



Agenda

Meeting: **Overview and Scrutiny Committee**
Date: **23 April 2024**
Time: **6.00 pm**
Place: **Council Chamber - Civic Centre Folkestone**

To: **All members of the Overview and Scrutiny Committee**

The committee will consider the matters, listed below, at the date, time and place shown above. The meeting will be open to the press and public.

Members of the committee, who wish to have information on any matter arising on the agenda, which is not fully covered in these papers, are 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>. Although unlikely, no guarantee can be made that Members of the public in attendance will not appear in the webcast footage. It is therefore recommended that anyone with an objection to being filmed does not enter the council chamber.

Please note there are 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.

1. **Apologies for Absence**
2. **Declarations of Interest (Pages 5 - 6)**

Members of the committee should declare any interests which fall under the following categories:

- a) disclosable pecuniary interests (DPI);
- b) other significant interests (OSI);

Queries about the agenda? Need a different format?

Contact Jake Hamilton – Tel:
Email: committee@folkestone-hythe.gov.uk or download from our
website
www.folkestone-hythe.gov.uk

c) voluntary announcements of other interests.

3. Minutes (Pages 7 - 14)

To consider and approve, as a correct record, the minutes of the meeting held on 27 February 2024.

4. Minutes of the Finance and Performance Sub-Committee (Pages 15 - 20)

To consider and approve, as a correct record, the minutes of the meeting held on 12 March 2024.

5. KRF Planning - EU Entry / Exit System (ESS) (Pages 21 - 30)

A series of short presentations will be received, thereafter members of the Overview and Scrutiny Committee will be encouraged to ask questions.

Toby Howe, Highways & Transport Strategic Resilience Manager and Andy Jeffery, Head of Resilience & Emergency Planning at Kent County Council (KCC) will be in attendance to provide members with a presentation on the EU Entry / Exit System which is due to be implemented later this year.

Following this the following guests will be invited to share their perspective on the matter:

1.	Port of Dover – Doug Bannister (Chief Executive)	(10 Minutes)
2.	EuroTunnel – Natalie Benville (Regional Affairs Manager)	(10 Minutes)
3.	Dover District Council – Nadeem Aziz (Chief Executive) and Cllr Jamie Pout (Deputy Leader)	(10 Minutes)
4.	Town / Parish Councils	(10 Minutes)
5.	Folkestone & Hythe District Council – Dee Elson (Control Centre & Resilience Manager)	(10 Minutes)

The Overview & Scrutiny Members will then be invited to lead the discussion on issues of concerns for residents, businesses, and guests.

6. Motion from Council (29/11/2023) (Pages 31 - 34)

This report considers the potential impacts for the district, of Kent County Council's decision to end its accommodation and support provision for care leavers once they reach the age of 19.

7. Overview and Scrutiny Forward Plan 24/25 (Pages 35 - 50)

This report sets out a proposed work programme for Overview and Scrutiny for the municipal year 2024/25.

8. **Overview and Scrutiny Annual Report (Pages 51 - 64)**

This report sets out the work that the Overview and Scrutiny Committee and the Finance and Performance Sub-Committee have completed during 2023/2024.

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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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Minutes

Overview and Scrutiny Committee

Held at:	Council Chamber - Civic Centre Folkestone
Date	Tuesday, 27 February 2024
Present	Councillors James Butcher, Bridget Chapman, Laura Davison (Chair), Anita Jones, Alan Martin, Elaine Martin, Connor McConville and John Wing (Vice-Chair)
Apologies for Absence	None.
Officers Present:	Andy Blaszkowicz (Director of Housing and Operations), Scott Butler (Senior Community Safety Officer), Ewan Green (Director of Strategy and Resources), James Hammond (Strategy & Policy - Planning Infrastructure Specialist), Andrew Rush (Chief Officer - Regulatory & Community Services), Adrian Tofts (Strategy & Policy Manager), Karen Weller (Environmental Protection Manager) and Jake Hamilton (Committee Services Officer).
Others Present:	Councillors Jim Martin and Gary Fuller.

41. **Declarations of Interest**

Councillors James Butcher and John Wing both declared voluntary interest's as Directors of Oportunitas.

42. **Minutes**

The minutes of the meeting held on 30 January 2024, were submitted, approved, and signed by the Chiar.

43. **Minutes of the Finance and Performance Sub-Committee**

The minutes of the meeting held on 23 January 2024, were submitted, approved, and signed by the Chiar.

44. **Cabinet Member updates**

In accordance with the Constitution Councillor Gary Fuller the Cabinet Member for Resident Engagement and Accountability provided the Overview and Scrutiny Committee with an update in relation to his portfolio. This included several key areas including Customer Services, Information Technology (IT), Information Governance, Elections and Audit.

- Customer Services – Members were advised of two key aims being progressed: MyAccount take up and functionality, and the renewal of the Customer Access Strategy. Current MyAccount utilisation across the district is 73%, with a take up of 200 accounts per month. It was identified that take up was lower in the Romney Marsh areas predominantly and officers are looking at ways to improve this. The aim is that MyAccount will become progress a single use service.
- Information Technology (IT) – The Council is exploring ways to utilise current systems more effectively, such as Microsoft, with the aim to become less reliant on individual product licenses. It was noted that Cyber Security was also another area of key importance. Authorities are expecting an increase in attacks generally and particularly across the forthcoming election period.
- Members were advised that work to revise the Customer Access Strategy is underway and that this will progress over the next 6 months. A draft strategy would be subject of a report to the Committee in due course.
- Members were also advised that the Digital Strategy was also in the process of being reviewed, but more information on this will be provided to all members at a later date.
- Information Governance – Members were made aware that the Council was not meeting all the required statutory deadlines for responding and reporting. However, Work is underway to look at ways to improve the reporting processes including reviewing forms which staff use.
- Elections – Preparation for the Police and Crime Commissioner election is underway. The Council currently has 84,114 electors eligible to vote in the PCC election and 68,158 electors eligible to vote in the general election (date not confirmed) in line with the new parliamentary constituency boundary that is due to take effect, following the Boundary Commissions review (more details can be found [here](#)).

Following the Cabinet Members update, members raised several points, including:

- Has the Council considered Applications (App's) – Yes, this is under consideration, however, there are several different types of applications, and these can be very expensive to develop. This will form part of the refresh of the Customer Access and IT strategies.
- Not everyone has access to a smart phone. What are we doing to maintain accessibility for those without access – Residents have access to the Customer Access Point (CAP), telephone and email. The Council

is also considering other options to increase accessibility in more rural areas.

- As the Marsh areas have a lower take up of MyAccount, could members (district, town, and parish) and officers work together to produce ideas. Could the data be analysed to target particular areas, so that we can encourage more residents – The data could be categorised into wards.
- Could the Council and Members look at organisations to help bridge those gaps?

Councillor Jim Martin, Leader, and Cabinet Member for Otterpool Park and Planning Policy answered questions raised by the Overview and Scrutiny Committee:

- Princes Parade Project – Hoarding removal decision taken by Councillor Jim Martin, as published on 12/02/2024 ([Decision Details](#)). Members were concerned about the significant monies to be spent as a result of this decision – Councillor Jim Martin provide members with a summary break down of the costs involved and stated that the approach confirmed meant the Council would be saving money overall.
- As per the report C/23/88 – The report advises that the hoarding should remain in place due to ground contamination – As part of this decision, a new perimeter fence will be installed, to prevent access and trespassing, and due to the design, this will also open up visibility across the area.
- Some members were happy with new fencing being installed and thus opening space up visually. It was also mentioned that residents feel unsafe driving along that particular stretch of road due to the reflection from the current hoardings.

45. **Update from Community Safety Partnership and the new 3 year Plan**

Councillor Mike Blakemore, Cabinet Member for Community and Collaboration introduced the item, Scott Butler, Community Safety Specialist outlined the report which updated the Overview and Scrutiny Committee on the Folkestone & Hythe Community Safety Partnership (CSP) and the draft new 3 year plan.

Following Councillor Mike Blakemore and Scott Butler's introduction, members raised several points, including:

- District Profile (page 27, paragraph 4 of the appendix), Members asked for clarification on the national ranking.
- How can we better communicate the difference these plans are making and how does the partnership decide what should be included within the plan? – It is difficult to demonstrate the success of our plans. Also, the details of the plan are collaborative, it involves, best case scenarios, links with other organisations across the country, to determine what works best, strategic development and projects like Safer Streets.
- Is there a way to show how the actions taken are making a difference and how it is relevant to residents, and connectivity around reporting –

The Partnership could look to promote examples and incorporate the reporting process within the plan.

- Members asked what the partnership was doing to improve streetlighting to make residents feel safer – The partnership is working with organisations to provide torches, it was also noted about safer street (<https://www.folkestone-hythe.gov.uk/community-safety/safer-streets-folkestone>). It was mentioned that members could raise concerns regarding streetlighting to the Folkestone & Hythe Joint Transportation Board, which works collaboratively with KCC Highways and the District.
- Members suggested that the plan incorporate more links under the CSP delivery, for example the local engagement events.
- Members asked whether VAR data could be included, and a more detailed breakdown provided.
- Members reiterated the importance of accessibility and including more links to websites.

Proposed by Councillor Elaine Martin,
Seconded by Councillor John Wing; and,

Resolved:

- 1. To receive and note report OS/23/10; and,**
- 2. To provide feedback on the 3-year plan ahead of it being considered by Cabinet and Council.**

(As there was no dissent the recommendations were approved by affirmation of the meeting).

46. Community Infrastructure Levy (CIL)

James Hammond, Strategy & Policy (Planning Infrastructure Specialist), introduced the item with a presentation.

The report outlined the background to the Community Infrastructure Levy, which came into effect in August 2016 and the Governance Arrangements that were adopted by Cabinet in June 2020. It also explained what projects the district council will seek to deliver using CIL receipts it controls, as well as a summary of those projects that Kent County Council (KCC) will deliver using their proportionate share of CIL receipts as set out in the approved Governance Framework.

Following the Strategy & Policy (Planning Infrastructure Specialist's) presentation, members raised points, including:

- When members could have earlier oversight of the CIL receipts? – It was confirmed that the officers explore the suggestion of bringing oversight of CIL to members at an earlier date.

- How is CIL calculated and distributed across the whole of the district? – Typically, the larger the population the higher the CIL funding level.
- Definition of qualifying development – New developments that create net additional ‘gross internal area’ of 100 square metres or more, or create new dwellings, are potentially liable to pay the Community Infrastructure Levy (CIL).
- As per the report (page 41, table 4.1), why does this table not list all Town/Parishes – There could be several reasons as to why a Town/Parish is not included within the table. There were no qualifying CIL payments at the time of publication, or the particular Town/Parish may not be eligible for CIL (zero rated). [CIL guidance to town and parishes](#).
- It was also noted that Hawkinge Town Council, was incorrectly detailed as ‘Hawkinge Parish Council’ within the above table.
- How can members encourage Town/Parishes to spend their CIL? – Members could look to projects that other Town/Parishes have delivered. Members were also made aware that an item on CIL will be presented to the Folkestone & Hythe District Joint Parishes’ Committee on 14 March 2024.
- As per appendix 1 (page 50, paragraph 2) The difference between CIL invoiced and received – These figures can differ due to the council’s policy, which allows recipients to spread the cost over 1, 2 or 3 instalments depending on the amount.
- Could members be provided with a breakdown of KCC CIL funding that has been reincorporated within the district. ([KCC CIL Policies](#)).
- Members asked for more information on how they could better contribute to the CIL process, particularly in supporting town and parishes allocate funding. It was requested that a general narrative about CIL could be produced which would give an overview of CIL and what it is used for.
- Members also asked whether more promotion can be done around projects that have been completed with CIL funding.

It was concluded that should members have further questions of feedback that they provide this directly to officers.

Proposed by Councillor James Butcher,
Seconded by Councillor John Wing; and,

Resolved:

- 1. To receive and note report OS/23/07**
- 2. To offer reflections on future allocation of CIL receipts related to the Infrastructure Funding Statement and supporting Infrastructure Schedule.**

(As there was no dissent the recommendations were approved by affirmation of the meeting).

47. **2023 Full Council Resolution - Folkestone & Hythe Youth District Council**

Adrian Tofts, Strategy & Policy Manager, introduced the item.

Full Council of 29 March 2023 resolved to refer to Overview and Scrutiny Committee (OSC) a report on the benefit of establishing a Folkestone & Hythe Youth District Council, referencing the Kent Youth County Council. The report described the youth councils and youth forum that are run by Kent County Council, Dartford Borough Council, Swale Borough Council and Thanet District Council to highlight to OSC the different approaches that could be taken to establishing a youth council and the likely resource implications.

Following the Strategy & Policy Managers introduction, members raised several points, including:

- Member were pleased to see the report coming forward.
- It was suggested by members that the council start with a youth forum, and then build on that once established.
- Members were not keen on replicating the KCC model and preferred the idea of keeping it simple.
- Member suggested if elections were agreed whether the schools/colleges could run these. However, it was also noted that schools/colleges may not have the resources to run such elections.
- Members were of the opinion that they would like the model to include as many young people as possible.
- It was also concluded that members would like to hear from representatives of the KCC Youth Council, in order to formulate a plan.
- Members also noted that by implementing a youth council/forum, that this would give young individuals the chance to input and shape their community and district.
- Members were in agreement that a survey should be sent to schools, colleges, and a wider audience, to give officers the opportunity to incorporate young people's ideas (resource dependant). It was also suggested that if a survey was produced that it have oversight from the Committee before being distributed.

Proposed by Councillor Connor McConville,
Seconded by Councillor Bridget Chapman; and,

Resolved:

- 1. To receive and note report OS/23/09**
- 2. To note and comment on the different approaches to youth councils and youth forums set out in section 2 of the report.**
- 3. To note the key issues and resource implications outlined in section 3 of the report.**

- 4. To note the responses to the three parts of the 2023 resolution, outlined in section 4 of the report, and provide recommendations as to the next steps.**
- 5. That the item return to the Overview and Scrutiny Committee following the delivery and results of a survey to schools, colleges, and other organisations (resource permitted), so that the committee may formulate a recommendation to council on a direction forward; and,**
- 6. That a representative(s) of the Kent County Council (KCC) Youth Council attend the Overview and Scrutiny Committee, when the above recommendation/item returns to the committee.**

(As there was no dissent the recommendations were approved by affirmation of the meeting).

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Minutes

Finance and Performance Scrutiny Sub-Committee

Held at:	Council Chamber - Civic Centre Folkestone
Date	Tuesday, 12 March 2024
Present	Councillors James Butcher, Laura Davison, Alan Martin, Connor McConville (Chair) and John Wing.
Apologies for Absence	None.
Officers Present:	Gavin Edwards (Senior Performance Officer), Ewan Green (Director of Strategy and Resources), Jake Hamilton (Committee Services Officer), Jonathan Hicks (Governance, Performance & Risk Manager) and Rod Lean (Chief Officer - Place & Growth)
Others Present:	Councillor Tim Prater.

24. **Declarations of interest**

Councillors James Butcher and John Wing both declared voluntary interests as Directors of Oportunitas.

25. **Quarter 3 Performance Report 2023-24**

Gavin Edwards, Senior Performance Officer introduced the item.

The report provided an update on the Council's performance for the third quarter of the year covering 1 October – 31 December 2023. The report enables the Council to assess progress against the approved key performance indicators arising from the Council's new Corporate Action Plan.

Following the Senior Performance Officers introduction, members raised the following points:

- As per paragraph 2.4 of the report, Quality Homes, and Infrastructure. What is the council doing to manage the gap between the need for affordable homes and the availability? – Members were advised that this question would be referred to the Housing team for clarification.

- As per KPI 'Affordable homes delivered by the Council and its partners' in appendix 1. Members noted that the target is shown as green, however, the council is currently not on target – Officers clarified that this was an error within the appendix.
- KPI 'Number of new priority play areas provided by the Council' as per positive community leadership of appendix 1. Will the recent landlips within the district impact the play areas? – This question will be referred to the service area for clarification.
- As per appendix 1, A thriving Environment, 'Percentage of street lighting within the district converted to LED'. If a number of streetlights are removed from the programme, will this impact the Councils target? – This question has been referred to Fred Miller, Transportation Manager.
- As per appendix 1, Quality Homes and Infrastructure, 'Average number of rough sleepers in the period'. Members expressed their concerns about the numbers reported and asked whether the cuts by Kent County Council (KCC) had an effect on the performance? – Members were advised of some of the potential reasons as to the increase, i.e. the increase in attractiveness of the area, cost of living increases, and sustainability of tenancy agreements.
- Members commented on the decrease in 'average number of households in Bed and Breakfast Accommodations.'
- As per KPI '% food premises broadly compliant (equivalent to 3 rating)', appendix 1, Positive Community Leadership. As the Council is consistently achieving its target, should the target (3 rating) be increased? – Officers confirmed the KPI target (3 rating) is set by the Food Standards Agency.
- KPI 'Number of community safety events held, and projects delivered (public)' in appendix 1. As this target has improved, members asked whether an additional KPI, measuring engagement levels could be introduced – Officers advised they would take this feedback on board for future consideration.
- Further to the above KPI, members had positive comments about the volume of activity being delivered, in relation to the increase in Council Tax.
- Members noted that the council is not on track to meet the 70% KPI target for the 'Total funding allocated from the Romney Marsh Business Hub grant support scheme', as seen in appendix 1, due to the number of applications received. Members requested clarity on the number of applications received outside of the grant – Rod Lean, Chief Officer of Place and Growth advised members that the grant was introduced to incentivise businesses to locate into the Hub. The Council plans to review this grant programme, with the aim to consider other ways of utilising the funding in the Romney Marsh area.
- Members noted that despite staff training, the council is not achieving its 100% (Monthly) KPI target on both 'Percentage of data breaches assessed within 72 hours to decide if it is reportable to the ICO' and 'Percentage of reportable data breaches that were submitted to the ICO within 72 hours'. Members asked for officers' thoughts on whether these KPI's could be measured differently, so that the council is not

consistently underachieving – Officers advised the council has recently gone through a transformation programme and as part of that a new team Governance, Information and Risk team has been setup and will be reviewing processes and performance, with a greater emphasis on how the council manages data breaches.

- As per KPI ‘Number of Breaches issued under the Public Space Protection Order’ in appendix 1. Members asked as to whether the council could consider a different method of reporting this data as currently this KPI is reflected as red due to one notice being issued, however, Members explained that this could be conceived as a good outcome – Officers advised members that this suggestion could be explored. It was also noted that officers are looking to work more closely with service areas, so they can better understand the data and how that meets the service ambition and aims of the corporate plan.
- Members asked whether this committee will have another chance to provide feedback to officers regarding next year’s KPI, before they are presented to Cabinet – Officers confirmed that further updates will be provided.

Proposed by Councillor Alan Martin,
Seconded by Council John Wing; and,

Resolved:

- 1. To receive and note report C/23/92; and,**
- 2. To note the performance information for quarter 3, 2023-24 in appendix one.**

(As there was no dissent the recommendations were approved by affirmation of the meeting).

26. UK Shared Prosperity Fund (UKSPF) and Rural England Prosperity Fund (REPF) Update

Rod Lean, Chief Officer for Place and Growth introduced the item.

The report outlined the activity to date regarding the UKSPF and REPF programmes, giving an overview of the schemes, activities being implemented, and outputs being achieved.

Following the Chief Officer of Place & Growth’s introduction, Members raised the following points:

- Members enquired as to how both the UKSPF and REPF were going? – Officers confirmed that both programmes were performing well. Several of the projects were noted i.e. Mobile Pantry, UKSPF Skills, Home Essential Fund, Romney Marsh Coastal Destination, and the Transport project.

- In relation to the tables and targets within the report, what duration of time were these measured and when were they set? – Officers confirmed the data in the tables were up to September 2023 (officers advised members that further data can be provided). Targets were set during the initial development of plans prior to the projects being confirmed.
- Members noted the good work from the Mobile Food Pantry Project and advised that the project has also just started to operate in Chariton.
- Members asked for clarification as to whether any of the other food related projects had started i.e. education, cooking classes? – The Mobile Food Pantry Project will be providing demonstrations from Spring 24, however, to date no classes have been provided. The Council is working with East Kent College, aiming to implement 6-week classes to start around September 2024 and another one in January 2025.
- In relation to the UKSPF Skills proposal, will all the funding be channelled into organisations, or will the Council be retaining some of the funding for skill fairs, etc? – Officers explained that essentially there are two elements to the proposal. One; funding allocated to organisations for upskilling and two; that a bespoke grant scheme be developed and administered by the council to support industry specific and bespoke training programmes.
- Members asked that they be more involved in providing ideas and feedback to officers for any unallocated grant funding.
- Members enquired as to how the REPF; Transport project was developing? – Officers confirmed that discussions were ongoing regarding finding a sustainable fast track transport system to enable local Romney Marsh residents to access training, work, and hospital appointments for example.
- How was the REPF criteria set? – This was set by Central Government and the Council.
- Members asked for clarification on the Rural Grant Scheme and the amount that can be applied/awarded per project? – It was clarified that grants can vary from £3,000 to £30,000 per annum, depending on the scale of the application, long-term impacts, and wider benefits for the local rural economy.
- Members asked whether the funding had been evenly distributed across the district? – Officers confirmed the current/proposed projects are geographically spread and that an up-to-date list of projects can be provided..
- Members asked as whether the grant panel had local ward member representation? – Officers confirmed that the panel had member representation.
- Members enquired as to why both the Romney Marsh Coastal Destination Project and Transport Project were picked? – Officers confirmed that the Romney Marsh Coastal Destination Project was an important project for tourism and the local economy. The Transport Project has been considered for several years by the Romney Marsh Partnership, as fast transport links is a key barrier to access training, jobs, and hospital appointments for the Romney Marsh residents.

- Members asked that they be involved with future conversations around re-allocation of funds, so that they have a chance to provide feedback.
- Members asked that the item return to the Committee towards the end of the project.

Proposed by Councillor Laura Davison,
Seconded by Councillor Connor McConville; and,

Resolved:

- 1. To receive and note report: OS/23/11; and,**
- 2. To note progress to date from both UKSPF and REPF programmes.**

(As there was no dissent the recommendations were approved by affirmation of the meeting).

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EU Entry Exit System (EES)

What you need to know....

Toby Howe IEng MICE
H&T Strategic Resilience Manager



What is EES?

EES is a new electronic system that will collect and process data on the entry, exit, and refusal of third-country nationals crossing the external borders of the Schengen Area.

EES will be used by border guards and enforcement authorities to track the movements of non-EU citizens and to prevent irregular migration and security threats.



- EES is currently scheduled to be implemented in the Autumn of 2024, with **October 6th** being highlighted as a probable date.
- The Port of Dover and Eurotunnel have juxtaposed borders, meaning that at these two portals all checks are carried out this side of the Channel.
- Prior to a first crossing, all third-country nationals must register for the system, which includes providing biometric data such as a facial photograph and fingerprint identification.



- Under current plans, the registration must happen at the portal and must be supervised by officers from Police aux Frontières (PaF).
- Eurotunnel are developing a location within their site to be able to carry out registration.
- Port of Dover are continuing to develop plans, however, there is very limited space in the buffer zone between the Eastern Docks roundabout and the French Customs booths.

- Currently, the buffer zone within the Port is the only area where EES registration can be carried out.
- This could mean lengthy delays for all tourist traffic entering the Port.
- Any queuing tourist traffic outside the Port will impact the outbound freight (85% of which is from Schengen areas)
- Significant queuing could become very frequent at Kent borders with Europe





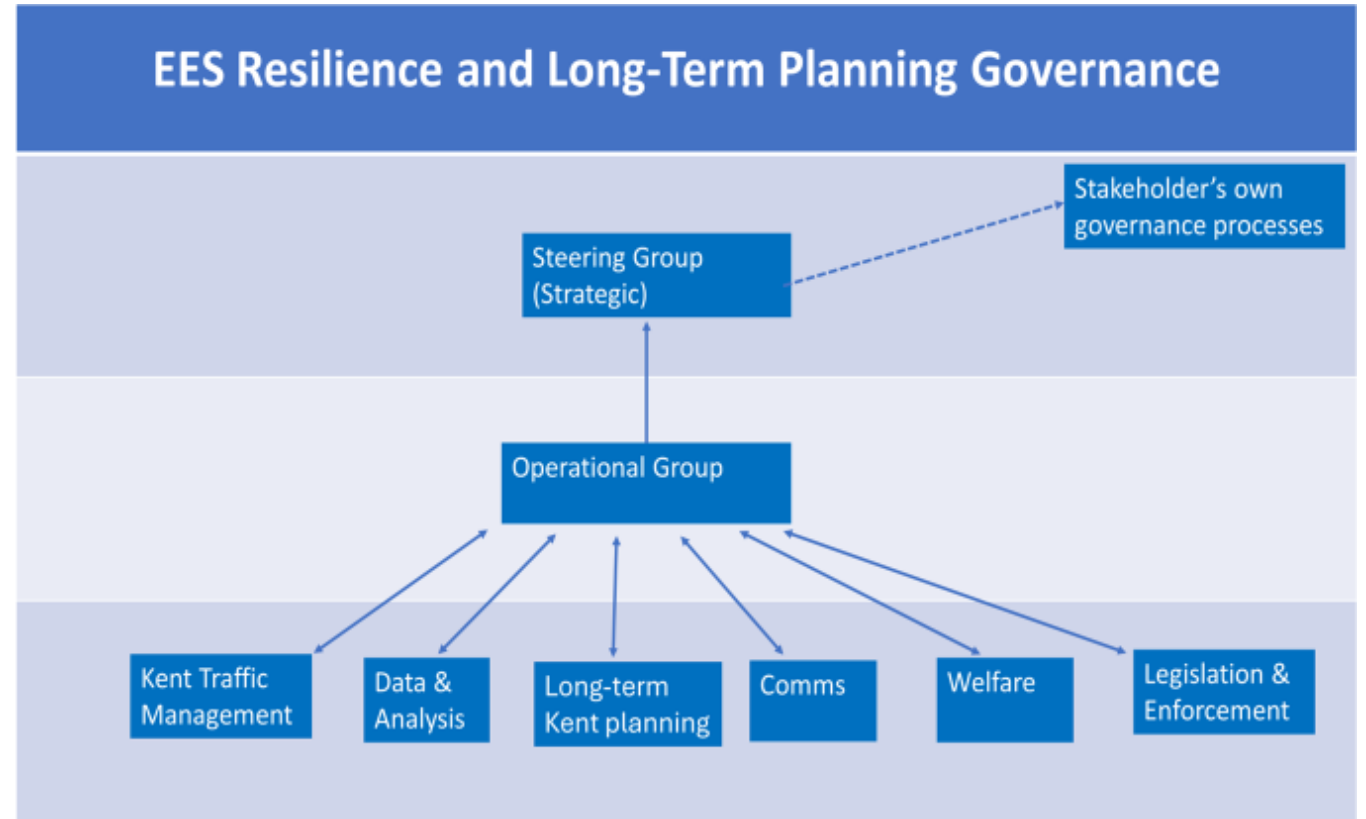
- Dover TAP and Operation Brock could become a more permanent feature, rather than only being deployed than at peak times.





- Whilst remote registration is technologically possible it is not currently available.
- The EU is developing a ‘back-end’ solution for such a possibility but leaving the ‘front-end’ to countries and organisations.
- It is therefore unlikely that remote registration will be available for some time, due to EU legislation.

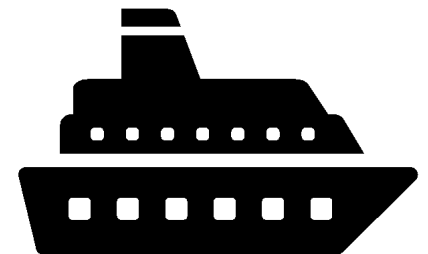
- Planning for the implementation of EES is ramping up across Whitehall and other bodies.
- Working with DfT, a number of Task and Finish Groups covering issues such as Traffic Management, Enforcement and Legislation and Welfare have been established.
- A multi-agency steering group will provide overview and an escalation forum.



The impact of EES on Kent is expected to be far greater than what was forecast for the exit from the EU.

EU Exit planning was focussed on delays to freight whereas the impact of EES will be an impact on travellers to the EU, as well as freight.

There is legislation in place to ensure that freight uses a prescribed route to the portals. It is not possible to legislate that passenger vehicles do the same.



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Agenda Item 6

This Report will be made public on 15 April 2024.



Report Number **OS/23/14**

To: Overview and Scrutiny Committee
Date: 23 April 2024
Status: Non-Key Decision
Responsible Officer: Gill Butler, Chief Officer – Housing
Adrian Hammond, Lead Specialist - Strategic Housing
Cabinet Member: Councillor Rebecca Shoob, Cabinet Member for Housing and Homelessness

SUBJECT: Kent County Council Accommodation Services for Care Leavers on reaching the age of 19 years

SUMMARY:

This report considers the potential impacts for the district, of Kent County Council's decision to end its accommodation and support provision for care leavers once they reach the age of 19.

RECOMMENDATIONS:

1. To receive and note report OS/23/14.
2. To comment on the points set out in the report.

1. COUNCIL MOTION

1.1 At its meeting on 29th November 2023, the Council resolved to:

- Ask the Leader of the Council to write to KCC asking for an immediate suspension of Decision 23-00083.
- Ask the Cabinet to consider how we can support and protect care leavers and unaccompanied asylum seekers in the event that this change is made.

1.2 As requested, the Leader of the Council wrote to KCC in January 2024 and requested a meeting to discuss the implications of the policy change. Officers understand that no response was received.

2. BACKGROUND

2.1 At the end of 2023, Kent County Council (KCC) announced that it would be ending its accommodation and support services for care leavers over the age of 19, from April 2024. Previously, KCC has provided specialist supported accommodation for care leavers aged 16-21.

2.2 Care leavers already over the age of 19 will not be affected by KCC's decision, all children currently in care, aged under 19, will be impacted.

2.3 Information provided by KCC shows that there are approximately 39 care leavers aged 16-21 and 95 care leavers aged 16-25, who are either based in the Folkestone and Hythe District or who are believed to have a link with this district.

3. IMPLICATIONS FOR FOLKESTONE & HYTHE

3.1 At this time, it is difficult to fully assess the impact that this policy change will have on this district. The young people impacted, will be able to approach any of the local authorities in Kent for accommodation assistance. We are unable to predict when the individuals may approach the Council.

3.2 The key concerns for the Council are as follows:

- There is a very limited supply of suitable accommodation in the district that is likely to be suitable for this client group.
- The cost of shared accommodation in the district is currently approximately £650 per month, whilst the local housing allowance is set at approximately £282 per month.
- There will be no onsite support for the young people in this accommodation, which could place some individuals at risk.
- The Council is likely to face direct costs of at least approximately £200K per year, to support all the young people to cover their accommodation costs. The full financial impact will be determined by the number of young people who approach the Council for accommodation assistance.
- Some young people may have more complex needs, which will be more difficult for the Council to meet.

- 3.3 Officers will continue to monitor the impacts of KCC’s policy decision and will update members as any further issues arise. The Council will also work to identify suitable accommodation for young people approaching the accommodation for assistance. At this time, the Council has been approached by one young person aged 19 and they are currently in accommodation provided by the Council.
- 3.4 The Housing Options Team fully recognise that the policy will cause concern to the young people impacted. We will work with all local partners to explore all possible accommodation solutions to best meet the accommodation needs of this client group going forward.
- 3.5 The team will also signpost the young people affected to other agencies, to enable them to receive support wherever possible.

4. RISK MANAGEMENT ISSUES

4.1 A summary of the perceived risks are as follows:

Perceived risk	Seriousness	Likelihood	Preventative action
Increased homeless presentations to the Council.	High	Medium	Increased homelessness presentations (and resulting cost to the Council) over the coming months and years, have been listed in the Council’s Risk Log. The Council’s Housing Options Team will continue its ongoing work to identify suitable accommodation for any young people impacted.
Budgetary impacts	High	Medium	Officers will closely monitor the impact of this KCC policy change and report any further impacts to members as they are identified.
Increased risk of vulnerable young people not receiving the specialist	High	Medium	F&HDC officers will work closely with partner agencies to ensure that the

support that they need.			appropriate support is provided.
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5. LEGAL/FINANCIAL AND OTHER CONTROLS/POLICY MATTERS

5.1 Legal Officer's Comments (NM)

There are no legal implications arising directly from this report. There is no statutory duty for KCC to provide accommodation to care leavers over the age of 18.

5.2 Finance Officer's Comments (RH)

There could be significant financial implications if a number of care leavers contact the Council for Housing placements. As stated in the report it is unclear what additional pressure there may be, therefore, at the present time, this situation will be closely monitored by Housing Options and Finance colleagues.

5.3 Diversities and Equalities Implications (AH)

The policy decision made by KCC, will directly impact on young people once they reach the age of 19, including those with more complex needs.

5.4 Climate Change Implications (AH)

No direct climate change implications to this report.

6. CONTACT OFFICERS AND BACKGROUND DOCUMENTS

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

Adrian Hammond, Lead Specialist – Strategic Housing t

Telephone: 01303 853270

Email: Adrian.hammond@folkestone-hythe.gov.uk

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

This Report will be made public on 15 April 2022



Report Number **OS/23/12**

To: Overview and Scrutiny Committee
Date: 23 April 2024
Status: Non executive decision
Responsible Officer: Amandeep Khroud, Assistant Director of Governance, Law and Democracy.

SUBJECT: OVERVIEW AND SCRUTINY WORK PROGRAMME
24-25

SUMMARY: This report sets out a proposed work programme for Overview and Scrutiny work for the municipal year 24/25.

RECOMMENDATIONS:

1. To receive and note report OS/23/12.
2. To adopt and implement the Scrutiny work programme, set out in paragraph 1.3 of the report, for the municipal year 24/25.
3. To note paragraph 1.4 of the report.

1. INTRODUCTION

- 1.1 Early 2024, suggestions for Scrutiny topics were sought from various sources, with the criteria that only issues which affected residents across the whole district would be considered.

In addition, the following topics would not be considered:

- Individual service complaints.
- Topics outside of the remit of the council, where the council has no powers or influence.
- Issues where Scrutiny has considered in the last 12 months.
- Areas relating to quasi-judicial functions, ie Planning and Licensing.

The final list of topics included Member and officer suggestions, community concerns, policies which were due for renewal, and topics rolled over from the previous year's Scrutiny work plan.

- 1.2 These suggestions were then circulated to Members of the Overview and Scrutiny Committee, who were invited to score each item from 1-5 (5 highest, 1 lowest), based on each of the following criteria:

- High general public concern,
- Critical to council priorities and plans,
- High financial value,
- Risks in successful delivery.

- 1.3 Based on this, the nine highest scoring items were selected for the Scrutiny workplan. Nine items would make up the main workplan, with an additional three in 'reserve' for the Committee. These 'reserve' items will allow for some flexibility in the workplan, in the event that the Committee is required to consider other urgent matters.

The selections are shown in the table below.

Item No	Topic	High general public concern	Critical to council priorities and plans	High Financial value	Risks in Successful delivery	Total score
1	OP update (transition budget / plan, HE collaboration Agreement, Strategic partnering options etc)	36	36	36	35	143
2	FOLCA update	32	33	34	31	130
3	Flooding, poor water quality,	39	32	25	33	129

	Internal Drainage board.					
4	Actions to protect the council operations against a Cyber attack	24	35	32	30	121
5	Traffic disruption to Folkestone and the North Downs Area as a result of the EU's EES which is set to be introduced in October 2024	38	27	23	31	119
6	LUF update	28	32	27	30	117
7	Update on Council's climate and ecological emergency work	31	32	23	29	115
8	Equitability of council resource across the district	34	28	24	29	115
9	Transparency of planning process	35	29	23	26	113
The items below will be held in reserve						
10	Corporate Plan – consultation responses	25	34	24	28	111
11	Housing Allocations Policy	26	32	24	27	109
12	Waste and recycling reforms	31	28	21	29	109
The items below are statutory items and items referred from Council:						
13	PREVENT & Safeguarding (statutory item)	n/a	n/a	n/a	n/a	n/a
14	Otterpool Park LLP Business Plan	n/a	n/a	n/a	n/a	n/a
15	Budget Update 24/25	n/a	n/a	n/a	n/a	n/a

16	Cabinet Member updates	n/a	n/a	n/a	n/a	n/a
17	opposition business of council (03/04/24) - To consider the drafting of a Culture, Heritage and Tourism strategies, as part of the Corporate Plan refresh, and conduct consultation with stakeholders to include members, community organisations, residents and businesses	n/a	n/a	n/a	n/a	n/a
18	Motion from council (29/11/2023) – 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.	n/a	n/a	n/a	n/a	n/a

- 1.4 Following the approval of the workplan the Chair and Vice-Chair of the Overview and Scrutiny Committee will need to consider, alongside officers the desired outcome and scope for item(s) detailed within the Scrutiny work programme.
- 1.5 In addition to the items selected, the Overview and Scrutiny Committee has a statutory requirement to act as the Council’s Crime and Disorder Committee and to meet for that purpose at least once a year. This item will also form part of the Committee’s work programme.
- 1.6 There are also two items of business which have been added to the Scrutiny work plan as a result of work referred from Full Council. Both items will also form part of the Committee’s work programme.

- 1.7 The two remaining main items from the previous 23/24 workplan have been incorporated within the 24/25 selected items. The three reserve items within the scrutiny work plan were not considered in the current municipal year, and as they were reserve items, they will not be rolled over into the new work plan.
- 1.8 The work plan is drawn up on the basis that the Committee would consider two to three items per meeting, although there must be flexibility in the programme, to allow for any urgent items to be considered.
- 1.9 The Overview and Scrutiny Committee are asked to endorse the Scrutiny Workplan, prior to its consideration and endorsement at the Annual meeting of the Council on 08 May 2024.

2. LEGAL/FINANCIAL AND OTHER CONTROLS/POLICY MATTERS

2.1 Legal Officer's Comments

It is important for Overview and Scrutiny Committee to establish and agree a work programme. This will enable the Overview and Scrutiny committee to fulfil its constitutional and legal function.

2.2 Finance Officer's Comments

There are no financial implications to this report.

2.3 Diversities and Equalities Implications

There are no equalities implications directly arising from this report.

3. 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 – Committee Services Specialist

Telephone: 01303 853369

Email: Jemma.west@folkestone-hythe.gov.uk

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

None.

APPENDICES

Appendix 1 – Scores for all items.

Appendix 2 - Summary of each item.

Appendix 3 – The Overview & Scrutiny Committees Terms of Reference.

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Appendix 1 – Scores of all items.

Topic	High general public concern	Critical to council priorities and plans	High financial value	Risk in successful delivery	Total Score	
OP update (transition budget / plan, HE collaboration Agreement, Strategic partnering options etc)	36	36	36	35	143	Main Items
FOLCA update	32	33	34	31	130	
Flooding, poor water quality, Internal Drainage board.	39	32	25	33	129	
Actions to protect the council operations against a Cyber attack	24	35	32	30	121	
Traffic disruption to Folkestone and the North Downs Area as a result of the EU's EES which is set to be introduced in October 2024	38	27	23	31	119	
LUF update	28	32	27	30	117	
Update on Council's climate and ecological emergency work	31	32	23	29	115	
Equitability of council resource across the district	34	28	24	29	115	
Transparency of planning process	35	29	23	26	113	
Corporate Plan – consultation responses	25	34	24	28	111	Reserve Items
Housing Allocations Policy	26	32	24	27	109	
Waste and recycling reforms	31	28	21	29	109	
Oportunitas – review of strategic funding assessment	16	28	28	30	102	
Youth provision across the district	32	26	19	25	102	
Ship Street	22	28	26	26	102	
New Customer Access Strategy	29	26	19	25	99	
On-street car parking	31	21	19	26	97	
Implication of Building Safety Act and Introduction of a Building Safety Levy	22	24	18	25	89	
Stodmarsh Nutrient Neutrality Strategy	19	27	20	23	89	
UKSPF & REPF	23	23	22	20	88	
De-pooling project	16	22	20	27	85	
Housing Assistance Policy (Private Sector Housing)	24	23	17	19	83	
Design codes	15	23	15	23	76	

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APPENDIX 2 – summary of each item

Suggestions from Officers	Summary description	Indicative date
Housing Allocations Policy	Refresh of the Housing Allocations Policy taking into account current legislation and best practice.	June/July 2024
De-pooling project	This project looks at ‘de-pooling’ tenants service charges for transparency and fairness to ensure that tenants are paying the correct amount for the services that they receive.	Autumn / winter 24/25
Waste and recycling reforms	The Environment Act 2021 introduced new duties for local authorities with regards to the collection of recycling materials as well as other national proposals (e.g. extended producer responsibility). This was followed by more detail proposals in 2023 that are to be introduced through secondary legislation. The report gives a summary of the proposals and the actions being taken to enact these.	November 2024
On-street car parking	KCC are currently reviewing the agreements with District Council’s regarding the operation of on-street parking and considering the option of taking the service back in house to be operated at county level.	May 2024
Actions to protect the council operations against a Cyber attack	Although a lot of work has been carried out to prevent a cyber-attack, they are becoming more sophisticated, and we need to ensure we have the correct support and measures in place. The following 3 areas will be priority for consideration over the next 12 months: <ul style="list-style-type: none"> • Educate – user awareness. Carry out more sophisticated phishing test and ensure staff are aware of consequences. • Monitor - Invest in a Service Operations Centre service. Use an external party that has specialists monitoring activity 24 x 7 x 365 (Currently have a grant funded service until September 2024) • Response - Invest in a Managed Incident Response service. Will give FHDC access to expertise to assist the onsite team from the early stages of an incident and containment. 	February 2025
Implication of Building Safety Act and Introduction of a Building Safety Levy	This report will provide an overview of the Building Safety Act, the Council’s overall response and details on the way in which the new Building Safety Levy will be managed.	May/June 2024

APPENDIX 2 – summary of each item

Oportunitas – review of the company’s financial structure and performance	A presentation for members looking at the financial structure of the company, past performance including returns to the council and future predicted performance.	May/June 2024
Flooding, poor water quality, Internal Drainage Board	<p>Flooding matters, and the collective responsibilities of various agencies and Southern Water to address and respond to incidents of flooding.</p> <p>Bathing water classification for the beaches in the district following confirmation of the annual classification results.</p> <p>Internal Drainage Board - the function of the Internal Drainage Board and how they manage internal watercourses within the F&H District, including how the IDB levy placed on the council to fund the IDB through council tax is spent.</p>	December 24/January 25
Housing Assistance Policy (Private Sector Housing)	Update of the Council Private Sector Housing Assistance Policy, which sets out the Council’s policies and initiatives for improving conditions across the private housing sector in the district.	December 24/January 2025
UKSPF & REPF	This item will include an Overview of the current project and achievements to date regarding this programme.	July 2024
Ship Street	This report will update members on the work on the project to date, the planning submission and the draft disposal strategy for the site.	May 2024
LUF update	<p>Rod Lean to confirm wording: presentation may work better for this as we can show plans etc.</p> <p>This will inform members of the work to date on the LUF programme, provide an update on the public engagement events and show the evolving plans.</p>	June 2024
FOLCA update	This report will provide members with an update on both Folca 1 and 2. This will include an update on the business case which will consider the viability of the project.	June 2024
Otterpool Park Update on Transition Plan and Delivery	This report will provide an update on Otterpool Park in relation to the delivery of Otterpool Park LLP Transition Plan, engagement with Homes England and progress to secure third party investment to support delivery.	June
Design codes	This report and presentation will provide Committee with an update on the preparation of a district wide design code and opportunity to provide feedback on consultative draft documents.	October 2024

APPENDIX 2 – summary of each item

Corporate Plan – consultation responses	<p>This report will set out a proposed approach to consultation in relation to the development of a new corporate Plan. The report will detail a timeline and range of consultation activities for consideration ahead of final approval.</p> <p>Three Members of the public also submitted suggested topics relating to the Corporate Plan. Their comments will be fed in to the consultation process.</p>	May / June
New Customer Access Strategy	This report and presentation will set out a draft of the new Customer Access Strategy. Committee is asked to consider and provide feedback ahead of the strategy being presented to Cabinet for approval.	Sept / Oct
Stodmarsh Nutrient Neutrality Strategy	This report will provide an overview of work undertaken with Kent County Council to develop a strategy to address issues related to nutrient neutrality which impact on planning and housing delivery.	May /June
Update on council's climate change and ecological emergency work	The report will update on the work that the Council has undertaken since the last Overview & Scrutiny Committee on 25 April 2023. It will focus on the consultation draft District-wide Carbon Plan and results of consultation and the Folkestone & Hythe Sustainable Futures Forum projects. It will also highlight the work that the Council has done in developing the District-wide Carbon Plan and the Council's role in facilitating, encouraging and signposting with community groups and fostering partnership working.	Winter 2024
Equitability of council resource across the district	<ul style="list-style-type: none"> • To make sure that Council resources - time, energy, and money - are equitably applied across our district, and that the concerns of rural and farming communities are recognised as clearly as the concerns of urban communities. • To ensure that people, wherever they live in the district feel that their concerns are listened to, understood, and acted on. • To encourage more visibility of cabinet members and senior officers across the district – maybe regional "open days"? Evidence that service provision and performance are being scrutinised for any regional disparities. • Other avenues explored include establishing the North Downs Forum, to bring together town, parish, and district councillors with representatives of community groups, plus other interested individuals across the two North Downs wards, with the intention of strengthening the rural & farming voice at F&HDC. 	Spring 2025
Transparency of planning process	<ul style="list-style-type: none"> • The planning system is not sufficiently transparent - residents are not always clear about the parameters within which decisions are made, and how best to 	Spring 2025

APPENDIX 2 – summary of each item

	<p>pursue objections to proposed developments. A development might be happening on their doorstep, and they can feel excluded from the decision-making process - or at least unclear about the reasons decisions went the way they did. This can then breed cynicism about the council's intentions and actions.</p> <ul style="list-style-type: none"> • To explore ways in which processes like planning mediation could help local residents be more involved in the evolving design of a development in its early stages and explore ways to involve local residents in the process more and earlier (e.g. through planning mediation) Putting greater efforts into educating people about the planning system. • The newly-established North Downs Forum (a group of district, town, and parish councillors, community groups, and other interested individuals) have said they would like more dialogue with planning officers. 	
<p>Traffic disruption to Folkestone and the North Downs Area as a result of the EU's EES which is set to be introduced in October 2024</p>	<ul style="list-style-type: none"> • Ensuring that those currently planning for the Autumn disruption are informed by local concerns, and that there is a comms plan in place to make sure our communities know what to expect and what is being done by way of preparation. • Aside from the particular circumstances this Autumn, how do we make sure that Kent Resilience Forum and Kent Highways are taking account of the views of local communities impacted by their decisions? • Consultation and communication would at least help people feel that their concerns were being taken account of. 	<p>June 2024</p>
<p>Youth provision across the district</p>	<ul style="list-style-type: none"> • The lack of youth provision accessible to All children and young people across the district, not just those whose parents can pay, including SEND provision, mental health support, safe places to meet friends out of school, opportunities for purposeful fulfilling activity promoting healthy development and nurturing talents and potential. • The withdrawal of funding for youth provision by KCC and closure of youth clubs in the district (particularly Hythe Youth Centre, which has a membership of over 800), is going to deprive many children and young people of a facility which keeps them safe and supports wellbeing. The district council in consultation with the parish/town councils could work together with communities to address the needs of children and young people in the district. • A commitment from the district council to make a plan for children and young people, including funding, to keep youth centres running and to ensure that 	<p>TBC</p>

APPENDIX 2 – summary of each item

	<p>children and young people are at the heart of the new district plan. As the president of the Association of Directors of Children’s Services said in the Guardian on Tuesday 20 February, “every child deserves a happy, safe childhood, in which they can thrive, not just survive, regardless of where they live, or how much their families earn”. He said governments should make a Plan for Childhood and that this is the only way to secure the country’s future economic prosperity.</p>	
Standing items		
PREVENT & Safeguarding (statutory item)	In accordance with the Crime and Disorder (Overview and Scrutiny) Regulations 2009, the Overview and Scrutiny Committee is required to act as the Crime and Disorder Committee on at least one occasion per year, where they will receive a presentation giving an update on PREVENT and safeguarding matters.	October 2024
Otterpool Park LLP Business Plan	The Otterpool LLP Business Plan is updated annually and the Overview and Scrutiny Committee will scrutinise the updated Business Plan prior to its consideration at Cabinet.	January 2025
Budget Update 2025/26	The 2025/26 budget update presentation will cover the general principles underpinning the council’s financial strategy to maintain a sustainable balanced budget, the budget setting process overview for 2025/26 and the draft time table. It will also provide an update on the council’s Medium Term Financial Strategy.	Autumn 2025
Cabinet Member updates	As per part 7.2 of the constitution (Overview and Scrutiny Rules of Procedure), all Cabinet Members are required to attend meetings of the Overview and Scrutiny Committee on at least one occasion per municipal year in order to provide a general update on decisions made within their portfolio.	All meetings.
Motion from Council (29/11/2023)	<p>Motion from Council (29/11/2023) – Cllr Davison:</p> <p>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.</p> <p>To explore further Progressive Procurement practises which are designed to encourage more local businesses to engage with our procurement process.</p>	

APPENDIX 2 – summary of each item

	<p>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.</p> <p>That any revised policy be decided by members after May 2024.</p>	
<p>Opposition business from Council (03/04/2024)</p>	<p>As part of the Corporate Plan refresh being undertaken, to continue ongoing work to produce strategies which are inclusive to Culture, Heritage and Tourism.</p> <p>To conduct meaningful consultation with members, community organisations, residents and businesses to assist in the production of council strategies which are inclusive of Culture, Heritage and Tourism.</p> <p>Should a Culture, Heritage and Tourism Strategy be drafted, it be adopted by full council as the overarching authorising body of this council”.</p>	

PART 7 - OVERVIEW AND SCRUTINY

PART 7.1 – OVERVIEW AND SCRUTINY COMMITTEE

1. OVERVIEW AND SCRUTINY COMMITTEE

1.1 Terms of reference

- a) To consult on the Overview and Scrutiny work programme and agree its contents. The work programme to be a rolling programme.
- b) To respond to requests from the Cabinet and /or Council to undertake overview and scrutiny reviews as it sees fit.
- c) To act as the Council's Crime and Disorder Committee and to meet for that purpose at least once a year.
- d) When acting as the Crime & Disorder Committee, to be able to co-opt members and determine whether they are entitled to vote on any matter, in accordance with the Crime and Disorder (Overview and Scrutiny) Regulations 2009.
- e) To review and scrutinise the executive's decisions, including prior scrutiny of proposed executive decisions, and decisions made by committees and officers.
- f) To contribute to the development of the Budget and other financial strategies, and review the performance of the executive against the Budget and other financial targets.
- g) To contribute to, and review, the development of the Council's corporate management policies, including risk management and corporate governance policies and strategies, and to review the performance against targets, and review the effectiveness of the policies and strategies over time.
- h) To exercise the right, set out in the 'Call-in' Rules of Procedure, contained in Part 6 and 7 of this Constitution, to call-in for review, and recommend for re-consideration, any decisions made by the executive but not implemented.
- i) Agree the scope of task and finish group overview and scrutiny reviews and appoint members to task groups. [Numbers of task groups will be dependent upon resources and the availability of members and officer support, and groups cannot be simultaneous or concurrent].
- j) When agreeing an overview and scrutiny topic for task group investigation the committee will follow the set of criteria set out below to ensure its suitability for an overview scrutiny review. In order to qualify for consideration, submissions for topics to review must conform to at least one of the following:
 - affect a group or community of people (overview and scrutiny will not normally look at service complaints) that either live or work in the district,
 - be an issue of significant public concern,
 - relate to a service, event or issue in which the Council has a significant stake,

Appendix 3

- not be an issue which scrutiny has considered during the past 24 months,
 - not be an issue dealt with by another Council committee (excluding cabinet).
- k) Manage and co-ordinate task group work by checking that progress is according to timetable and testing the soundness of recommendations against scopes.
- l) Together with the task group chairs, formally present task group reports to Cabinet or Council or other appropriate groups and organisations.

Agenda Item 8

This report will be made public on 15 April 2024.



Report number

OS/23/13

To: Overview & Scrutiny Committee
Date: April 2024
Status: Non-executive decision
Responsible Officer: Amandeep Khroud, Assistant Director – Governance, Law and Regulatory Services

Subject: Annual report of the Overview and Scrutiny Committee 2023/24

SUMMARY: This report sets out the work that the Overview and Scrutiny Committee and the Finance and Performance Sub-Committee have completed during 2022/2023.

RECOMMENDATIONS:

1. To receive and note report OS/23/13.

1. INTRODUCTION

- 1.1 This report sets out the work that the Overview and Scrutiny Committee have completed during the municipal year 2023/24.

2. WORK OF THE OVERVIEW AND SCRUTINY COMMITTEE AND FINANCE AND PERFORMANCE SCRUTINY SUB-COMMITTEE FOR THE MUNICIPAL YEAR 23/24.

- 2.1 The Overview and Scrutiny Committee and Finance and Performance Scrutiny Sub-Committee have considered a number of topics in the municipal year 23/24 which are set out in the Annual Report (Appendix 1 of this report)

3. LEGAL AND FINANCE COMMENTS

3.1 Legal officer's comments

There are no legal comments.

3.2 Finance officer's comments

There are no financial implications arising from this report.

3.3 Diversities and equalities implications

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

4. CONTACT OFFICERS AND BACKGROUND DOCUMENTS

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

Jemma West Democratic Services Team Leader
Telephone: 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

Appendix 1 – Annual report of the Overview and Scrutiny Committee 2023/24.

Annual report of the Overview and Scrutiny Committee 2023–24

Folkestone & Hythe District Council



Foreword by Overview & Scrutiny Chair Cllr Laura Davison

It's been a pleasure to chair the Overview and Scrutiny committee for the council year 2023/24. With elections taking place in May 2023, it has been a largely new group of councillors who have taken on the critical role of sitting on this committee, with valued help and support from returning experienced members including Vice Chair John Wing.

Together we have held regular pre-meetings of the committee to ensure we have proper time to think ahead and make sure we put our formal committee time with officers and guests to the most productive use. We have grown and developed as a committee across the year and I'd like to thank all members for the time, work and thought they have put into their contributions during this time.

The role of the committee under the current Cabinet system of the council is a crucial one. It acts as a critical counterbalance, offering different perspectives on projects and proposals, giving feedback through the vital connection to residents that comes with being a local councillor, and asking good questions! We have tried to take a practical approach to suggesting improvements to council proposals.

A new initiative this year where Cabinet members have taken it in turns to come in front of the committee to speak about their portfolios and answer questions has also been a positive development.

This year we have collectively considered topics including the Folkestone Levelling Up Fund delivery, the future of Folca, the district wide Carbon Action Plan, the re-procurement of the council's housing repairs and maintenance contract, Otterpool Park, council tenant satisfaction and the

Community Infrastructure Levy. We have had a significant role in scrutinising budget proposals in the run up to the setting of the 2024/25 budget via both the committee and its Finance and Performance sub-committee and were instrumental in questioning plans for metered parking charges on our high streets, which were not then pursued by cabinet. Also, in removing a specific target for reducing the number of litter bins.

In October the committee sat in its function as the Crime and Disorder scrutiny panel, overseeing community safety work across the district. The committee has also considered resolutions and public petitions referred to us by full council, for example in relation to setting up a youth council (a great initiative) and the hoardings on Princes Parade. We have also continued to press for updates on issues scrutinised by the previous committee - for Southern Water and Operation Brock.

In the remaining months of this financial year, we have important work to do looking at the impact of biometric border checks due to be implemented in October 2024. Given full council's decision to retain a Cabinet system for next year we will also be drawing together the Scrutiny work plan for 2024/5 based on suggestions made by residents, councillors and officers in the recent consultation process.

Thank you to everyone who contributed to this important process and to all the officers and guests who have been involved with the work of the committee during the year, particularly Jake in Committee services for his organisation, help and support.

Councillor Laura Davison

Chair of the Folkestone and Hythe Overview and Scrutiny Committee

Overview and Scrutiny Committee

F&HDC decisions are largely made by the council leader and cabinet under a scheme of delegation set out in the council's constitution. The OSC is made up of non-cabinet members and its membership is politically balanced, drawing on the input from all parties that make up the council. Members scrutinise and review the council's decisions, considers how it makes policy to shape the resulting policy framework, examines how the council performs against key targets and indicators in deploying its budget, and investigates specific issues affecting the district.

The committee can:

- Question cabinet's decisions
- Make its own recommendations to Cabinet
- Ask the cabinet and other decision-makers to reconsider decisions
- Refer a decision to the Full Council (known as a call-in)

Call-in usually refers to key decisions, i.e. those with a significant impact on finance or local communities, it is a powerful tool in supporting local democracy.

O&S has met nine times during the 2023/24 year and considered 27 items. A summary is given below:

27 June 2023

- Levelling Up Fund Delivery - Members received a presentation on the Council's successful bid to secure a £20m levelling up bid to regenerate Folkestone Town centre called 'Folkestone - a Brighter Future'. The presentation gave an overview of the Folkestone a Brighter future project
- Folca 2 proposed works and Civic Centre Relocation - Members received a presentation on the council's purchase of the old Debenhams (now called Folca) in Folkestone town centre in 2020, the aim was to secure control on a key anchor site within the town centre to ensure the future use had a positive outcome for the town centre. The building was also used as a key outlet for the vaccination delivery during the pandemic. The presentation gave an overview of the background and progress to date.
- Draft District-Wide Carbon Plan - The Strategy, Policy & Performance Lead Specialist introduced the report which presented the draft District-wide Carbon Plan. Following the comments of the Committee, it is intended to take the draft plan to Cabinet in July to seek approval to hold a public consultation on the plan.
- Cabinet Member Update - In accordance with the Constitution Councillor Stephen Scoffham, the Cabinet Member for Climate Change, Environment and Biodiversity will be attending the Overview and Scrutiny Committee to provide a general update on decisions made within his portfolio.

- Housing Repairs & Maintenance Options Appraisal - The Housing Repairs and Maintenance (R&M) current contract with Mears Ltd is due to expire 1st April 2025. In addition to the responsive repairs service and planned maintenance i.e. the replacement kitchen and bathrooms capital programme, the contract also covers void repairs and some compliance related services.
- Folca LUF update and Civic Centre Relocations - The presentation provided an update on the redevelopment proposals for Folca 2. Including, progress to date in relation to Phase 1 and Phase 2, architects commission, design development, business case preparation and overall programme.
- Otterpool Park: Strategic Direction, Funding and Delivery - The report, presentation and appendix covered the outcome of a review of key issues that the Council requires to consider in relation to the strategic direction, funding and delivery of Otterpool Park. The presentation included detail on delivery and financial risks for the Council and emerging recommendations for Cabinet. Following the item, the committee resolved to:
 - Receive and note report OS/23/03; and,
 - To Formulate a Task and Finish Group to support and scrutinise any potential joint venture proposal following Cabinet decision to explore the matter. Terms of Reference to be drawn up.
- Princes Parade Petitions - The report responded to the 2 petitions referred to Overview and Scrutiny committee following the Council meetings on 22nd February (Petition A) and 29th March 2023 (Petition B). Council has asked the following of OSC in respect of the 2 petitions:
 - Petition A - That the Petition be referred to OSC for their observations before deciding whether to examine the issues raised by the petition.
 - Petition B - To examine the issues raised by the petition as part of a future scrutiny programme.
- Cabinet Member Update - In accordance with the Constitution Councillors, Rich Holgate the Cabinet Member for Place Plan, Heritage, Tourism and District Economy and Polly Blakemore the Cabinet Member for Transport, Regulatory Services and Building Control will be attending the Overview and Scrutiny Committee to provide a general update on decisions made within their portfolio.

31 October 2023 – 18:00

Budget Update 2024/25 - The committee received a presentation which covered the following areas:

- The budget setting process overview for 2024/25
- Medium Term Financial Strategy ('MTFS') and Projected Gap
- General Fund Revenue Budget Gap Solutions and Strategic Approach:
 - Priority Based Budgeting (PBB)
 - Cashable Savings – 12%
- The Star Chamber discussion re the 2024/25 Budget
- Other critical/potential savings for consideration
- Forward look (draft timetable)

31 October 2023 – 19:00

- Folkestone and Hythe Community Safety Partnership Plan Update - The report/presentation provided the committee with an update on the Folkestone and Hythe Community Safety Partnership (CSP), its priorities, activities, CSP action plan, PREVENT and statistical data including, Crime within the District, deprivation, Fire and Hospital Alcohol Data.
- Cabinet Member Update - In accordance with the Constitution Councillors, Rich Holgate the Cabinet Member for Place Plan, Heritage, Tourism and District Economy and Polly Blakemore the Cabinet Member for Transport, Regulatory Services and Building Control will be attending the Overview and Scrutiny Committee to provide a general update on decisions made within their portfolio.

14 November 2023

- Proposed On-Street Parking - The report sought the views of the Overview & Scrutiny Committee on recommendations of Cabinet for parking charges to be introduced in and around shopping streets in Folkestone, Sandgate, Hythe, and New Romney.
- Housing Revenue Account (HRA) Business Plan 2023-2053 - The report set out the parameters of the work and spend that is undertaken by the Council's housing team, underpinning every decision taken in the HRA. The Business Plan (BP) model aligns with the direction and objectives of the Medium-Term Financial Strategy (MTFS), alongside the commitments of the HRA capital programme and acquisitions and new build ambitions for HRA led housing. The HRA BP ensures that the Council continues to provide a financially balanced housing management service that meets legislation and delivers excellent customer

service to our tenants and leaseholders across the district. Once approved by Members, a summary version of the HRA BP will be published in 2024. Following the item, the committee resolved to:

- Receive and note report C/23/57; and,
- To consider the presentation and provide feedback in order to inform a report to Cabinet.
- Refresh of the Council's Children, Young People and Vulnerable Adults Safeguarding Policy 2023 and general update - 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. OSC were advised of the changes made to the 2021 policy as the refresh takes place every two years. OSC were also advised of the wide range of activity that has taken place over the last year with updates on safeguarding practice.
- Cabinet Member Update - In accordance with the Constitution Councillors Tim Prater, Deputy Leader and Cabinet Member for Finance and Governance and Jeremy Speakman, Cabinet Member for Assets and Operations will be attending the Overview and Scrutiny Committee to provide a update in relation to the portfolio.

30 January 2024

- FABF phase two public engagement feedback - An overview of the feedback from the public engagement activities in November 2023 in relation to phase two of the project, and the responses to the main themes from the project team.
- 2023 Tenant Satisfaction Survey Action Plan - This report presents the findings from the 2023 tenant satisfaction survey, and the resulting draft Action Plan which has been developed in partnership with the Strategic Tenant Advisory Panel.
- Cabinet Member Update - In accordance with the Constitution Councillor Jim Martin Leader and Cabinet Member for Otterpool Park and Planning Policy will be attending the Overview and Scrutiny Committee to provide a general update in relation to their portfolio.

27 February 2024

- Cabinet Member Update - In accordance with the Constitution Councillor Gary Fuller the Cabinet Member for Resident Engagement and Accountability provided the Overview and Scrutiny Committee with an update in relation to his portfolio. This included several key areas including Customer Services, Information Technology (IT), Information Governance, Elections and Audit.
- Update from Community Safety Partnership and the new 3 year plan: Councillor Mike Blakemore, Cabinet Member for Community and Collaboration introduced the item, Scott Butler, Community Safety Specialist outlined the report which updated the Overview and

Scrutiny Committee on the Folkestone & Hythe Community Safety Partnership (CSP) and the draft new 3 year plan.

Following the update members resolved to:

- To receive and note report OS/23/10; and,
 - To provide feedback on the 3-year plan ahead of it being considered by Cabinet and Council.
- Community Infrastructure Levy (CIL): The report outlined the background to the Community Infrastructure Levy, which came into effect in August 2016 and the Governance Arrangements that were adopted by Cabinet in June 2020. It also explained what projects the district council will seek to deliver using CIL receipts it controls, as well as a summary of those projects that Kent County Council (KCC) will deliver using their proportionate share of CIL receipts as set out in the approved Governance Framework.

Following the update members resolved to:

- To receive and note report OS/23/07; and,
 - To offer reflections on future allocation of CIL receipts related to the Infrastructure Funding Statement and supporting Infrastructure Schedule.
- 2023 Full Council Resolution – Folkestone & Hythe Youth District Council: Full Council of 29 March 2023 resolved to refer to Overview and Scrutiny Committee (OSC) a report on the benefit of establishing a Folkestone & Hythe Youth District Council, referencing the Kent Youth County Council. The report described the youth councils and youth forum that are run by Kent County Council, Dartford Borough Council, Swale Borough Council and Thanet District Council to highlight to OSC the different approaches that could be taken to establishing a youth council and the likely resource implications.

Following the update members resolved to:

- To receive and note report OS/23/09.
- To note and comment on the different approaches to youth councils and youth forums set out in section 2 of the report.
- To note the key issues and resource implications outlined in section 3 of the report.
- To note the responses to the three parts of the 2023 resolution, outlined in section 4 of the report, and provide recommendations as to the next steps.
- That the item return to the Overview and Scrutiny Committee following the delivery and results of a survey to schools, colleges, and other organisations (resource permitted), so that the committee may formulate a recommendation to council on a direction forward; and,
- That a representative(s) of the Kent County Council (KCC) Youth Council attend the Overview and Scrutiny Committee, when the above recommendation/item returns to the committee.

- KFR Planning – EU Entry / Exit System (ESS)
 - Toby Howe, H&T Strategic Resilience Manager and Andy Jeffery, Head of Resilience & Emergency Planning at Kent County Council (KCC) will be in attendance to provide members with a presentation on the EU Entry / Exit System which is due to be implemented later this year.
- Motion from Council (29/11/2023)
 - This report will update on the potential impact for district, of the Kent County Council decision to end its accommodation provision for care leavers over the age of 19, from April 2024.
- Overview and Scrutiny work programme 24-25
 - This report sets out a proposed work programme for Overview and Scrutiny for the municipal year 2024/25.
- Overview and Scrutiny Annual report
 - This report sets out the work that the Overview and Scrutiny Committee and the Finance and Performance Sub-Committee have completed during 2023/2024.

Finance and Performance Scrutiny Sub-Committee

This sub-committee of the Overview and Scrutiny Committee was created in October 2020 to scrutinise the council's performance against key performance indicators (KPIs) and financial monitoring data against the budget. It makes recommendations to the main committee, where appropriate, which is also reported to Cabinet in support of their decision-making.

The sub-committee comprises five councillors who are drawn from the OSC membership, currently there is one vacant position.

Review of the year from Chairman, Cllr Connor McConville

It has been a privilege to continue to chair the Finance and Performance Committee and welcome the new members to the committee. We have had five very productive meetings throughout the municipal year and discussed a number of important agenda items.

The Sub-Committee gives councillors the time to consider and analyse often sizable financial and performance-based reports and provides the opportunity to ask probing questions. Just like OSC, the sub-committee does not exist to make decisions, instead it holds the council to account with regards to its budget process and overall performance.

The Sub-Committee had very positive meetings with regards to setting the budget for 2024/25, looking at quite impactful proposals regarding street cleaning, litter bins, grass cutting and garden waste and provided important feedback to cabinet to aid their decision making.

I would like to thank Tim, cabinet member for finance for attending the meetings to support his officer team. All the finance team for their comprehensive reports. Gavin for presenting the quarterly performance updates and to all the committee services team for their continuous hard work.

06 July 2023

- General Fund Capital Programme Provisional Outturn 2022/23 - This report provided the provisional outturn of the current financial position for the General Fund capital programme in 2022/23, based on expenditure to 31 March 2023, and identifies variances compared to the latest approved budget.
- General Fund Revenue 2022/23 Provisional Outturn - This report summarised the 2022/23 provisional outturn position (subject to external audit) for the General Fund revenue expenditure compared to the approved budget for the council.
- Housing Revenue Account Revenue and Capital Provisional Outturn 2022/23 - This report summarised the 2022/23 provisional outturn position (subject to audit) for the HRA revenue expenditure and HRA capital programme compared to both the latest approved budget and quarter 3 projections.
- Annual Performance Report 2022/23 and Draft KPI's 2023/24 - This report set out how the Council has delivered for local people in the district in 2022-23 in relation to the priorities documented within its Corporate Plan 'Creating Tomorrow Together' (2021-30) and presents amendments to Key Performance Indicators (KPIs) that will be used to monitor progress during the 2023-24 year. The Committee agreed to recommend to cabinet, that a further KPI be included within the housing section, which looks to measure how many houses the Council can get to EPP C either through the decarbonisation fund or the Councils own Housing Revenue Account.

10 October 2023

- Treasury Management Annual Report 2022/23 - The report reviewed the Council's treasury management activities for 2022/23, including the actual treasury management indicators. The report meets the requirements of both the CIPFA Code of Practice on Treasury Management and the CIPFA Prudential Code for Capital Finance in Local Authorities. The Council is required to comply with both Codes through Regulations issued under the Local Government Act 2003.
- Quarter 1 Performance Report 2023/24 - The report provided an update on the Council's performance for the first quarter of the year covering 1st April – 30th June 2023. The report enables the Council to assess progress against the approved key performance indicators arising from the Council's new Corporate Action Plan.

05 December 2023

- Quarter 2 Performance Report 2023/24 - The report provided an update on the Council's performance for the second quarter of the year covering 1st July - 30th September 2023. The report enables the Council to assess progress against the approved key performance indicators arising from the Council's Corporate Action Plan.
- Medium Term Financial Strategy 2024/25 to 2027/28 - 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.
- Budget Strategy 2024/25 - The Budget Strategy sets out the guidelines for preparing the 2024/25 Budget. It supports the Corporate Plan and aligns with the direction and objectives of the Medium Term Financial Strategy (MTFS).
- Options Report on whether to continue to maintain Kent County Council (KCC) owned grass in the district, which is subsidised by Folkestone & Hythe District Council (FHDC) - The report outlined the current arrangement with Kent County Council (KCC) to maintain rural and urban verges and the financial implications of this for Folkestone & Hythe District Council (FHDC). Various options were outlined in the report for consideration to reduce budgets in line with the Star Chamber exercise.
- Waste & Street Cleansing Savings Proposals – Members representation outlining proposed savings to the waste and street cleansing contract.
- Overview of Community Grants - The report presented an overview of grants made by the Council to external community based organisations.

23 January 2024

- General Fund Revenue Budget Monitoring (Q3) 2023/24 - This report sets out the financial monitoring information for the Council as at 1 December 2023, i.e., Q3 of 2023/24. The report provides Members with an overview of budget performance, including an overview of reserves and balances, to enable the Committee to take ownership of the budgets and provide robust challenge and scrutiny to Officers on the performance of those budgets. At the end of Quarter 3, there is a favourable **end of the financial year projected position of £458k** on the Council's revised net revenue expenditure budget, of £22.2m. This position is based on budget activities as at 1 December 2023, projected trends in income and expenditure and changes to Council funding.
- General Fund Capital Programme (Q3) Budget Monitoring 2023/24 - This monitoring report provides an initial projection of the current financial position for the General Fund capital

programme profiled for 2023/24, based on expenditure to 1 December 2023, and identifies variances compared to the latest approved budget.

- HRA Budget Monitoring (Q3) - This monitoring report provides a projection of the end of year financial position for the Housing Revenue Account (HRA) revenue expenditure and HRA capital programme based on net expenditure to 1 December 2023.
- Draft General Fund Budget 2024/25 - This report sets out the Council's Draft General Fund budget for 2024/25 and the updated MTFs. Following this item, members resolved to:
 - Receive and note report C/23/84; and,
 - To recommend to Cabinet that they approve, any recommendation brought for the relinquishment of both the Leader and Deputy Leaders SRA's in order for the money saved to be reintroduced to the members ward grants.
- Draft Housing Revenue Account Revenue and Capital Original Budget 2024/25 - This report sets out the Housing Revenue Account ('HRA') Revenue and Capital Budget for 2024/25 for approval and proposes an increase in weekly rents and an increase in service charges for 2024/25 both for approval.
- Update to the General Fund Medium Capital Programme - This report updates the General Fund Medium Term Capital Programme for the five-year period ending 31 March 2029. The General Fund Medium Term Capital Programme is required to be submitted to full Council for consideration and approval as part of the budget process.

12 March 2024

- Quarter 3 Performance Report 2023-24 (amended from Q3 KPI report)
 - The report provided an update on the Council's performance for the third quarter of the year covering 1 October – 31 December 2023. The report enables the Council to assess progress against the approved key performance indicators arising from the Council's new Corporate Action Plan.
- UK Shared Prosperity Fund (UKSPF) and Rural England Prosperity Fund (REPF) update
 - The report outlined the activity to date regarding the UKSPF and REPF programme, giving an overview of the programme, activities being implemented, and outputs being achieved. Members were asked to take note of the report.

