

## Council – 17 January 2018

### Councillors Questions

#### 1. From Councillor Laws to Councillor Peall, Cabinet Member for the Environment

How many fly tipping fixed penalty notices have been issued in the past 12 months?

#### **ANSWER:**

There were 187 reports of fly-tips that were passed to the team to investigate - of which, all were investigated.

There were three FPNs issued.

There were two prosecutions taken, and both were won. The offenders were not offered an FPN due to the severity of the cases.

Two “Formal Cautions” were issued for Fly-tipping. This is instead of an FPN. The circumstances were taken into account, and the customer showed remorse and provided what information they had about the person responsible for removing their waste. Details of the Formal Cautions are kept on file for a period of 5 years so any further incidents will result in a prosecution for the new incident and the old one they received the caution for.

In the first case, a farmer had waste dumped on his land, he moved the waste from his land to ours but after the investigations, he worked with us to provide any evidence or information he had and continued to work with us during the process. This was treated as an educational piece of work and he is aware that any future events that he is involved with will result in a prosecution within the next 5 years.

In the second case, a non-English speaking person left a wooden crate and all investigations were done through his adult daughter. The offender was not aware that it was fly-tipping and was therefore, the case was treated as an educational tool due to the language barriers but the person accepted the fact that this will be on his file for 5 years and a prosecution will take place if any further acts of fly-tipping take place.

There were 7 “Formal Cautions for “duty of care”. This is where the member of public has paid to have items removed from their property and employed someone who does not have a waste carriers licence to remove and dispose of the waste. Once this is fly-tipped, the original owner is responsible. If the owner has shown remorse, provides details of the company that they used and helps with our enquiries, a formal caution is given and details held on their file for a period of 5 years with a prosecution for any new involvement with fly-tipping and the original offence is added to this.

The remaining cases would have been items that Veolia would have cleared without the team's intervention as they have not found any evidence whilst on site.

**SUPPLEMENTARY QUESTION:**

In known fly tipping areas, would it be too expensive to set up cameras?

**ANSWER:**

A written response would be provided to this question.

**2. From Councillor Collier, to Councillor Monk, Leader of the Council**

The Bank Bar in Castle Hill Avenue, which is licensed to sell alcohol until 3.30 am and does not have to close until 4 am on Thursday, Friday and Saturday nights, causes considerable disturbance to residents throughout the night in a predominantly residential area. The police and council officers are frequently called out to deal with anti-social behaviour, not only to the Bank Bar, but also to other establishments with similar licensing hours. In the light of this are you satisfied that the Council's current licensing policy is fit for purpose?

**ANSWER:**

The Council adopted its licensing policy in October 2016. I can confirm that Officers are currently undertaking a review so as to ensure the policy meets best practice, that the licensing objectives are promoted and that premises in or close to residential areas demonstrate that their operating hours and schedule are appropriate and balance the needs of business with the living conditions of residents. This policy will be subject to formal consultation, likely in the Spring.

Any premises license can be called in for formal review by a Regulatory Authority or local neighbours or groups. In this particular instance the premises has been served with a noise abatement notice by the Environmental Protection Team, who have been monitoring the premises and are now preparing evidence to call the license for review. Should a license be called in it is a requirement of the objector to provide evidence to demonstrate why a license should be reviewed and why it is not meeting the 4 licensing objectives – the prevention of crime and disorder, public safety, the prevention of public nuisance and the protection of children from harm.

This administration is committed to the delivery of our Corporate Plan which identifies the need to keep our communities healthy and safe as a priority, alongside the delivery of an attractive and clean environment within which businesses and residents can thrive. I am pleased to see that Officers have worked closely with the community and listened to their concerns. I am convinced that the actions I have outlined will resolve ongoing issues, which relate to a very small number of licensed premises within the district.

**3. From Councillor Sacre to Councillor Miss Hollingsbee, Deputy Leader and Cabinet Member for Communities**

What plans do we as a district council have to offer our residents in order to relieve the severe lack of professional medical care in Folkestone, Hythe and Romney Marsh districts. Bearing in mind, the extensive plans to build expanses of residential units.

**ANSWER:**

The Council works closely with the NHS, KCC and other authorities to ensure there is a joined up approach to health in the district. The NHS was fully involved in planning for growth in our current Core Strategy Local Plan, with requirements for new medical facilities to be delivered at Shorncliffe Garrison in particular identified within the planning legal agreement for the development. Following detailed discussions between SDC, KCC and the NHS the emerging Places and Policies Local Plan seeks to allocate land for a new medical hub facility in New Romney, with funding towards this delivered from other largescale developments in the area. The emerging Core Strategy, seeking to allocate significant growth in the North Downs at Otterpool Park in particular will further ensure that appropriate medical and associated facilities are provided to meet the needs of residents and the surrounding villages.

The Council recognises that there are pressing problems, particularly in Folkestone and the Romney Marsh relating to GP recruitment and will continue to assist the NHS wherever possible to ensure solutions can be found. Ultimately investment in the district, the provision of high quality new homes, jobs and improvement of the public realm and services will ensure that Shepway is an attractive place to live and work and that without such investment it will be even more difficult to attract doctors and other skilled professionals required to the area to meet the current and future needs of an aging population.

The council is involved in supporting the CCG and partners in shaping future local care models and engaging in community projects that encourage wellbeing and preventing ill – health.

**SUPPLEMENTARY QUESTION:**

With insufficient medics available, surely serious consideration should be given to plans, putting larger developments on hold, until this is resolved?

**ANSWER:**

Development could not be stopped as there was a need for houses, to meet government guidelines. A high design development could encourage more professional people such as medics to move to the area.