

COUNCIL

Minutes of the meeting held on 7 February 2013 at 7.00 pm in Council Chamber, Cecil Street, Margate, Kent.

Present: Councillors Dark (Vice-Chairman), Alexandrou, Aldred, Bayford, Binks, Bruce, Campbell, Cohen, Coleman-Cooke, Day, Driver, Dwyer, Edwards, Everitt, Ezekiel, Fenner, Gibson, D Green, E Green, I Gregory, Grove, Harrison, C Hart, S Hart, Hayton, Hibbert, Hornus, Huxley, Johnston, King, Kirby, Lodge-Pritchard, Marson, Matterface, Moore, Moores, Nicholson, Poole, Roberts, D Saunders, M Saunders, Savage, H Scobie, W Scobie, Sullivan, M Tomlinson, S Tomlinson, Watkins, Wiltshire, Wise, Worrow and Wright

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

VICE-CHAIRMAN IN THE CHAIR

Councillor Dark, Vice-Chairman of Council, announced that the Chairman was unable to attend, whereupon she took the chair.

71. APOLOGIES FOR ABSENCE

Apologies were received from Councillor Clark, Chairman of Council, and Councillors K Gregory & Wells.

72. DECLARATIONS OF INTEREST

There were no declarations of interest.

73. MINUTES OF PREVIOUS MEETING

On the proposal of the Chairman, seconded by the Leader of Council, the minutes of the meeting of Council held on 6 December 2012 were approved by Council and signed by the Chairman.

74. ANNOUNCEMENTS

(a) Death of former Councillor Tony Regan

The Chairman announced the recent death of Mr Tony Regan, who had been a Thanet District Councillor from 1986 to 1995 and Mayor of Margate from 1992 to 1993. On behalf of the Council, the Chairman expressed deepest sympathy to Mr Regan's family.

Tributes were paid to Mr Regan, with particular mention being made to his involvement with St John's Ambulance and many other voluntary organisations.

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

(b) Death of former Councillor Reg Ward

The Chairman announced that Mr Reg Ward, who had served as a Councillor on Margate Borough Council and Kent County Council for nearly 25 years, and had been made Freeman of the Borough in 1972, had recently passed away. On behalf of the

Council, the Chairman extended deepest sympathy to Mr Ward's family. Members paid tribute to Mr Ward and his political successes.

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

(c) **Absence of Councillor Doug Clark, Chairman of the Council**

The Leader of Council stated that, owing to illness, Councillor Clark, Chairman of the Council, regretted that he was unable to attend this meeting.

(d) **Changes to portfolios**

The Leader announced that he had made the following changes to portfolio responsibilities, in view of Councillor Johnston, Cabinet Member of Community Services, having assumed new roles in connection with the new Health and Wellbeing Board and the Kent and Medway Police and Crime Panel.

Name of Portfolio	Operational Accountability
Strategic Economic Development Services	ADD: Economic Development and Regeneration
Community Services	DELETE: Economic Development and Regeneration

VARIATION OF AGENDA

The Chairman directed that Item No. 12 on the agenda, "2013/14 Budgets and Medium Term Financial Plan 2013-17" be taken at this stage of the meeting.

75. 2013/14 BUDGETS AND MEDIUM TERM FINANCIAL PLAN 2013-17

It was proposed by Councillor Everitt and seconded by Councillor Hart:

"That the recommendations as set out at Paragraph 12 of the report be adopted, namely:

- 12.1 That Members approve the draft Medium Term Financial Plan at Annex 1;
- 12.2 That Members approve the draft General Fund Revenue budget estimates for 2013/14 to 2016/17 and the resulting budget requirements for 2013/14;
- 12.3 That Members approve the level of general reserves be held at £2,177K and specific earmarked reserves be used as identified in Annex 2;
- 12.4 That Members approve the HRA budget estimates for 2013/14 to 2016/17 and the HRA service charges as shown at Annex 4;
- 12.5 That Members approve the General Fund and Housing Revenue Account Capital Budgets for 2013/14 as detailed at Annexes 5 and 6;
- 12.6 That Members approve the draft Treasury Management Strategy (at Annex 3) as approved by the Governance and Audit Committee at its meeting on 11 December 2012."

In making his proposal, Councillor Everitt thanked officers, particularly the Chief Executive and Financial Services Manager, for their work in connection with the draft budget.

Amendment No. 1

It was proposed by Councillor Wise, and seconded by Councillor Bayford:

“This Council agrees the removal of the following increases in spending for the Thanet District council 2013/14 budget and that the £160,000 saved is used to reduce Council Tax bills to residents by 2%:

1. Canvass costs, £25,000
2. New Cabinet & shadow posts, £22,000
3. Overview and Scrutiny support post, £17,000
4. New director post with on costs, £106,000.

A debate took place on the amendment, during which, in response to a question from Councillor W Scobie, the Chief Executive confirmed that the council was statutorily required, as part of its canvass process, to “knock on the doors” of those residents who had failed to return completed electoral registration forms.

Upon the amendment being put to the vote, the Chairman having ruled that a recorded vote take place, the amendment was declared LOST, 24 voting for, 27 against and 2 abstaining as follows:

For

Councillors: Bayford, Binks, Bruce, Coleman-Cooke, Day, Ezekiel, Gideon, I Gregory, Grove, Hayton, Hornus, Kirby, Marson, Moores, Roberts, D Saunders, M Saunders, Savage, Sullivan, M Tomlinson, S Tomlinson, Wiltshire, Wise and Wright.

Against

Councillors: Aldred, Alexandrou, Campbell, Cohen, Dark, Dwyer, Edwards, Everitt, Fenner, Gibson, D Green, E Green, Harrison, C Hart, S Hart, Hibbert, Huxley, Johnston, Lodge-Pritchard, Matterface, Moore, Nicholson, Poole, H Scobie, W Scobie, Watkins and Worrow.

Abstentions

Councillors: Driver & King

Amendment No. 2

It was proposed by Councillor Driver and seconded by Councillor King:

“That a new recommendation 12.7 be added as follows:

- 12.7 “That Members approve the establishment of a substantial discretionary hardship fund of £275,000 which will be used to assist Thanet residents facing serious difficulties in paying their rent and council tax as a consequence of changes to Housing and Council Tax Benefit; the money to be found from either the New Homes Bonus, the Events Budget, the Floral Decorations Budget, free car parking.”

This amendment was RULED OUT by the Chairman, following advice from the Chief Executive that there were insufficient costings to support it.

Original Motion

The original motion was then debated. On a point of clarification for Councillor Grove, the Chief Executive stated that, although a reduction of £10,000 in Minster Parish grant had initially been included as an indicative saving for 2013/14, that reduction was excluded from the proposed saving for 2013/14, as indicated in Table 6 of the report.

Upon the original motion being put to the vote, and the Chairman having ruled that a recorded vote be taken, the motion was declared CARRIED, 27 voting for and 25 against as follows:

For

Councillors: Aldred, Alexandrou, Campbell, Cohen, Dark, Dwyer, Edwards, Everitt, Fenner, Gibson, D Green, E Green, Harrison, C Hart, S Hart, Hibbert, Huxley, Johnston, Lodge-Pritchard, Matterface, Moore, Nicholson, Poole, H Scobie, W Scobie, Watkins and Worrow.

Against

Councillors: Bayford, Binks, Bruce, Coleman-Cooke, Driver, Ezekiel, Gideon, I Gregory, Grove, Hayton, Hornus, King, Kirby, Marson, Moores, Roberts, D Saunders, M Saunders, Savage, Sullivan, M Tomlinson, S Tomlinson, Wiltshire, Wise and Wright.

76. PETITIONS FROM THE PUBLIC

It was NOTED that no petitions had been received in accordance with the Council's Petitions Scheme.

77. QUESTIONS FROM THE PRESS AND PUBLIC

It was NOTED that no questions had been received from the press and public in accordance with Council Procedure Rule 14.

78. QUESTIONS FROM MEMBERS OF THE COUNCIL

ORDER OF QUESTIONS

The Chairman directed that Question No. 7a on the agenda - in relation to Operation Nemo – be taken at this stage of the meeting.

(a) Question No. 2 - Operation Nemo

Councillor Bruce asked the following question:

“Can Councillor Poole give us an update on the important infrastructure link, Operation Nemo, and whether Thanet District Council is to be awarded any grant remuneration as a result of the works impacting on Pegwell Bay?”

Councillor Poole replied:

“The council would be pleased to hear of specific grants that are available as a result of the Nemo Interconnector project as we were not aware these were available.

“Contact has been made with the council in relation to access across the land which we own. It was considered that it was more appropriate to deal with this through negotiation of an easement, and these will cover matters relating to remedial and improvement works and compensation for loss of amenity. The route proposed originally is likely to need adjustments due to the location of the sea defence works currently underway, and will

need to be reassessed on site. The majority of the proposed route does not cross council land.

“There has also been pre-application contact with the planning section, which will include statutory consultations with agencies such as Natural England.”

“I also believe that there was a briefing session at council several weeks ago on the project.”

Councillor Bruce then asked a supplementary question:

“Operation Nemo is going to be the third infrastructure link between the United Kingdom and Europe. It is going to form a very important part of our planning needs for the future and it may indeed influence debate at Parliament as to whether we go down certain roads with regard to windfarm and nuclear power. That aside, the question was based on a request for information regarding remuneration because when Vattenfall produced their power cable and ran that into Pegwell Bay at exactly the same location, the council was given £100,000 to pay towards green projects. To date, this money has not yet been used, and my concern and my supplementary is, that if we are able to get something similar, or, hopefully, more because the level of disturbance is actually higher on Thanet Council land, that we can get a guarantee from the cabinet member responsible that that money is ring-fenced for green products.”

Councillor Poole responded to the supplementary question as follows:

“When an application comes to the council we will look at 106 money or some ways to get some benefit.”

(b) **Question No. 1 - Membership of Planning Committee**

Councillor Alexandrou asked the following question:

“Does Councillor Cohen agree that it would be inappropriate for council to appoint a councillor cautioned by the Police under the malicious communications act, as a member of the council’s Planning Committee?”

Councillor Cohen replied:

“The answer must be determined by whether this councillor has shown remorse and made a genuine apology to the victim. I understand in the instance you may be referring to that no remorse has been shown nor has an apology to the victim been forthcoming.

“We therefore have a situation where a councillor shows intransigence, insensitivity, disregard and extreme intolerance; all the attributes that are the last thing we need in a councillor serving on the Thanet District Council Planning Committee.

“In my opinion, it is inappropriate for such a councillor to serve on our planning committee or any other committee of the council and the political party that endorses and promotes this councillor’s presence in their ranks should hang its head in shame.”

(c) **Question No. 3 - Membership of Overview & Scrutiny Committee**

Councillor Cohen asked Councillor Driver the following question:

“A Thanet District councillor, cautioned by the Police under the malicious communications act, has not made an unconditional apology to the victim.

"Do you agree that, under these prevailing abhorrent circumstances, it would be most inappropriate that this councillor may be appointed to the Overview and Scrutiny Committee?"

Councillor Driver replied:

"I believe that someone who is maliciously abused because of their gender, their age, their race, their religious beliefs or their sexuality or disability; if that happens, the abuser should apologise and that rule should apply to everyone including councillors and MPs.

"I also do agree that if someone does abuse in this way then they are not fitted for office nor fitted to sit on the overview and scrutiny panel."

Councillor Cohen then asked a supplementary question:

"Would you agree that, lacking appropriate conciliatory action by this councillor, the political party associated with this councillor should exclude this councillor from their ranks?"

Councillor Driver's response was:

"I think I have made my views on equality well known. In the event of no apology that political party should take the right action, and that would be to exclude the Member from the committees in question."

(d) **Question No. 4 - Putting Green Area, St Mildred's Bay**

Councillor King asked Councillor Poole the following question:

"Would Councillor Poole explain why the putting green area of St Mildred's bay cannot be brought back into use to benefit the public and raise much needed revenue in these austere times, especially as a local entrepreneur has expressed an interest in using the site?"

Councillor Poole replied:

"The council would wish to see this site brought into beneficial and appropriate use, but this of course needs a suitable proposal to be made for the site.

"The council was approached last year in relation to this location with an idea for the site that would require a planning change to an A1/A3 use, and also required the council to pay for the provision of utility services together with installing drainage to serve the property. Given the likely return on this site and the current investment needs at operational sites, the council did not have funding to undertake significant work at the site. The question in relation to the acceptability of a change of use on the site would also need to be resolved in planning terms.

"It would be fairest on this site to open it up to wider expressions of interest and this will be undertaken when available resources in the Property Section allow this to happen."

Councillor King asked Councillor Poole a supplementary question:

"Would Councillor Poole be prepared to take expressions of interests now for the future of the site? I do appreciate that there is money to be spent on it, but I also believe that it is in the interest of the Council to spend some money to actually gain revenue from that spend. So with that in mind, would you be willing to take expressions of interest from anybody at this given time?"

Councillor Poole responded:

“We are obviously interested in getting this site back into use, but it would need to be advertised and thrown open to the wider public. When we are ready to do that, we will be happy to receive any expressions of interest.”

(e) **Question No. 5 - Policing Arrangements - Live Animal Exports**

Councillor Worrow asked Councillor Driver the following question:

“Would Councillor Driver consider inviting the Kent Police and Crime Commissioner, Ann Barnes, to an Overview and Scrutiny Panel meeting, in order to answer questions about the policing arrangements regarding Live Animal Exports at the Port of Ramsgate?”

Councillor Driver replied:

“I have been contacted by a large number of Thanet residents who were concerned about the cost of policing the live export demonstrations at the Port of Ramsgate and were also very concerned about the policing methods that had been used at the port. I have also been contacted by quite a large number of people as well who were concerned about the comments made by the Kent Police Commissioner, Ann Barnes, and the Chief Constable of Kent Police, Ian Learmouth, about this issue as well.

“Next week, I will ask the overview and scrutiny panel to agree to invite the Police Commissioner and the Chief Constable to a meeting of the overview and scrutiny panel to answer questions upon the policing of the demonstrations and the cost of that policing.”

79. MOTIONS ON NOTICE

(a) **Notice of Motion No. 1 - Proposed Night-time Street Lighting Policy - Kent County Council**

It was proposed by Councillor Everitt, and seconded by Councillor E Green:

“Council expresses its serious disquiet about plans by Conservative-controlled Kent County Council to turn off some street lighting overnight as a cost-cutting measure. It is concerned about the implications for public safety, both in terms of crime and traffic, as well as the damage to residents’ and visitors’ perceptions of how safe our streets are at night. Council calls on Kent County Council to ensure that before the county elections on May 2nd there is full transparency and wide public consultation about any changes that will affect Thanet in the future.”

It was noted from Councillor Bayford, who exercised a right of reply, a report on street lighting would be going to the next meeting of the Joint Transportation Board.

In accordance with council procedure rule 16.3, the motion on notice was referred to Cabinet.

(b) **Notice of Motion No. 2 - Membership of Licensing Board**

It was proposed by Councillor Worrow, and seconded by Councillor Cohen:

“I ask Council to call upon the group leaders to agree in principle that any member of the Local Authority’s Licensing Board, currently serving a driving ban for an alcohol related offence, should be removed from the licensing board until the ban is fully served.”

It was AGREED not to debate the motion, whereupon the motion was referred to the Constitutional Review Working Party.

(c) **Notice of Motion No. 3 - Ramsgate Royal Sands**

It was proposed by Councillor Driver and seconded by Councillor Grove:

"Council welcomes Cabinet's decision to call for an options report should SFP Ventures (UK) Ltd fail to secure sufficient and verifiable financial backing to sign a revised development agreement with the Council within a 4 month time frame.

"Council notes that the Royal Sands development is of great interest to the public and elected members.

"If it becomes necessary to produce an options report then Council recommends to Cabinet that this report should first be discussed by a meeting of full Council. The views of Council can then be taken into account by Cabinet before it makes any decisions on the future of the Royal Sands development and SFP Ventures (UK) Ltd.

"Council notes that this approach is in keeping with Cabinet's declared commitment to openness and consultation and that this approach demonstrates that Cabinet is aware of the considerable public and elected member interest in this subject."

As it was AGREED not to debate the motion, the motion was referred to Cabinet.

(d) **Notice of Motion No. 4 - "One Billion Rising Campaign"**

It was proposed by Councillor Marson, and seconded by Councillor Bayford:

"This Council expresses its support for the One Billion Rising campaign on 14th February 2013, which demands an end to violence against women.

"Women and men from Thanet will join the ranks of those across the world supporting the campaign. This council expresses its concern that Thanet has the highest rate of recorded domestic violence incidents in Kent and supports those working with those affected by domestic violence and those campaigning against it.

"This Council commits itself to continuing to work with all relevant agencies to protect women in Thanet and beyond."

In a debate on the motion, Members expressed their support, and it was RESOLVED:

"that the motion be ADOPTED".

(e) **Notice of Motion No. 5 - Equalities and Diversity**

It was proposed by Councillor Fenner, and seconded by Councillor C Hart:

"TDC confirms its commitment to enforcing Equalities and Diversity throughout its activities and it requests a public apology from Cllr. Ken Gregory to Full Council for the offence he committed in relation to Cllr. Worrow when he left him a voicemail message: 'with a bit of luck you'll die of AIDS'."

It was AGREED not to debate the motion, whereupon the motion FELL.

80. LEADER'S REPORT

The Chairman announced that the Group Leaders had AGREED that because of the time needed for debate on the budget, there should be no report from the Leader of Council.

81. REPORT BACK ON NOTICE OF MOTION, RAMSGATE ROYAL SANDS

It was NOTED that the decision of Cabinet on 22 January 2013 had been called in and would be considered at the extraordinary meeting of the Overview and Scrutiny Panel to be held on 12 February 2013.

Council NOTED the report.

82. REPORT BACK ON PETITION - DOG BAN ON DUMPTON GAP BEACH

It was NOTED that the decision of Cabinet on 22 January 2013 had been called in and would be considered at the extraordinary meeting of the Overview & Scrutiny Panel to be held on 12 February 2013.

Council NOTED the report.

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

The Leader of Council proposed and Councillor Campbell seconded;

“That Option One, as set out in the report, be adopted for achieving proportionality”.

Upon being put to the meeting, this motion was declared CARRIED.

In accordance with Option One, Council approved the following appointments to committees:

Committee	Nominee appointed
General Purposes Committee	Councillor Grove
Planning Committee Reserve	Councillor D Saunders
Standards Committee	Councillor Marson
Overview & Scrutiny Panel	Councillor Worrow Councillor Driver <i>(to replace Councillor King)</i>

Council also approved that the replacement of Councillor Green with Councillor Edwards on the Planning Committee.

84. CALENDAR OF MEETINGS - TO CHANGE THE DATE OF THE MAY 2013 CABINET MEETING

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

“That the Cabinet meeting scheduled to take place on Thursday, 2 May 2013 be moved to Thursday, 25 April 2013”.

Meeting concluded : 10.24 pm