

Cabinet

Held at:	Council Chamber - Civic Centre Folkestone
Date	Wednesday, 23 March 2022
Present	Councillors John Collier, Ray Field, David Godfrey, Mrs Jennifer Hollingsbee (Vice-Chair), Stuart Peall, Tim Prater, Lesley Whybrow and David Wimble
Apologies for Absence	Councillor David Monk
	In the absence of the Leader, the Deputy Leader took the Chair.
	Apologies for lateness were also received from Councillors Field and Peall.
Officers Present:	Andy Blaszkowicz (Director of Housing and Operations), Gavin Edwards (Performance and Improvement Specialist), Olu Fatokun (Low Carbon Senior Specialist), Ewan Green (Director of Place), Tom Harding (Neighbourhood Management Senior Specialist), Ellen Joyce (Democratic Services Trainee), Amandeep Khroud (Assistant Director), Susan Priest (Chief Executive), Andrew Rush (Chief Officer Place & Regulatory Services), Charlotte Spendley (Director of Corporate Services), Helen Sudbury (Housing Operations Lead Specialist), Adrian Tofts (Strategy, Policy & Performance Lead Specialist), Lee Walker (Capital and Treasury Senior Specialist), Karen Weller (Environmental Protection Senior Specialist), Jemma West (Committee Service Specialist) and David Whittington (Strategy & Policy Senior Specialist)

NOTE: All decisions are subject to call-in arrangements. The deadline for call-in is Friday 1 April at 5pm. Decisions not called in may be implemented on Monday 4 April 2022.

87. **Declarations of Interest**

There were no declarations at the meeting.

88. **Minutes**

The minutes of the meeting held on 23 February 2022 were submitted, approved and signed by the Deputy Leader.

89. **Quarter 3 Performance Report 2021/22**

The report provided an update on the Council's performance for the third quarter of the year covering 1st October 2021 –31st December 2021. The report enabled the Council to assess progress against the approved key performance indicators arising from the Council's new Corporate Action Plan. Key performance indicators will be monitored during 2021-22 and reported to CLT and Members quarterly.

Proposed by Councillor Hollingsbee
Seconded by Councillor Wimble

RESOLVED:

1. **That report C/21/93 be received and noted.**
2. **That the performance information for Quarter 3 in Appendix 1 be noted.**

(Voting figures: 7 for, 0 against, 0 abstentions).

(Councillor Field was absent for the vote on this item).

REASONS FOR DECISION:

The Council is committed to monitoring performance across all of its corporate service ambitions to ensure progress and improvement is maintained.

- a) The Council needs to ensure that performance is measured, monitored and the results are used to identify where things are working well and where there are failings and appropriate action needs to be taken.

90. **Review of Risk Management Policy and Strategy and Corporate Risk Register**

The report presented an updated Risk Management Policy & Strategy for adoption by Cabinet which will provide a framework for Members and officers in the management of risk. It also provided Cabinet with an updated Risk Register, as considered by the Audit and Governance Committee on 16 March 2022. An addendum had been pre-circulated to Cabinet which included an amended version following consideration by A&G on 16 March 2022.

Proposed by Councillor Peall,
Seconded by Councillor Collier

That the proposed document revert back to the original wording, prior to the changes made as a result of recommendations of the Audit and Governance Committee.

(Voting: 2 for, 6 against, 0 abstentions).

The Motion was therefore LOST.

Proposed by Councillor Hollingsbee
Seconded by Councillor Godfrey

RECOMMENDATIONS:

- 1. That report C/21/95 be received and noted.**
- 2. That the proposed Risk Management Strategy & Process be adopted.**
- 3. That the current Risk Register be noted.**

(Voting figures: 6 for, 0 against, 2 abstention).

REASONS FOR DECISION:

A clear framework as outlined within the strategy will ensure consistency in approach across the organisation, provide clarity of roles with respect to Risk Management and enable progress towards an embedded Risk Management culture within the organisation.

91. Oportunitas Limited - Progress report 2021/22 and Business Plan 2022-23

The report proposed a Business Plan from the Board of Oportunitas Ltd (“the company”) covering its activities through to 31 March 2023. The report also provided a financial update for 2021/22. The report meets the requirement contained in the Shareholder’s agreement between the company and the Council.

Proposed by Councillor Hollingsbee
Seconded by Councillor Wimble

RESOLVED:

- 1. That report C/21/89 be received and noted.**
- 2. That the Business Plan for Oportunitas Limited for the period through to 31 March 2023 be agreed.**

(Voting figures: 8 for, 0 against, 0 abstentions).

REASONS FOR DECISION:

Cabinet was asked to agree the recommendations because the Shareholder Agreement between the company and the Council requires a Business Plan to be approved for the next trading period.

92. The Use of Fixed Term Tenancies for Council Tenants

The report reviewed the use of fixed term tenancies for council housing lettings, and sought approval to cease using fixed term tenancies and to return to using secure tenancies in the Council's social housing stock.

Proposed by Councillor Godfrey
Seconded by Councillor Peall

RESOLVED:

- 1. That report C/21/87 be received and noted.**
- 2. That the amendments to the FHDC Housing Service Tenancy Policy (as set out in Appendix 1) that will allow for the cessation in issuing fixed term tenancies, and the reversion to the use of secure tenancies for permanent council housing lettings be approved.**
- 3. That officers be authorised to investigate and implement the most effective way to convert existing fixed term tenancies to secure tenancies.**

(Voting figures: 8 for, 0 against, 0 abstentions).

REASONS FOR DECISION:

1. The use of fixed term tenancies is out of step with national government thinking on reducing the so called 'stigma' attached to social housing.
2. Fixed term tenancies have proven to be inefficient and a burden on resources.
3. Fixed term tenancies have not met the ambitions expected of them when they were first introduced.

93. Bulky Waste Collection Review

The report considered the options as set out in the agreed council motion 27/7/21 to revise the bulky waste charges to provide a free scheme to households in receipt of council tax support and other support schemes. The report considers the potential financial costs and what would be likely impact on fly-tipping.

Proposed by Councillor Peall
Seconded by Councillor Godfrey

RESOLVED:

- 1. That report C/21/90 be received and noted.**
- 2. That the options proposed in the motion are not progressed.**

(Voting figures: 7 for, 0 against, 1 abstentions).

REASONS FOR DECISION:

It is not recommended that the options proposed are progressed due to projected cost of the changes and the risk that it may not result in any significant improvement in level of fly-tipping.

94. **Core Strategy Review - Report of the Planning Inspectors and Adoption of the Plan**

The report summarised the findings of the planning Inspectors' report into the Core Strategy Review. The report recommended that the council proceeds to adopt the Core Strategy Review, with the main modifications identified by the Inspectors, so that the plan can be used to make decisions on planning applications.

Proposed by Councillor Hollingsbee

Seconded by Councillor Wimble

RESOLVED:

1. That report C/21/92 be received and noted.
2. That the final report of the planning Inspectors who carried out the examination of the Core Strategy Review (Appendix 1) be noted;
3. That amendments to the Core Strategy Review be approved, incorporating:
 - a) The Inspectors' main modifications and amendments to the policies map as set out in Appendix 2; and
 - b) Any other minor formatting changes or typographic corrections that are necessary for clarity or comprehension; and
4. That it be recommended to full Council that it adopts the Folkestone & Hythe District Core Strategy Review, incorporating the amendments set out in recommendation 3, to form part of the development plan for the district.

(Voting figures: 7 for, 0 against, 1 abstentions).

REASONS FOR DECISION:

To ensure that the council has an up-to-date development plan to guide development throughout the district.

95. **District-wide Carbon Plan - project proposal**

The report outlined the proposed District Wide Carbon Plan (DWCP) and proposal for consultation in response to the Climate & Ecological Emergency Declaration Resolution: "*to develop a strategy for Folkestone and Hythe District Council (the Council) to play a leadership role in community, public and business partnerships for our Carbon Neutral 2030 commitment throughout the district*".

Proposed by Councillor Whybrow
Seconded by Councillor Prater

RESOLVED:

1. That report C/21/94 be received and noted.
2. That approval be given to set up a Carbon Innovation Lab (CI-Lab) (see Section 5 of the report).
3. That the 5 priority areas to be addressed in the District Wide Carbon Plan be noted (see Section 6 of the report).
4. That the draft consultation plan will be brought back to Cabinet at a later date.
5. That a final version of the District Wide Carbon Plan be brought to Cabinet for adoption towards the end of 2022.

(Voting figures: 8 for, 0 against, 0 abstentions).

REASONS FOR DECISION:

To enable work to begin on a District Wide Carbon Plan for Folkestone & Hythe, to meet the high-level action identified within the adopted Corporate Action Plan 2021-2024.

96. **Review of Anti-Social Behaviour Public Spaces Protection Order**

The report set out proposals to renew the Anti-Social Behaviour Public Spaces Protection Order (ASB PSPO) and requested approval to proceed to public consultation on the renewal.

Proposed by Councillor Hollingsbee
Seconded by Councillor Peall

RESOLVED:

1. That report C/21/91 be received and noted.
2. That the proposed renewal of the Anti-Social Behaviour Public Spaces Protection Order be approved, proceeding to public consultation for the period of six weeks.
3. That the Cabinet Member for Communities agrees the final version of the Anti-Social Behaviour Public Spaces Protection Order for 2022-2025 following a review of the responses received from the public consultation exercise.

(Voting figures: 8 for, 0 against, 0 abstentions).

REASONS FOR DECISION:

Cabinet was asked to agree the recommendations because:

- a) The ASB PSPO is an important means to tackle street-level anti-social behaviour within the district.

- b) The current PSPO expires on 21 June 2022 and if not renewed would no longer allow the seven prohibited measures to be enforced under the PSPO.

97. **Street naming and numbering policy**

The report outlined suggested revisions to the current Street Naming and Numbering policy approved by Cabinet in May 2017 (and updated by Cabinet in October 2018). The majority of the amendments are minor and simply a refresh of the existing policy however there is a new proposal concerning consultation with Town and Parish councils in respect of the naming of new streets for which consideration is required.

Proposed by Councillor Hollingsbee
Seconded by Councillor Peall

RESOLVED:

1. **That report C/21/88 be received and noted.**
2. **That it be noted that Town and Parish Councils have been consulted on proposed changes to the Street Naming and Numbering Policy.**
3. **That the updated Street Naming and Numbering Policy be approved as set out in Appendix 1 of the report.**

(Voting figures: 8 for, 0 against, 0 abstentions).

REASONS FOR DECISION:

Cabinet are asked to approve the updated Street Naming & Numbering Policy which includes the proposal that Town & Parish Councils will be consulted in respect of the naming of any new streets in their locality.

Prior to the closure of the meeting, the Deputy Leader asked it to be noted that the current Scrutiny arrangements were working very well, and good questions were being asked.