

COUNCIL

Minutes of the meeting held on 10 July 2014 at 7.00 pm in Council Chamber, Council Offices, Cecil Street, Margate, Kent.

Present: Councillor Mrs Kay A Dark (Chairman); Councillors H Scobie (Vice-Chairman), Alexandrou, Aldred, Bayford, Binks, Bruce, Campbell, Clark, Cohen, Coleman-Cooke, Day, Driver, Duncan, Dwyer, Edwards, Everitt, Fenner, Gibson, Gideon, D Green, E Green, I Gregory, K Gregory, Grove, Harrison, C Hart, S Hart, Hayton, J Scobie, Hornus, Huxley, Johnston, King, Kirby, Lodge-Pritchard, Matterface, Moore, Moores, Nicholson, Poole, Roberts, D Saunders, M Saunders, Savage, W Scobie, Sullivan, M Tomlinson, S Tomlinson, Watkins, Wells, Wiltshire, Wise, Worrow and Wright

134. APOLOGIES FOR ABSENCE

An apology for absence was received from Councillor Marson.

135. MINUTES OF PREVIOUS MEETING

On the proposal of the Chairman, seconded by the Vice-Chairman, the minutes of the annual meeting of Council held on 15 May 2014 were approved by Council and signed by the Chairman.

136. ANNOUNCEMENTS

There were no announcements.

137. DECLARATIONS OF INTERESTS

There were no declarations of interests.

VARIATION OF BUSINESS

The Chairman directed that Agenda Item No. 8b, "Motion on Notice – Manston Airport" be taken immediately after Agenda Item 5a, "Petition – Compulsory Purchase of Manston, Kent's International Airport".

138. PETITIONS FROM THE PUBLIC

(a) Petition - Compulsory Purchase of Manston, Kent's International Airport

Mr Keith Churcher presented a petition, with 3,361 online and 4,330 paper signatures, on behalf of Save Manston Airport Group, as follows:

"We the undersigned petition the council to make a compulsory purchase of Manston, Kent's International Airport. We would also like Thanet District Council to look into the possibility of members of the public to buy bonds into this purchase".

In his presentation, Mr Churcher made the following points:

1. The adverse impacts of the closure of the airport were still being felt in the community, especially as far as job losses and loss of business to local companies such as Orbit Import Export Ltd were concerned.

2. Manston Airport had well recognised strengths, including swift turnaround of aircraft, ease of landing, aircraft not having to queue in a stacking system and no height restrictions on airspace over the airport.
3. The dedicated team who had worked at the airport, including airport engineers, air traffic controllers, fire services, security and the passenger terminal team, had been like a family unit with a shared passion for aviation.
4. Over the previous four months, public support to save the airport had been overwhelming, demonstrated, in part, by 20,000 persons having signed a national petition (*with that number growing daily*) and 1,200 persons having attended one of the recent peaceful protests.
5. The Airport was viable. It was believed that Ann Gloag had no intention of running an airport, and that offers which she had received from investors and rejected were credible.

It was AGREED to refer the petition to Cabinet without debate.

139. MOTION ON NOTICE - MANSTON AIRPORT

It was proposed by Councillor Johnston, and seconded by Councillor Bayford:

"THAT Council affirms its considerable disappointment at the recent closure of Manston as a regional airport. We recognise the public support for its continuation as an airport and endorse the steps taken to date towards that objective. Council urges all available options to that end be explored, including a detailed examination of the legal and financial implications of a Compulsory Purchase Order before a final decision is reached."

It was AGREED to debate the motion.

In the debate, some of the views that were expressed were as follows:

- a) The airport was a key contributor to the economic prosperity of the area;
- b) Urgent action was required to secure the airport's future as a going concern;
- c) The Council should proceed cautiously;
- d) There could be prohibitive levels of compensation arising from a compulsory purchase order;
- e) The Council should be more flexible in its approach to night-time flying; a counter-view being that night-time flying did not appear to be fundamental to the Airport's success;
- f) Kent County council, as the upper tier authority, should help meet costs arising from attempts to save the Airport.

Following debate, the motion on notice was referred to Cabinet.

140. QUESTIONS FROM THE PRESS AND PUBLIC

(a) Question No. 1 - Ramsgate Renaissance Site E (Ex Pleasurama)

Rebecca Hooper put the following question to Councillor Everitt:

"Can you tell me why and who decided to split the land at the Ramsgate Renaissance site E (Ex pleasurama) into 3 plots and whether this council is land banking on its own land with partners?"

Councillor Everitt replied:

“The former Pleasurama site was divided into three leases under the terms of the 2006 Development Agreement between the then Council and SFP Ventures (UK) Ltd. Each relates to one area of the development; that is, one for the hotel, one for the residential properties and one for the mixed use units. However, SFP failed to meet the criteria for the granting of the leases under that Agreement. On 3 September 2009, the then Council entered into a Variation Agreement that resulted in the granting of the leases. The answer to your question, therefore, must be that the Council decided to grant the leases. I understand that the 2009 variations to the original agreement were proposed to Council by Councillor Roger Latchford, the then Conservative Deputy Leader and now a UKIP County Councillor, on 23 July 2009. As for why, it might be a good idea to ask him. I can only surmise that the purpose of having three leases was to facilitate the legal process when the various elements of the development relate to the end users. The important point, however, is that there is only one development agreement. As far as land banking is concerned, the Council regards the site as essential to the regeneration of Ramsgate, and, as such, we have no interest in seeing it remain as it is. We have a project team that is actively working to bring the current situation to an end, but we have to do so in a lawful way in order to protect the interests of all residents; and we will.”

(b) **Question No. 2 - Ramsgate 'Royal Sands' Site**

Ms Kandice Jones put the following question to Councillor Everitt:

“Have you (TDC) received ANY monies from SFP Ventures, Cardy's, Painter Properties, or anyone else regarding peppercorn rent, business rates, undeveloped land tax or tax for the blighted Ramsgate 'Royal Sands' development seafront shambles?”

Councillor Everitt responded:

“No business rates or land tax has been received by the Council since the 2006 Development Agreement was reached in respect of this site. Business rates would presumably have been paid by the previous occupier, but I doubt that that is what you mean.

“A performance bond of £1m was received in respect of the scheme on 7 September 2009 and this had accrued £26,217 worth of interest by the end of March this year. £100,000 was received under the Section 106 agreement, and this money was used to carry out urgent cliff repairs. Finally, £550,000 was received on 7 September 2009 in respect of the three leases as described in the previous answer.”

141. QUESTIONS FROM MEMBERS OF THE COUNCIL

There were no questions from Members of the Council.

142. MOTIONS ON NOTICE

(a) **Motion on notice - Committee System**

Councillor Driver proposed, and Councillor Grove seconded:

“Council agrees that a report be prepared which examines the advantages and disadvantages of moving from the Cabinet system of governance to a Committee system and which also sets out the legal and organisational processes involved in making such a change. Council agrees that this report be placed on the agenda for discussion at the next meeting of the Council.”

Council AGREED not to debate the motion, whereupon the motion fell.

At this point of the meeting, Councillor Driver commenced to film proceedings. The Chairman requested Councillor Driver to desist from filming, but Councillor Driver disregarded that request.

It was then proposed by the Chairman and seconded by Councillor Johnston:

“THAT Councillor Driver be not heard further”.

Upon being put to the vote, that motion was CARRIED.

As Councillor Driver continued to film proceedings, the Chairman proposed and Councillor Cohen seconded:

“THAT Councillor Driver leaves the meeting”.

That motion was, upon being put to the meeting, declared CARRIED.

ADJOURNMENT OF MEETING

The meeting adjourned for a few minutes to enable Councillor Driver to be escorted from the meeting.

RESUMPTION OF MEETING

(b) **Notice of Motion No. 3 - Smear Testing for Women aged sixteen years and over**

It was proposed by Councillor King and seconded by Councillor Grove:

“That Thanet District Council calls on the Department of Health to review its policy to enable all women from the age of sixteen to have a right to a smear test upon request”.

It was proposed by Councillor Nicholson, seconded by Councillor Johnston and agreed that Council debates the motion.

The motion was then debated, following which it was ADOPTED.

143. **LEADER'S REPORT**

The Leader thanked Madeline Homer, Director of Community Services and staff for their support during the absence of the Chief Executive.

The Leader then updated Members on various matters, including:

Thanet Regeneration Board, of which Mr Paul Barber of Discovery Park was now Chairman; **East Kent Regeneration Board**: A meeting had been cancelled “due to lack of substantial business”, but following representations by the Leader, “Manston Airport” was now on an agenda for a meeting later in July; **The Ageing Better Funding Bid**, which had now entered into a new phase; **Children’s Society**: The Leader thanked Councillor Coleman-Cooke for his strong input. The Society had plans to remove its funding for inter-generational work in the area and to hand over the garden. The Leader had made representations to retain some of the funding retained for projects in Cliftonville. **Hornby**, who were moving to Hersden, with staff being TUPE’d over. They had, however, committed to keep a museum/ shop in a town in Thanet for tourism purposes; **Turner Contemporary**, which continued to deliver positive outcomes and have international coverage; **Theatre Royal**: A meeting had taken place with interested members of the public. The contract with Your Leisure had been extended for a further year. **Vattenfell**: £92K funding originally earmarked

for Pegwell was now available for use in towns and villages. A paper would go to Cabinet in September 2014, and the Leader would be meeting with the three towns' representatives; **Visit Kent:** INTERREG funding would be available through SEaCams; **Discovery Park:** The "take up" was now at 87 businesses; **Broadstairs Folk Week:** A useful planning meeting had taken place, involving Members, organisers and Police; **Kent and Medway Economic Partnership:** LEP, funding for a Parking Station and the Enterprise Zone would be discussed at the meeting on 14 July. **East Kent College,** which had recently opened a new solar / science facility; **Informal cabinet** meetings now took place every Friday and **Group Leaders' meetings,** on a monthly basis.

As Leader of the Conservative Group, Councillor Bayford welcomed news of funding for Parkway Station, which, he believed, would be of immense benefit to the area. He also welcomed East Kent College's achievement in becoming a Centre of Excellence and the good news stories around the Turner Contemporary and Discovery Park.

He expressed regret at the loss of Hornby.

On behalf of other Members in his Group, Councillor Bayford raised two other issues in relation to the Leader's report:

1. It was understood that the original Vattenfell funding had been £100,000, to be used for a "green project" in the Pegwell area. What had happened to the remaining £8,000 and how did the change of use in towns come about?
2. When was the Your Leisure contract due to end, and how was it envisaged that Theatre Royal would be run following termination?

The Leader responded by stating that the £8,000 of Vatenfell funding referred to by Councillor Bayford had probably been spent on investigating how to proceed with the project for Pegwell. Vatenfell was, however, happy for the £92,000 to be used on something of tangible benefit in the district.

The Leader, although not sure when the contract with Theatre Royal actually expired, reported that it had been extended for another year.

Councillor King, as Leader of the Independent Group, in referring to Hornby's promise to retain a museum / shop in one of the towns, enquired what the Leader had in mind with a view to promoting tourism.

The Leader replied that the museum and shop would remain where it was for a while longer than originally anticipated but that alternative premises would be sought in the meantime.

Councillor Cohen, Leader of the Thanet Independent Group expressed concerns about the future of intergenerational work owing to the financial situation.

The Leader explained that the Children's Society was planning to move their work to London; however she had had the opportunity to outline to them some of the serious issues of concern within Thanet. She referred to the benefits of inter-generational work in the district.

Councillor Wiltshire, Leader of the UKIP Group, commended the Leader on a busy diary.

144. RESPONSIBILITY FOR FUNCTIONS - EXECUTIVE

Council NOTED the changes to the executive delegations, as set out at Annexes 1 and 2 to the report.

145. CONSTITUTION OF COMMITTEES, POLITICAL BALANCE, APPOINTMENTS TO COMMITTEES, PANELS AND BOARDS

Proportionality

It was proposed by the Chairman, seconded by the Vice-Chairman and RESOLVED:

“THAT the recommendation numbered 3.71 at paragraph 7 of the officer’s report be adopted, namely:

‘That one seat is added to the Overview and Scrutiny Panel and that seat is given to the Labour Group’.

Nominations of the Group Leaders

It was proposed by the Chairman, seconded by the Vice-Chairman and RESOLVED:

“THAT Council notes the nominations of the Group Leaders as follows:

Labour Group Leader’s nominations:

Planning Committee

COUNCILLORS:

Alexandrou; Edwards; Fenner; C Hart (Vice-Chair); Lodge-Pritchard; Matterface; & Moore

Planning Committee - Pool of Substitute Members

COUNCILLORS:

Dark; E Green; Huxley; Nicholson; Poole; Vacant 1; Vacant 2

Licensing Board

COUNCILLORS:

Campbell; Clark; Dwyer; Edwards; Huxley (Chair); Matterface (Vice-Chair); & Watkins

Overview and Scrutiny Panel

COUNCILLORS:

Campbell (Vice-Chair); Dwyer; Fenner; Huxley; Poole; Matterface; Moore; & Worrow

Governance and Audit Committee

COUNCILLORS:

Campbell; Lodge-Pritchard (Vice-Chair); W Scobie; & Worrow (Chair)

General Purposes Committee

COUNCILLORS:

Campbell; Everitt; Fenner; & Poole

Boundary and Electoral Arrangements Working Party

COUNCILLORS:

D Green; Nicholson; & W Scobie

Constitutional Review Working Party

COUNCILLORS:

Nicholson; & Watkins

Joint Transportation Board

COUNCILLORS:

Aldred; Clark (Vice-Chair); S Hart; & J Scobie

Standards Committee

COUNCILLORS:

D Green; Nicholson; & H Scobie

Thanet Independent Group Leader's Nominations (as per table at paragraph 4.4.1 of the report)

Overview and Scrutiny Panel

COUNCILLOR Gibson

Pool of Substitutes, Planning Committee

COUNCILLOR Gibson

Governance and Audit Committee

COUNCILLOR Gibson

146. REPRESENTATION ON OUTSIDE BODIES

It was proposed by the Leader and seconded by Councillor Harrison:

“THAT the recommendation at paragraph 4.1 of the officer’s report be adopted, namely:

‘That Council amends the list of Executive appointed outside bodies to remove the LGA Rural Commission’”.

Amendment

Councillor K Gregory proposed and Councillor Bayford seconded the following amendment:

“THAT Council removes the LGA Rural Commission from the Executive appointed outside bodies and replaces it with the Rural Services Network”.

On being put to the vote this amendment was declared LOST.

Original Motion

The original motion was then put to the vote and declared CARRIED.

147. MEMBERS' ALLOWANCES SCHEME 2014/15

It was proposed by the Chairman, seconded by the Vice-Chairman and RESOLVED:

“THAT the recommendation as set out at paragraph 4.1 of the officer’s report be adopted, namely:

‘That the comments of the East Kent Joint Independent Remuneration Panel on the amended 2014/15 Members’ Allowances Scheme as adopted at Annual Council on 15 July 2014, be NOTED.’”

148. REPORT ON PEER REVIEW

It was proposed by the Chairman, seconded by the Vice-Chairman and RESOLVED:

“THAT the recommendation as set out at paragraph 4.1 of the report be adopted, namely:

‘That the Council approves the appointment of an Improvement Board on the terms set out in the report’”.

149. REPORT BACK ON NOTICE OF MOTION RELATING TO THE DESIGNATION OF CONSERVATION AREA, CLIFTONVILLE

The report was NOTED.

150. REPORT ON URGENT DECISION NOT SUBJECT TO CALL-IN - DREAMLAND

The report was NOTED.

151. CALL-IN AND URGENCY - ANNUAL REPORT

The report was NOTED.

152. APPOINTMENT OF HEAD OF PAID SERVICE

It was proposed by the Chairman, seconded by the Vice-Chairman and RESOLVED:

“THAT the recommendation as set out at paragraph 5.1 of the report be adopted, namely:

‘That the Council approves the appointment of the Director of Community Services as Head of Paid Service with immediate effect. This appointment will include the transfer of all delegations to the Chief Executive and Head of Paid Service whilst the Chief Executive is operationally absent from work.’”

153. APPOINTMENT OF RETURNING OFFICER AND ELECTORAL REGISTRATION OFFICER

It was proposed by the Chairman, seconded by the Chairman and RESOLVED:

“THAT the recommendations as set out at paragraphs 5.1, 5.2 and 5.3 of the report be adopted, namely:

1. That the Head of Paid Service be appointed Electoral Registration Officer;
2. That the Democratic Services and Scrutiny Manager be appointed Deputy Electoral Registration Officer;
3. That the Head of Paid Service be appointed Returning Officer.

154. APPOINTMENT OF INTERIM DIRECTOR OF CORPORATE RESOURCES AND S.151 OFFICER

It was proposed by the Chairman, seconded by the Vice-Chairman and RESOLVED:

“THAT the recommendation as set out at paragraph 6.1 of the report be adopted, namely:

“That Paul Cook is appointed as Interim Section 151 Officer and Director of Corporate Resources with immediate effect and until the successful appointment of a permanent Director of Corporate Resources is made.”

155. APPOINTMENT OF INTERIM MONITORING OFFICER

It was proposed by the Chairman, seconded by the Vice-Chairman and RESOLVED:

“THAT the recommendation as set out at paragraph 6.1 of the report be adopted, namely:

‘That Seven Boyle is appointed as Interim Monitoring Officer with immediate effect and until the successful appointment of a permanent Legal Services manager is made.’”

156. EXCLUSION OF PUBLIC AND PRESS

It was NOTED that the public interest in disclosing the content of Annexes 1 to 3 to the report on Agenda Item 23 – “Report on the discharge of council functions (following the corporate restructure)” [Minute No. 159 refers] outweighed the public interest in maintaining the exemption. The item was therefore considered in public.

157. REPORT ON THE DISCHARGE OF COUNCIL FUNCTIONS (FOLLOWING THE CORPORATE RESTRUCTURE)

The report was NOTED.

Meeting concluded : 10.00 pm