

Overview and Scrutiny Committee

Held at:	Council Chamber - Civic Centre Folkestone
Date	Tuesday, 7 September 2021
Present	Councillors Miss Susan Carey, Gary Fuller, Peter Gane, Michelle Keutenius (Chairman), Jim Martin (In place of John Wing), Connor McConville, Terence Mullard, Patricia Rolfe and Rebecca Shoob (Vice-Chair)
Apologies for Absence	Councillor John Wing
Officers Present:	Kate Clark (Case Officer - Committee Services), Gavin Edwards (Performance and Improvement Specialist), Ewan Green (Director of Place), Jyotsna Leney (Health, Wellbeing and Partnership Senior Specialist), Daisy Madder (Safeguarding Specialist), Sarah Osborn (Community Safety Specialist), Andrew Rush (Regulatory Services & Corporate Contracts Lead Specialist), Charlotte Spendley (Director of Corporate Services), Karen Weller (Environmental Protection Senior Specialist), Jemma West (Committee Service Specialist) and Briony Williamson (Licensing Specialist)
Others Present:	Insp Andrew Brittenden, Sgt Barry Horton, Sam O'Connor (Manager, Home Start Shepway), Councillors David Monk and Mrs Jenny Hollingsbee

12. **Declarations of Interest**

Councillor Patricia Rolfe voluntarily announced that she is a member of New Romney Town Council.

Councillors Rolfe, Gane, McConville and Mullard declared a DPI as they are directors of Oportunitas Ltd, dispensations have been applied.

Councillor Rebecca Shoob declared an interest as she is a director of Otterpool Park LLP.

All members remained in the meeting and took part in discussions.

13. **Minutes**

The minutes of the meetings dated 1 June and 15 June 2021 were agreed. Both sets of minutes were signed by the Chairman.

14. **Minutes of the Finance and Performance Scrutiny Sub Committee**

The minutes of the meeting held on 15 June 2021 were agreed and subsequently signed by the Chairman.

15. **Minutes of the Task and Finish Group - Waste Contract**

The minutes of the meetings held on 7 July, 27 July and 4 August 2021 were agreed by the Committee and signed by the Chairman.

16. **Recommendations arising from review of the waste and street cleansing contract**

Report OS/21/04 presented the recommendations that have been formed from the Task and Finish Group's review of the Council's Waste and Street Cleansing Contract.

The Chairman introduced the report and then handed over to the Chairman of the Task and Finish Group, Councillor Shoob.

Members made the following comments:

- Recommendation 1 mentioned management robustness – had this not been the case previously? This was a reinforcing statement to ensure continuous robust processes be applied.
- A coherent step by step process was needed to identify service failures. There seemed to be a lack of responsibility to residents from Veolia and the Council.
- Residents should have been advised earlier that there was a problem and there is a risk this could happen again.
- Referring to Recommendation 8, this could also incorporate scrutinising management; learning lessons and moving forward.
- Communications seemed to be a fundamental problem between Veolia and both DDC and F&HDC.
- Recommendation 6 – IT and data management, who would be responsible for the assessing and testing?
- A possible need to look at other contracts, especially with joint working arrangements. Performance indicators and measures to be put in place was suggested.

Members agreed there were many questions still to be answered. The Cabinet Member for Enforcement, Regulatory Services, Waste and Building Control had been inundated with complaints on a daily basis and there had been access problems to the 'My Account' service for reporting missed collections. Food bins in some areas had not been collected for over four weeks. Worryingly,

Veolia's transfer target times to offload at Ashford and then return to Folkestone were inadequate.

Members thanked officers and the Task & Finish Group for their work to undertake the review and then present the recommendations.

Proposed by Councillor Michelle Keutenius
Seconded by Councillor Patricia Rolfe

RESOLVED:

- 1. That Report OS/21/04 is received and noted.**
- 2. That the recommendations of the Task and Finish Group are agreed.**
- 3. That the agreed recommendations be referred to the relevant Cabinet Member and the Corporate Leadership Team.**

(Voting: For 9; Against 0; Abstentions 0)

17. Draft Licensing Policy Statement 2021 - 2026

In accordance with the requirements of the Licensing Act 2003 the Licensing Authority is required to publish a statement of policy every successive five year period. The new Draft Licensing Policy Statement is now out to public consultation. The purpose of Report OS/21/05 was to provide an opportunity for the Overview & Scrutiny Committee to review and feedback on the new policy statement and that this be included on the consultation responses.

The Regulatory Services & Corporate Contracts Lead Specialist introduced the report and highlighted the major changes in the report. The draft policy had been viewed by the Planning & Licensing Committee and is now out to public consultation until 27 October 2021. All district councillors are welcome to respond to the consultation within the deadline.

Members' points included:

- Would alternative versions of the policy be made available, ie Braille, large print? This can be made available on request.
- Licensing Call-in process within the decision making process? The Licensing Specialist to check with the Legal Team if this could potentially be put in place.
- Cumulative Impact Assessment – consultants could develop an IT model to support the process of undertaking an assessment. A suggestion that these cover the whole district rather than the central areas of Folkestone and Hythe.
- Licensing Forum – ensure that ward councillors are invited, these forums need to be objective, with meaningful engagement. The forums will be held twice yearly rather than monthly.
- Enforcement – Stakeholders and residents can call-in licences, the forum should provide further engagement on this.

- Early Morning Restriction Orders (EMRO) – the Council at present does not operate this order as there are very few premises it would apply to, however consideration would be given to EMRO if premises increased.
- Checks with the Disclosure and Barring Service (DBS) – persons must submit their original DBS certificate to the Council and then join an update service which enables annual updates for review.
- Alcohol delivery services (3.7.1 of the draft policy) – how is this monitored? There needs to be assurances that the delivery of alcohol is not handed to underage residents or doorstep delivered.
- Safeguarding – more emphasis needed on vulnerable adults with possible signposting to consultation or advice services.
- SIA registered staff – would there be a possibility to look at providing these services at cost to smaller businesses as and when required?
- Plastic containers (App 3) – alternatives to these should be highlighted.
- Corner shops – there seems to be many complaints connected with the result of off licence sales. It was mentioned that perhaps stronger regulations are needed.

In summing up the Chairman reminded members that the consultation on the Licensing Policy Statement is open until 27 October 2021.

Proposed by Councillor Peter Gane
Seconded by Councillor Miss Susan Carey

RESOLVED:
That Report OS/21/05 is received and noted.

(Voting: For 9; Against 0; Abstentions 0)

18. Corporate Action Plan and 2021-22 Key Performance Indicators (KPIs)

The Council earlier this year adopted its new corporate plan 'Creating Tomorrow Together' that sets out its strategic direction for the coming nine years with service priority actions that will focus on the district's recovery from the coronavirus pandemic for the initial three year period. Report OS/21/06 set out a draft corporate action plan that is designed to demonstrate how the council will deliver against the service priority actions defined within the corporate plan and the proposed Key Performance Indicators (KPIs) that will be used to monitor overall progress.

The Director of Corporate Services, Mrs Charlotte Spendley, introduced this report reiterating that the committee's feedback is welcomed.

Initial comments received that it was an ambitious well laid out plan. KPIs had been reduced in numbers from 72 to 43 which seemed an excessive cut.

Members took each Service Ambitions 1 – 4 in turn and commented as follows:

Positive Community Leadership

- FOLCA – not a measurable KPI at present as there are a number of ‘milestones’ to achieve in the health centre development. Important to add in that the Marsh falls short of health facilities.
- Staff training – ensure staff are receiving support and training.
- Transparency – suggestion made that residents may need more details on KPIs.
- Coastal destination project – not mentioned in KPIs.
- CSU – Protect and safeguarding the residents. More work needed.
- Otterpool Park – new health facilities proposed, plan scheduled for 2023, Councillor Carey urged the need to remain able to deliver on previous commitments regarding health facilities for Otterpool Park.
- Add an action encouraging and helping residents to go green.
- More communications needed in supporting vulnerable residents.

A Thriving Environment

- Flytipping on public land KPI should remain and include an enforcement target. There is a three day target for clearance in place and further details will be provided on prosecutions.
- Net Biodiversity at Otterpool Park development. Councillor J Martin indicated the figure of 20% seems to understate the potential.
- Recycling – Government long term target is 65%, the Council is moving in the right direction at 50%. Emphasis to be made on reducing use as well as recycling.
- Ensure alternatives to EVs are encouraged.
- EV charging points – possible measurable target for operating points against defective points? KPI figure needs to show 2 EV charging points per car park.
- District wide approach on helping residents reduce emissions. This could be incorporated into Service Ambition 1 – Positive Community Leadership.

A Vibrant Economy

- Employers survey to identify skills training – could this be a KPI?
- Tourism – further promotion required, as there seems to be too much emphasis on residential development.
- High Street funds – KPI target is 100%, however it is important to look at merits of applications coming forward, suggest a lower target of 50%. What is the position at present?
- Possibly add a KPI to support the priorities of the Romney Marsh Partnership to maximise tourism and nuclear opportunities.
- ‘Green and Nuclear’ seems contradictory.
- Digital infrastructure – how can we further encourage this?

Quality Homes and Infrastructure

- Housing stock – retrofitting, targets not set at present as this will be part of the finalised Carbon Action Plan strategy. Working towards carbon neutrality ‘in use’, ie grey water, recycling and other measures.

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- Role of Oportunitas Ltd not mentioned in this service ambition. Could this be added?
- A question was raised about the determination of planning permission for Otterpool Park to be in 2022, the Corporate Director to clarify this timeline with the Chief Planning Officer.
- A question was raised about the proposed changes to the sheltered housing schemes and if these changes would affect the Wardens. To be clarified with Housing.
- Although Homelessness approaches are not a recorded KPI, more details are needed with improved information on our website. The Performance & Improvement Specialist to look at this.
- Average number of households in temporary accommodation, a suggestion this is a KPI.

Transparent, stable accountable and accessible, comments from members included:

- Possible additional KPI target for data breaches.
- Data security testing target.
- KPI target for uptime of the Council's systems.
- 'MyAccount' service – how many users, increase and percentages to be shown.

The Director of Corporate Services clarified a number of points during the discussion including:

- That the focus of the KPIs is on the current financial year activities, that they tend to be a quantitative measures and will not be applicable to a number of Corporate Action Plan items, including those that are qualitative such as the Head of Terms being agreed for the new health facility, or those that span multiple financial years.
- That there are a number of actions which straddle several priorities
- That the Corporate Action Plan progress will be reported to Cabinet every 9 months separately to the KPI monitoring.

Proposed by Councillor Rebecca Shoob

Seconded by Councillor Patricia Rolfe

RESOLVED:

That Report OS/21/06 is received and noted.

(Voting: For 7; Against 2; Abstentions 0)

(Councillor Mullard left the meeting and did not return)

19. **Folkestone & Hythe Community Safety Partnership (CSP) Plan 2021-24 Update**

Folkestone & Hythe Community Safety Partnership (CSP) had published a new three year community safety plan for 2021-24. The Overview and Scrutiny Committee acts once a year as the Crime and Disorder Scrutiny Panel as set

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out in legislation to ensure that the CSP is working effectively and responsible authorities are discharging their statutory functions in respect of community safety.

As portfolio holder, Councillor Mrs Jenny Hollingsbee introduced this item, she thanked various officers and partners for their work.

In order, presentations were given by the following officers and partners:

Ms Jyotsna Leney, Health, Wellbeing and Partnership Senior Specialist gave a presentation on FHDC's Community Safety Partnership and the role of Scrutiny. She then handed over to Sarah Osborne, Community Safety Specialist, who continued the presentation looking at CSP priorities for 2021-24.

Sam O'Connor, Manager at Home-Start Shepway, gave a presentation on the work of the Safeguarding and Domestic Abuse Sub Group.

Insp. Andrew Brittenden, from Kent Police, gave a presentation on the work of the Crime and Community Resilience Sub Group.

Sarah Osborn then finished off with her presentation on the CSU Update to September 2021.

All presentations are attached to these minutes.

(Councillor Keutenius left the meeting and did not return, Councillor Shoob took the Chair for the remainder of the meeting).

Councillor Gane suggested that this subject along with the PREVENT item are presented at an exclusive O&S meeting for future updates. All agreed, given the importance and complexity of these annual statutory updates.

Councillor Gane also asked if there were ward breakdowns of crimes committed within the district? No, not at present.

Further comments from members included:

- Online safety groups – age range could be widened further for children. Online bullying has worsened since the pandemic.
- Ensure that the whole district is mentioned rather than just the central areas of Folkestone and Hythe.
- Asylum seekers crossing the Channel are a concern, especially for Marsh residents. Insp. Brittenden also said that funding for asylum seekers and Napier Barracks is provided by the Home Office for the Police.
- More localised police presence required in the district. Members are aware that the Civil Nuclear Constabulary undertake joint working with local police on the Marsh.
- Prolific use of social media by young people which could lead to radicalisation. PREVENT and safeguarding activities concentrate on this

activity. Keeping prevention techniques simple is key when presenting to schools.

- Banking scams. These are closely monitored with intelligence gathering.

Members were mindful of the importance of communication with residents from all partners, which then potentially leads to quality intelligence and preventative action.

Members thanked all those present, noting and receiving the report, presentations and CSP Plan.

20. **PREVENT update**

Proposed by Councillor Rebecca Shoob
Seconded by Councillor Peter Gane

RESOLVED:

That the PREVENT update is rescheduled for a future date and would benefit from being an All Member Briefing.

(For 7; Against 0; Abstentions 0)