

MEETING OF THE COUNCIL



SUPPLEMENTARY AGENDA NO. 1

Item Nos. 7a to 7d – Questions from Members of Council

Item Nos. 8a & 8b - Motions on Notice

Item No. 10 – Cabinet Portfolios – Replacement Annex 1

Thursday, 6th December, 2012

7.00 pm

**Council Chamber
Thanet District Council
Margate**

**www.thanet.gov.uk
01843 577000**

**Please note that the recording and/or
photographing of any Council meeting is not
currently permitted under the Council's
procedure rules.**

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large print, or in another language. Please
call 01843 577165 for details.**

Date: 26 November 2012
Ask For: Anona Somasundaram
Direct Dial: (01843) 577046
Email: anona.somasundaram@thanet.gov.uk



You are hereby summoned to attend the meeting of the Thanet District Council to be held in the Council Chamber, Cecil Street, Margate, Kent on Thursday, 6 December 2012 at 7.00 pm for the purpose of transacting the business mentioned below.

G Bach

Democratic Services & Scrutiny Manager

To: The Members of Thanet District Council

FIRE ALARM PROCEDURES: If the fire alarm is activated, please vacate the offices via the stairs either through the security door to the left of the Chairman or opposite the lifts in the foyer. Please do not use the lifts. Please assemble in Hawley Square on the green. Officers will assist you and advise when it is deemed safe to return to the Chamber.

SUPPLEMENTARY A G E N D A N O . 1

<u>Item No</u>	<u>Subject</u>
7.	<u>QUESTIONS FROM MEMBERS OF THE COUNCIL</u>
7a	<u>SEAWEED RECOVERY FROM THE COASTLINE</u> (Pages 1 - 2)
7b	<u>ACCOMMODATION PLACEMENTS TO PERSONS FROM OUTSIDE OF THANET</u> (Pages 3 - 4)
7c	<u>PORTFOLIO RESPONSIBILITIES</u> (Pages 5 - 6)
7d	<u>POLLUTION INCIDENTS</u> (Pages 7 - 8)
8.	<u>MOTIONS ON NOTICE</u>
8a	<u>RAMSGATE ROYAL SANDS (NO. 1)</u> (Pages 9 - 10)
8b	<u>RAMSGATE ROYAL SANDS (NO. 2)</u> (Pages 11 - 12)
10.	<u>RESPONSIBILITY FOR FUNCTIONS - EXECUTIVE, CHANGES TO CABINET PORTFOLIOS AND OPERATIONAL ACCOUNTABILITIES</u> (Pages 13 - 16)

To note replacement Annex 1.

QUESTION FROM A MEMBER – SEAWEED RECOVERY FROM THE COASTLINE

To: **Council – 6 December 2012**

By: **Democratic Services and Scrutiny Manager**

Classification: **Unrestricted**

Ward: **N/A**

Summary: Councillor Poole to receive a question in relation to the recovery of seaweed from the coastline.

For Decision

1.0 Introduction and Background

- 1.1. Council Procedure Rule No. 14 governs the process for questions to be submitted by Members of Council.
- 1.2 The following question, addressed to Councillor Poole, has been validly received from Councillor Bruce:

"Given the smaller than usual amount of seaweed recovered from the coastline this year, can Councillor Poole assure us that any underspend is directed at looking for more sustainable and efficient ways of collection and disposal in future years?"

- 1.3 Council Procedure Rule 14.2 states that a Member of the Council may ask

- a Member of the Cabinet; or
- the Chairman of any Committee or Sub-Committee

a question on any matter in relation to which the Council has powers or duties or which affects the district.

- 1.4 Council Procedure Rule 14.6 states that an answer may take the form of:

- a) a direct oral answer;
- b) where the desired information is in a publication of the Council or other published work, a reference to that publication; or
- c) where the reply cannot conveniently be given orally, a written answer circulated within three working days to the questioner.

- 1.5 A Member may, in accordance with Council Procedure Rule 14.7, ask one supplementary question without notice to the Member to whom the first question was asked. The supplemental question must arise directly out of the original question or the reply.

- 1.6 The questioner shall have two minutes for the initial question and one minute for the supplementary question and the respondent shall have five minutes for the initial reply and two minutes for the supplementary reply. (Council Procedure Rule 14.8 refers)

2.0 Corporate Implications

2.1 Financial

2.1.1 None arising at this stage

2.2 Legal

2.2.1 None arising at this stage

2.3 Corporate

2.3.1 Council Procedure Rule 14 enables Members of Council to ask a Member of the Cabinet or the Chairman of any Committee or Sub-Committee questions on matters in relation to which the Council has powers or duties or which affect the district. No Member, however, can submit more than one question to one meeting.

2.4 Equity and Equalities

2.4.1 None arising at this stage

3.0 Recommendation

3.1 This report is for information only.

4.0 Decision Making Process

4.1 This report is for information only.

Contact Officer:	Glenn Back, Democratic Services and Scrutiny Manager, ext 7187
Reporting to:	Harvey Patterson, Corporate & Regulatory Services Manager and Monitoring Officer, ext 7005

Annex List

None	
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Background Papers

Title	Details of where to access copy
None	

Corporate Consultation Undertaken

Finance	n/a
Legal	n/a

QUESTION FROM A MEMBER – ACCOMMODATION PLACEMENTS TO PERSONS FROM OUTSIDE OF THANET

To: **Council – 6 December 2012**

By: **Democratic Services and Scrutiny Manager**

Classification: **Unrestricted**

Ward: **N/A**

Summary: **Councillor David Green to receive a question from Councillor King in relation to accommodation placements to persons from outside of Thanet**

For Decision

1.0 Introduction and Background

- 1.1. Council Procedure Rule No. 14 governs the process for questions to be submitted by Members of Council.
- 1.2. The following question, addressed to Councillor David Green, has been validly received from Councillor King:

"Would Councillor Green inform Council tonight what number of people from outside of Thanet needing accommodation have been placed here from other authorities in the last twelve months?"

- 1.3 Council Procedure Rule 14.2 states that a Member of the Council may ask

- a Member of the Cabinet; or
- the Chairman of any Committee or Sub-Committee

a question on any matter in relation to which the Council has powers or duties or which affects the district.

- 1.4 Council Procedure Rule 14.6 states that an answer may take the form of:

- a) a direct oral answer;
- b) where the desired information is in a publication of the Council or other published work, a reference to that publication; or
- c) where the reply cannot conveniently be given orally, a written answer circulated within three working days to the questioner.

- 1.5 A Member may, in accordance with Council Procedure Rule 14.7, ask one supplementary question without notice to the Member to whom the first question was asked. The supplemental question must arise directly out of the original question or the reply.

1.6 The questioner shall have two minutes for the initial question and one minute for the supplementary question and the respondent shall have five minutes for the initial reply and two minutes for the supplementary reply. (Council Procedure Rule 14.8 refers)

2.0 Corporate Implications

2.1 Financial

2.1.1 None arising at this stage

2.2 Legal

2.2.1 None arising at this stage

2.3 Corporate

2.3.1 Council Procedure Rule 14 enables Members of Council to ask a Member of the Cabinet or the Chairman of any Committee or Sub-Committee questions on matters in relation to which the Council has powers or duties or which affect the district. No Member, however, can submit more than one question to one meeting.

2.4 Equity and Equalities

2.4.1 None arising at this stage

3.0 Recommendation

3.1 This report is for information only.

4.0 Decision Making Process

4.1 This report is for information only.

Contact Officer:	Glenn Back, Democratic Services and Scrutiny Manager, ext 7187
Reporting to:	Harvey Patterson, Corporate & Regulatory Services Manager and Monitoring Officer, ext 7005

Annex List

None	
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Background Papers

Title	Details of where to access copy
None	

Corporate Consultation Undertaken

Finance	n/a
Legal	n/a

QUESTION FROM A MEMBER – PORTFOLIO RESPONSIBILITIES

To: **Council – 6 December 2012**

By: **Democratic Services and Scrutiny Manager**

Classification: **Unrestricted**

Ward: **N/A**

Summary: Councillor Fenner to receive a question in relation to her portfolio responsibilities

For Decision

1.0 Introduction and Background

- 1.1. Council Procedure Rule No. 14 governs the process for questions to be submitted by Members of Council.
- 1.2 The following question, addressed to Councillor Fenner, has been validly received from Councillor Wells:

"Could Councillor Mrs Fenner please advise how she intends to reconcile her new responsibilities for press relations with her appearance in the local newspaper in December 2011 quoted as saying she believes the press 'is so stupid'?"

- 1.3 Council Procedure Rule 14.2 states that a Member of the Council may ask

- a Member of the Cabinet; or
- the Chairman of any Committee or Sub-Committee

a question on any matter in relation to which the Council has powers or duties or which affects the district.

- 1.4 Council Procedure Rule 14.6 states that an answer may take the form of:

- a) a direct oral answer;
- b) where the desired information is in a publication of the Council or other published work, a reference to that publication; or
- c) where the reply cannot conveniently be given orally, a written answer circulated within three working days to the questioner.

- 1.5 A Member may, in accordance with Council Procedure Rule 14.7, ask one supplementary question without notice to the Member to whom the first question was asked. The supplemental question must arise directly out of the original question or the reply.

- 1.6 The questioner shall have two minutes for the initial question and one minute for the supplementary question and the respondent shall have five minutes for the initial reply and two minutes for the supplementary reply. (Council Procedure Rule 14.8 refers)

2.0 Corporate Implications

2.1 Financial

2.1.1 None arising at this stage

2.2 Legal

2.2.1 None arising at this stage

2.3 Corporate

2.3.1 Council Procedure Rule 14 enables Members of Council to ask a Member of the Cabinet or the Chairman of any Committee or Sub-Committee questions on matters in relation to which the Council has powers or duties or which affect the district. No Member, however, can submit more than one question to one meeting.

2.4 Equity and Equalities

2.4.1 None arising at this stage

3.0 Recommendation

3.1 This report is for information only.

4.0 Decision Making Process

4.1 This report is for information only.

Contact Officer:	Glenn Back, Democratic Services and Scrutiny Manager, ext 7187
Reporting to:	Harvey Patterson, Corporate & Regulatory Services Manager and Monitoring Officer, ext 7005

Annex List

None	
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Background Papers

Title	Details of where to access copy
None	

Corporate Consultation Undertaken

Finance	n/a
Legal	n/a

QUESTION FROM A MEMBER – POLLUTION INCIDENTS

To: **Council – 6 December 2012**

By: **Democratic Services and Scrutiny Manager**

Classification: **Unrestricted**

Ward: **N/A**

Summary: Councillor Johnston to receive a question in relation to pollution incidents which have occurred in Thanet this year

For Decision

1.0 Introduction and Background

- 1.1. Council Procedure Rule No. 14 governs the process for questions to be submitted by Members of Council.
- 1.2 The following question, addressed to Councillor Johnstn, has been validly received from Councillor Bayford:

"Given the pollution incidents that have plagued Thanet this year and the various comments from her in the media, can Councillor Johnston please confirm if she has achieved the level of compensation she was demanding from Southern Water and whether the beneficiaries will be as she expected?"

- 1.3 Council Procedure Rule 14.2 states that a Member of the Council may ask

- a Member of the Cabinet; or
- the Chairman of any Committee or Sub-Committee

a question on any matter in relation to which the Council has powers or duties or which affects the district.

- 1.4 Council Procedure Rule 14.6 states that an answer may take the form of:

- a) a direct oral answer;
- b) where the desired information is in a publication of the Council or other published work, a reference to that publication; or
- c) where the reply cannot conveniently be given orally, a written answer circulated within three working days to the questioner.

- 1.5 A Member may, in accordance with Council Procedure Rule 14.7, ask one supplementary question without notice to the Member to whom the first question was asked. The supplemental question must arise directly out of the original question or the reply.

- 1.6 The questioner shall have two minutes for the initial question and one minute for the supplementary question and the respondent shall have five minutes for the initial reply and two minutes for the supplementary reply. (Council Procedure Rule 14.8 refers)

2.0 Corporate Implications

2.1 Financial

2.1.1 None arising at this stage

2.2 Legal

2.2.1 None arising at this stage

2.3 Corporate

2.3.1 Council Procedure Rule 14 enables Members of Council to ask a Member of the Cabinet or the Chairman of any Committee or Sub-Committee questions on matters in relation to which the Council has powers or duties or which affect the district. No Member, however, can submit more than one question to one meeting.

2.4 Equity and Equalities

2.4.1 None arising at this stage

3.0 Recommendation

3.1 This report is for information only.

4.0 Decision Making Process

4.1 This report is for information only.

Contact Officer:	Glenn Back, Democratic Services and Scrutiny Manager, ext 7187
Reporting to:	Harvey Patterson, Corporate & Regulatory Services Manager and Monitoring Officer, ext 7005

Annex List

None	
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Background Papers

Title	Details of where to access copy
None	

Corporate Consultation Undertaken

Finance	n/a
Legal	n/a

NOTICE OF MOTION – RAMSGATE ROYAL SANDS (NO. 1)

To: **Council – 6 December 2012**

By: **Democratic Services and Scrutiny Manager**

Classification: **Unrestricted**

Ward: **All Wards**

Summary: **To consider a Notice of Motion submitted in relation to Ramsgate Royal Sands**

For Decision

1.0 Introduction and Background

- 1.1. Council Procedure Rule No. 16 governs the process for motions on notice being submitted to Council.
- 1.2.1 The following motion on notice has been received from Councillor Driver:

“This Council expresses its concern about the worrying lack of progress of SFP Ventures (UK) Ltd in developing the Royal Sands construction project.

Council notes that SFP Ventures (UK) Ltd have been in negotiations with the Council to change the current development agreement.

“Council understands that this new agreement is ready for approval once SFP Ventures (UK) Ltd has demonstrated that:

- A) it has finance in place to complete the project; and
- B) that it has an agreement in place with a hotel management company to run the hotel which forms part of the development agreement with the Council.

“Council notes that more than 4 months have elapsed since it requested SFP Ventures (UK) Ltd to provide the information in A) and B) above.

“Council recommends to Cabinet that if SFP Ventures (UK) Ltd are unable to provide the information requested by the Council in A) and B) above by 31 January 2013 that Cabinet refuses to agree any new terms with this company and will robustly enforce the existing agreement including taking back the leasehold of the Royal Sands development if necessary.”

2.0 Options

- 2.1 To debate the motion (then refer to Cabinet for determination or report);
- 2.2 Not to debate the motion and refer to Cabinet for determination or report.

3.0 Corporate Implications

3.1 Financial

3.1.1 None at this stage

3.2 Legal

3.2.1 Council Procedure Rule 16.3 states that, if seconded, a motion on notice will stand referred without discussion to the Cabinet or appropriate Committee for determination or report, unless the Council decides to debate the motion in accordance with Council Procedure Rule 19 (rules of debate).

3.2.2 Council Procedure Rule 16.4 (a) (iii) states that where a motion on notice would, if adopted, constitute the exercise of an executive function, that motion must be referred to the Cabinet (or relevant Cabinet portfolio holder as appropriate) for decision.

3.3 Corporate

3.3.1 Council Procedure Rule 16 provides the opportunity for Councillors to give advance notice of motions to be put to Council.

3.4 Equity and Equalities

3.4.1 None arising at this stage.

4.0 Recommendation

4.1 Council is invited to refer the motion on notice to Cabinet for determination or report or to debate the motion and then refer to Cabinet for determination and report.

5.0 Decision Making Process

5.1 In accordance with Council Procedure Rule 16, unless Council agrees otherwise, this motion will be referred to Cabinet without discussion. Council can, however, agree to debate the matter.

Contact Officer:	Glenn Back, Democratic Services and Scrutiny Manager, ext 7187
Reporting to:	Harvey Patterson, Corporate & Regulatory Services Manager, ext 7005

Annex List

None	
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Background Papers

Title	Details of where to access copy
None	

Corporate Consultation Undertaken

Finance	n/a
Legal	n/a

NOTICE OF MOTION – RAMSGATE ROYAL SANDS (No. 2)

To: **Council – 6 December 2012**

By:

Classification: **Unrestricted**

Ward: **All Wards**

Summary: To consider a Notice of Motion submitted in relation to Ramsgate Royal Sands

For Decision

1.0 Introduction and Background

- 1.1. Council Procedure Rule No. 16 governs the process for motions on notice being submitted to Council.
- 1.2.1 The following motion on notice, proposed by Councillor Bayford and seconded by Councillor Moores, has been received:

“Council resolves that the proposed amended development agreement between Thanet District Council and the developers of Pleasurama/Royal Sands site be brought to full Council for debate and comment prior to signing.”

2.0 Options

- 2.1 To debate the motion
- 2.2 Not to debate the motion.

3.0 Corporate Implications

3.1 Financial

- 3.1.1 None at this stage

3.2 Legal

- 3.2.1 Council Procedure Rule 16.3 states that, if seconded, a motion on notice will stand referred without discussion to the Cabinet or appropriate Committee for determination or report, unless the Council decides to debate the motion in accordance with Council Procedure Rule 19 (rules of debate). As only Council can adopt the motion on notice, the motion will fall should Council agree not to debate it.

3.3 Corporate

3.3.1 Council Procedure Rule 16 provides the opportunity for Councillors to give advance notice of motions to be put to Council.

3.4 Equity and Equalities

3.4.1 None arising at this stage.

4.0 Recommendation

4.1 Council is invited to consider whether to debate the motion.

5.0 Decision Making Process

5.1 It is for Council to decide whether or not to debate the motion.

Contact Officer:	Glenn Back, Democratic Services and Scrutiny Manager, Ext 7187
Reporting to:	Harvey Patterson, Corporate and Regulatory Services Manager, Ext 7005

Annex List

None	
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Background Papers

Title	Details of where to access copy
None	

Corporate Consultation Undertaken

Finance	n/a
Legal	n/a

CORRECTIONS TO CABINET PORTFOLIO OPERATIONAL ACCOUNTABILITIES

To: **Council – 6 December 2012**

Main Portfolio Area: **Strategic Economic Development Services**

By: **Democratic Services and Scrutiny Manager**

Classification: **Unrestricted**

Summary: For Council to note the corrected version of changes to the Operational Accountabilities of the Cabinet Portfolios.

For Information

1.0 The Current Situation

- 1.1 A corrected version of Annex 1, which replaces that published originally, is attached.
- 1.2 The new operational accountabilities, as set out in Annex 1 to this report, have already taken effect.

2.0 Corporate Implications

2.1 Financial and VAT

2.1.1 None

2.2 Legal

2.2.1 The Strong Leader model allows the Leader to amend the Cabinet Portfolios and the operational accountabilities.

2.3 Corporate

2.3.1 None

2.4 Equity and Equalities

2.4.1 None

3.0 Recommendation

3.1 This report is for information only.

Contact Officer:	Glenn Back, Democratic Services and Scrutiny Manager, ext 7187
Reporting to:	Harvey Patterson, Corporate and Regulatory Services Manager, ext 7005

Annex List

Replacement Annex 1	New Cabinet Operational Accountabilities
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Background Papers

Title	Details of where to access copy
<i>None</i>	

Corporate Consultation Undertaken

Finance	n/a
Legal	n/a

Agenda Item 10

Annex 3

Portfolio Holder	Name of Portfolio	Operational Accountability
Cllr Clive Hart (Leader of the Council)	Corporate Regulatory and Strategic Economic Development Services	CCTV, Street Scene Enforcement, Land Charges, Licensing, Environmental Health, including integrated Pollution Control, Statutory Nuisance, Food Safety and External Health and Safety Democratic Services including Electoral Management, Member Services and Legal Services Strategic elements of Economic Development & Regeneration
Cllr Iris Johnston	Community Services	Community Safety, Economic Development & Regeneration, Margate Task Force, Culture , Events, Community Development, Cultural Development, Indoor and Outdoor Leisure, Safeguarding Children, Play Areas, Sport, Thanet Coast Project , Youth, Tourism, Thanet Leisure Force, Water Safety and Beach Services
Cllr David Green	Housing and Planning Services	Housing Intervention, Private Sector Housing, Housing Needs/Homelessness, Housing Strategy, Client-side East Kent Housing, Building Control, Strategic Planning, Planning Applications, Planning Enforcement, Conservation
Cllr Alan Poole (Deputy Leader of the Council)	Commercial-Operational Services	Foreshore, Allotments, Property Management (including asset disposal, acquisition and asset management), Emergency Planning & Business Continuity, Kent Innovation Centre, Media Centre, Port of Ramsgate, Ramsgate Royal Harbour Marina, Broadstairs and Margate Harbours, Cemeteries and Crematorium, Coastal Engineering, Commercial Property, Grounds Maintenance, Parks and Open Spaces Management (including Trees), Playground Maintenance, Public Toilets, Street Cleaning, Waste and Recycling, Street Naming and Numbering , Off Street Parking, On Street Parking including Temporary Road Closure Orders, Thanet Coast Project, Water Safety and Beach Services
Cllr Rick Everitt	Financial Services	Capital, Treasury Management, HRA and Insurance, Budget Setting, Monitoring and Final Accounts, Income, Payments, Systems Control and Improvement, East Kent Audit Partnership
Cllr Michelle Fenner	Business, Corporate and Regulatory Services	Business Information and Improvement, Information and Communications (including Public Relations, Marketing, Press Relations, Internal Communications, Film Locations , Records and Data Management), Business Support and Compliance (including Corporate Governance), Policy and Business Planning (including Performance Management), Procurement and Contracts, Business Transformation and Options East Kent Services Client-Side, East Kent Human Resources Partnership Client-Side, covering: Benefits, Customer Services, Human Resources (including internal Health and Safety), IT, Revenues (including Debt Recovery) CCTV, Street Scene Enforcement, Land Charges, Licensing, Environmental Health, including integrated Pollution Control, Street Nameplates, Statutory Nuisance, Food Safety and External Health and Safety Democratic Services including Electoral Management and Member Services, Legal Services

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