

CABINET

Minutes of the meeting held on 30 May 2024 at 7.00 pm in Council Chamber, Council Offices, Cecil Street, Margate, Kent.

Present: Councillor Rick Everitt (Chair); Councillors Bright, Duckworth, Keen and Yates

In Attendance: Councillors Austin, Bambridge, J Bayford, Davis, Dawson, Fellows, Garner, Kup, Pugh, Rogers and W Scobie

116. APOLOGIES FOR ABSENCE

Apologies were received from Councillor Whitehead and Councillor Albon.

117. DECLARATIONS OF INTEREST

There were no declarations of interest.

118. MINUTES OF PREVIOUS MEETING

Councillor Everitt proposed, Councillor Keen seconded and Members agreed the minutes as a correct record of the meeting held on 25 April 2024.

119. ADOPTION AND IMPLEMENTATION OF ANTI-IDLING LEGISLATION

Cabinet discussed the adoption and implementation of anti-idling legislation. The delegation of these powers to enforcement officers would enable Fixed Penalty Notices to be issued where a warning had already been given and ignored. The powers would enable the Environmental Protection team to carry out anti-idling campaigns around schools within Air Quality Management Area(s). The focus would be on education and raising public awareness rather than enforcement. However where advice would have been ignored and the driver would have refused to comply with a request, this legislation would enable Council officers to issue a Fixed Penalty Notice.

Air quality had improved across Thanet in the last five years. There had been no exceedances of national air quality objectives across the district during this period. However, a precautionary AQMA was declared in Ramsgate last June and an Action Plan was currently being developed which would include improvement measures to ensure Thanet continued to comply with national air quality objectives. Anti-idling enforcement would be just one tool within the Action Plan to enable greater focus in key areas and behavioural change campaigns. Thanet District Council was committed to improving the environment for local residents and reducing health inequalities often associated with air pollution.

The following councillors spoke under Council Procedure Rule 20.1:

Councillor Pugh;
Councillor Will Scobie;
Councillor Garner;
Councillor Davis;
Councillor Bambridge.

Cabinet agreed the following:

1. To approve the implementation and enforcement of provisions relating to anti idling as laid down by the Road Traffic (Vehicle Emissions) (Fixed Penalty) (England) Regulations 2002;
2. To delegate authority to the Director of Environment to authorise relevant officers or persons to stop the commission of stationary idling offences and issue fixed penalty notices (FPNs) in respect of such offences, in accordance with Regulation 6(3) of the Road Traffic (Vehicle Emissions) (Fixed Penalty) (England) Regulations 2002;
3. The Fees & Charges for 2024/25 to be varied to reflect this decision; with new charges for Vehicle Emissions Fixed Penalty Notices of £20, rising to £40 if not paid within 28 days.

120. NEW POLICY FOR PROPERTY RISKS & COMPLIANCE

Cabinet considered the new policy for property risks and compliance. The current arrangements, to deal with the risk and compliance management of the Council's operational properties worked in a decentralised manner. This had resulted in varying levels of compliance. The new Property Risk and Compliance Policy sought to centralise and clarify responsibilities, ensuring uniform compliance across council assets, by having the Property Team handle compliance testing and reporting and the Facilities Team managing remedial actions, while the building occupier would also have ownership of some compliance elements.

The new policy sought to streamline these processes and clearly define responsibilities to ensure uniform compliance across the council's operational assets.

Councillor Will Scobie spoke under Council Procedure Rule 20.1.

Councillor Duckworth proposed, Councillor Yates seconded and Cabinet approved the implementation of the new Property Risk and Compliance Policy.

121. APPROVAL OF THE FOLLOWING TLS POLICIES: REVIEWED HOUSING COMPLIANCE POLICIES

Cabinet discussed proposals for updating five housing policies. These policies needed to be reviewed on a regular basis to ensure that they were still working in the way that they were intended and were kept up to date with current legislation or regulations. The reviewed policies were:

- Gas Safety;
- Electrical Safety;
- Passenger Lifts;
- Water Hygiene;
- Asbestos.

The fire safety policy was reviewed and adopted in June 2023. This was because of the introduction of the Building Safety Act 2022 and strengthening of fire safety regulations. The changes made to the five policies were in relation to the following:

- Removal of repetition, thus shortening the policies;
- Ensuring the policies reflect current legislation, regulation and best practice;
- Removal of reference to other council departments;
- Complete review of the reporting regime.

The current policies were reflective of the Council's performance in landlord health and safety when the service transitioned in-house from The ALMO, East Kent Housing in

October 2020. At that time, compliance was poor and the Council was under notice by the Regulator for Social Housing. The current policies were drafted for the Council by a consultant and they supported a very robust monitoring and reporting regime, reflective of the requirements at the time and the need to provide assurance that the Council was improving its position.

Officers had looked to reduce the reporting through these new policies as the compliance workstreams were now operating as business as usual, rather than still being in a recovery position. This meant that much of the reporting was now redundant. Officers would still provide assurance with a high level overview of the compliance position with commentary that would explain any fluctuations in statistics. Any cause for concern would be escalated at the time and dealt with immediately and this would be reflected through performance reports with an explanation in the commentary.

Councillor Bayford spoke under Council Procedure Rule 20.1.

Councillor Everitt proposed, Councillor Keen seconded and Cabinet agreed to:

1. Adopt the five amended compliance policies;
2. Delegate authority to the Head of Tenant and Leaseholder Services, in consultation with the Cabinet Member for Housing to make minor operational changes to the policies, as required.

122. PORT OF RAMSGATE - MAINTENANCE DREDGING

Cabinet considered recommendations for supporting maintenance dredging at the Port of Ramsgate. The report discussed by Cabinet described the proposed plan for maintenance dredging at the Port of Ramsgate for this financial year. The dredging plan would require Cabinet to make a key decision to undertake a single dredging campaign with an estimated value of £362k. The proposed dredging would be undertaken via an existing 4+1 year maintenance dredging term contract that was awarded to the marine contractor Van Oord in 2021.

The total value of the 2024/25 dredging plan was £477k. However, the budget value was currently £325k and the report therefore recommended a one-off General Fund revenue budget virement from the Corporate Contingency budget to fund the estimated £152k shortfall. The proposed dredging was via a method known as hydrodynamic dredging which mobilised deposited sediments back into the water column. The suspended sediment would then leave the harbour on a falling tide. This was more financially efficient than methods such as grab dredging.

The dredging planned this year would focus on the port turning circle, port entrance, harbour entrance and the approach to Berth 4/5. The Council had a contractual obligation to provide vessels with access to Berth 4/5 for the purpose of discharging cargoes to the Brett Aggregates site. The volume of sediment to be removed during this dredging campaign was approximately 124,000m³, which for context was roughly the same in volume as the water held in 50 Olympic size swimming pools.

In order to secure the dredger in June, an order had been placed for a smaller 75,000m³ dredging campaign at an estimated cost of £228k. This would improve vessel access but without the increase in volume to the more substantial dredge campaign, there was a greater chance that there would be a need to undertake further work later in the financial year. It was important that dredging at the port was undertaken within the next one to two months to maintain an acceptable depth of water in the port at all states of the tide. It also made sense to plan this work over the summer to avoid the increased bad weather risk associated with winter dredging.

Environmental monitoring would be undertaken alongside the dredging operation to mitigate the risk of adverse effects on nearby receptors. This was important as the port was in close proximity to multiple designated sites that were rich in biodiversity. The dredging planned for the port in June would take two to three weeks to complete. Engagement would take place with stakeholders at the port and the harbour and updates would be provided as required via usual communication channels including Notices to Mariners

Councillor Davis spoke under Council Procedure Rule 20.1.

Councillor Everitt proposed, Councillor Kristian Bright seconded and Cabinet approved:

1. The key decision to order works with the marine contractor Van Oord for hydrodynamic dredging with a value in excess of £250k. This work will be undertaken via an existing 4+1 year maintenance dredging term contract that was awarded to Van Oord in June 2021;
2. A one-off General Fund revenue budget virement from the Corporate Contingency budget, to fund the estimated maintenance dredging budget overspend of £152k in the 2024/25 financial year.

123. THEATRE ROYAL MARGATE - OPERATOR MODEL

Cabinet considered proposals for the setting up of a new charitable trust as an operator for the Theatre Royal in Margate. This marked a significant moment for the future of one of the district's most important heritage and cultural assets. This recommendation placed the Council in the best possible position to secure a potential £7.5m in external funding. Alongside the £2.2m secured from Margate Town Deal, additional funding applications had been made to the National Lottery Heritage Fund for £4.5m and Arts Council / Department for Culture, Media and Sport for £3m. Decisions on these were due in the summer. These funding applications would deliver the new vision for the theatre, utilising 19 Hawley Square as a production hub, which had been supported by 19,000 people through engagement activity.

This recommendation had been informed via operator market testing and an independent options appraisal and business case. On the basis that the Council would not manage the reopened theatre itself, and there would be no ongoing revenue subsidy support from the council. A new charitable entity, which was designed and set up for the purpose, with local engagement, and had a cultural and socio-economic remit rather than for profit was preferred by funders. This was also a proven model of similar sized theatres. It was therefore being recommended as the preferred model of operation for the Theatre Royal and 19 Hawley Square. This project supported the Council's corporate priority for Growth, by encouraging regeneration.

Councillor Kup spoke under Council Procedure Rule 20.1.

Councillor Duckworth proposed, Councillor Keen seconded and Cabinet agreed to:

1. Note the options appraisal set out at appendix 2 and the work undertaken by Bonnar Keenlyside and **agree** that, subject to funding, a charitable trust should be set up to act as the operator for the Theatre Royal Margate;
2. Note if both the funding applications referred to in the body of this report are unsuccessful, a project redesign will be undertaken and a separate operator proposal will be made.

124. LONG TERM PLAN FOR TOWNS - GOVERNANCE ARRANGEMENTS

Cabinet discussed proposals for the long-term plans for towns. This was in relation to governance arrangements for managing project funding coming into the district. These proposals therefore addressed the governance arrangement for the allocation of up to £20m, over 10 years, to Ramsgate, through the Government's Long Term Plan for Towns Programme. The community-led nature of the programme had been set out in the funding guidance published by the Government and the Council had considered how this could be best delivered in the district giving due regard to Thanet's particular circumstances.

The Council had already engaged productively with the local community, as part of the existing Levelling Up programme for Ramsgate and the recent visit to Ramsgate by the Chair of the Towns Unit was well attended by local community representatives. Cabinet was now required to confirm the proposed governance arrangements for the new funding with the government by Monday 3 June and Cabinet had confirmed with DLHUC that the timeline remained unchanged by the general election.

The proposals set out in the Cabinet report built on the existing Regeneration Partnership Board arrangements, by creating additional board roles for Ramsgate representatives. The Board would operate at two levels, strategically across all of the district's regeneration programmes and specifically as a decision making body for the Long Term Plan for Towns programme.

The terms of reference would be structured in a way that effectively managed the Board's two distinct roles and ensured that those with an interest in Ramsgate made those decisions that affected the Ramsgate Long Term Plan for Towns programme. The Board would also be strengthened by the creation of a Vice Chair role, drawn from the representatives of Ramsgate.

The existing Thanet Regeneration Partnership Board had been consulted on these proposed arrangements and were supportive. There would now be a new MP for East Thanet after the election. They would become a member of the Board and Cabinet would be briefing them after the general election. The other funds under the remit of the Board had to be committed by 2026 and in the long term, Council's ambition was to empower the representatives from Ramsgate to form a new representative structure that was able to take full control of the programme for the benefit of Ramsgate residents and businesses.

The following councillors spoke under Council Procedure Rule 20.1:

Councillor Pugh;
Councillor Scobie
Councillor Austin;
Councillor Davis
Councillor Garner.

Councillor Everitt proposed, Councillor Yates seconded and Cabinet agreed to:

1. Revise the membership of the existing Thanet Regeneration Partnership Board so that it is compliant with Department for Levelling Up, Housing and Communities guidance, enabling it to deliver the governance requirements of the Long Term Plan for Towns programme as a Ramsgate Board;
2. The proposed governance arrangements to be submitted to the Department for Levelling Up, Housing and Communities;
3. Acknowledge that with these arrangements, the current Chair for the Thanet Regeneration Partnership Board will have responsibility in ensuring that the

existing governance arrangements fulfil the requirements of the Long Term Plan for Towns Programme as set out by central government;

4. The suggested changes to the boundary as set out in Appendix 3 of this report, to include all green and blue spaces not included in the built up areas data set map of Ramsgate;
5. Authorise the Head of Regeneration and Growth in consultation with the Leader of the Council and Chair of the Board to update the Terms of Reference and Code of Conduct for the Regeneration Partnership Board to reflect the guidance;
6. Authorise the Head of Regeneration and Growth in consultation with the Leader of the Council to work with the Chair of the Board to develop a mechanism to add relevant representative organisations to the Board, and to amend its membership accordingly.

Meeting concluded: 8.20 pm