

## SHEPWAY DISTRICT COUNCIL

### **Minutes for the meeting of the Council held at the Council Chamber - Civic Centre Folkestone on Wednesday, 15 November 2017**

**Present:** Councillors Mrs Ann Berry, Miss Susan Carey, John Collier, Malcolm Dearden, Alan Ewart-James, Peter Gane, Clive Goddard, David Godfrey, Miss Susie Govett, Ms Janet Holben, Mrs Jennifer Hollingsbee, Mrs Claire Jeffrey, Len Laws, Rory Love, Michael Lyons (Vice-Chair), David Monk, David Owen (Chairman), Dick Pascoe, Paul Peacock, Stuart Peall, Damon Robinson, Carol Sacre, Russell Tillson, Mrs Rodica Wheeler and Roger Wilkins

Apologies for Absence: Councillors Mrs Mary Lawes, Philip Martin, Frank McKenna, Ian Meyers and Mrs Susan Wallace

#### **43. Declarations of Interest**

There were no declarations of interest at the meeting.

#### **44. Minutes**

The minutes of 27 September 2017 were submitted, approved and signed by the Chairman.

#### **45. Chairman's Communications**

The Chairman gave the following update:

“Since we last met, my diary has been largely filled with Remembrance events. Late last month, I attended the Annual Service held at the Ghurkha Memorial Statue in the Garden of Remembrance. There was a large turnout of both the Ghurka community and of Folkestone residents. His Excellence the Ambassador of Nepal also attended and I was able, on behalf of the people of Shepway, to welcome the Ambassador to Folkestone.

It was also my great pleasure to meet with HRH the Duke of Kent on the occasion of his visit to Folkestone last week to formally open the wonderful new Museum in Folkestone Town Hall.

The Annual Justice Service took place again last month at Canterbury Cathedral in the presence of the Lord Lieutenant Viscount De L'Isle and High Sheriff of Kent, Mr George Jessel.

I have continued to support, as I am able, on local Mayors in their fundraising efforts and also a very special local charity, Hi Kent, which works with the hard of hearing. The speaker at this event was Mrs Widdecombe, and I just had to ask her for her input on the famous “something of the night” quotation when she was speaking of our then MP Michael Howard as Home Secretary. I got a very “political” reply and Ann seemed more interested in speaking about her appearance in Strictly Come Dancing!

More recent events have been on the topic of Remembrance.

I attended the launch event at the Brompton Barracks in Chatham. This was followed by the dedication of the Garden of Remembrance, last Wednesday.

The past weekend on Armistice Day included the annual service at the Machine Gun Corp Memorial at Cheriton Road Cemetery, where I was able to lay a wreath.

Later that evening, I attended the Annual Youth Festival of Remembrance held in the Leas Cliff Hall. This was a most inspiring event organised by the local cadet forces, supported by Folkestone Town Council, Shepway District Council and Sir Roger De Haam Foundation

On Sunday, I attended the usual Remembrance Sunday Service at the War Memorial and laid a wreath on behalf of all the people of Shepway”.

46. **Petitions**

There were no petitions.

47. **Questions from the Public**

The questions asked, including supplementary questions (if any) and the answers given are set out in Schedule 1, appended to these minutes.

48. **Questions from Councillors**

The questions asked, including supplementary questions (if any) and the answers given are set out in Schedule 2, appended to these minutes.

49. **Announcements of the Leader of the Council**

The Leader of the Council gave the following announcements:

“Today the Government announced that it was not going to defend the judicial review that had been called about the M20 Stanford lorry park.

I quote:

“The Department for Transport has informed the High Court it will withdraw plans for a lorry park at Stanford West.

Highways England will now develop new plans for a permanent solution, including a lorry park, to cope with disruption on Kent roads caused by cross-channel disruption as well as providing daily parking for lorries. A consultation is to take place next year, ahead of a planning application in 2019.”

In the meantime an interim “innovative” plan is also being developed by Highways England to keep the traffic flowing on the M20 when Operation Stack is implemented. The suggestion is that a combination of a movable steel barrier on the M20, to be in place by 2019, as well as using Manston Airport will do the trick! I for one will believe it when I see it.

I would also warn the people of Stanford that it is not impossible that the previously identified area will come forward again as the arguments for it being sited there have not changed.

When I talk to the Minister, Jesse Norman, I will stress the importance of finding a permanent solution to Operation Stack for this District because of the misery it causes to people trying to get on with their lives and disruption to commerce when the whole of the District gets gridlocked.

Of course, some say that as we have not had an incidence of Stack in 2 years that we do not need a solution. To them I say that the 1<sup>st</sup> stage of stack has been narrowly missed several times because the parking capacity at both Dover Harbour and Eurotunnel has been dramatically increased. But this should not breed complacency because both of those operations have predicted freight growth of 10% year on year, so it will be called in the future, and even if it is for one day per year that is one day too many for our lives and businesses to be disrupted.

I will say that I am extremely disappointed with the performance of Highways England in this affair, had they listened to us three years would not have been wasted.

Tonight is the last Shepway Council meeting that our intrepid reporter from the Folkestone and Hythe Express, Matt Leclere, will be attending as he is off for a trip around Australia. He has always treated this Council fairly when reporting about us and for that I thank him and I am sure that we all wish him well on his new adventure”.

As the Leader of the Opposition had given his apologies for the meeting, there was no response to the Leader’s announcements.

Proposed by Councillor Monk;  
Seconded by Councillor Mrs Hollingsbee; and

## **RESOLVED**

That the announcements of the Leader of the Council be noted.

### **50. Opposition Business**

There was no opposition business.

51. **Motions on Notice**

Proposed by Councillor Robinson  
Seconded by Councillor Mrs Sacre.

*“The 1994 Criminal Justice Act is not fit for purpose”.*

*Back ground: This year you are all aware of the many incursions of our land and parks often by the same group of travellers costing Shepway tax payers much money and council time to remove them.*

*I therefore would ask that we as councillors write to our MP Damian Collins, lobbying for changes to the law, to allow local authorities greater powers to remove unauthorised encampments.*

*This would bring the law of this country in keeping with the law now in force in Southern Ireland”.*

(Voting: For 1; Against 19; Abstentions 4)

The motion was therefore LOST.

52. **Report to the Council on a key decision made in accordance with the constitutions 'call-in' and urgency rule**

The constitution provides that, when an urgent key decision is made by the Cabinet, for which any delay in implementation, likely to be caused by the call-in process, would seriously prejudice the Council's or public interest, then the 'Call-in Rules of Procedure', Part 6.3, rules 1-6 do not apply. Key decisions, taken as a matter of urgency, must be reported to the next available meeting of the Council, together with the reasons for urgency.

Proposed by Councillor Monk,  
Seconded by Councillor Hollingsbee; and

**RESOLVED:**

That report A/17/12 be received and noted.

(Voting: For 24; Against 0; Abstentions 0)

53. **Update to the General Fund Medium Term Capital Programme and Quarter 2 Capital Budget Monitoring 2017/18 - 2nd Quarter 2017/18**

The report provided a projected outturn for the General Fund capital programme in 2017/18, based on expenditure to 30 September 2017, and identifies variances compared to the latest approved budget. The report also sought full

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Council's approval to include three new schemes in the General Fund Medium Term Capital Programme previously considered by Cabinet during 2017/18.

The report had been considered at Overview and Scrutiny at their meeting on 14 November 2017, and Cabinet at their meeting on 15 November 2017.

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

**RESOLVED:**

1. That report A/17/15 be received and noted.
2. That the update to the General Fund Medium Term Capital Programme for the schemes set out in section 3 to this report be approved.

(Voting: For 24; Against 0; Abstentions 0)

54. **Medium Term Financial Strategy 2018/19 to 2021/22**

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 various plans and strategies in financial terms over the four year period ending 31<sup>st</sup> March 2022. It covers both revenue and capital for the General Fund and the Housing Revenue Account. Also included are the Council's reserves policies. The MTFS is a key element of sound corporate governance and financial management.

Proposed by Councillor Dearden,  
Seconded by Councillor Monk; and

**RESOLVED:**

1. That Report C/17/13 be received and noted.
2. To recommend that the Medium Term Financial Strategy, as appended to this report, is adopted.
3. That the flexible use of capital receipts as set out in the report to fund the council's future efficiency programme be agreed.

(Voting: For 24; Against 0; Abstentions 0)