

COUNCIL

Minutes of the meeting held on 23 February 2023 at 7.00 pm in Council Chamber, Council Offices, Cecil Street, Margate, Kent.

Present: Councillor Jason Savage (Chair); Councillors Hart, Albon, Ashbee, Austin, Bailey, J Bayford, R Bayford, Boyd, Braidwood, Crittenden, Currie, Dennis, Dexter, Duckworth, Everitt, Fellows, Garner, Huxley, Keen, Kup, Leys, Pat Moore, Ovenden, Parsons, L Piper, Rev. S Piper, Pugh, Rattigan, Rawf, Rogers, D Saunders, M Saunders, Scobie, Scott, Shonk, Shrubbs, Smith, Tomlinson, Wallin, Whitehead, Wing, Wright and Yates

11. ANNOUNCEMENTS

There were no announcements made at the meeting.

12. APOLOGIES FOR ABSENCE

Apologies were received from the following Members:

Councillor Rusiecki;
Councillor Farrance;
Councillor Paul Moore;
Councillor Day;
Councillor Towning;
Councillor Bambridge;
Councillor Gregory;
Councillor Ara;
Councillor Potts;
Councillor Coleman-Cooke.

13. DECLARATIONS OF INTEREST

There were no declarations of interest.

14. MINUTES OF THE PREVIOUS MEETING

The Chair proposed, the Vice-Chair seconded and Members agreed that the minutes of the Council Meeting held on 9 February 2023 be approved and signed by the Chair.

15. PETITIONS

There were no petitions considered at the meeting.

16. QUESTIONS FROM THE PRESS AND PUBLIC

(a) QUESTION NO.1 FROM A MEMBER OF THE PUBLIC REGARDING STREET CLEANSING

Mrs Bright asked the following question:

The absence of a street cleaner in Beacon Road Ward is evident. Residents complain of paths covered in leaf mulch, broken glass and dog waste that can make simple journeys hazardous, especially for those with mobility issues. Street cleaners are visible in more commercial areas but we need them in residential areas too. It is not right that people are

forced to walk in the roads because pavements have not been cleaned. Furthermore, the removal of dog waste bins next to our alleyways has meant piles of dog waste bags have been left where the bins once were. What plans do the council have to urgently clean up the streets in my ward?

Councillor Bayford responded as follows:

The Council was currently exploring the opportunity for an online reporting tool to allow members of the public the ability to directly report areas of concern. Environmental Operatives could then be deployed within a reasonable time frame as dictated by the footfall intensity of that area. This would allow the Council to manage resources more effectively and allow the public to draw areas of concern to the Council's attention as well as identifying scheduling issues. In the meantime, the Council would continue to manage resources in the most effective manner and respond to reports as they were received this meant focusing on the high footfall areas of the district, such as town centres.

With regards to bins, the council was undertaking a review of the bin provision across the district, this included the removal of dog bins in some areas and the introduction of litter bins where required, or alternatively a sign to the next available bin within a reasonable walking distance.

(b) **QUESTION NO.2 FROM A MEMBER OF THE PUBLIC REGARDING HE RECENT CALL FOR SITES**

Mr Woodward asked the following question:

With the Isle of Thanet's top quality food producing farmland under catastrophic threat from over development, why did Thanet district council decide to continue activity with a second call for sites whilst the local plan was paused?

The Leader of Council responded as follows:

The adopted Local Plan, including the housing requirements, was prepared in accordance with Government guidance, and was agreed by two independent Inspectors. That guidance has not changed, and neither had the housing "standard method".

However, the Government had published some proposed amendments to the National Planning Policy Framework and had indicated its intention to review the "standard method" in 2024.

The Council would be responding to the current Government consultation on a number of key points, including that greater clarity should be given to the Government's position on the status of best and most versatile agricultural land. The proposed wording in relation to agricultural land was vague, and should be strengthened.

The Local Plan update had been delayed in terms of making any formal decisions in relation to the Local Plan, including housing land and other policies. This was because the Council was waiting for the Government to provide clarity on potential future housing requirements and the status of best and most versatile farmland, and other matters. The level of housing requirements informed many important decisions in the Local Plan, and until there is clarity on this matter, it was difficult to move the Plan forward, however the call for sites process was an integral part of the on-going review.

(c) **QUESTION NO.3 FROM A MEMBER OF THE PUBLIC REGARDING THE LEVELLING UP AND REGENERATION BILL**

Ms McCourt asked the following question:

In light of the current consultation regarding the Levelling up and Regeneration Bill: reforms to national planning policy, part of the reforms include the need to:

“make sure that food security considerations are factored into planning decisions that affect farmland.”

How does TDC intend to address this issue NOW, rather than ‘wait’ for Government responses to correspondence already sent, which does not even address this issue of ‘losing our fertile farmland?’

The Leader responded as follows:

The Council would be responding to the current Government consultation on a number of key points, including that greater clarity should be given to the Government’s position on the status of best and most versatile agricultural land. The proposed wording in relation to agricultural land was vague and should be strengthened.

However, until changes were made to the NPPF, the Council must adhere to Government guidance as it currently existed, in both plan-making and decisions on planning applications.

This did not provide an opportunity to re-write the provisions of existing plans. In the meantime, the Council needed to continue to consent housing on the sites allocated in the adopted Plan, subject to the detailed schemes being acceptable. Refusing applications on allocated sites would likely lead to those consents being issued on appeal, with the risk of significant costs being awarded against the council.

17. QUESTIONS FROM MEMBERS OF THE COUNCIL

(a) QUESTION NO.1 FROM A MEMBER REGARDING RECYCLING BINS IN OPEN SPACES

Councillor Rawf asked the following question:

Now that the Summer season has finished will the council consider to move some of the recycling bins from the seafront to the parks and open spaces?

Councillor Bob Bayford responded as follows:

In preparation for the forthcoming summer season we are undertaking a full review of our bin provision, this will include recycling bins. Once this is completed we will have a better understanding of the full requirement, however in the meantime we do have plans to roll out an additional 20 standard size recycling bins as part of a wider investment in street recycling. The intention then would be to increase by a further 20 in 24/25 and this could include some of our parks and open spaces, if the capacity presents itself sooner, we will flex the resource accordingly.

Councillor Rawf followed up his question by asking Councillor Bayford Residents had been advised to have public liability insurance if they wished to be involved in cleaning alleyways. Was that the case?

Councillor Bayford responded as follows:

The Council supported residents to undertake voluntary activities in the work they chose to do. A written response will be provided to the Member regarding the issue of public liability insurance.

(b) **QUESTION NO.2 FROM A MEMBER REGARDING THE DEVELOPMENT OF WESTERN UNDERCLIFF CAFE AND WESTCLIFF HALL SITES**

Councillor Wing asked the following question:

The old Western Undercliff Cafe and Westcliff Hall sites remain a blight on the town of Ramsgate since they were sold at auction a number of years ago. Plans for the Western Undercliff Cafe were approved sometime back and the last information concerning the Westcliff Hall, again a number of years ago, was that there had been some pre-application talks with TDC Planning. Please could we have an update on where these developments are?

Councillor Pugh responded as follows:

Thank you for your question.

Details of all planning applications are published on the council's website, including information about whether they are approved or rejected.

The application for the Western Undercliff Cafe for the erection of a 5-storey building, comprising of a cafe with outdoor seating area, public toilets, refuse/cycle store at ground floor level, 8 flats at first, second and third floor level, and a restaurant at fourth floor level, was approved on the 30th November 2020. The consent is valid for three years and must be started within that time. There are two pre-commencement conditions attached to the consent and both were discharged in April 2021. This means that under planning legislation development could commence at any time. The council has also agreed heads of terms with the owner in respect of oversailing rights, over the adjacent public footpath.

There is no current application for refurbishment or conversion of the Westcliff Hall. Once a valid application is received the details will be published on the council's website.

Councillor Wing followed up her question by asking Councillor Pugh whether Building Control could be asked to inspect the Hall structure which was deteriorating?

Councillor Pugh agreed to take away the request and discuss further with officers.

(c) **QUESTION NO.3 FROM A MEMBER REGARDING CONSULTATION WITH THE NPPF**

Councillor Scott asked the following question:

Are Thanet District Council going to respond to the NPPF consultation and when will you publish the response?

The Leader of Council responded as follows:

The consultation deadline is 2 March, and it is the intention of the Council to respond on a number of key points, including:

- The review of the housing "standard method" should be brought forward, and any new methodology should be evidence-based and relate to the emerging Census data.
- That greater clarity should be provided on what factors might mitigate the housing requirements in any given area.
- That greater clarity should be given to the Government's position on the status of best and most versatile agricultural land.

It is the intention to publish the Council's response following submission.

Councillor Scott further asked whether the TDC Local Plan Review Committee had discussed and considered the NPPF regarding sustainability for existing communities and future generations.

The Leader said that there was no review committee, but instead a Cabinet Advisory Group which met regularly and was chaired by the Leader and had cross party membership. Officers had been asked and had decoded the government report. There were a lot of ambiguous areas in the government report. The Leader was going to be pushing the government to stop building on grade 1 agricultural land. The Leader had previously written a report to the Housing Minister regarding housing numbers for development.

(d) **QUESTION NO.4 FROM A MEMBER REGARDING THE LIFTS IN RAMSGATE'S ROYAL HARBOUR CAR PARK**

Councillor Everitt asked the following question:

We all agreed a fortnight ago that the state of Ramsgate's Royal Harbour car park is disgusting. Can I tonight press the cabinet member on the question of whether the lack of working lifts is dangerous?

What is his advice to customers unable to navigate the stairs for physical or practical reasons but who cannot find a space to park on the ground floor.

Is he confident that the present arrangements, which require them to use the vehicle ramps to move between floors, are safe, and if not what is he doing about it?

Councillor David Saunders responded as follows:

There are 22 disabled bays and 8 parent and child bays located on the ground floor of the car park as well as the annex area which has ground floor access. The use of vehicle ramps by pedestrians to access higher floors is never encouraged.

Signs were placed in the entrance to the car park regarding the lifts following previous discussions with ward councillors, these have again been refreshed following the Council meeting.

The annual deep clean is due to take place during and before the end of March.

As councillors are so concerned regarding this car park I have asked officers to undertake an assessment of whether or not it needs to be temporarily closed.

Councillor Everitt followed up his question by asking Councillor Saunders when the lifts would be fixed and that he was not convinced that the signage for alternative parking was adequate.

Councillor Saunders said he could not give a date for when the lifts would be fixed. As far as the notices are concerned Councillor Saunders said that he would be asking officers to review the wording which would then offer alternative parking to residents.

(e) **QUESTION NO.5 FROM A MEMBER REGARDING THE LOCAL PLAN AND HOUSING NUMBERS**

Councillor Braidwood asked the following question:

Thanet's local plan has been written using data from the government's faulty algorithm. In light of this what is this Council doing to cease any further planning applications and developments currently in the local plan?

The Leader of Council responded as follows:

The adopted Local Plan, including the housing requirements, was prepared in accordance with Government guidance, and was agreed by two independent Inspectors. That guidance has not yet changed, and neither has the housing "standard method".

However, the Government has published some proposed amendments to the National Planning Policy Framework, and has indicated its intention to review the "standard method" in 2024.

The Council will be responding to the current consultation on a number of key points, which were detailed in the response to an earlier question (Question 3 from Cllr Scott).

However, even if there are significant changes to Government guidance and the "standard method", this will only affect the level of housing land required in future local plans; that is, it may lead to a lower level of additional housing required as a result of the current review which extends the plan period to 2040.

It does not provide an opportunity to re-write the provisions of existing plans. In the meantime, the Council needs to continue to consent housing on the sites allocated in the adopted Plan, subject to the detailed schemes being acceptable. Refusing applications on allocated sites would likely lead to those consents being issued on appeal, with the risk of significant costs being awarded against the council.

Furthermore, if the Council were to refuse planning permission for schemes on allocated sites, this would undermine the Council's position in relation to the Housing Delivery Test, and trigger the presumption in favour of new housing development.

Councillor Braidwood also asked if the council would accept responsibility if the district lost agricultural land.

The Leader of Council said that the Council would do its best to challenge the government on the issue. If the public applied pressure on the farmer as well, that might help.

(f) **QUESTION NO.6 FROM A MEMBER REGARDING HOUSING DEVELOPMENTS AND SOUTHERN WATER CAPACITY**

Councillor Smith asked the following question:

Events of the last few months have demonstrated that Southern Water is currently unable to provide a reliable supply of drinking water to homes and businesses across Thanet.

Recent incidents have included multiple water 'outages' with inadequate compensation and scant regard for the needs of their most vulnerable customers.

Does the Leader agree with me that it is irresponsible for TDC to continue to approve any further large housing developments in the District until Southern Water has completed upgrading its infrastructure and is able to demonstrate a water supply that is fit for purpose?

The Leader of Council responded as follows:

The Local Plan considers the issue of water supply, throughout its development and delivery by engaging with the relevant utility companies, specifically including Southern Water.

This engagement provided Southern Water with a strategic opportunity to consider the impact of housing growth on water supply. In addition, the water providers produced and published regional and local Water Resources Management Plans, which were required to take into account the impacts of development proposals contained within District Councils Local Plans.

Southern Water were also consulted about all planning applications involving new dwellings and were able to submit comments based upon the impact on both water supply and drainage. The council was required to consider any representations made in determining planning applications. The council would not be able to defend a decision to refuse planning consent on the grounds of water supply issues, if the statutory consultees were advising that the water supply infrastructure was adequate in that location.

The Council understood that the recent outages in Thanet had been the result of two separate problems with infrastructure at the Rumfields Road Water Booster Station in Broadstairs. Although these had caused considerable disruption and inconvenience, they were not necessarily indicators of a fundamental water supply issue. The Council's Overview and Scrutiny Committee had decided to invite Southern Water to attend its meeting on 14 March to consider these outages.

The management and maintenance of the water supply network was primarily a matter for the service provider, Southern Water. The council could however seek assurance from Southern Water that they had the necessary evidence to demonstrate an adequate water supply and in addition to the invitation from the Overview and Scrutiny Committee, the Council would be doing this as part of the update of the Council's Local Plan.

Councillor Smith further asked whether in the context of climate and ecological emergency, could Thanet District council not take a lead in these circumstances as there was a need for more sustainable decisions to be made regarding future housing development and what other policies the council could come up with to protect the natural environment.

The Leader of Council responded and said that it was up to government to force water providers to step up to the challenge for providing appropriate water supply infrastructure. Government was now extending fines to £250 million for water suppliers who were not complying with regulations.

18. NOTICE OF MOTION

There were no notices of motion that were considered at the meeting.

19. LEADERS REPORT

Councillor Ashbee, the Leader of Council presented her report and made the following points:

- This penultimate Leader's report for this term was somewhat shorter than usual as a good deal of the workload had been working with the Cabinet and officers putting together the budget for this year.
- Thanks were offered to Members for their scrutiny and support by voting to agree what was an ambitious 2023/24 budget by virtue of the extra investment in growth for service areas such as enforcement and our property team. Every year it gets harder to produce a balanced budget for whoever was in control, so aiming for

more self-sufficiency by increasing revenue growth was essential foundation for the future.

- Another main area my time had been involved with working closely with the CMT putting together the Future Delivery for the Port of Ramsgate. This week, members would have received a briefing and the Cabinet report outlining details of this exciting opportunity for Thanet to reinvigorate the port and utilise more of its potential.
- It was a complicated process and the robust report outlines the models that have to be considered. This was a wonderful chance to build on the Levelling Up funds and to bring future financial and employment sustainability.
- This month started off with more good news for the expansion of Thanet's tree canopy with our Open Spaces team hosting a tree planting event at Warre Recreation Ground.
- Sixth form students from Chatham & Clarendon Grammar School volunteered to help plant an additional 16 standard trees to completed the 2022/23 Ramsgate Tree Planting Project.
- The Council had received a revised draft Neighbourhood Plan from Broadstairs & St Peter's Town Council and are now seeking views on the proposals which was the last opportunity to comment before the proposed plan was forwarded to the Independent Examiner which would update the existing Neighbourhood Plan. The six-week consultation opened on 9 February and closes at 5pm on Thursday 23rd March 2023.
- There was the amazing story of the Banksy artwork that appeared as is his way, overnight on the side of a house in Margate. As you will all be aware this had attracted a worldwide audience, one could say Margate had become more recognised than Westminster these days.
- This artwork did of course raise the important issue of domestic abuse. The Council had been in touch with the owner of the property to understand their intentions around the preservation. The owner, as had been reported was in discussion with the Dreamland Estate to provide a solution for the future of the work.

Councillor Everitt as Leader of the Labour Group made the following points:

- Thanked the Leader for sharing the report in advance and said that he had hoped for the report to make reference to water supply interruptions that had affected Broadstairs;
- Councillor Everitt noted that the council was using more money to fund its activities due to inflation and was using reserves as well;
- He agreed with the report regarding the Port of the Ramsgate that was going to be considered by Cabinet on 2 March 2023;
- Regarding Banksy artwork; public safety was important for the Council and supported the Leader's decision on the matter.

The Leader responded to Councillor Everitt's comments with the following points:

- Thanked the Shadow Leader for the support regarding the recently adopted Council Budget for 2023/24.

Councillor Garner as Leader of the Green and Independent Group made the following points:

- Thanked officers and Members for the hard work that went into producing the 2023/24 Council budget;
- Councillor Garner was concerned about the plans regarding the future of the Port of Ramsgate;

- He further thanked officers for holding the Members Briefing session on the subject and would be attending the Cabinet meeting where the decision regarding the Port would be taken;
- Councillor Garner expressed his concern regarding delegating some of the decisions on the Port to officers and that Members should not be excluded from decisions on the Port;
- Regarding the Broadstairs Neighbourhood Plan; Councillor Garner said that having a robust neighbourhood plan was important and encouraged the public to respond to the public consultation non the Plan which was currently underway;
- He further said that was waiting in anticipation for the Overview & Scrutiny panel to consider the Collaboration Working Party report and hoped that the recommendations from that report would be adopted;
- Trees on the Chatham School grounds and other areas should be protected;
- Banksy's artwork raised issues about domestic violence and this was important for public awareness.

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

- The Leader expected some good discussion by Members on the Port report at Cabinet on 2 March 2023;
- It was important for assets to work and bring in income for the Council;
- The Leader hoped that the industry advice given to the Council would turn around the fortunes of the Port;
- It was time that a decision be made on the future of the Port of Ramsgate and Cabinet was going to make that decision;
- However it should be noted that this was not going to be a quick process as there were important processes to be undertaken by the Council in seeing through this decision.

Councillor Rev. Piper as Leader of the Thanet Independent Group made the following points:

- Thanked officers for the work done to produce the 2023/24 Council Budget;
- He was disappointed not to take part in the vote for the budget item at the meeting as he had declared a interest on the same item when it went to the Overview and Scrutiny Panel;
- Councillor Piper said that this declaration of interest could be viewed by Members as disenfranchising some Members who should have been allowed to debate and vote on the Council budget.

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

- The Leader said that she was glad that the Banksy artwork had found a place to store it;
- The council was going to take a look at the Council Constitution to identify whether there was a need to make changes that would ensure that Members were not excluded from debating on matters put before a meeting for discussion.

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

Councillor Stuart Piper presented the Overview & Scrutiny panel Chair's report to Council. He said that the Panel was hoping to receive a report on the draft policy for managing monuments and plaques in the district before the end of the first quarter. Councillor Piper advised the meeting that Southern Water had been invited to attend the

14 March 2023 Panel meeting to discuss the issue regarding the multiple incidents of water supply interruptions in some parts of the district.

Councillor Piper further invited those Members with questions relating to this subject to forward such questions to him and confirmed that there would be public speaking on the item.

After some deliberations, Members noted the report.

21. COUNCIL TAX SETTING

It was noted that in accordance with council procedure rule 17.6, a recorded vote would be taken on the motion or any amendments and substantive motions.

It was proposed by Cllr Saunders, seconded by the Leader and upon being put to the vote Members UNANIMOUSLY AGREED the following:

- i. That Members approve the Thanet District Council element of Council Tax charges as set out below for the listed property bands;
- ii. That Members approve the determinations at Section 1 of the council report.

The Legal and Monitoring Officer conducted a recorded vote on the motion as follows:

44 Councillors voted in favour of the Motion

Councillors Albon, Ashbee, Austin, Bailey, J Bayford, R Bayford, Boyd, Braidwood, Crittenden, Currie, Dennis, Dexter, Duckworth, Everitt, Fellows, Garner, Hart, Huxley, Keen, Kup, Leys, Pat Moore, Ovenden, Parsons, L Piper, Rev. S Piper, Pugh, Rattigan, Rawf, Rogers, D Saunders, M Saunders, Savage, Scobie, Scott, Shonk, Shrubbs, Smith, Tomlinson, Wallin, Whitehead, Wing, Wright and Yates.

22. MEMBERS ALLOWANCES SCHEME 2023/24

The Chair proposed, the Vice Chair seconded and Members agreed the following:

1. To adopt 2023/24 Members allowances scheme as set out at annex 1 to the Council report and to refer the scheme to EKJIRP for them to consider;
2. That any recommendations from the EKJIRP altering the proposed scheme will be reported back to Council for consideration;
3. That if no recommendations are received from the EKJIRP, Council delegates the authority to approve the final scheme to the S.151 Officer.

23. CREATION OF AN APPOINTMENT SUB-COMMITTEE

The Chair proposed, the Vice Chair seconded and Members agreed to appoint an Appointment Sub-Committee and approve its terms of reference as set out in Annexe 1 to the Council report.

24. CALENDAR OF MEETINGS 2023-25

The Chair proposed, the Vice Chair seconded and Members agreed the calendar of meetings for the period May 2023 to May 2025 as detailed in Annex 1 to the Council report.

25. CHANGES TO COMMITTEES, PANELS AND BOARDS - 2022/23

POLITICAL PROPORTIONALITY

Following consensus from the group leaders, the Chair proposed, the Vice Chair seconded and Members agreed to approve the proportionality between groups for committees, panels and boards for the remainder of the 2022/23 municipal year.

NOMINATION OF MEMBERS TO SERVE ON COMMITTEES

The Leader, Councillor Ashbee, confirmed the Conservative Group's nominations:

Planning Committee

Councillor Towing replaced Councillor Hart.

Appointments Sub Committee

Councillor Ashbee

Councillor Everitt, confirmed the Labour Group's nominations:

Licensing Board

Councillor Scobie was removed from the Board.

Governance & Audit Committee

Councillor Yates replaced Councillor Hopkinson.

Constitutional Review Working Party

Councillor Currie

Governance & Audit Committee

Councillor Everitt

Councillor Garner, confirmed the Green and Independent Group's nominations:

Governance & Audit Committee

Councillor Austin

Governance & Audit Committee

Councillor Austin

Councillor Rev Piper, confirmed the Thanet Independents Group's nominations:

Overview & Scrutiny Panel

Councillor Lynda Piper

Licensing Board

Councillor Dennis

Planning Committee

Councillor Wallin

Constitutional Review Working Party

Councillor Wallin

Meeting concluded: 8.17 pm

