

COUNCIL

Minutes of the meeting held on 15 July 2010 at 7.00 pm in Council Chamber, Cecil Street, Margate, Kent.

Present: Councillor Michael J Roberts (Chairman); Councillors Mrs Aldred, Bayford, Brown, Bruce, Campbell, Clark, Crotty, Mrs Dark, Day, Ezekiel, Mrs Fenner, Ms Gideon, D Green, Gregory, Grove, Harrison, C Hart, Mrs Hart, Jarvis, Mrs Johnston, King, J D Kirby, Mrs Kirby, Latchford, Lawson, Mrs Lodge-Pritchard, Moores, R Nicholson, Nottingham, Peppiatt, Poole, Mrs Roberts, Mrs Rogers, Savage, Taylor, M Tomlinson, Ward, Watkins, Wells and Wise

In Attendance: Mr Robin Hills, Independent Member and Chairman of the Standards Committee

COUNCILLOR MIKE ROBERTS IN THE CHAIR

Owing to the absence of Councillor Mrs Sheldrick, Councillor Mike Roberts presided as Chairman during the course of the meeting.

175. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Goodwin, Ms Green, Harker, Hayton, McCastree, Mrs Nicholson, Scobie, Mrs Sheldrick, Brian & Mrs Sullivan, Mrs Tomlinson & Mrs Wiltshire.

176. MINUTES OF ANNUAL MEETING HELD ON 13 MAY 2010

On the proposal of the Chairman, seconded by the Leader, the minutes of the Annual Meeting of Council held on 13 May 2010 were approved by Council and signed by the Chairman.

177. MINUTES OF EXTRAORDINARY MEETING HELD ON 13 MAY 2010

On the proposal of the Chairman, seconded by the Leader, the minutes of the Extraordinary Meeting of Council held on 13 May 2010 were approved by Council and signed by the Chairman.

178. ANNOUNCEMENTS

The Chairman announced that Charles Goldsmith, a former Member of the Council and Chairman of the Licensing Board, and former Mayor of Ramsgate, had passed away the previous day.

All Members stood for a minute's silence as a mark of their respect.

179. DECLARATIONS OF INTEREST

It was noted that all Members had a personal interest in Agenda Item numbered 21, Members' Allowances Scheme: Review for 2010/11.

There were no other declarations of interest.

180. PETITIONS TO COUNCIL

There were no petitions from members of the public.

181. ALBION HOUSE PETITION - REPORT BACK TO FULL COUNCIL

Councillor Latchford outlined a chronology of events in relation to Albion House since vacation by Thanet District Council operational staff in 2001, until the present time.

Members noted the report.

182. QUESTIONS FROM THE PRESS AND PUBLIC

There were no questions from the press or public.

183. QUESTIONS FROM MEMBERS OF THE COUNCIL

Question 1

In accordance with Council Procedure Rule 14, the following question, addressed to the Chair of Scrutiny, had been received from Councillor David Green:

“The Ramsgate Port and Harbour Working Party has been waiting now for a considerable number of months to be called into being by the Chair of Scrutiny. This has allowed the problems at the Marina, Port and surrounds to accumulate unchecked. Could the Chair of Scrutiny give us a deadline before which this Working Party will meet?”

Councillor Harrison, Chairman of Overview & Scrutiny Panel, replied as follows:

“Ramsgate Port and Marina are, of course, some of the Council’s most significant and valuable assets. Cabinet had asked the Scrutiny Panel to set up a Working Party to carry out a strategic overview of the Port and Marina and report back through the Scrutiny Panel. In advance of the first meeting of this Working Party, Officers have been instructed to gather evidence and prepare a draft Master Plan, which will form the basis of a structured discussion on options for the Port and Harbour. It is hoped that this work will be complete by the end of the financial year.

“In the interim, the Director of Regeneration and the Interim Assistant Harbour Master have continued to address and resolve the operational issues at the Port.

“Next Tuesday, the 20th, the main Scrutiny Panel will agree Terms of References for this Working Party, and subject to Members’ availability, will commence work shortly thereafter.”

Councillor Green asked a supplementary question, as follows:

“Can I be assured that the Working Party will be properly resourced and given a broad enough remit to deal with the problems?”

Councillor Harrison replied.

“The Terms of Reference will be before Scrutiny next Tuesday. It will, of course, be up to members of the Scrutiny Panel to accept, reject, change or amend those as they see fit. That, of course, is within their remit. I can add that at least two of the Officers who had been involved in consulting or writing the original report, which came out some time last year, are no longer with this authority. That, perhaps, may have contributed to what I fully accept as perhaps an unacceptable delay in starting working of this Working Party.

“But please be assured that the decision will be made to set this Working Party up and set its Terms of Reference next Tuesday, and, as I said earlier, its work will start shortly thereafter.”

Question 2

A question which had been received by Councillor Ms Green in accordance with Council Procedure Rule 14 was not taken at the meeting, in view of Councillor Ms Green’s absence.

184. NOTICES OF MOTION

There were no Notices of Motion.

185. RESPONSIBILITY FOR FUNCTIONS - EXECUTIVE DELEGATIONS

Members noted the report, together with the Cabinet portfolios and revised portfolio responsibilities, as set out in the Members’ Notes, as follows:

Cabinet Portfolio and Portfolio Holder	Responsibility for Corporate Plan Theme	Operational a Accountability (functional alignment)	Shadow Cabinet Portfolio Holder
Leader of the Council Finance & Corporate Services Councillor Robert Bayford	MODERN COUNCIL	Finance including revenue and capital for general fund and HRA; Budgets preparation and monitoring; human resources and organisational development; health and safety; corporate governance and risk management; service planning and best value performance planning; performance management in conjunction with service portfolio holders; Ramsgate marina.	Councillor Clive Hart
Deputy Leader of the Council Environmental Services Councillor Martin Wise	KEEPING THANET BEAUTIFUL	Environmental management and cleaning; waste collection and recycling; cemeteries and crematoria; parks and open spaces; public toilets; leisure and recreation including theatres; management of the partnership with Thanet Leisureforce Limited; children’s play areas and spaces; foreshore and coastal management; tourism; cultural development; parking and residual highway matters.	Councillor Alan Poole

Regeneration and Economic Development Councillor Roger Latchford	THANET'S ECONOMY	Strategic planning policy; regeneration and economic development; asset management; Port of Ramsgate; Margate Renewal Partnership.	Councillor Richard Nicholson
Customer Services and Business Transformation Regulatory Services Councillor Simon Moores	MODERN COUNCIL	Service improvement and transformation; information and communications technology; e-government; information, records and data management and strategy; housing and Council tax benefits; building control; estate management; development control; planning enforcement; conservation of historic built environment.	Councillor John Watkins
Community Services Councillor Chris Wells	SAFER NEIGHBOURHOODS, DECENT QUALITY HOUSING and HEALTHY COMMUNITIES	Landlord services; homelessness and housing needs; private sector housing; housing strategy; environmental health; neighbourhood renewal; community safety and CCTV; community development; licensing & land charges.	Councillor Iris Johnston

186. **AMENDMENTS TO APPOINTMENTS TO COMMITTEES**

Members noted the report.

187. **LEADER'S REPORT**

The Leader referred to the following:

- a) the Emergency Budget of 22nd June;
- b) a review of asset disposal programme which was currently being undertaken;
- c) the establishment of the Margate Task Force, whose objective was to bring regeneration benefits to Cliftonville and Margate.

Despite the current economic pressures, the Leader stated that it was hoped that the Council would be able to take every opportunity to "fight its corner".

Upon being asked questions by Members, the Leader pointed out: that the Margate Task Force initiative was receiving considerable interest at Central Government level and that an informal Cabinet Advisory Group, comprising Councillors Wells & Wise and himself, had been formed to oversee the work of the Task Force; that everything would be done to prevent further inward migration to the area as a result of the recently announced adjustments to housing benefit thresholds; that the reason why other districts, such as Tunbridge Wells, had been unaffected by Government grant cuts was that they had not

been in receipt of grants at the time that cuts had been announced; and that it was hoped that the Council could take steps to support Thanet schools.

188. CHIEF EXECUTIVE'S REPORT

In introducing his report, the Chief Executive referred to the critical time which had now been reached in the Council's financial history.

It was proposed by the Leader, seconded by Councillor Johnston:

1. That the Council notes the content of the report, including the interim arrangements around the Senior Management Structure;
2. That the Council agrees to the expansion of duties for the current Director of Finance and Corporate Services and agrees that this post be re-titled Deputy Chief Executive and remunerated accordingly in the interim;
3. That the Council agrees to lobby the local MPs to encourage them to continue to press the case for investment in Thanet in schools, regeneration and economic development and housing in recognition of the severe social and economic conditions in the area."

The Chief Executive was thanked for the comprehensiveness of his report.

An amendment was proposed by Councillor Nicholson, seconded by Councillor Hart:

"That the wording at Part 2 of the motion be substituted with the following words:

'That proposals relating to senior management changes are remitted to the General Purposes Committee so that proper consideration of the financial consequences can be properly reported'."

On being put to the vote, the AMENDMENT was LOST.

Councillor Johnson asked that it be recorded that she had understood that the motion which she had seconded had comprised only the third recommendation, though the Monitoring Officer noted that technically she had seconded all three recommendations.

The Chief Executive stated that financial information on the implications of the proposals at recommendations 1 & 2 of the motion would be included in the Budget Monitoring Report to be submitted to Cabinet on 5 August 2010.

Upon the SUBSTANTIVE MOTION being put to the vote, it was declared CARRIED.

189. CORPORATE PLAN REFRESH

It was moved by the Leader, seconded by Councillor Wise, and resolved that the refreshed version of the Corporate Plan 2007-11 be approved.

Adrian Halse, Business Improvement Officer, was thanked for his work in relation to the Corporate Plan Refresh.

190. KENT INTERNATIONAL AIRPORT MASTER PLAN

It was moved by Councillor Latchford, seconded by Councillor Moores, and resolved that Airport Working Party's conclusions, including their recommendation that the Airport Master Plan be received, are approved by the Council.

Doug Brown, Major Developments Manager, and other staff were thanked for their work in relation to the Master Plan.

191. DALBY SQUARE CONSERVATION AREA DESIGNATION

It was moved by Councillor Moores, seconded by Councillor Wells:

- “1. that the area identified on the map at Annex 1 as the proposed Dalby Square Conservation Area be so designated in accordance with the Planning (Listed Buildings and Conservation Areas) Act 1990;
2. that the appraisal document be adopted for Development Management purposes.”

In response to questions from Members:

- a) Brian White, Director of Regeneration Services, said he would provide a written reply to Councillor David Green regarding the possibility of removal of permitted development rights as a result of designation;
- b) Councillor Moores undertook to contact Councillor King separately regarding the maintenance issues raised by him in relation to conservation areas in Westgate.
- c) The Head of Legal & Democratic Services pointed out that designation would come into effect upon resolution.

MOTION ADOPTED

192. TO ACCEPT AND AGREE THE WELFARE POLICY SUBMITTED BY REVENUES & BENEFITS.

It was moved by Councillor Moores, seconded by Councillor Wells, and resolved that the Council notes and formally adopts the Joint Benefits Policy and Strategy.

193. ADOPTION OF REVISED POLITICAL MANAGEMENT ARRANGEMENTS

It was moved by the leader, seconded by Councillor Wise and resolved that the recommendations contained in the report be adopted, namely:

1. That the report be received and noted;
2. That the recommendations of the Constitutional Review Working Party and the Standards Committee be adopted, namely that the Council expresses a pre-consultation preference for the adoption of Leader and Cabinet Executive political management arrangements;
3. That the public and interested persons be now consulted on the available options for a period of not less than twelve weeks;
4. That the Party Group Leaders be also consulted on the available options;
5. That the consultation responses be considered at an Extraordinary General meeting of the Council convened not later than 31 December 2010 at which proposals for the future political management arrangements of the Council will be drawn up, considered and adopted having regard to the consultation responses as well as the extent to which the proposed arrangements would be likely to assist in securing continuous improvement in the way in which the Council's functions are exercised, having regard to a combination of economy, efficiency and effectiveness.

194. PETITIONS POLICY

It was moved by the Chairman and seconded by the Leader that the recommendations outlined in the report be adopted, namely:

- “1. that Council approves the draft Petition Scheme with immediate effect;
2. that the Monitoring Officer in consultation with the Leader of the Council and the Chairman of Overview & Scrutiny Panel be delegated the power to reject petitions which he or she considers to be vexatious, abusive or other wise inappropriate;
3. that the threshold for signatures be as follows:
 - for ‘ordinary petitions’ – 25
 - for petitions to hold officers to account at the Overview & Scrutiny Panel – 650
 - for petitions requiring debate at Full Council – 1,300;
4. that the Monitoring Officer be delegated authority to make appropriate changes to the Constitution to incorporate the agreed Petition Scheme into the Council’s Constitution;
5. that the Council accepts any signatures on petitions, and does not restrict valid signatures to people who live, work or study in the district;
6. that the Policy be reviewed in December 2010 after the introduction of the “e-petitions” scheme.

An amendment was proposed by Councillor King, seconded by Councillor Grove:

“That the wording at recommendation 3 above be substituted with the following wording:

‘that the threshold for signatures be as follows:

for ‘ordinary petitions’ – 25
 for petitions to hold officers to account at the Overview and Scrutiny Panel – 325
 for petitions requiring debate at Full Council – 650.”

Upon the amendment being put to the vote, it was declared LOST.

The SUBSTANTIVE MOTION was, upon being put to the vote, declared CARRIED.

195. REPRESENTATION ON OUTSIDE BODIES

It was proposed by the Chairman, seconded by the Leader:

- “1. that the list of appointments to Outside Bodies for the Municipal Year 2010/11 be adopted, as set out in Annex 1 of the report;
2. that Council agrees the nominations of Councillors to serve on those bodies, as set out in the Members’ notes and copied below;
3. that a report be presented to the Constitutional Review Working Party to consider whether in future Cabinet should agree nominations to the Cabinet-related outside bodies;
4. that by Annual Council in May 2011 a thorough review of Outside Bodies should be undertaken, as outlined in Section 4 of the Leader’s report.”

Executive Outside Bodies - all with expiry date of May 2011

Name of Outside Body	TORs ¹	No. of Reps	Names of Reps
Community Safety Partnership (Formerly the Crime and Disorder Partnership)	Yes	1	Councillor Wells
East Kent Local Strategic Partnership	Yes	1	Councillor Bayford
East Kent Opportunities Ltd	No	1	Councillor Latchford
East Kent Spatial Development Company	Yes	1	Councillor Latchford
Kent International Airport Consultative Committee	Yes	1 +1 sub	Councillor Latchford Councillor M Roberts (substitute)
Local Government Association (General Assembly)	Yes	1	Councillor Bayford
Margate Town Partnership	No	1	Councillor Wise
South East Employers	Yes	1 +1 sub	Councillor Wise Vacant (substitute)
South East England Councils (this body is considering its future – there was an emergency meeting on 16 June but outcome is not yet known)	Yes	1	Councillor Bayford
SEERA Ltd	Yes	1	Councillor Bayford
Supporting People in Kent Commissioning Body	Yes	1	Councillor Wells
Thanet Leisureforce Board	Yes	2	Councillor Lawson Councillor M Tomlinson

¹ Indicates whether Terms of Reference have been obtained

Non Executive Outside Bodies – all with expiry date of May 2011

Name of Outside Body	TORs ¹	No. of Reps	Names of Reps
Age Concern: Margate	No	2	Councillor Mrs Sullivan Councillor Ward
Age Concern: Ramsgate	No	1	Councillor Mrs Kirby
The Alliance (formerly, Coalfields Communities Campaign)	No	1	Councillor Latchford
British Ports Association	Yes	1	Councillor Latchford
British Resorts Association (AGM, Annual Conference and Executive Meetings)	Yes	1	Councillor Wise
Campaign to Protect Rural England (formerly, the Council for the Protection of Rural England)	Yes	1	Councillor M Roberts
Canterbury Festival	Yes	1	Councillor Jarvis
Citizens Advice Bureau, Thanet	No	2	Councillor Mrs Sheldrick Councillor Taylor
East Kent Relate	Yes	1	Councillor Crotty
Kent Rural Community Council	Yes	2	Councillor John D Kirby Councillor Mrs Roberts
Local Government Association (Rural	Yes	1	Councillor Bruce

Commission)			
Millmead Children's Centre Partnership Ltd (formerly, Sure Start)	Yes	1	Councillor Jarvis
Multiple Sclerosis Society	No	1	Councillor King
Orbit South (formerly, Thanet Community Housing Association)	Yes	2	Councillor Goodwin Councillor Wells
Parking and Traffic Regulation Outside London	Yes	1 + reserve	Councillor Gregory Councillor Goodwin (reserve)
Powell Cotton Museum and Quex House	Yes	1	Councillor Day
(The) River Stour (Kent) Internal Drainage Board	Yes	1	Councillor Bruce
Sandwich and Pegwell Bay National Nature Reserve Steering Group (formerly, The Sandwich Bay Reserve Management Committee)	Yes	1	Councillor Bruce
Thanet Archaeological Trust	Yes	4	Councillor Bruce Councillor D Green Councillor Poole Councillor Mrs Roberts
Thanet Community Transport Association	Yes	3	Councillor Bruce Councillor Gregory Councillor Jarvis
Thanet Countryside Trust	Yes	3	Councillor Bruce Councillor Mrs Rogers Councillor Watt-Ruffell
Thanet Harbour Users' Groups	No	1 + reserve	Councillor Latchford Councillor Bayford (reserve)
Thanet Sports Network	Yes	1	Councillor Mrs Tomlinson
Thanet Volunteer Bureau	Yes	1	Vacant
The Friends of Margate Cemetery	Yes	2	Councillor M Tomlinson Councillor Mrs Tomlinson
The Yacht Harbours Association (AGM) (formerly, National Yacht Harbours Association)	Yes	1	Councillor M Roberts
Theatre Royal Management Committee	No	1	Councillor Latchford
Tourism South East	Yes	1	Councillor Wise
Youth Advisory Group (formerly, Concorde Youth Centre)	No	1	Councillor Mrs Rogers

¹ Indicates whether Terms of Reference have been obtained

MOTION ADOPTED

196. MEMBERS ALLOWANCES SCHEME: REVIEW FOR 2010/11

It was noted that all Members had a personal interest in this item.

It was moved by the Chairman, seconded by the Leader, and resolved that the recommendations contained in the report be adopted, namely:

1. that the per-meeting attendance allowance paid to members of the Licensing Board for being appointed to a Licensing Sub-Committee ceases to be a feature in any Scheme of Allowances made by the Council;
2. that, subject to the decisions in relation to recommendation 1 above, the provisional Scheme of Allowances as set out in annex 1 to the officer's report be confirmed to take effect for the period commencing on the date of the annual meeting of Council in 2010 to 31 March 2011;
3. that the Head of Legal & Democratic Services be authorised to give notice of the making of a Scheme of Allowances for 2010/11 in a local newspaper;
4. that the East Kent Joint Independent Remuneration Panel be thanked for their consideration of the Council's Provisional Scheme of Allowances and for their recommendations;
5. that the East Kent Joint Independent Remuneration Panel be asked to meet in the Autumn to consider a Scheme of Allowances for the financial year 2011/12 and that Members be notified of the date(s) of any such meetings in time to make submission thereto.

Meeting concluded : 10.12 pm