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COUNCIL

Minutes of the meeting held on 10 December 2020 at 5.30 pm in by Video conference.

Present: Councillor Jason Savage (Chairman); Councillors Albon, Ara, Ashbee, Bailey, Bambridge, J Bayford, R Bayford, Boyd, Braidwood, Campbell, Coleman-Cooke, Crittenden, Currie, Day, Dennis, Dexter, Duckworth, Cllr Everitt, Farrance, Fellows, Game, Garner, Gregory, Hart, Hopkinson, Huxley, Keen, Kup, Pat Moore, Paul Moore, Ovenden, Parsons, L Piper, Cllr Rev. S Piper, Potts, Pugh, Rattigan, Rawf, Rogers, Roper, Rusiecki, D Saunders, M Saunders, Scobie, Scott, Shrubb, Tomlinson, Towning, Whitehead, Wing, Wright and Yates

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Green and Taylor.

2. MINUTES OF THE PREVIOUS MEETING

It was proposed by the Chairman, seconded by the Vice-Chairman and agreed that the minutes of the meeting of Council held on 15 October 2020 be approved.

3. ANNOUNCEMENTS

The Chairman advised Members of the passing of former Councillor Dr Jack Cohen. Dr Cohen had represented Birchington for a number of years, initially as a Conservative Councillor, then as an Independent Councillor. Tributes were paid to Dr Cohen's work and character during his years as a Councillor.

4. DECLARATIONS OF INTEREST

There were no declarations of interest.

5. PETITIONS

(a) **Report Back to Council - Cabinet Response to the Adequate Toilet Facilities at Thanet Beaches Petition**

Members noted Cabinet's response to the petition as contained within the report.

6. QUESTIONS FROM THE PRESS AND PUBLIC

(a) **Question No.1 from a Member of the Public Regarding Disabled Parking Bays**

Mrs Culligan, Deputy Monitoring Officer, asked Councillor Albon the following question on behalf of Mr Wraight:

"Can disabled parking bays have permits issued to the person who applied for the bay, as the current situation leaves it open for use by people who refuse to apply for one thus depriving the person who applied for the bay who needs it."

Councillor Albon responded with the following points:

- Disabled bays were available to be used by any blue badge holder, they were not for the sole use of the applicant. This was explained on the application form.
- It was a national scheme and the Council was bound by its rules regarding who can use the bays.

(b) **Question No.2 from a Member of the Public Regarding the Usage of Ramsgate Port**

Ms Austin asked the Leader the following question:

"Last year's consultancy tender mentioning moves to 'facilitate future expansion' at Ramsgate Port Berths 4/5 understandably worried residents.

Could you please confirm here your statement in correspondence that TDC will never import waste at the Port and has no plans for Berths 4/5 except Bretts' existing usage at current levels?"

The Leader responded with the following points:

- Ms Austin could publish the correspondence referred to in her question, as it could help to shed light on the issue.
- The consultancy tender referred to additional non-aggregate uses for the berth because it was believed that the scope of uses should remain as wide as possible, in order to avoid potential obstruction to future opportunities for new business at the Port.
- The Council had no plans or intentions to import waste at the Port.
- The Council was unaware of any plans by Brett Aggregates to change the volume or frequency of its aggregate imports.

7. QUESTIONS FROM MEMBERS OF THE COUNCIL

(a) **Question No. 1 From A Member Regarding Enforcement of Byelaws**

Councillor Bailey asked Councillor Albon the following question:

"Thanet has many byelaws which the public generally support. However, the prevalent feeling seems to be that these byelaws are not as effectively enforced as people would like.

Wouldn't the employment of additional enforcement officers prove cost beneficial as well as improving the quality of life in the district?"

Councillor Albon responded that:

- The Council recognised its limitations in enforcement of the byelaws. It was conducting a review to update them and make use of new legislation that would make enforcement easier.
- Part of the review looked at how the Council enforced and how to maximise enforcement presence.
- The approach would be inform, educate, challenge then enforce if necessary.
- The Council intended to increase public awareness of the coastal rules and regulations.
- The Council had insufficient budget available to employ more enforcement staff.

Councillor Bailey followed up her question with a supplementary question asking if it would be possible to publish, on the Council's website, a breakdown of the enforcement statistics, such as dog fouling, littering and parking offenses on a quarterly basis.

Councillor Albon offered to discuss the options with Mr Waite, the Director of Operational Services.

(b) **Question No. 2 from a Member, Regarding Manston Airport and the Local Plan**

Councillor Roper asked the Leader the following question:

"Now that the Secretary of State has stopped the DCO on Manston Airport due to not giving adequate reasons for his decision supporting the development, what are the prospects of the Local Plan being amended to take account of this?"

The Leader responded with the following points:

- The Council had not received any official information regarding this, however it was understood that a decision would need to be issued by the Secretary of State, after a re-examination of the Planning Inspectorate evidence.
- It would not be possible to make detailed recommendations about how the Local Plan should be amended until a final decision had been made.
- It was expected that a clear decision would be made before the Local Plan review was complete, and that the decision would be reflected in the updated Local Plan.

Councillor Roper followed up his question with a supplementary question asking if the Council would approach RiverOak Strategic Partnership to discuss how the site could support and promote environmental activities.

The Leader responded that the Council would want to play a full role in discussions about the future of the site.

8. NOTICE OF MOTION

(a) **Anti-Racism Motion**

It was proposed by Councillor Rawf and seconded by Councillor Hopkinson that:

"Thanet council notes the mood for change amongst the community to defeat racism.

In recent months Thanet has seen two peaceful, socially distanced, community led marches in support of the cause of anti-racism.

The council also notes that:

- Nationally there has been a surge in hate crimes since July 2016
- The council understands the importance and deep reliance we have on tourism to support the health of the local economy. This council believes that our future prosperity as a tourist destination is inextricably linked with our ability to stamp out the scourge of racism. This council further believes that we have a historic opportunity to shape the area into one that is attractive to all sectors of our diverse community and the wider country.

Thanet council resolves to:

- Acknowledge and support the work of local groups such as Calling Time on Racism, the People Dem Collective and Everyday Racism (We note and welcome the outreach work currently being undertaken with the aforementioned groups by officials of the council).
- Build a campaign to mark a cultural shift toward businesses taking a more active role in shaping an anti-racist community calling on the experience of these local groups.
- Review our obligations under the Equality Act making explicit the working links between all the departments and functions of the council.
- Support the work of all the council's community facing functions with due regard for the council's legal obligations as stated under the General Duty of the Public Sector Equality Duty to:
 - Eliminate unlawful discrimination, harassment and victimisation
 - Advance equality of opportunity
 - Foster good relations between people who share a protected characteristic and those who do not
- Create a task force/working group if none already exists to oversee implementation of this vitally important area of work. The task group will include councillors, council officers, community activists and organisations and external expertise when required..”

Councillor Whitehead, Deputy Leader and Cabinet Member for Housing and Community Services provided a response to the motion.

Members voted to debate the motion.

Following the debate the motion was passed to Cabinet for consideration in accordance with Council procedure rule 3.8(a)iv and 3.8(a)vii.

9. LEADERS REPORT

The Leaders report had been circulated to Members and published on the Council's website before the meeting. The report has been attached as an annex to these minutes.

Councillor Ashbee as Leader of the Conservative Party made the following points:

- She echoed the Leaders thanks to the NHS and key workers, emphasising that everyone needed to continue to follow the rules.
- There was continued concern regarding the use of the Manston airport as a lorry park site. She asked how the Government's offer of £500,000 would be used to mitigate the impact.
- There was a need to end the uncertainty about the future of the Airport.
- She looked forward to more information about the Margate Town Deal and suggested that a Development Group could be set up to encourage investigation of other investment opportunities for the unsuccessful bids.
- Recognition of the work done by the Thanet RISE team was well deserved.
- It would require bold action for the Council to achieve carbon neutral status by 2030.
- She awaited the outcome of the tree felling situation at Park Avenue, it should be made clear that the unlawful felling of protected trees would be investigated.

The Leader replied to Councillor Ashbee's comments with the following points:

- The Council was still some way from understanding the potential impact of a Manston lorry park, it was awaiting crucial information from the Government. The Council would need to be transparent about how the Government's £500,000 funding would be spent.

- He welcomed the idea of a Development Group to harness the energy of the Margate community and noted that there would also be a focus on projects in Ramsgate next year.
- The Council needed to embrace its declaration of a Climate emergency and the associated challenges.

Councillor Reverend Piper as leader of the Thanet Independents Party made the following points:

- He wished to add his heartfelt thanks to the NHS, care workers and key workers. The Council should do more to encourage the community to obey the rules.
- TDC officers should be proud of their efforts to help as many people as possible during the pandemic.
- The climate emergency declaration was ambitious, the Council could only operate inline with current Government legislation.
- He wished everyone a merry Christmas.

The Leader replied to Councillor Reverend Piper's comments with the following point:

- The Council had undertaken a number of measures and steps to encourage the public to obey the Covid 19 rules.

Councillor Garner as Leader the Green Party made the following points:

- The year had been dominated by the impact Covid 19 has had on the community, he was proud of the role Council staff have played during the crisis.
- He was pleased to see the 24/7 Winter Shelter was available, the project should continue for years to come.
- Congratulations were offered to Councillor Ara for her nomination as one of 2020's local heroes by the Isle of Thanet News.
- If Manston was used as a lorry park there was concern about air pollution levels. Air monitoring should take place and actions taken to mitigate the impact.
- There was a growing sense across the District that action needed to be taken to protect trees, it was good to see that a tree replacement order had been issued in Park Avenue. The Council should look to prosecute illegal tree felling.
- He wished everyone a merry Christmas and a happy new year.

The Leader replied to Councillor Garner's comments noting that:

- It was important to highlight the Wintershelter and the work of the RISE team. There was always more to be done but it should be recognised that some of those living on the street had very complicated situations.
- The Council recognised the need to protect the District's trees, but before a prosecution could be initiated, the Council needed to be sure that it would win the case.
- The Leader wished everyone a merry Christmas.

10. REPORT OF THE CHAIRMAN OF THE OVERVIEW AND SCRUTINY PANEL

Councillor Robert Bayford as Chair of the Overview and Scrutiny Panel provided members with a brief summary of his report, during which it was noted that:

- The Panel had met twice since the last Council meeting and had received a presentation from Councillor Albon regarding beaches, and a presentation from the Leader and Mr Waite regarding the Brexit transition.

- The Fees and Charges for 2021-22 were considered by the Panel who voted against changes to the figures presented.
- Councillor Bayford wished everyone a happy Christmas.

Members noted the report.

11. FEES AND CHARGES 2021-22

Councillor Yates, Cabinet Member for Finance, Administration and Community Wealth Building proposed, and the Leader seconded the recommendation from the report, namely:

'That Council approves the fees and charges as listed in Annexes 1 and 2.'

In accordance with council procedure rule 17.6, a recorded vote was conducted by the Deputy Monitoring Officer on the motion as follows:

39 Members voted in favour of the motion: Councillors Albon, Ara, Ashbee, Bailey, J Bayford, R Bayford, Braidwood, Campbell, Coleman-Cooke, Crittenden, Currie, Dennis, Duckworth, Everitt, Farrance, Garner, Gregory, Hopkinson, Huxley, Keen, Kup, Pat Moore, Paul Moore, Ovenden, Parsons, L Piper, Rev. S Piper, Potts, Pugh, Rawf, Roper, D Saunders, M Saunders, Savage, Scobie, Tomlinson, Whitehead, Wing, and Yates.

Five Members voted against the motion: Councillors Day, Game, Hart, Rattigan, and Shrub.

Nine Members abstained from voting on the motion: Councillors Bambridge, Boyd, Dexter, Fellows, Rogers, Rusiecki, Scott, Towning, and Wright.

The motion was carried.

12. MID YEAR REVIEW 2020-21: TREASURY MANAGEMENT AND ANNUAL INVESTMENT STRATEGY

It was proposed by Councillor Yates, seconded by the Leader and Members agreed the recommendations detailed in the report, namely;

"That council:

- Makes comments on this report and annexes as appropriate.
- Approves this report and annexes, including the prudential and treasury indicators that are shown and the proposed changes to the 2020-21 Treasury Management Strategy Statement."

13. REVIEW OF QUESTIONS WORD LIMIT

It was proposed by the Chairman and seconded by the Vice-Chairman that the recommendations detailed in the report be approved, namely:

"To increase the word limit for Full Council questions from Members of the Public and Councillors from 50 words to 150 words."

Following debate Members agreed to withdraw the item from the agenda to allow the Constitutional Review Working Party and Standards Committee, to consider an

appeals process for rejected questions and the offer of a supplementary question to members of the public.

14. REVIEW OF PETITION SCHEME

It was proposed by the Chairman, seconded by the Vice-Chairman and Members agreed that the recommendations detailed in the report be approved, namely that:

- Signatories of paper and e-petitions would be added together when calculating thresholds.
- The total number of signatories required to debate a petition at Council remains at the proposed 1500.
- The committee raised no other objections to the remaining proposed changes.

15. USE OF NON-GENDER SPECIFIC TITLES IN THE CONSTITUTION

It was proposed by the Chairman, seconded by the Vice-Chairman and Members agreed that the recommendations detailed in the report be approved, namely:

"That Council removes gender-specific titles from the Constitution"

16. CHANGES TO COMMITTEES, PANELS AND BOARDS 2020/21

The Leader advised that he wished to make the following changes to the Labour group's nominations to committees:

- Councillor Duckworth would be replaced by Councillor Pat Moore on the Planning Committee.
- Councillor Campbell would be replaced by Councillor Duckworth on the Governance and Audit Committee.

Councillor Ashbee advised that she wished to make the following changes to the Conservative group's nominations:

- Councillor Day replaced by Councillor Pugh on the Governance and Audit Committee.
- Councillor Rattigan would be replaced by Councillor Paul Moore on the Planning Committee
- Councillors Day and Game would be replaced by Councillors Wright and Robert Bayford on the General Purposes Committee.

Councillor Garner advised that Councillor Roper would be replaced by Councillor Wing as the Green Party's reserve nomination to the Planning Committee.

Councillor Rev Piper did not wish to make any changes to his group's nominations.

Meeting concluded: 7.17 pm

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Leader's report for Council (10 December 2020)

This is a year that has been dominated for everyone by Covid-19 and, for the council, by its response.

While the beginning of a national vaccination programme means that we can be optimistic that 2021 will eventually see an easing of restrictions, I have to start my final report of 2020 by noting that Thanet has seen a particular acceleration in the local infection rate, recently making us one of the worst affected areas in the country.

We are not alone in being in this situation among Kent districts, particularly along the Thames Estuary, and whatever criticisms may be made of the government's tiering system it was inevitable that we would emerge from the second national lockdown in tier three. This is reflected in the number of Covid admissions at QEQM hospital in Margate passing the spring peak, even as the NHS battles to keep its normal services open. I am certain that every member of the council would want to send thanks on behalf of the community to all the NHS staff for the vital and difficult work they continue to do, as well as to other key workers.

During the second national lockdown the council's role included contacting 7,000 people in the clinically extremely vulnerable group through officers and volunteers to make sure that they were coping, including door-knocking if this could not be done by telephone. We have instituted Covid wardens to advise and reassure the public in our towns, and Covid ambassadors to work with businesses and where necessary involve environmental health.

The communications team has worked hard to get the message to residents about how they can limit infection and our Covid wardens, in particular, have received regional and national media coverage, including this week from the BBC's One Show. Finance, along with Civica through our shared service arrangements, is working hard to implement the many different kinds of business grants, and recently isolation support payments, which have attracted many more applications than the government anticipated.

Nevertheless, it is joint working with the other public sector agencies and the voluntary sector, which has again responded brilliantly, that is getting Thanet through this crisis. I have taken part in at least weekly meetings with other Kent leaders and our officers have been in constant dialogue to ensure consistency of message and sharing of information, including with the NHS, KCC and the police, and to ensure that Thanet's voice is heard.

The council made the Dreamland car park available as a walk-in testing centre and we are actively engaging in discussions about how we can support mass testing and vaccination programmes, including the use of council resources where beneficial. It is feasible that when we are next scheduled to meet in February we will be able to envisage a return to relative normality in the months ahead, but complacency now will only delay that prospect. We must continue to clamp down on the spread of infection and sadly that means remaining cautious over the Christmas holiday period.

Covid-19 also features in our concerns about the government's plan to use Manston as a holding area for up to 4,000 Dover-bound HGVs in the event of a build-up of congestion on the M20 following the end of the current EU transition arrangements on December 31st. The council does not support this use of Manston, but we have no powers to resist it. The starting point for our concern is the limited capacity of the A299 and the A256, which are the main routes in and out of the district but do not have the resilience of the M20 corridor.

We have engaged extensively with government and KCC in setting out our concerns about this and the impact there could be on everyday activities and services in Thanet, including the potential for a Covid-19 outbreak on site and consequent knock-on impact on our local NHS. I have spoken to and written to ministers to set out the issues, which have also been outlined to members at overview and scrutiny, and in an-all member briefing. Officers have also taken part in a series of multi-agency exercises in order to try to understand the government's plans and provide input.

The government recently gave us £500,000 to help mitigate the impacts, which at least shows it recognises that the district will be affected, but to do so requires us to understand what the risks are so that we can plan around them. We have now seen some details of the plans for the site, including welfare arrangements for the drivers, but many questions remain. However, at the time of writing, we have still not seen the detailed traffic modelling, which would allow us to understand the potential impacts on our services, ambulance movements, food deliveries and residents' own journeys. The danger is that Thanet becomes collateral damage in a wider national problem. Our residents deserve better than that and we will continue to press Thanet's concerns.

We have been assured by all sides, including Riveroak Strategic Partners at the recent members' briefing, that this use of Manston would not go beyond June, which is important because of the potential impact on the peak tourist season. However, the long-term future of the site has been further confused by the news that the secretary of state for transport has withdrawn his defence of the judicial review of the development consent order he granted in July, and which would have allowed Manson to re-open as an air-freight hub.

Having twice delayed publication of his decision, the secretary of state has now conceded that he did not give a sufficient explanation of his reasons for overturning the unanimous view of the inspectors who advised him. The fact that he has failed to justify overturning the inspectors' recommendations would seem to show one of two things – either that there is no reasonable case for doing so, or that he has failed to do his job properly. It is certainly not the fault of the applicant for a judicial review if the decision-maker has failed to make an argument that can be defended in court by government lawyers. Thanet – and Ramsgate in particular – needs an end to this uncertainty.

Given all the trials and tribulations of 2020, it is good to be able to report the progress made towards the Margate Town Deal, the plan for which is due to be submitted this week. I would like to thank director of regeneration Louise Askew, cabinet member Ruth Duckworth, as well as all members of the town deal board, chaired by Graham Razey, and the people's panel for their contributions and hard work, which has helped produce a detailed proposal that will have a transformative effect on Margate if successful.

I also recognise that in this process not everyone will have seen their particular idea progressed, which necessarily leads to disappointment, but the idea of the scheme is to stimulate further investment in the town over the medium to long term and achieve the widest possible community benefit. It would be a mistake to allow individual issues to undermine the enthusiasm for the project as a whole.

I know if I was delivering this speech in person in the council chamber that at this point I might expect one councillor in particular to shout “what about Ramsgate?” – and he would be right to do so. However, Ramsgate is very much part of our focus in 2021 as we return to the port and harbour feasibility study following the delays to the stakeholder engagement process caused by Covid, and there is much work being done under the Future High Streets Fund and the Heritage Action Zone project with Historic England.

Covid, and the consequent restrictions on communal living, has made the arrangements for providing the Winter Shelter particularly complicated this year, but this is nevertheless up and running and I have been pleased to see the support for it from councillors. One of those who takes a particular interest is Cllr Ara and she can be proud to have been nominated as one of 2020's local heroes recently by the Isle of Thanet News, but the truth is that there are countless heroes in our community and most receive no recognition, they just get on with helping fellow residents. They are the glue which holds our community together.

I was pleased to learn last week that the Thanet RISE team had been highly commended in the category ‘Homelessness project of the year’ at the UK Housing Awards 2020. The project is a multi-agency partnership between the council, Kent and Medway NHS and Social Care Partnership Trust and the Forward Trust. It also involves the Thanet Winter Shelter, Salvation Army, Serveco, Citizens Advice Thanet and Paramount Independent Property Services.

One of the first decisions of this council in 2019 was to declare a climate emergency and with the appointment of our climate change officer and the input of the climate changing working group, chaired by Cllr Duckworth, we are beginning to make progress towards the ambitious but necessary goal of becoming a carbon-neutral council by 2030.

In September the council received a petition about the third-party removal of trees on land off Park Avenue, Broadstairs, and also agreed a motion on the same subject. It was clear that both councillors and residents had strong views on this subject. I know this issue has required a lot of investigation by officers, including looking at evidence going back to 1956, in order to build a robust case. We are now in a position to take matters forward and a report will come to cabinet next week, which will give members an opportunity to comment and ask any questions in a public forum.

As this is our last council meeting of 2020, I want to take this opportunity to thank all our officers and staff for their work during what has been a very challenging year for everyone. Despite our differences and the many challenges we have faced, elected members have worked together well, recognising perhaps that there have been bigger issues at stake in 2020 than party politics. I hope that it is also a product of the transparency and collaboration that the administration has promoted, but it is a credit to all sides.

Minute Item 9

I wish everyone a Merry Christmas and a healthy and disruption-free New Year.