and

RESOLVED:

- 1. That report C/18/48 be received and noted**
- 2. That the following be approved:**
 - (i) The 2019/20 fees and charges set at the discretion of the council for the General Fund and Housing Revenue Account, as outlined in Appendix 2 of the report;**
 - (ii) The parking charges in Appendix 3 of the report;**
 - (iii) The statutory charges subject to discretionary charges in Appendix 4 of report; and**
 - (iv) The statutory charges at Appendix 5 of the report.**

(Voting figures: 10 for, 0 against, 0 abstentions).

REASONS FOR DECISION:

Cabinet agreed the recommendations set out below because the fees and charges are essential to support the delivery of the MTFS and Budget Strategy

45. Budget Strategy 2019/20

The Budget Strategy set out the guidelines for preparing the 2019/20 Budget. It supported the Corporate Plan and aligns with the direction and objectives of the Medium Term Financial Strategy (MTFS).

The Budget Strategy takes account of current and future financial issues, sets out the underlying assumptions and initial budget-setting proposals and provides a timetable for delivering a balanced budget in 2019/20.

The report had also been considered by the Overview and Scrutiny Committee at their meeting held on 13 November 2018. The minutes of their meeting had been circulated to Cabinet Members.

Proposed by Councillor Dearden,
Seconded by Councillor Monk; and

RESOLVED:

1. That report C/18/47 be received and noted.
2. That the Budget Strategy for 2019/20 set out in the report be approved.
3. That the General Fund revenue growth & savings proposals for 2019/20 be approved (Appendix 2).
4. That the General Fund capital growth proposals for 2019/20 be approved (Appendix 3).
5. That the proposed timetable for preparing 2019/20 budgets be agreed (Appendix 4).

(Voting figures: 10 for, 0 against, 0 abstentions).

REASONS FOR DECISION:

Cabinet was asked to agree the recommendations set out below because:

- (i) The Budget Strategy provides the framework for compiling the detailed 2019/20 budgets;
- (ii) The Budget Strategy will support the delivery of the MTFS; and
- (iii) The council's constitution requires approval of such a Strategy at least two months in advance of final budget approval.

46. **Folkestone & Hythe District Council - Communications and Engagement Strategy 2018-23**

The draft Communications and Engagement Strategy 2018-23 outlined how the Council will use communications to build a stronger reputation, involve and inform residents, engage effectively with stakeholders and improve customer satisfaction.

The report had also been considered by the Overview and Scrutiny Committee at their meeting held on 13 November 2018. The minutes of their meeting had been circulated to Cabinet Members.

Proposed by Councillor Love,
Seconded by Councillor Godfrey; and

RESOLVED:

1. That report C/18/41 be received and noted.
2. That the Folkestone and Hythe District Council Communications and Engagement Strategy 2018-23 be adopted.

(Voting figures: 10 for, 0 against, 0 abstentions).

REASONS FOR DECISION:

Cabinet was recommended to adopt the Communications and Engagement Strategy 2018-23 for the following reasons:

- To provide information which is clear, accurate and authentic using channels which are extensive and inclusive can make a significant and effective contribution to the overall performance of the Council and makes a vital contribution to the delivery of all of the Council's Corporate Plan priorities.
- The strategy commits the Council to continue its provision of quality communications to ensure stakeholders are aware of how we spend public money and how they can get involved with, and feel informed about, Folkestone & Hythe District Council, its services, events, policies and activities.

47. Public Spaces Protection Order (PSPO) - approval to consult

The current public space protection order (PSPO) declared by the Council is due for replacement on 19th June 2019. Members have previously been informed of the process and work underway to create bespoke PSPOs that will help to tackle more specific issues of antisocial behaviour affecting parts of the District. The process as required by the Antisocial Behaviour Act 2014 requires us to carry out consultation and this report introduces the consultation document and feedback survey that will be sent to stakeholders and residents and the format that will take. Members are asked for approval to consult.

The report had also been considered by the Overview and Scrutiny Committee at their meeting held on 13 November 2018. The minutes of their meeting had been circulated to Cabinet Members.

Proposed by Councillor Hollingsbee,
Seconded by Councillor Pascoe; and

RESOLVED:

1. That report C/18/45 be received and noted.
2. That minor amendments be made to the consultation document (shown at appendix 1), prior to the consultation, and agreed by the Assistant Director for Strategy in consultation with the Leader.
3. That the survey form at Appendix 2 be carried out.
4. That consultation as described in section 3.0 be carried out.

(Voting figures: 10 for, 0 against, 0 abstentions).

REASONS FOR DECISION:

Cabinet was asked to agree the recommendations because:

- a) New bespoke PSPOs will support the corporate priorities of Appearance Matters and Health Matters and provide the Council with additional enforcement powers to address a range of antisocial behaviour problems being experienced in parts of the District

- b) The consultation period and feedback dates are set around timescales to enable reporting back of survey results to Cabinet on 27th February 2019.