

## COUNCIL

### Minutes of the meeting held on 1 December 2016 at 7.00 pm in Council Chamber, Council Offices, Cecil Street, Margate, Kent.

**Present:** Councillors Ashbee, Bambridge, Bayford, Braidwood, Brimm, Buckley, Campbell, G Coleman-Cooke, K Coleman-Cooke, Connor, Constantine, Crow-Brown, Curran, Day, Dellar, Dennis, Dexter, Dixon, Edwards, Elenor, Evans, J Fairbrass, L Fairbrass, Falcon, Fenner, Game, I Gregory, K Gregory, Grove, Hayton, G Hillman, Howes, Jaye-Jones, Johnston, Larkins, Martin, Matterface, Parsons, Partington, Piper, Piper, L Potts, R Potts, Rogers, Rusiecki, D Saunders, M Saunders, Savage, Shonk, Stummer-Schmertzing, Tomlinson, Townend and Wells

#### 1. APOLOGIES FOR ABSENCE

Apologies were received from Councillors Dawson, Taylor and Taylor-Smith.

#### 2. MINUTES OF PREVIOUS MEETING

It was proposed by the Chairman, seconded by the Vice-Chairman and Members agreed that the minutes of the Council meeting held on 13 October 2016 be approved and signed by the Chairman.

#### 3. ANNOUNCEMENTS

The Chairman reminded Members of the need to treat each other with the respect and courtesy expected of those in elected office.

#### 4. LOCALISM ACT 2011 DISPENSATIONS

The Chairman proposed, the Vice-Chairman seconded and Members agreed the recommendations as set out in the report, namely:

“1. That (subject to a written request being received) the Council approve a general dispensation for elected and co-opted Members of Thanet District Council to speak and vote on the following items:

- Setting the Council Tax under the Local Government and Finance Act 1992 (or any subsequent legislation);
- Any allowance, payment or indemnity given to Members;
- Any Ceremonial Honours given to Members;
- Setting a Local Council Tax Reduction Scheme or Local scheme for the payment of business rates (Including eligibility for rebates and reductions) for the purposes of the Local Government Finance Act 2012 (or any subsequent legislation);
- Housing, where they are a tenant of the council or East Kent Housing provided that those functions do not relate particularly to their tenancy or lease.
- Universal Credit (or Housing Benefit or Council Tax Support) where the member (or spouse or partner) directly receives Universal Credit (or Housing Benefit or Council Tax Support) in relation to their own circumstances.

The grounds for the dispensation are described in Sections 33(2) (a), (b) and (c) of the Localism Act 2011 as described in section 1.1 of the report.

2. The dispensation referred to at 1) above be valid until the Annual Council meeting in 2019. Thereafter the grant of dispensations be considered at each Annual Council meeting following council elections.

3. The Council delegate authority to the Monitoring Officer to grant dispensations under section 33 of the Localism Act 2011 if the Monitoring Officer considers that it is urgent and cannot be considered in time for the next ordinary meeting of the Standards Committee.”

#### **5. DECLARATIONS OF INTEREST**

It was noted that all Members had an interest in agenda item 15, Members Allowances Scheme 2017-18, and that a dispensation to allow consideration of the item had been agreed. There were no other declarations of interest.

#### **6. PETITIONS**

No petitions had been received by the Council in accordance with the petition scheme.

#### **7. QUESTIONS FROM THE PRESS AND PUBLIC**

It was noted that no questions from the press and public had been received in accordance with council procedure rule number 13.

#### **8. QUESTIONS FROM MEMBERS OF THE COUNCIL**

It was noted that no questions had been received from Members of the Council in accordance with council procedure rule 14.

#### **9. NOTICE OF MOTION**

It was noted that no motions on notice had been received in accordance with council procedure rule 3.

#### **10. LEADERS REPORT**

During his report the Leader covered the following areas:

- The Council was issued with a £250,000 fine for historic health and safety breaches. Since then, the Council had conducted an extensive review of policies and procedures, implemented a scheme of training and employed a health and safety specialist officer to ensure this would not happen again.
- Soho Theatre had submitted exciting proposals to refurbish and relaunch the Theatre Royal in Margate, and to develop 19 Hawley Square into a restaurant and boutique hotel.
- The media had recently commented on the Council’s low level of financial reserves.
- The Draft Local Plan would be considered at Cabinet on 8 December 2016, followed by a six week public consultation period to commence around 9 January 2017.
- Spring 2017 was to be a busy time for the Council as the following projects would be underway:
  - Budget cycles for 2017/18
  - Asset disposals due to go to auction
  - Ongoing local plan work
  - The public viewing of the business case for a possible Council merger across East Kent.
  - County Elections

Councillor Bayford as Leader of the Conservative Party responded with the following points:

- It was of some consolation that practices had been improved as a result of the health and safety investigation.
- It was good news that the Theatre Royal may get a new lease of life.
- The Council's financial reserves should be built up in coming years, as low levels left the Council in a vulnerable position.
- To designate a mixed use for the Manston site, as part of the local plan, would in reality preclude a major airport as it would be too close of residential property.
- To wish Members, officers and residents of Thanet a happy, healthy and peaceful Christmas.

The Leader replied to Councillor Bayford's comments with the following point:

- The medium term financial plan would detail how the Council intended to increase its financial reserves.

Councillor Matterface as leader of the Labour Party made the following points:

- It was good news about interest in the Theatre Royal, however a previously conducted viability study highlighted that there was a lack of parking in the area which would need to be addressed.
- When the local plan was brought to public consultation there would be a lot to read within the six week consultation period, a summary could be of benefit.
- The Dane Valley Units should be removed from the asset disposal list, as their disposal could cost jobs.
- The Winter Shelter opened on 1 December 2016, for people who were sleeping rough. Thanks were offered to the 250 volunteers who have signed up to help, and to Councillor L Fairbrass for her support.

The Leader replied to Councillor Matterface's comments with the following points:

- The Dane Valley Units were nearing the end of their useful life. The current occupiers had created a Limited company and could bid to own the containers when they went to auction.
- Thanks were offered to Councillor L Fairbrass for her work in relation to the Winter Shelter.

Councillor Grove as leader of the Independent Group made the following points:

- Welcomed the news regarding the Theatre Royal.
- Thanked the Leader for his report.

The Leader replied to Councillor Grove's comments with the following point:

- Now that a number of historic challenges were coming to a close, the Leader intended to move forward onto more positive projects for the District.

## **11. REPORT OF THE CHAIRMAN OF THE OVERVIEW AND SCRUTINY PANEL**

Councillor D Saunders, the Chairman of the Overview and Scrutiny Panel (OSP), presented his report and the following points were noted:

- OSP met on 25 October 16 to consider the item 'Fulling Thanet's Growth and Development Opportunities'. The OSP recommendations were acknowledged in the report subsequently considered by Cabinet.
- OSP met on 1 November to consider the Draft Local Plan. It was good to see 13 non-OSP Members present at the meeting.
- OSP would next meet on 13 December 16 to consider the 'Post Implementation Review of Dreamland Phase 1, Lessons Learnt'. All Members were encouraged to attend.

## 12. FEES AND CHARGES 2017/18

It was noted that in accordance with council procedure rule 17.6, a recorded vote would be taken on the motion or any amendments and substantive motions.

It was noted that was a correction to the collection charges of green waste shown at section 7b of the Fees and Charges Schedule 2017-18. These charges should be replaced by a single annual collection charge of £47.50.

Subject to this correction, it was proposed by Councillor Townend and seconded by Councillor Brimm that Members approve the Fees and Charges as listed in Annex 1 of the report.

Councillor Constantine proposed and Councillor Campbell seconded, that the Council write to the Prime Minister to offer its support of a proposal to create a child burial fund that would remove the cost of burial from the grieving family. Following debate, Councillor Constantine agreed to withdraw the motion and to submit it for consideration at a future meeting of the Council where it could be considered as a motion on notice under council procedure rule 3.

The Monitoring Officer conducted a recorded vote on the substantive motion as follows:

28 Members voted in favour the motion: Councillors Braidwood, Brimm, Buckley, G Coleman-Cooke, Connor, Crow-Brown, Dellar, Dennis, Dixon, Edwards, Evans, J Fairbrass, L Fairbrass, Falcon, Grove, Hillman, Howes, Jaye-Jones, Larkins, Martin, L Piper, S Piper, L Potts, R Potts, Rusiecki, Stummer-Schmertzling, Townend and Wells.

0 Members voted against the motion.

25 Members abstained from voting on the motion: Councillors Ashbee, Bayford, Bambridge, Campbell, K Coleman-Cooke, Constantine, Curran, Day, Dexter, Elenor, Fenner, Game, I Gregory, K Gregory, Hayton, Johnston, Matterface, Parsons, Partington, Rogers, D Saunders, M Saunders, Savage, Shonk and Tomlinson.

Members approved the Fees and Charges as listed in Annex 1 of the report, subject to the correction to the charges for green waste.

## 13. COUNCIL TAX SUPPORT SCHEME

It was proposed by Councillor Townend, seconded by the Leader and Members agreed the recommendations as shown in the report with an amendment to recommendation 10 which replaced the wording 'works towards' with 'will approve', namely:

"The recommendations are that the existing scheme is modified to reduce the level of expenditure within the scheme by £875k (of which Thanet's reduction would be £119k) and maintain alignment with the Housing Benefit rules whilst protecting the principles of the original scheme relating to protecting the most vulnerable where possible.

1. That the current minimum contribution towards their Council Tax made by recipients of Council Tax Support is increased from 5.5% to 10.0%
2. That the maximum savings that a customer can have and still claim Council Tax Support is reduced from £16,000 to £6,000
3. That a minimum income is used within the calculation for Self Employed Customers after 12 months of self-employment
4. That the maximum level of Council Tax support is restricted to the equivalent of a Band D property charge

5. That only the first two children in a family will be included in the calculation for children born after April 2017 (some exceptions will apply for adoptions and multiple births)
6. That the Family Premium is not included in the calculation of Council Tax Support for all new working age customers
7. That the period for which a late claim can be backdated is reduced to one month
8. That the period for which a customer can be absent from Great Britain and still claim Council Tax Support is reduced to 4 weeks (with some exclusions for certain occupations)
9. That the element of the work-related component of Employment and Support Allowance is not included in the Council Tax Support Calculation
10. That TDC ~~works towards~~ will approve an exceptional hardship scheme that will be introduced from April 2017 in order to provide a safety net for customers experiencing extreme difficulty paying their Council Tax
11. That Council notes the equalities impact as detailed in Annex 1.”

**14. LED LIGHTING IN MILL LANE CAR PARK**

It was proposed by Councillor Brimm, seconded by Councillor Johnston and Members agreed that the Council take out an interest free loan to upgrade the lighting in both Mill Lane car park and Leopold Street car park to LED lighting.

**15. MEMBERS ALLOWANCES SCHEME 2017-18**

It was proposed by the Chairman, seconded by the Vice-Chairman and Members agreed to adopt the draft 2017/18 Members allowances scheme as set out at annex 1 of the report, and to refer the scheme to EKJIRP for them to consider, with any amendments being reported back to Council.

**16. REPRESENTATION ON OUTSIDE BODIES**

In response to a recent change in status and operation, Democratic Services were asked establish if it would still be appropriate to appoint a Member to the Powel Cotton Museum and Quex House outside body. Therefore, the Leader proposed, Councillor L Fairbrass seconded and Members agreed not to nominate a Councillor to the Powell Cotton Museum and Quex House outside body at this time.

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

**PROPORTIONALITY**

The Leader proposed, Councillor Bayford seconded and Members agreed option 1 as detailed at paragraph 2.6.1 of the report, namely;

“That a seat is removed from the DIG group on the General Purposes Committee and is given to the Conservative group. That a seat is removed from the DIG group on the Boundary and Electoral Arrangements Working Party and is given to the Conservative group. That a seat is removed from the DIG group on the Constitutional Review Working Party and is given to the Conservative group.”

**NOMINATION OF MEMBERS TO SERVE ON COMMITTEES**

Group leaders advised of changes to sit on committees as summarised in the table below.

<b>Committee / Group</b>	<b>Current Position</b>	<b>New Position</b>	<b>New Nomination</b>
<b>Planning</b>			

<b>Committee</b>			
UKIP	Cllr Evans	Replacement nomination	Cllr Edwards
Independent Group	Cllr Hayton	Replacement nomination	Cllr Grove
<b>Planning Committee Reserves</b>			
UKIP	4 vacant positions	4 nominations required	Cllr Dennis Cllr L Piper Cllr Ruiseki Cllr Dellar
Conservative	2 vacant positions	2 nominations required	Cllr Ashbee Cllr D Saunders
<b>General Purposes</b>			
Conservative	3 seats	4 seats (one new nomination required)	Cllr Bambridge
DIG	Cllr Ashbee	No entitlement to a seat	N/A
<b>BEAWP</b>			
Conservative	2 seats	3 seats (one new nomination required)	Cllr Savage
DIG	Cllr Elenor	No entitlement to a seat	N/A
<b>CRWP</b>			
Conservative	1 seat	2 seats (one new nomination required)	Cllr Game
DIG	Cllr Elenor	No entitlement to a seat	N/A
<b>Overview &amp; Scrutiny Panel</b>			
Conservative	Cllr Bambridge	Replacement nomination	Cllr Ashbee
Independent Group	Cllr Grove	Replacement nomination	Cllr Hayton

### **ELECTION OF CHAIRMAN TO THE PLANNING COMMITTEE**

The Leader proposed, Councillor Hayton seconded and Members agreed Councillor Grove be elected Chairman of the Planning Committee for the remainder of 2016/17.

### **18. REPORT ON URGENT INDIVIDUAL CABINET MEMBER DECISION**

Members noted the report.

Meeting concluded: 8.20 pm