

## OVERVIEW & SCRUTINY PANEL

**Minutes of the meeting held on 21 July 2020 at 5.30 pm in Online Viewing Only.**

**Present:** Councillor Robert W Bayford (Chairman); Councillors Campbell, Boyd, Coleman-Cooke, Hopkinson, Huxley, Keen, Moore, Paul Moore, L Piper, Rattigan, Scott and Wing

**In Attendance:** Councillors Bailey, Dexter, Cllr Everitt, Game, Cllr Rev. S Piper, Rogers and Whitehead

### **240. APOLOGIES FOR ABSENCE**

Apologies were received from the following Members:

Councillor Rusiecki;  
Councillor Roper, substituted by Councillor Wing.

### **241. DECLARATION OF INTERESTS**

There were no declarations of interest made at the meeting.

### **242. MINUTES OF PREVIOUS MEETING**

Councillor Campbell proposed, Councillor Coleman-Cooke seconded and Members agreed the minutes as a correct record of the Panel meeting held on 26 May 2020.

### **243. CABINET MEMBER PRESENTATION - BEACH MANAGEMENT PLAN**

Councillor Everitt, the Leader of Council made a presentation and made the following points:

- The Beach Manage Plan was developed and shared with the public via the council website;
- Alongside the Plan was the Beach Safety Booklet which would be useful for the public and Council's partners that include the RNLI and Your Leisure;
- Council was taking action on issues that the public had raised as concerns. This included issues like anti social behaviour;
- Bye laws were now in the safety booklet which would be circulated to the public. In the booklet were bye laws for managing the beach. These required updating. The updated version would be in place hopefully by next summer;
- Council was taking action against irresponsible and inconsiderate parking
- Council had reacted to the request for more public toilets to be opened for extended hours. Extra cleaning staff were now on duty for the busy beaches;
- Seafront lifts were currently closed because of the current social distancing regulations and council was trying to find ways to re-opening the use of this facility;
- Council was ensuring that all businesses using the beaches and foreshores had sufficient licenses and insurances for trading;
- Council was also enforcing appropriate behaviour for launching of boats;
- Although there were some challenges, beach huts were now in place. Council had worked with Your Leisure on this issue;

- Council staff had worked hard to deal with the large amount of litter left on beaches and foreshores; Another 50 large bins were going to be provided at designated points along the beaches. This was a continuing challenge for the council, but the council was working hard to resolve these issues;
- This summer a number of agencies were working together much more than before to resolve the issue;
- There was a communications plan to deal with the messaging of information relating to the beaches.

In response Members made comments and asked questions as follows:

- What enforcement did the council take in connection with barbeques at beaches?
- There would be more notification of bye laws on signage? Can we put more layman's terms on those bye laws for greater clarity for the public, particularly regarding access to the beaches?
- The enforcement policy of use of laughing gas canisters?
- Was there a list for the seaweed removal? There was a problem at points in Westgate and Birchington (Apple Bay, West Bay and Saint Mildreds). Can there be a review of how this can be removed?
- Weekend Beach Supervisor. Could councillors contact the supervisors? What was the process for turning bye laws into PSPOs?
- Can there be district wide PSPOs?
- Foreness Bay is not indicated as a PWC user. However it should as they have two jet ski clubs and they have strict boat and jet ski users codes of conduct. They should be reflected as that in the safety booklet;
- Are there any measures to target dogs' mess?

Responding to Member queries and questions, Councillor Everitt said the following:

- Barbeques were not permitted before 6.00pm;
- Yes council was working on new bye laws and it was hoped that the language used would provide clarity for the public;
- The canisters were legally obtained and the district commanders were aware of this challenge;
- The council had requested Kent Police to make a presentation at a Members briefing in relation to issues relating to beaches;
- Access to smaller beaches was a problem. Material is taken to a farm on a special licence. Quantity removal would be linked to what the council could lawfully dispose of on landfill available;
- Signage for cycling on the promenades;
- Signage will be put up on pinch points;
- The role for members would be to highlight issues for officers to consider, but not to ask officers to come and collect bins?
- Council would continue to look at the possibilities of having beach huts in Ramsgate;
- Turning Bye Laws into PASPOs is a complicated exercise. Council would be going through some of the bye laws and review whether there can be turned into PSPOs;
- Having district wide PSPO would be problematic in terms of enforcement because the council would need to enforce that. Officers were could consider that option;
- It is quite a large area but we do have enforcement officers. Most of the offending takes place in the mornings.

Thereafter Members thanked the Leader and noted the presentation.

**244. PROCUREMENT OF LIFT REFURBISHMENT PROGRAMME AND EXTERNAL REPAIRS AND DECORATIONS PROGRAMME**

Bob Porter, Director of Housing and Planning Services introduced the report and requested comments from the Panel. He made the following comments:

- Council would like to let two contracts for refurbishment of passenger lifts and external works and decorations;
- This was a key decision which Cabinet would like to get comments from the Panel before making a decision;
- Funding for the projects was within the Housing Account (the revenue budget);
- The lifts contract was a capital works contract funded from the major repairs reserves;
- A separate report was going to the 30 July Cabinet to vary the HRA budget in order to accommodate these two contracts.

Members asked questions and made comments as follows:

- Could Cabinet consider community wealth building principles when awarding contracts under procurement procedures;
- Would CCTVs be refurbished as well in those buildings (the Tower Blocks)?

In response, the Leader of Council and Bob Porter responded as follows:

- Cabinet will consider the community wealth building principles when awarding the contracts under the procurement procedures;
- The contract to install upgraded CCTVs in the six tower blocks owned by the council was currently underway.

The Panel noted the report.

**245. CRITERIA FOR ANY REVIEW OF STREET AND BUILDING NAMES AND OTHER MONUMENTS**

Tim Howes, Corporate Director Governance introduced the report and sought comments from the Panel and made the following points:

- This follows from the topical discussions going on regarding the Black Lives Matter campaign;
- It would be better to the council to engage to have a policy for assessing the suitability of monuments and street names in the district, using some criteria developed locally;
- Officers would then go away with comments from the Panel and develop a draft policy and bring it back to the Panel for further comments;
- The policy would have to take into consideration the public sector equality duty.

Members responded as follows:

- This was a significant issue;
- It was important to consider as a community and as a society what the priorities are and how the community recognized and respected its members;
- How society viewed its history is important, particularly if that involved recognising those communities who have been affected by racism;
- The equality legislation should guide the work of the council in addressing this issue, particularly the aims contained in Section 149 of the Equality Act 2010;

- One of the criteria to consider was the time in which people lived, what they did the effect on society at that time;
- Society should not hide their history. Instead the plaques should be left where they were and inform people what this was about and let people make up their own minds;
- This discussion could not be determined through peripheral discussion at one meeting. The best option would be for the Panel to set up a working party to address this issue more comprehensively and come forward with cogent ideas;
- Public involvement in the decision making for addressing this issue is important;
- Displaying in a museum is not necessarily an endorsement. However displaying something out in the community appears to be an endorsement;
- It was important to speak to those groups of society that are affected by this issue.

Councillor Campbell proposed, Councillor Coleman-Cooke seconded and Members agreed to set up a working party to consider the issues relating to the establishment of the council policy on criteria for reviewing street and building names and other monuments in the district. Members also agreed that the make up of the working group would be established outside the Panel meeting.

**246. CALL-IN OF AN INDIVIDUAL CABINET MEMBER DECISION - MEMORIAL PLAQUE IN BROADSTAIRS**

The Chairman introduced the item and started by reminding the Panel that the purpose of this item on the agenda was for Members to consider whether the Leader of Council could have used a different process for arriving at the decision.

Ms Michelle Thomas, a member of the public addressed the Panel, under the public speaking provision of the Overview & Scrutiny Panel.

Contributing to the discussion Members made the following submissions and observations:

- Uncle Mark performed in tribute to very much appreciated and very much skillful musicians from a different part of the world at a time when very few local people if any would ever get to see the real thing;
- His entertainment was not considered racist then. The emphasis should be that there should be no racism now in our time;
- Society learns from its history;
- The council had a responsibility to all residents not to act with haste on this matter. The recommendation instead was for the plaque to remain where it was until the criteria for reviewing any street and building names and other monuments was established;
- The music that Uncle Mark played was extremely popular and was a legitimate form of entertainment. When in character, he entertained residents and visitors in Broadstairs for over 50 years (1895-1945). As a measure of his popularity, a plaque was unveiled in Broadstairs Town;
- Broadstairs Town Council considered this issue on 24 June 2020 and agreed that the plaque should remain in situ and only be removed if a petition from Broadstairs petitioned the Council to remove it. However to date no such request by residents has been made;
- The decision by Broadstairs was passed by a very small margin;
- The Leader was thanked for his proactive decision to cover the plaque from possible vandalism;
- Could future decisions include liaising between the Leader of Council and the Town Council

- Uncle Mark was emulating black music that was popular at that time and Broadstairs Town Council gave him a platform on which to perform;
- The Panel ought to be aware of labelling those individuals who are remembering Uncle Mark as if they were racists. The Panel ought to be aware of different residents' perceptions of what that plaque means when using the criteria that would be put in place;
- Council put this issue up to a public consultation before making a final decision on the plaque;
- This part of Thanet history can be preserved in context. This plaque can be removed from the street and put in a Museum;
- Some Members fully supported the decision made by the Leader of Council.

Responding to Panel comments, Councillor Everitt said the following:

- An operational decision was made by officers to cover the plaque in anticipation of possible vandalism in view of what was happening in the country;
- Decisions are made by individual cabinet members and officers. This is part of the governance arrangements;
- The decision talks about the public sector equality duty;
- The Leader of Council had comments from other individuals from ethnic minority groups who have thanked the Leader for covering the plaque;
- This was the right decision to make;
- The Leader and decision maker had checked the history of Uncle Mark and it had publicity material around him. It doesn't support some of the earlier comments made during this discussion about respect being shown. It contains language which is wholly inappropriate;
- The decision had to be made against the council's public sector equality duty and not just on the basis of public opinion. The council had to follow the law.

Councillor Bayford proposed, Councillor Campbell seconded and Members agreed that the Leader takes no further action in respect of this matter, until the policy discussed in agenda item 6 (Criteria for any Review of Street and Building Names and other Monuments) is implemented.

**247. REVIEW THE OVERVIEW AND SCRUTINY PANEL WORK PROGRAMME FOR 2020/21**

The Chairman sought Members' views on whether there were any other topics they wanted added to the scrutiny topics that were suggested at the workshop on 24 June.

The Panel agreed to add the setting up of a working party to consider some ideas for developing a policy on the Criteria for any Review of Street and Building Names and other Monuments to the scrutiny projects list.

Thereafter, Members noted the report.

**248. FORWARD PLAN & EXEMPT CABINET REPORT LIST**

Members noted the report.

Meeting concluded: 7.05 pm