

## COUNCIL

**Minutes of the meeting held on 11 July 2013 at 7.00 pm in Council Chamber, Cecil Street, Margate, Kent.**

**Present:** Councillor Mrs Kay A Dark (Chairman); Councillors H Scobie (Vice-Chairman), Alexandrou, Aldred, Bayford, Binks, Bruce, Campbell, Clark, Cohen, Coleman-Cooke, Day, Driver, Duncan, Dwyer, Edwards, Everitt, Fenner, Gibson, Gideon, D Green, E Green, K 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, W Scobie, Sullivan, M Tomlinson, S Tomlinson, Watkins, Wells, Wiltshire, Wise, Worrow and Wright

**In Attendance:** Mr Robin Hills, Independent Member and Chairman of the Standards Committee  
Mrs Jiggy Bhore, Independent Member and member of the Standards Committee

### **19. APOLOGIES FOR ABSENCE**

An apology for absence was received from Councillor Ian Gregory, and an apology for lateness from Councillor Wells.

#### **APOLOGY FROM COUNCILLOR DRIVER**

Upon being asked to do so by the Chairman, Councillor Driver apologised for his conduct towards her at the last full business meeting of Council on 16 May 2013 which culminated in his being asked to leave the Chamber.

### **20. DECLARATIONS OF INTEREST**

Councillor Bayford declared a significant interest in Agenda Item 12 – “Local Authority Mortgage Scheme” (Minute No. 30 refers).

### **21. MINUTES OF PREVIOUS MEETINGS**

#### **(a) Minutes of Annual Council meeting held on 16 May 2013**

On the proposal of the Chairman, seconded by the Vice-Chairman, the minutes of the Annual Meeting of Council held on 16 May 2013 were approved by Council and signed by the Chairman.

#### **(b) Minutes of Extraordinary meeting held on 16 May 2013**

On the proposal of the Chairman, seconded by the Vice-Chairman, the minutes of the extraordinary meeting of Council held on 16 May 2013 were approved by Council and signed by the Chairman.

### **22. ANNOUNCEMENTS**

There were no announcements under Council Procedure Rule 2.1 (iv).

**23. REPORT BACK TO COUNCIL ON PETITION RELATING TO PLEASURAMA SITE, RAMSGATE**

The report was NOTED.

**24. PETITIONS FROM THE PUBLIC**

(a) **Pleaurama Site, Ramsgate**

Mr Nicholas Cooper presented the petition containing 1,056 valid signatures, as follows:

“We wish TDC to explicitly reassure Friends of Ramsgate Seafront that under no circumstances will a discretionary extension of the practical completion date be given to SFP Ventures (UK) Ltd or any developer of Royal Sands before or after 22nd May 2013. Should SFP Ventures (UK) Ltd fail to meet this deadline, TDC must act immediately and restore the site to the People of Ramsgate to implement their own Vision for the Future.

“We, the undersigned, believe extensions to deadlines for the uncompleted work on the Pleaurama site will only compound the problems and leave the people of Ramsgate with a useless eyesore for many years to come.

“This developer has lost public trust and confidence and this development will not achieve the stated aim, of regenerating the Ramsgate Seafront.”

Councillor Poole addressed the points raised in the petition as follows:

1. **Discretionary extension:** The potential for extension would arise only if the developer specifically requested an extension. The circumstances prevailing at the time of such request would have to be taken into consideration, including: the current stage of the building programme; an up-to-date a financial appraisal; and the legal basis on which to refuse an extension. A unilateral decision of the Council prior to a request would be premature, and could be prejudicial to the Council taking subsequent action.
2. **Acting immediately to restore the site to the people of Ramsgate upon SFP failing to meet the deadline:** Initially, the Council would not be in a legal position to deliver this request as it would have to both determine the current development agreement and deal with associated legal consequences. If successful, the Council would have to seek recovery of the leases. Those actions could not be based on a decision that the site should go to a third party, as that would not be supported by a court. As the Council had a duty to seek best value overall for Thanet residents from sites identified for disposal, any group wishing to take on the site would need to consider at least the site value that was expected from SFP.

It was proposed by Councillor Poole, seconded by the Leader, and RESOLVED that the petition be referred to Cabinet for determination.

**25. QUESTIONS FROM THE PRESS AND PUBLIC**

(a) **Question No. 1 - Pleaurama site, Ramsgate**

Ms Kandice Jones put the following question to Councillor Poole:

“I explicitly ask to be formally reassured that TDC is not going to give the discretionary extension till 29 February 2017 to SFP or any other developer.”

Councillor Poole's response was as follows:

"The potential for extending the time limit for completion of the development to 2017 is one of the provisions within the current development agreement. Should the agreement remain in force in February 2014 the developer can request from the council an extension under this provision.

"As with all matters relating to land agreements the council is bound to consider such requests in a reasonable manner, based upon the circumstances that prevail at the time a request is made.

"In considering requests the council will include factors such as the current stage of build programme, an up to date financial appraisal, and the legal basis upon which there would be grounds to refuse an extension. Therefore, in making a judgement to refuse an extension the council would have to reassess the development at that time and make its decision based upon the outcome of this."

(b) **Question No. 2 - Pleasurama site, Ramsgate**

Upon an apology for absence being received from the questioner, Mr Ray Sun, it was NOTED that the question:

*"A deadline for information to be received from SFP by TDC was set for 22 May 2013. SFP have not met this. Discussions are ongoing (this equates to an extension of time). Will TDC now please stop discussions and retract anything agreed to since 22 May 2013?"*

could not be put, but would be responded to in writing.

(c) **Question No. 3 - Senior Levels**

Mr Duncan Smithson asked the Leader, Councillor C Hart, the following question:

"The people of Thanet are, as a result of Transeuropa, Pleasurama and Portas TV programme, asking for immediate resignations at Senior Levels. Do you accept any responsibility or do you blame legacy; if neither, who should be held responsible?"

In his response, the Leader stated:

- a) That he took his responsibility as Leader of the Council very seriously.
- b) That regarding Transeuropa, he believed that from all the information he had to hand, Council Officers and the Leaders and relevant Cabinet Members of both major political parties had taken every action with the very best of intentions.
- c) That in relation to Pleasurama, his administration had inherited a development that was falling away behind schedule and despite the best efforts of Officers and Cabinet Members to speed things on, matters were still not as they would wish at this point of time.
- d) That as far as the Portas TV Programme was concerned, he did not think that that should have been addressed to him.
- e) That, however, if he had to play the "blame game", he would assume that, ultimately, Transeuropa was to blame for failing to meet its financial commitments both to others and to the Council; that the Director of the television programme

was ultimately responsible for the Portas programme if it fell in any way short of the questioner's requirements; but that, for ongoing legal reasons, he felt it better not to make any further comment on Pleasurama at this stage.

(d) **Question No. 4 - Pleasurama Site, Ramsgate**

Mr Nicholas asked the Leader, Councillor C Hart, the following question:

"With the ultimate demise of the Royal Sands development, will the council now pledge support for an alternative plan that provides a genuine public amenity, approved by full public consultation, that will attract visitors and revenue to Ramsgate, whereby human joy takes precedence over a developer's profit?"

The Leader referred the question to Councillor Poole, who, he said, had requested permission to respond.

Councillor Poole stated:

"As the development agreement and associated leases remain in force, and the developer is still actively pursuing the completion of the development, to make a pledge about an alternative proposal is premature.

"Any decision to seek the termination of the development, other than through failure of the developer to meet the terms of the current agreement, is inappropriate. Consideration of alternatives would have to be considered and agreed after such a decision to terminate was made, and the legal consequences of this worked through. They would arise because the current agreement has failed, not because they have been pursued as an alternative. The first approach is legally defensible, the second is challengeable.

"On this basis Cabinet could not accept such an alternative proposal."

(e) **Question No. 5 - Pleasurama Site, Ramsgate**

Upon an apology for absence being received from Ms Emma Warne, it was NOTED that the question:

*"Given that you are continuing negotiations with SFP, despite the deadline of 22nd May having passed, please provide the details of what exactly these negotiations consist of"*

could not be put but would be responded to in writing.

(f) **Question No. 6 - Pleasurama Site, Ramsgate**

Ms Rebecca asked the Leader, Councillor C Hart the following question:

"Can you please advise members of the public why you have not done any due diligence on any of the Pleasurama development and why has work stopped as the flats should be built in 2011? This is a breach by the Swiss bank investor/developer surely?"

The Leader referred the question to Councillor Poole, who, he said, had requested permission to respond.

Councillor Poole stated:

"Work on due diligence in relation to this development has been undertaken at a number of stages since its inception, and significant activity on this front is currently underway.

“At present the developer has requested a variation to the current agreement and this has triggered a reappraisal of the development to ensure we continue to act with due diligence.

“The developer has met the basic requirements set out in the agreement for progress by 2011. However, under the agreement the site completion is due in early 2014, unless this is extended.”

(g) **Question No. 7 - Pleasurama Site, Ramsgate**

Ms Janet Woods put the following question to Councillor Poole:

“Given that almost 3 months have passed since this issue was sent to Overview and Scrutiny, what is the timescale for the Task and Finish Group to finish, and report back to Cabinet?”

Councillor Poole replied as follows:

“This question should be directed at the Overview and Scrutiny Panel, as it is not within the remit of Cabinet to direct this review.

“Scrutiny is set up specifically to be independent of Cabinet so it is able to challenge and question proposals and decisions. The task and finish group reports back to Scrutiny with its results and Scrutiny then make recommendations for Cabinet to consider. “

(h) **Question No. 8 - Ramsgate Lower Promenade, public right of way**

Mr Geoff Woods asked the Leader, Councillor C Hart:

“Please confirm that TDC is responsible for Ramsgate lower promenade as a public right of way under the 1980 Highways Act. It has a duty to minimise obstructive hoarding through the use of a time-limited chargeable licence that must be displayed. Would you show how this is to be implemented?”

The Leader referred the question to Councillor Poole, who, he said, had requested permission to respond.

Councillor Poole stated:

“Thanet District Council is not responsible for public rights of way under the Highways Act as this is undertaken by Kent County Council as highway authority. Thanet used to undertake the highway management of behalf of KCC until 2005 but the agency arrangements were withdrawn from all Kent districts at that time.

“However, Thanet understands that a Hoarding Licence under the Highways Act has been in place since construction work on the site started, and has been renewed by application to KCC by the contractor. The current hoarding licence is still in force, but details of this need to be sought by direct reference to KCC.”

**26. QUESTIONS FROM MEMBERS OF THE COUNCIL**

(a) **Question No. 1 - Play Equipment, Westgate**

Councillor King asked Councillor Johnston the following question:

“As Member for Communities, will Councillor Mrs Johnston agree that there is a need for play equipment for under-fives along the coastal areas of Westgate from Epple Bay

through to Westbrook Sands and help to identify such an area and bring it into much needed use?"

In her response, Councillor Johnston referred to: the fact that Councillor King and she had met three times, including the day of the meeting, to discuss this subject; the whohearted support that she had for the provision of play equipment for children of all ages; a map produced within the Council, which she had shared with Councillor King that day, of all our playground sites and showing the catchment areas; there being a little bit of an overlap of catchment areas, but the sites being mainly on the far side of the A28; the ROSPA reports of all our play areas, which was produced in October 2012, following a call for a review of their safety; the need to deal with those reports, one by one, and to spend what money we had to make the playground sites safe and to upgrade them, where possible; her not having given up the idea of looking into an improvement; an email which she had sent to Westbrook Ward Councillors and Councillor Jack Cohen, Chairman of Birchington Parish Council, to look at what could be done right along the sea front; to Officers currently looking into a particular site in Westgate that had been identified by Councillor King; and, finally, her wish to work with all Councillors right across the seafront.

Supplementary Question

Councillor King then asked a supplementary question:

"Would Councillor Johnston take urgent action to review the future use of the former putting green at St Mildred's Bay, acknowledging an asset that would be brought back into use as a public facility and also much needed revenue to this Council?"

Councillor Johnston replied that she could not have taken more urgent action regarding this matter. Following discussion with Councillor King, she had: immediately telephoned Natalie Beldin (Estates Surveyor, TDC) for an update and had located the question which Councillor King had put to Council in February 2013 in relation to this matter and the answer that he had been given then. It was a question of a planning permission change for that particular site. She had met with the lady who was particularly interested. It was now a matter for officers to put out to tender that piece of land and a matter for the interested party to bid for it and to produce her business plan. If it all worked out, and the three relevant Ward Councillors were happy with the situation, she would be more than happy to work with them.

(b) **Question No. 2 - Cliftonville Coach Car Park**

Councillor Bruce asked Councillor Poole:

"Given the council's inability to persuade its tenant, Freshwater, to keep the Arlington car park open, can Councillor Poole assure this Council that the Cliftonville coach car park is now operating as originally intended?"

Councillor Poole answered:

"The question makes a connection between the Arlington car park, which has been closed for some considerable period, and the parking area near Palm Bay. This connection does not exist as Arlington has not been a designated coach park, whereas coaches have been parking for some time at the Dreamland site, which is obviously much more convenient for Margate seafront and town centre. The issue of coach parking has been affected by the unilateral decision of the Dreamland site to close their car park in advance of the council acquiring the site, and the council as a result has been doing some work in relation to the provision for coach parking in the interim period. This has been put into effect and the Palm Bay has been available for coach parking since the

Dreamland car park closure. The council has also been directing coaches to other locations nearer Margate town centre that are suitable to accommodate them.”

Supplementary Question

Councillor Bruce commented that he had never seen a coach parked in the Palm Bay Coach Park, and that, at the beginning of that week, there were six coaches parked on the open road outside. None of the coach owners had been aware that the coach park existed, yet, despite that, the electric gate had been open. Today, however, he found that the gate was closed. However, there were three vehicles in the park; one of which had no tax on it and hadn't had tax on it for a year – on council property.

Councillor Bruce asked Councillor Bruce whether that coach park was going to be open or closed. If closed, could the vehicles be removed?

Councillor Poole stated that he understood that the coach park was open, but would ensure that any problems concerning its use would be looked into.

(c) **Question No. 3 - Proposed Housing at Westwood**

Councillor Wiltshire put the following question to Councillor D Green:

“Could the Member for Housing give an update on the number of homes proposed for Westwood and is the Member aware of speculation that London Authorities are considering purchasing or renting some of the new homes being built to house their residents. Could the Member confirm or deny this speculation?”

Councillor D Green replied by stating

“I can confirm that there has been speculation. Westwood Homes have planning permission for 1,020 houses on that site. The developer's agent has stated to the Council that they consider the rumour quoted to have no substance and to be pure speculation. TDC has completed a freedom of information request to all London Boroughs and there is nothing contained in any of their responses that supports this rumour.”

Supplementary Question

Councillor Wiltshire then asked Councillor D Green a supplementary question, as follows:

“With the inevitable increase in housing occupation, there would be major increase in population. What provision is Council making for the impact this will have on schools, hospitals, doctors' surgeries and the infrastructure, currently all stretched to breaking point?”

In replying, Councillor Green stated that, although Kent County Council was responsible for most of the facilities referred to by Councillor Wiltshire, predictions of population growth and demographics would be taken into account by the Council as part of the Local Plan. There was presently no evidence of how much those factors would be affected by displacement from other areas. Of course, suitable provision has to be made for people choosing to live where they wish.

(Councillor Wells arrived at this stage of the meeting)

## 27. **MOTIONS ON NOTICE**

### (a) **Notice of Motion - Transeuropa Ferries**

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

“THAT this Council agrees to establish an enquiry into how Transeuropa Ferries (TEF) was allowed to run up a debt estimated to be £3.4 million to Thanet District Council.

“This enquiry will review the legal, constitutional, accounting and ethical issues relating to the management of this debt. It will report back on any inappropriate actions and make recommendations on how best to manage similar situations in the future.

“Because the decision to extend credit and allow TEF to run up debt was made at the highest managerial and political level, this enquiry must be conducted by a suitably qualified person who is totally independent of the Council.

“The results of this enquiry must be made public.”

It was proposed by Councillor Everitt and RESOLVED, 49 voting for, 5 voting against, one abstaining, and a recorded vote having been requested:

“THAT the motion be not debated”.

The voting was as follows:

FOR (the proposal that the motion be not debated): Councillors Aldred, Alexandrou, Bayford, Binks, Bruce, Campbell, Clark, Cohen, Coleman-Cooke, Dark, Day, Dwyer, Edwards, Everitt, Fenner, Gibson, Gideon, D Green, E Green, K Gregory, Harrison, C Hart, S Hart, Hayton, Hibbert, Hornus, Huxley, Johnston, 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, Wells, Wise & Wright

AGAINST (for the proposal that the motion be not debated): Councillors Driver, Duncan, Grove, King & Wiltshire

ABSTENTION: Councillor Worrow

The motion consequently FELL.

## 28. **LEADER'S REPORT**

### Suspension of Council Procedure Rule

On the proposal of the Chairman, seconded by the Vice-Chairman, it was RESOLVED that Council Procedure Rule 2.2 be suspended for this meeting in so far as it limits the total time taken for the Leader's Report to 31 minutes.

In his report, the Leader of Council provided updates on the following issues:

#### 1. **The Royal Victoria Pavilion:**

- a) Rank had reported that, owing to limitations of the current lease, none of the regularly received expressions of interest in the site from community groups and individuals could be progressed;
- b) The Council's Property Manager was leading on property negotiations;

- c) The Council had two options: **either** retain the current lease, precluding community use; **or** grant a new lease (a back to back surrender), by which the council might enable community use.

## 2. Dreamland:

- a) Dreamland car park had now re-opened, following closure by the owner as a result of an urgent works notice being served over the security of the menagerie cages.
- b) Although permission had been granted for the CPO to be appealed, the Council hoped to be on site by the start of October 2013.

## 3. Arlington:

- a) The Secretary of State had now granted:
- **Detailed** planning permission for the development of a superstore and associated parking and services on land at Arlington Square as well as for the external refurbishment of Arlington House. If and when Freshwaters applied to the Council for consents to enable the development to proceed, it would be the responsibility of Cabinet to take the necessary decisions.
  - **Outline** planning permission for the development of retail units on the ground floor of Arlington Square with a 60-bed hotel above. This permission would be ineffective until the Council, as planning authority, was able to approve the reserved matters.
- b) There were currently two legal challenges to the decision of the Secretary of State to grant planning permission. It was expected that both appeals would be heard in December 2013.

## 4. Transeuropa:

- a) The Council had not stepped outside of its legal framework. The debt had been accounted for in accordance with the Council's rules and with the knowledge and support of the Council's external auditors.
- b) Decisions in relation to the debt had been covered by commercial confidentiality. To have released information could have resulted in Transeuropa's immediate failure, leaving the Council no better off than at the present time, leaving the Port without a ferry service and resulting in job losses much sooner.
- c) At no stage had the Council waived payments by Transeuropa.
- d) Decisions had been taken to protect the wider and longer-term interests of the Port, Ramsgate and Thanet.
- e) The debt had been due to be repaid in full by the end of 2014/15 and Transeuropa had been in negotiations with a financial investor and taking other actions.
- f) The Council had now lodged the remaining debt with the administrators and every step was being taken to secure repayment. Information in relation to this remained commercially sensitive.

- g) Action was being taken to secure a viable future for the Port and the Council was actively marketing the Port to attract a future ferry operator as well as other income generating opportunities.

#### **5. Royal Sands (Pleasurama)**

- a) Cabinet considered that, owing to the continuing lack of progress, matters had now entered a new phase and was seeking the development of robust action to resolve the issues at the site.
- b) A Scrutiny Task and Finish Group had been set up, with Cabinet's full support, to assess future options for the site and report back to Cabinet.
- c) If work on legal and financial issues clearly demonstrated a route forward, Cabinet would be willing to act to try and bring this long running issue to a resolution.

#### **6. Former Thanet District Councillor and Cabinet Member, Dennis Hart**

Despite battling serious health problems for some time, the Leader was pleased to announce that his brother, Dennis Hart, had recently been able to go home.

Councillor Bayford, as Leader of the Conservative Group, asked for his best wishes to be sent to Dennis Hart.

He enquired as to how Ramsgate Port was being actively marketed and commented that significant good-news stories, such as the recent official opening by the Prime Minister of the Offshore Wind Farm, and the Job Fair promoting 700 job vacancies, had been left out of the Leader's Report.

The Leader responded by saying that he had been at an LGA Conference when the events referred to had taken place.

Councillor King, as Leader of the Independent Group, expressed disappointment at the lack of information given by the Leader in his 24-hour notice of topics to be covered in his report.

The Leader stated that he had been working on his report until shortly before this meeting.

Councillor Cohen, as new Leader of the Thanet Independent Group, echoed the Leader's sentiments that the Council had acted with good intent and integrity to keep the Transeuropa ferry operating.

Both Councillor Cohen and Councillor Wiltshire, as Leader of the UKIP Political Group, sent their good wishes to Dennis Hart.

The Leader thanked the Councillors for their good wishes for his brother.

#### **29. ALLOCATIONS POLICY**

It was proposed by Councillor D Green, and seconded by Councillor Johnston:

"THAT Council approves the Allocations Policy".

Some Members expressed disappointment that a service level agreement in relation to victims of domestic abuse had not been included in the policy.

Councillor Clark declared an interest, as Trustee of Oasis.

Councillor D Green assured Members that he would apply all pressure that he could to have the protocol in relation to domestic abuse victims finalised and shared with Members as soon as possible.

On being put to the vote, the motion was declared CARRIED.

### **30. LOCAL AUTHORITY MORTGAGE SCHEME**

Councillor Bayford, who had earlier declared a significant interest (Minute No. 20 refers), left the Chamber for the duration of this item.

It was proposed by Councillor Everitt, seconded by Councillor D Green:

“THAT

- a) The recommendations as set out at paragraph 8 of the report be adopted, namely:
  1. That the proposed Local Authority Mortgage Scheme for Thanet with eligibility being limited by post code to first time buyers living in the district for the purchase of properties in the district, be agreed;
  2. That the Council’s contribution to the proposed Local Authority Mortgage Scheme for Thanet of £500,000 be taken from the new Homes Bonus;
  3. That based on the local housing market for first time buyers, the maximum property loan be set at £137,750;
  4. That the Corporate & Regulatory Services Manager in consultation with the Financial Services Manager, be authorised to enter into Indemnity and Deposit Agreement with Lloyds TSB and a Match Funding Agreement with Kent County Council;
  5. That the Monitoring Officer be personally indemnified against any potential losses incurred by Lloyds TSB as a result of mortgages provided through the proposed LAM for Thanet to enable him to provide the Opinion Letter required by Lloyds TSB.
- b) THAT the further recommendation of Cabinet (*referred to in the Members’ Notes*), which had inadvertently been omitted from the report, be adopted, as follows:

“That delegated authority also be given to the Portfolio Holders for Financial Services and Housing and Planning Services to approve the Scheme in detail including the post code areas in Thanet to which the Scheme will apply”.

Concern was expressed by some Members that the scheme would not be “open to all”, but benefit only residents in certain post codes.

Councillor Everitt clarified that anyone in Thanet could make application under the scheme but that the scheme should have the flexibility of targeting the housing market in Cliftonville.

On being put to the vote, the motion was declared CARRIED.

## **RECESS**

At this stage, there was a ten-minute recess, after which the meeting resumed.

### **31. TRANSEUROPA OUTSTANDING DEBT**

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

“THAT Members approve the sources of funding identified in paragraph 3.1 of the main report, as recommended by Cabinet and amended in the addendum of report, to fund the outstanding debt, as follows:

- a) A sum of £659k has been identified in respect of prior year adjustments to housing benefit subsidy. This is a highly volatile budget due to the impact on the subsidy of increases in caseloads and errors in benefit calculations and so normally any underspend would be put into the Customer Services Reserve to mitigate any future overspends. However, the current balance in this reserve is considered appropriate for this purpose and therefore this budget underspend can be utilised to offset the Transeuropa debt position;
- b) Unallocated unringfenced grants of £92k have been identified;
- c) A balance of £43k remains on the Housing and Planning Delivery Grant reserve which is unallocated;
- d) A sum of £502k will be drawn down from the New Homes Bonus;
- e) Savings in the cremator project of £196k will be utilised;
- f) Carry forward budgets of £257k from prior years have not been utilised and will therefore be taken to offset this debt;
- g) A sum of £200k will be taken from the Priority Improvement Reserve which will still leave a balance of £405k to support invest to save and one-off initiatives;
- h) A sum of £196k will be taken from the VAT Reserve;
- i) The bad debt provision has been reviewed and a sum of £200k can be taken to contribute towards this debt

SUBJECT to the new Homes Bonus drawn down amended to £502K and the Customer Services Reserve draw down amended to £659K.’ “

During debate, it was stated that Scrutiny should examine all circumstances relating to the Transeuropa debt, including the robustness of recording and decision-making processes and whether a local authority was an appropriate body to operate a commercial business like the Port. A comment was made, on the other hand, that an investigation should be carried out fully independent of the Council.

In response to a query from Councillor Worrow, the Chief Executive gave an assurance that should a similar situation arise in future, it would be suggested to the Leader that information be released to the Governance & Audit Committee in confidence.

Upon being put to the vote, the motion was declared CARRIED.

**32. REVIEW OF POLICIES & PROCEDURES - PROBITY AND REPUTATION - RECOMMENDATIONS FROM CABINET AND REQUEST BY STANDARDS COMMITTEE**

It was proposed by the Chairman, seconded by the Vice-Chairman, and RESOLVED:

1. THAT the Constitutional Review Working Party be requested to consider the options for revisiting a decision made in private session after one year to determine if the report or information on which the decision was made can be published;
2. THAT the Constitutional Review Working Party be requested to review the rules concerning the audio and visual recording of Council meetings;
3. THAT Council re-establishes the Standards Working Party and agrees the terms of reference and political composition, as set out at Annex 2;
4. THAT Council writes to the Local Government Association, expressing disquiet at the absence of sanctions in Chapter 7 of the Localism Act 2011 for failing to comply with the requirements of the Members' Code of Conduct.

Nominations to the Standards Working Party

Council NOTED the nominations as follows:

- a. (From Councillor Hart, Leader of the Labour Group)
  - *Councillor Johnston*
  - *Councillor Nicholson*
- b. (From Councillor Bayford, Leader of the Conservative Group)
  - *Councillor Roberts*
  - *Councillor M Tomlinson*
- c. (From Councillor King, Leader of the Independent Group)
  - *Councillor King*

**33. CALL-IN AND URGENCY - ANNUAL REPORT**

The report was NOTED.

**34. REPORT ON URGENT DECISION - LOCAL PLAN**

The report was NOTED.

**35. REPRESENTATION ON OUTSIDE BODIES**

It was proposed by the Leader, seconded by Councillor Campbell, and RESOLVED that the recommendations set out at paragraph 6 of the report be adopted, namely:

1. THAT Council agrees the following recommendations from Cabinet:
  - a. That the Domestic Violence Forum be added to the Thanet District Council (TDC) list of Executive-appointed Outside Bodies and that one

TDC Member be made a nominee to that outside body with an additional TDC member being nominated to be an ex-officio to that Forum should that prove possible;

- b. That South East Employers be removed from the Thanet District Council list of Executive-appointed Outside Bodies.
2. THAT Council agrees the following further changes to the list of Executive-appointed Outside Bodies:
- a. That the Thanet Quality Bus Partnership is added to the list of Executive-appointed Outside Bodies and that one TDC Member is made a nominee to that body;
  - b. That the Local Government Association Coastal Special Interest Group be re-added to the list of Executive-appointed Outside Bodies and that one TDC member is made nominee to that body.

**36. REPRESENTATION ON RAMSGATE CHARITIES**

It was proposed by the Chairman, seconded by the Vice-Chairman, and RESOLVED that the recommendation at paragraph 3.1 of the report be adopted, namely:

“THAT Council agrees the appointment of Mrs Catherine S Griggs as a representative Trustee of Ramsgate Charities with a term of office starting on 20 November 2013 and expiring on 20 November 2017.”

Meeting concluded : 10.00 pm