

Question for Council – 30 September 2015

QUESTION 1

From Mr Bryan Rylands to Councillor David Monk, Leader of the Council

Shepway District Council are aware that an objection to the accounts for 2014/15 has been lodged with the Auditor and the Finance Office (s151 Officer) and acknowledged. What legal procedural steps must the Council now follow and the auditor regarding any investigations to the objection of accounts 2014/15?

ANSWER

In order to make an objection, a person must be a local elector. Although the Council received a challenge to the 2014/15 Accounts, this was not a valid objection.

However, as a matter of good practice, the Council has decided, and is looking into the issues raised.

SUPPLEMENTARY QUESTION

With regard to the investigations, when will the investigation into the alleged fraud by councillors be conducted and completed?

ANSWER

This will be completed as soon as possible. The process has started. We need to pursue the matter and get the relevant statements.

QUESTION 2

From Mr Graham Corr to Councillor David Monk, Leader of the Council

What are the numbers of Shepway residents who have received a summons to court for non payment of council tax and received letters from bailiffs employed by SDC for non payment of council tax for the years 2003-18 August 2015?

ANSWER

Thank you for your question. The numbers are as follows:

Council Tax

Year	Summons	Bailiff
2003	6559	841
2004	7286	1279

2005	6868	1277	
2006	6995	956	
2007	6819	1196	
2008	8721	1574	
2009	8479	635	
2010	8727	2130	
2011	8161	1866	
2012	7903	1346	
2013	12,304	1649	
2014	11,253	1828	
2015	6031	689	to 31st August
Total	106,106	17,266	

SUPPLEMENTARY QUESTION

Between 2003 and 9 September 2015, how many councillors have fallen behind by two months in their Council Tax payments?

ANSWER

I will provide you with a written answer.

QUESTION 3

From Mr J Kitson to Councillor Malcolm Dearden, Cabinet Member for Transport and Commercial

Following the disgusting response to my questions on 15 July 2015, particularly the performance of the two councillors who stood up and shouted that I had stated the cost of cutting down the 230 trees on the Leas was - £13,000 and not £43,000 I should like an apology from the council, and acceptance that this was a printing error on the agenda and I was not at fault. I was not allowed to really ask my question nor was I allowed a supplementary comment. Would the Council at the meeting on 30th September 2015 please answer my original question, say sorry for the way I was treated.

ANSWER

Thank you for your question Mr Kitson. You will see from the Council minutes that the transcription error was corrected, so I am happy to apologise for that error which I understand was notified to you at the meeting. At no point did I claim the error was your fault. In terms of the substantive issue, I can only restate my answer to the issues raised at that meeting as follows.

The answers to your various questions are as follows:

- It is not an offence to cut trees down between April and September because it removes birds' nesting places. It is an offence however, under the Countryside and Wildlife Act 1981 (as amended by the Countryside Right of Way Act 2000) to intentionally kill, injure or take any wild bird, intentionally take, damage or destroy the nest of any wild bird whilst it is in use or being built. The legislation does not extend to the places where birds might build a nest. The tree felling works along the Leas were purposely undertaken during the months of January and February while the trees were out of leaf and outside of the traditional birds' nesting season in order to comply with the legislation and avoid any possibility of disturbing nesting birds.
- We undertook a procurement exercise in November 2014 whereby we invited tenders from three reputable tree surgery contractors to obtain competitive quotations and ensure best value to undertake the work. Our preferred choice was made and works commenced on the 20th January 2015. No public consultations or formal meetings were deemed necessary as we are maintaining the escarpment in accordance with the woodland management plan that we have for the area and has been in place since 2004. In brief this plan seeks to remove the invasive Sycamores that have colonised the escarpment and re-plant with Pines and Evergreen Oaks.
- The Leader of the Council and the senior management team were aware of the project and the financial implications. The cost of the works is information that is available to the public under the Freedom of Information Act which you have examined.

These works have opened up the vista for people to look at and enjoy the views of the Channel and that it has been largely welcomed and popular.

SUPPLEMENTARY QUESTION

Why were Folkestone Town Council or the people of Folkestone not consulted or made aware that these trees would be cut down?

ANSWER

The Town Council and the people of Folkestone were not consulted because the Council has to manage the affairs right across the District. This was undertaken within the woodland management plan for the area and was not therefore a matter for consultation. You may be interested to know that the way we manage things has been a contributory factor in the people of Shepway being the fifth happiest in Kent.

QUESTION 4

Gemma Baron to Councillor David Monk, Leader

When establishing the schedule of conditions for housing and other developments, would the Council consider making it a requirement for developers to plant pollinator friendly vegetation across the development area, and encourage developers to

promote planting for pollinators, for example, by including literature within their marketing packs.

ANSWER

Thank you for this question. This Council already has an excellent track record in supporting environments to help bees and other pollinators. For example, in January this year we supported the “Bee Cause” initiative of Friends of the Earth.

For major applications and those that are identified to impact on ecology the Planning Department consider details of ecological and biodiversity enhancement and mitigation. These mitigation strategies are produced by an ecologist on behalf of the applicant and reviewed by Natural England, Kent Wildlife Trust and from November of this year also KCC Ecology on behalf of the Council. The comments of the Bumblebee Conservation Trust will be shared with KCC Ecologists who will assess applications on behalf of SDC. The Planning Department can then seek to ensure the planting, biodiversity and ecological enhancement strategies include opportunities to further enhance the habitat for bees as requested.

Whilst officers have not made contact with Natural England or Kent Wildlife Trust in formulating this response it should be noted that planting strategies already seek to maximise the use of native species that are beneficial to our flora and fauna.

I find buddleia and lavender to be beneficial species, and have identified four different types of humble and bumble bee in my garden, as well as a death head moth. We are all for pollination.

SUPPLEMENTARY QUESTION

Could the Bumblebee Conservation Trust sit down with officers to follow this up.

ANSWER

I'm sure that this can be arranged.