

MEETING OF THE COUNCIL

SUPPLEMENTARY AGENDA NO. 1

QUESTIONS FROM THE PUBLIC (*Item 7*)

QUESTION FROM A MEMBER OF THE COUNCIL (*Item 7*)

MOTION ON NOTICE – Bedroom Tax (*Item 8a*)



Thursday, 3rd October, 2013

7.00 pm

**Council Chamber
Thanet District Council
Margate**

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

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Date: 27 September 2013
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, 3 October 2013 at 7.00 pm for the purpose of transacting the business mentioned below.

A handwritten signature in black ink, appearing to read "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

Item
No

Subject

- 6. **QUESTIONS FROM THE PRESS AND PUBLIC**
- 6a **NO. 1 - VISIBILITY OF JUNCTION OF TENDERDEN WAY AND MILLMEAD ROAD, MARGATE** (Pages 1 - 2)
- 6b **NO. 2 - ROYAL HARBOUR, RAMSGATE** (Pages 3 - 4)
- 6c **NO. 3 - TRANSEUROPA FERRIES DEBT** (Pages 5 - 6)
- 6d **NO. 4 - CORPORATE GOVERNANCE** (Pages 7 - 8)

- 7. **QUESTIONS FROM MEMBERS OF THE COUNCIL**
- 7a **LIVE MARGATE SCHEME** (Pages 9 - 10)

- 8. **MOTIONS ON NOTICE**
- 8b **NO. 2 - BEDROOM TAX** (Pages 11 - 12)

QUESTION NO. 1 FROM A MEMBER OF THE PUBLIC – VISIBILITY AT THE JUNCTION OF TENTERDEN WAY AND MILLMEAD ROAD, MARGATE

To: **Council – 3 October 2013**

By: **Democratic Services and Scrutiny Manager**

Classification: **Unrestricted**

Ward: **N/A**

Summary: **The Cabinet Member with responsibility for Community Services to receive a question from a member of the public in relation to the visibility at the junction of Tenterden Way and Millmead Road, Margate**

For Decision

1.0 Introduction and Background

- 1.1. Council Procedure Rule No. 13 governs the process for questions to be submitted by members of the public.
- 1.2 The following question, addressed to Councillor Johnston, has been received from Matthew Brown in accordance with that Rule.

"Given the number of near deaths and other bad traffic accidents due to poor visibility at the right hand turn on the corner of Tenterden Way and Millmead Road what will you be doing to support the addition of a traffic mirror to save lives?"

- 1.3 In accordance with Council Procedure Rule 13.7, the Chairman will, at the meeting of Council, invite the questioner to put their question to the Member named in the notice. If the questioner is not present, the question shall not be put and shall be answered in writing.
- 1.4 Under Council Procedure Rule 13.8, if the Member to whom the question is directed is present they will provide an oral answer. If that Member is not present, the question will be answered by the Leader or another Member nominated by the Leader for the purpose unless it is inappropriate for the Leader to give an oral answer or to nominate another Member to give an oral answer, in which case the question will be dealt with by a written answer.

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 13 affords members of the public the opportunity to ask questions of Members of the Cabinet at ordinary meetings of the Council. The total time devoted to all questions from members of the public cannot exceed 30 minutes.

2.4 Equity and Equalities

2.4.1 None arising at this stage

3.0 Recommendation

3.1 This report is for information purposes only.

4.0 Decision Making Process

4.1 This report is for information purposes only.

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

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 NO. 2 FROM A MEMBER OF THE PUBLIC – ROYAL HARBOUR, RAMSGATE

To: **Council – 3 October 2013**
By: **Democratic Services and Scrutiny Manager**
Classification: **Unrestricted**
Ward: **N/A**

Summary: **The Cabinet Member with responsibility for Operational Services to receive a question from a member of the public in relation to Royal Harbour, Ramsgate**

For Decision

1.0 Introduction and Background

- 1.1. Council Procedure Rule No. 13 governs the process for questions to be submitted by members of the public.
- 1.2 The following question, addressed to Councillor Poole, has been received from Kandice Jones in accordance with that Rule.

“How are you going to tackle issues at our Royal Harbour, which is falling into disrepair including: the East Wall crumbling, the sandbanks stopping boats over 40ft entering/exiting, the working dredger having been sold and the hired dredger doing a bad job, and price hikes for mooring deterring boats?”

- 1.3 In accordance with Council Procedure Rule 13.7, the Chairman will, at the meeting of Council, invite the questioner to put their question to the Member named in the notice. If the questioner is not present, the question shall not be put and shall be answered in writing.
- 1.4 Under Council Procedure Rule 13.8, if the Member to whom the question is directed is present they will provide an oral answer. If that Member is not present, the question will be answered by the Leader or another Member nominated by the Leader for the purpose unless it is inappropriate for the Leader to give an oral answer or to nominate another Member to give an oral answer, in which case the question will be dealt with by a written answer.

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 13 affords members of the public the opportunity to ask questions of Members of the Cabinet at ordinary meetings of the Council. The total time devoted to all questions from members of the public cannot exceed 30 minutes.

2.4 Equity and Equalities

2.4.1 None arising at this stage

3.0 Recommendation

3.1 This report is for information purposes only.

4.0 Decision Making Process

4.1 This report is for information purposes only.

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

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 NO. 3 FROM A MEMBER OF THE PUBLIC – TRANSEUROPA FERRIES DEBT

To: **Council – 3 October 2013**
By: **Democratic Services and Scrutiny Manager**
Classification: **Unrestricted**
Ward: **N/A**

Summary: **The Leader of the Council to receive a question from a member of the public in relation to the Transeuropa Ferries debt**

For Decision

1.0 Introduction and Background

- 1.1. Council Procedure Rule No. 13 governs the process for questions to be submitted by members of the public.
- 1.2 The following question, addressed to Councillor C Hart, Leader of the Council, has been received from Duncan Smithson in accordance with that Rule.

“What advice did the Chief Finance Officer give the incoming administration over securing the outstanding TEF debt, 2011; who is responsible for not securing the debt when you came to power; and did the administration feel no change was needed to the agreements with TEF?”

- 1.3 In accordance with Council Procedure Rule 13.7, the Chairman will, at the meeting of Council, invite the questioner to put their question to the Member named in the notice. If the questioner is not present, the question shall not be put and shall be answered in writing.
- 1.4 Under Council Procedure Rule 13.8, if the Member to whom the question is directed is present they will provide an oral answer. If that Member is not present, the question will be answered by the Leader or another Member nominated by the Leader for the purpose unless it is inappropriate for the Leader to give an oral answer or to nominate another Member to give an oral answer, in which case the question will be dealt with by a written answer.

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 13 affords members of the public the opportunity to ask questions of Members of the Cabinet at ordinary meetings of the Council. The total time devoted to all questions from members of the public cannot exceed 30 minutes.

2.4 Equity and Equalities

2.4.1 None arising at this stage

3.0 Recommendation

3.1 This report is for information purposes only.

4.0 Decision Making Process

4.1 This report is for information purposes only.

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

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 NO. 4 FROM A MEMBER OF THE PUBLIC – CORPORATE GOVERNANCE

To: **Council – 3 October 2013**

By: **Democratic Services and Scrutiny Manager**

Classification: **Unrestricted**

Ward: **N/A**

Summary: **The Leader of the Council to receive a question from a member of the public in relation to Corporate Governance**

For Decision

1.0 Introduction and Background

- 1.1. Council Procedure Rule No. 13 governs the process for questions to be submitted by members of the public.
- 1.2. The following question, addressed to Councillor C Hart, Leader of the Council, has been received from Rebecca Sewell in accordance with that Rule.

“On the basis of advice given to me by the Government and CIPFA, I would ask you if you think a full corporate governance investigation should be undertaken of all TDC councillors and lead officers as relationships are at rock bottom.”

- 1.3. In accordance with Council Procedure Rule 13.7, the Chairman will, at the meeting of Council, invite the questioner to put their question to the Member named in the notice. If the questioner is not present, the question shall not be put and shall be answered in writing.
- 1.4. Under Council Procedure Rule 13.8, if the Member to whom the question is directed is present they will provide an oral answer. If that Member is not present, the question will be answered by the Leader or another Member nominated by the Leader for the purpose unless it is inappropriate for the Leader to give an oral answer or to nominate another Member to give an oral answer, in which case the question will be dealt with by a written answer.

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 13 affords members of the public the opportunity to ask questions of Members of the Cabinet at ordinary meetings of the Council. The total time devoted to all questions from members of the public cannot exceed 30 minutes.

2.4 Equity and Equalities

2.4.1 None arising at this stage

3.0 Recommendation

3.1 This report is for information purposes only.

4.0 Decision Making Process

4.1 This report is for information purposes only.

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

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 – LIVE MARGATE SCHEME

To: **Council – 3 October 2013**
By: **Democratic Services and Scrutiny Manager**
Classification: **Unrestricted**
Ward: **N/A**

Summary: The Cabinet Member with responsibility for Housing and Planning Services to receive a question from a Member of Council in relation to the Live Margate Scheme

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 the Cabinet Member for Housing and Planning Services, has been validly received from Councillor W Scobie.

“Would the Cabinet Member for Housing and Planning Services please inform Council whether there will be further building demolitions as part of the Live Margate scheme? Many local residents are concerned about losing historic buildings, particularly as they the main feature that is attracting people to invest in the area.”

- 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
Reporting to:	Harvey Patterson, Corporate & Regulatory Services Manager and Monitoring Officer

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 NO. 2 – BEDROOM TAX

To: **Council – 3 October 2013**
 By: **Democratic Services and Scrutiny Manager**
 Classification: **Unrestricted**
 Ward: **All Wards**

Summary: To consider a Notice of Motion submitted in relation to Bedroom Tax

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 Fenner:

“Thanet District Council commits to protecting tenants from the Bedroom Tax in the following ways:

Proactively engaging with tenants and offering advice and assistance;
 Preventing tenants from losing their homes through sensitive debt management and rent arrears procedures;
 Identifying the need for and processing Discretionary Housing Payments quickly;
 Adjusting allocations and letting policies to assist tenants who wish to downsize.

“Thanet District Council also commits to protesting to Government to repeal the Bedroom Tax by:

Working with tenant organisations who call for the repeal of the Bedroom Tax;
 Communicating the hidden costs and impracticalities of the Bedroom Tax;
 Demonstrating to Government the unfairness of the Bedroom Tax;
 Working with the Government to provide alternative strategies to address housing shortages.”

2.0 Options

2.1 To debate the motion

2.2 Not to debate the motion

2.3 As the motion on notice relates to either executive functions or changes to a policy within the Council’s policy framework, it must, in accordance with Council Procedure Rules 16.4 (iii) and (iv), be referred to Cabinet, whether or not it is debated.

3.0 Corporate Implications

3.1 Financial

3.1.1 None arising from this report

3.2 Legal

- 3.2.1 Council Procedure Rule 16.3 states that the Member whose name appears first on the notice will move the motion during his or her speech and call for a seconder. If seconded, a Member from the controlling political group will be entitled to a reply, after which the motion shall stand referred without further discussion to the Cabinet or appropriate committee for determination or report unless the Council decides to debate the motion in accordance with Rule 19 (*rules of debate*).
- 3.2.2 Council Procedure Rule 16.4 (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”.
- 3.2.3 Council Procedure Rule 16.4 (iv) states that “the Chairman shall rule out of order any motion on notice that relates to the adoption of, or amendment to, a policy falling within the Council’s adopted Policy Framework if that policy or amendment (as the case may be) has not first been proposed by the Cabinet and considered by the Overview and Scrutiny Panel”.
- 3.2.4 Although the Council could agree the motion on notice in principle, any amendments to any policy within the policy framework that are proposed by Cabinet have to be considered by the Overview and Scrutiny Panel and submitted to Council for approval. Thus Council cannot take a final decision on this motion on notice unless such a process has been completed.

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 That the motion on notice be referred to Cabinet.

5.0 Decision Making Process

- 5.1 It is for Cabinet to take decisions on issues that are executive functions and for Cabinet to make proposals to Council, in consultation with the Overview and Scrutiny Panel, in relation to amendments to any policy within the Council’s adopted policy framework.

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