

COUNCIL

Minutes of the meeting held on 9 October 2008 at 8.00 pm in Council Chamber, Cecil Street, Margate, Kent.

Present: Councillor John D Kirby (Chairman); Councillors Mrs Aldred, R Bayford, Broadhurst, S Brown, Bruce, Cameron, Campbell, Clark, Crotty, Mrs Dark, Day, Ezekiel, Mrs Fenner, Ms Gideon, Goodwin, D Green, Ms Green, Gregory, Harker, Harrison, C Hart, Hayton, Jarvis, Mrs Johnston, King, Mrs Kirby, Latchford, Mrs Lodge-Pritchard, McCastree, Moores, R Nicholson, Mrs B Nicholson, Nottingham, Peppiatt, Poole, Mrs Roberts, M Roberts, Mrs Rogers, Mrs Russell, Savage, Scobie, Mrs Sullivan, B Sullivan, Taylor, M Tomlinson, Mrs Tomlinson, Ward, Watkins, Watt-Ruffell, Wells, Mrs Wiltshire and Wise

32. DECLARATIONS OF INTEREST

The following Members declared a Personal Interest in Agenda Item 7 - Creation of a Parish Council for Ramsgate (Minute 38);

Campbell
Mrs Fenner
Gideon
D Green
E Green
JD Kirby
Mrs Kirby
Mrs Nicholson
R Nicholson
Poole
Mrs Rogers
Taylor
Ward

33. MINUTES

The minutes of the Council meeting held on 24 July 2008 were approved by Council and signed by the Chairman.

Councillor King had a question in relation to the above minutes regarding Independent Members of the Standards Committee. He was still awaiting a written response from the previous Council meeting.

The Chairman advised Councillor King that a reply would be sent to him.

34. ANNOUNCEMENTS

SIR SANDY BRUCE-LOCKHART

A minutes silence was held as a tribute to Sir Sandy Bruce-Lockhart who sadly died on the 14 August 2008.

ICELANDIC BANKS

Councillor Wise reassured Members that the Council did not have any investments with the Icelandic Banks. He added that although the Council had moved funds into lower interest accounts it had more security.

35. QUESTIONS FROM THE PRESS AND PUBLIC

There were no questions from the press or public.

36. QUESTIONS FROM MEMBERS OF THE COUNCIL

There were no questions from Members of Council.

37. NOTICE OF MOTION

1. Members considered the report of the Democratic Services and Scrutiny Manager.

Moved by Councillor David Green, seconded by Councillor Campbell, that:

“This Council instructs officers to bring forward a comprehensive set of measures to combat the lack of cleanliness of streets in Eastcliff and Central Harbour Wards.

These measures to include:

- A regular schedule of pavement cleaning (as opposed to litter picking).
- A scheme for the separate collection of household and recyclable waste in all streets unsuitable for domestic wheelie bins to avoid the contamination of pavements through ‘split bags’.
- Regular removal of weeds and chewing gum from pavements.

Published targets for street cleanliness with regular inspections of streets by officers and Ward Councillors.

Rating of cleanliness on a suitable scale, and publication of the ratings scored”
In accordance with Council Procedure Rule 16.3, the motion was referred to Cabinet for determination.

2. Members considered the report of the Democratic Services and Scrutiny Manager.

Moved by Councillor Ezekiel, seconded by Councillor R Nicholson, that:

“In accordance with Council Procedure Rule 19.0 (Rules of Debate), Members agree that Council debate the Notice of Motion this evening”

MOTION ADOPTED.

Moved by Councillor Ezekiel, seconded by Councillor R Nicholson, that:

“Thanet District Council calls for the repeal of the Rating (Empty Properties) Act 2007 at the earliest possible opportunity. As an interim measure, we call upon the Government to immediately reduce the business rates on empty commercial properties to the maximum allowed by the Act without recourse to primary legislation”

MOTION ADOPTED.

38. CREATION OF RAMSGATE PARISH COUNCIL

Members considered the report of the Democratic Services and Scrutiny Manager which gave details of recent developments and sought formal approval for the creating of an order establishing a parish council for Ramsgate under the Local Government and Public Involvement in Health Act 2007.

Moved by Councillor Ezekiel and seconded by Councillor Wise that:

“In exercise of powers delegated by the Secretary of State, the Council approves the making of an order, effective on 1 April 2009, under S.86 of the Local Government and Public Involvement Act 2007, to constitute a new parish and parish council for Ramsgate.

The Chief Executive be authorised to settle the wording and content of the draft order”

MOTION ADOPTED.

39. PLANNING APPLICATIONS REFERRED FROM PLANNING COMMITTEE

(a) LAND AT BRAMWELL COURT ADJ WILD THYME BRAMWELL COURT, LAUNDRY ROAD, MINSTER

The application was for outline planning permission for the erection of a dwelling on land at Bramwell Court adjacent to Wild Thyme Bramwell Court, Laundry Road, Minster. It was referred to Council for decision as it represents a departure from the Thanet Local Plan.

Moved by Councillor Gregory and seconded by Councillor Ward:

“To grant planning permission subject to the conditions set out below;

1. Approval of the details of the (layout, scale, landscaping and appearance) (hereinafter called the reserved matters) shall be obtained from the Local Planning Authority in writing before any development is commenced.

GROUND:

As no such details have been submitted.

2. Plans and particulars of the reserved matters referred to in Condition 1 above, shall be submitted in writing to the Local Planning Authority and shall be carried out as approved.

GROUND:

In accordance with Section 92(2) of the Town and Country Planning Act 1990.

3. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of 3 years from the date of this permission.

GROUND:

In accordance with Section 92(2) of the Town and Country Planning Act 1990.

4. No development shall take place until details of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to, and approved in writing by, the Local Planning Authority. Development shall be carried out in accordance with the approved details.

GROUND:

In the interests of visual amenity in accordance with Policies D1 and CC1 of the Thanet Local Plan.

5. The design and method of construction of the means of access shall be submitted to, and agreed in writing by, the Local Planning Authority prior to commencement of the construction of the access hereby permitted.

GROUND:

In the interests of highway safety.

6. No development shall take place until details of the means of foul and surface water disposal have been submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with such details as are agreed.

GROUND:

To prevent pollution in accordance with policy EP13 of the Thanet Local Plan

7. If, during development, contamination not previously identified, is found to be present at the site, then the additional contamination shall be fully assessed and an appropriate remediation scheme agreed with the Local Planning Authority. The proposed works shall be of such a nature as to render harmless the identified contamination given the proposed end use of the site and surrounding environment, including controlled waters.

GROUND:

To ensure that the proposed development will not cause harm to human health or pollution of the environment, in accordance with the Thanet Local Plan 2006 Policy EP4 and EP13.

8. The area shown on the deposited plan for the parking and manoeuvring of vehicles shall be operational prior to any part of the development hereby permitted being brought into use, unless otherwise agreed in writing by the Local Planning Authority. The area agreed shall thereafter be maintained for that purpose.

GROUND:

In the interests of highway safety in accordance with Thanet Local Plan Policy TR16.

No development shall take place until full details of both hard and soft landscape works have been submitted to, and approved in writing by, the Local Planning Authority and these works shall be carried out as approved.

These details shall include:-

(1) details of existing trees, shrubs and hedges to be retained and details of new trees, shrubs, hedges and grassed areas to be planted, together with details of the species and method of planting to be adopted.

(2) details of the treatment proposed for all hard surfaced areas beyond the limits of the highway.

GROUND:

In the interests of the visual amenities of the area and to adequately integrate the development into the environment in accordance with Policy D1 of the Thanet Local Plan.

9. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development, or in accordance with a programme of works to be agreed in writing with the Local Planning Authority. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of a similar size and species, unless the Local Planning Authority gives any written consent to any variation.

GROUND:

In the interests of the visual amenities of the area in accordance with Policies D1 and D2 of the Thanet Local Plan.

10. No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written specification and timetable which has been submitted to and approved in writing by the Local Planning Authority.

GROUND:

To ensure that features of archaeological interest are properly examined and recorded in accordance with the Thanet Local Plan policies HE11 and HE12.

11. No development shall take place until details of sound insulation for the dwellings to achieve a minimum level of sound insulation of 30dB have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with such details as are agreed.

GROUND:

In the interests of residential amenity and in pursuance of policy D1 and EP8 of the Thanet Local Plan.

12. Prior to the first occupation of the dwelling hereby approved, a sight line measuring 2m x 23m to the right hand side of the access shall be provided and thereafter maintained with no obstruction above 1m in height.

GROUND:

In the interests of highway safety.

13. Prior to the first occupation of the development hereby permitted, visibility splays of 2 metres by 23 metres shall be provided to the vehicular access and thereafter maintained with no obstruction above 0.6 metres in height.

GROUND:

In the interest of highway safety

14. The development hereby permitted shall not have a ridge height in excess of 8 metres in height.

GROUND:

In the interest of the visual amenities of the area as the proposed development would complete the group of dwellings that was originally envisaged"

MOTION ADOPTED

(b) LAND AT BRAMWELL COURT ADJ WILD THYME, BRAMWELL COURT, LAUNDRY ROAD, MINSTER

The application was for planning permission for the erection of a dwelling on land at Bramwell Court adjacent to Wild Thyme Bramwell Court, Laundry Road, Minster. It was referred to Council for decision as it represents a departure from the Thanet Local Plan.

Moved by Councillor Gregory and seconded by Councillor Ward:

“To grant planning permission subject to the conditions set out below;

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

GROUND:

In accordance with Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

2. No development shall take place until details of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to, and approved in writing by, the Local Planning Authority. Development shall be carried out in accordance with the approved details.

GROUND:

In the interests of visual amenity in accordance with Policies D1 and CC1 of the Thanet Local Plan.

3. The design and method of construction of the means of access shall be submitted to, and agreed in writing by, the Local Planning Authority prior to commencement of the construction of the access hereby permitted.

GROUND:

In the interests of highway safety.

4. No development shall take place until details of the means of foul and surface water disposal have been submitted to and agreed in writing by the Local Planning Authority.

The development shall be carried out in accordance with such details as are agreed.

GROUND:

To prevent pollution in accordance with policy EP13 of the Thanet Local Plan

5. If, during development, contamination not previously identified, is found to be present at the site, then the additional contamination shall be fully assessed and an appropriate remediation scheme agreed with the Local Planning Authority. The proposed works shall be of such a nature as to render harmless the identified contamination given the proposed end use of the site and surrounding environment, including controlled waters.

GROUND:

To ensure that the proposed development will not cause harm to human health or pollution of the environment, in accordance with the Thanet Local Plan Policy EP4 and EP13.

6. The area shown on the deposited plan for the parking and manoeuvring of vehicles shall be operational prior to any part of the development hereby permitted being brought into use, unless otherwise agreed in writing by the Local Planning Authority. The area agreed shall thereafter be maintained for that purpose.

GROUND:

In the interests of highway safety in accordance with Thanet Local Plan Policy TR16.

7. No development shall take place until full details of both hard and soft landscape works have been submitted to, and approved in writing by, the Local Planning Authority and these works shall be carried out as approved.

These details shall include:-

(1) details of existing trees, shrubs and hedges to be retained and details of new trees, shrubs, hedges and grassed areas to be planted, together with details of the species and method of planting to be adopted.

(2) details of the treatment proposed for all hard surfaced areas beyond the limits of the highway.

GROUND:

In the interests of the visual amenities of the area and to adequately integrate the development into the environment in accordance with Policy D1 of the Thanet Local Plan.

8. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development, or in accordance with a programme of works to be agreed in writing with the Local Planning Authority. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of a similar size and species, unless the Local Planning Authority gives any written consent to any variation.

GROUND:

In the interests of the visual amenities of the area in accordance with Policies D1 and D2 of the Thanet Local Plan.

9. No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written specification and timetable which has been submitted to and approved in writing by the Local Planning Authority.

GROUND:

To ensure that features of archaeological interest are properly examined and recorded in accordance with the Thanet Local Plan policies HE11 and HE12.

10. No development shall take place until details of sound insulation for the dwellings to achieve a minimum level of sound insulation of 30dB have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with such details as are agreed.

GROUND:

In the interests of residential amenity and in pursuance of policy D1 and EP8 of the Thanet Local Plan.

11. Prior to the first occupation of the dwelling hereby approved, a sight line measuring 2m x 23m to the right hand side of the access shall be provided and thereafter maintained with no obstruction above 1m in height.

GROUND:

In the interests of highway safety.

12. Prior to the first occupation of the development hereby permitted, visibility splays of 2 metres by 23 metres shall be provided to the vehicular access and thereafter maintained with no obstruction above 0.6 metres in height.

GROUND:

In the interest of highway safety”

MOTION ADOPTED

(c) PLOT 1 (FORMER CASTLEMERE HOTEL SITE), WESTERN ESPLANADE, BROADSTAIRS

The application was for renewal of planning permission for the erection of a detached three story dwelling with integral garage at Plot 1 (Former Castlemere Hotel Site), Western Esplanade, Broadstairs. It was referred to Council for decision as it represents a departure from the Thanet Local Plan.

Moved by Councillor Gregory and seconded by Councillor Day:

“To grant planning permission subject to the conditions set out in the advisory note (detailed below)

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

GROUND:

In accordance with Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

2. Details of the materials to be used in the construction of the external surfaces of the development hereby permitted shall be submitted to, and approved in writing by, the Local Planning Authority prior to the commencement of any works.

GROUND:

In the interests of visual amenity in accordance with Policy D1 of the Thanet Local Plan.

3. The design and method of construction of the means of access shall be submitted to, and agreed in writing by, the Local Planning Authority prior to commencement of the construction of the access hereby permitted.

GROUND:

In the interests of highway safety.

4. The area shown on the deposited plan for the parking and maneuvering of vehicles shall be operational prior to any part of the development hereby permitted

being brought into use, unless otherwise agreed in writing by the Local Planning Authority. The area agreed shall subsequently be thereafter maintained for that purpose.

GROUND:

In the interests of highway safety in accordance with Isle of Thanet Local Plan Policy TR8.

5. Prior to the first occupation of the residential unit visibility splays of 2 metres by 2 metres shall be provided, and thereafter maintained, to the access to Western Esplanade in accordance with details to be submitted in plan form and approved in writing by the Local Planning Authority.

GROUND:

In the interest of highway safety.

6. The proposed balcony railings hereby approved shall be vertical and details of which shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development. Such details shall be implemented concurrently with the development and thereafter maintained unless otherwise agreed in writing by the Local Planning Authority.

GROUND:

In the interests of visual amenity in accordance with Thanet Local Plan Policy D1.

7. Solid 2m high screens to the balconies shall be provided prior to the first use of the dwellings and thereafter maintained. Details of which shall be submitted to and approved in writing by, the Local Planning Authority prior to the commencement of the development. Such details as are agreed shall be implemented concurrently with the development and thereafter maintained unless otherwise agreed in writing by the Local Planning Authority.

GROUND:

In the interests of the amenities of adjoining occupiers, in accordance with Thanet Local Plan Policy D1.

8. Notwithstanding the provisions of Article 3, Schedule 2, Part 1, Classes A, B, C of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order with or without modification) no rear extensions, additions, or other such structure shall be erected to the rear or side of the dwelling hereby permitted; no windows, roof lights, dormer windows or other form of opening shall be installed or otherwise provided within any side wall, roof slope, or gable end of the dwelling hereby approved without the prior written consent of the Local Planning Authority.

GROUND:

To ensure a satisfactory external treatment and in the interests of the visual amenities of the locality in accordance with Policy D1 of the Thanet Local Plan.

9. Not less than 6 cycle parking spaces shall be provided within the curtilage of the site prior to the first occupation of the dwelling hereby approved. The spaces provided shall be thereafter maintained for that purpose.

GROUND:

In the interests of sustainable forms of transport, in accordance with Policy TR12 of the Thanet Local Plan”

MOTION ADOPTED

40. DESIGNATION OF THE ROLE OF MONITORING OFFICER

Members considered the report of the Democratic Services and Scrutiny Manager which invited Members to agree the process for appointing a Monitoring Officer.

Moved by Councillor Kirby and seconded by Councillor Roberts that:

“Council establishes a Member Working Party to appoint the Head of Legal and Democratic Services (monitoring officer) and inform Council of the outcome.

The Working Party has a membership of three members of the Conservative Group and two members of the Labour Group”

MOTION ADOPTED

41. TO SIGN UP TO THE KENT LOCAL AREA AGREEMENT AND DELEGATE AUTHORITY TO AGREE SPECIFIC TARGETS

Members considered the report of the Corporate Improvement Manager which detailed the Kent Agreement 2 headline priorities and proposed National Indicators.

Moved by Councillor Ezekiel and seconded by Councillor Latchford that:

“In line with our duty to co-operate within the Local Area Agreement, Thanet District Council, as a statutory partner, signs up to support the delivery of Kent Agreement 2 headline priorities and National Indicators.

Authority is delegated to the Chief Executive to agree specific targets for Thanet to adopt formally through the East Kent Local Action Plan”

MOTION ADOPTED.

42. NEW MEMBERS OF THE STANDARDS COMMITTEE

Members considered the report of the Democratic Services and Scrutiny Manager which recommended that Members comply with the decision of Council on 8 May 2008 that there should be four Independent Members for the Standards Committee, and to note the third Parish Member of the Committee.

Moved by Councillor Kirby and seconded by Councillor Roberts that:

“Council approve the recommendation of the Standards Committee Appointments Working Party to appoint Mrs Frampton as the fourth Independent Member of the Standards Committee and that her period of office will be for two years.

Council note the appointment of Parish Councillor Wade as the third Parish Council Member of the Standards Committee”

Amendment moved by Councillor King and seconded by Councillor Mrs Johnston that:

“Further appointments of Parish Members to the Standards Committee be approved by a Member Working Party”

AMENDMENT ADOPTED.

SUBSTANTIVE MOTION ADOPTED.

43. THE ADDITION OF CANTERBURY TO THE JOINT INDEPENDENT REMUNERATION PANEL

Members considered the report of the Democratic Services and Scrutiny Manager which sought Council’s agreement to the addition of Canterbury to the Joint Independent Remuneration Panel.

Moved by Councillor Wise and seconded by Councillor Ezekiel that:

“To admit Canterbury City Council to the Joint Independent Remuneration Panel,

and,

To delegate to the Democratic Services and Scrutiny Manager the finalising of any appointment of up to two additional members to the Joint Independent Remuneration Panel, in consultation with the other participating Councils”.

MOTION ADOPTED

44. ARLINGTON PLANNING BRIEF - REPORT ON THE RESULTS OF PUBLIC CONSULTATION

Members considered the report of the Head of Development Services which outlined responses received as a result of consultation on a draft Planning Brief for the Arlington site requested by Council in February. Circulated with the agenda was the revised brief, which includes an annex that details the representations received, and responses that have been incorporated in the brief. It recommended that the brief was adopted for Development Control purposes.

Moved by Councillor Latchford and seconded by Councillor Ezekiel that:

“Council adopt the brief as Supplementary Planning Guidance for Development Control purposes”

MOTION ADOPTED.

Meeting concluded : 9.50 pm