

EXTRAORDINARY CABINET

Minutes of the extraordinary meeting held on 16 October 2014 at 7.00 pm in Council Chamber, Council Offices, Cecil Street, Margate, Kent.

Present: Councillor Mrs Johnston (Chairman); Councillors Nicholson, Everitt, D Green, E Green and Harrison

In Attendance: Alexandrou, Bayford, Binks, Bruce, Fenner, Gideon, Grove, King, Lodge-Pritchard, Marson, Poole, D Saunders, M Saunders, S Tomlinson, Wells, Wiltshire and Wright

203. APOLOGIES FOR ABSENCE

There were no apologies received at this meeting.

204. DECLARATIONS OF INTEREST

There were no declarations of interest.

205. MANSTON AIRPORT - PROGRESS REPORT

The Leader introduced the item for debate and said that there was a wide range of interest regarding the future of Manston Airport. Cabinet were in contact with the local Member of Parliament and government officials.

Members agreed that due to the enormous public interest in this issue, it was appropriate to consider a progress report at this stage. Cabinet also considered it appropriate to enable an interested party to have further and final opportunity to respond fully to the Council's information requirements before Cabinet made a decision on the matter.

The following Members spoke under Council Procedure 24.1:

Councillor Alexandrou;
Councillor Poole;
Councillor Fenner;
Councillor Wells;
Councillor Bayford.

Councillor Johnston proposed, Councillor Nicholson seconded and Members agreed to note the report and that as matters progressed, further reports will be presented to Cabinet.

206. YEAR-END PERFORMANCE REPORT 2013-14

Cabinet considered the year end corporate performance report for 2013/14. Significant progress had been made regarding a number of projects that the Council was implementing. A major highlight was that 120 properties had been put back into use. Thirteen of the thirty one projects had been completed with seventeen still in progress and one was cancelled.

The following Members spoke under Council Procedure Rule 24.1:

Councillor Gideon;
Councillor Binks;
Councillor Marson.

Councillor E. Green proposed, Councillor Nicholson seconded and Members agreed to note the Council's performance and agree (as set out in option 5.1 of the report).

207. CORPORATE PERFORMANCE REPORT APRIL TO JULY 2014

Cabinet acknowledged some risk identified regarding implementation of some of the corporate projects but indicated that these were not insurmountable and they noted significant progress for some of the projects that included facilities improvement for the Ramsgate Harbour.

Councillor E. Green proposed, Councillor Nicholson seconded and Members agreed to note the Council's performance and considered the remedial actions listed (as set out in option 3.1 in the report).

208. MELTREE PROPERTIES LIMITED GRANT UPDATE

Members indicated that the origin of the issue date back to 2007 and that the situation was unacceptable. A European Regional Development Fund (ERDF) grant of £68,750 was paid by the Council to Melltree Properties Limited on 30 November 2007 in respect of the conversion of the property at 42 High Street and 16 Marine Drive, Margate into artist studios/galleries.

The full conversion of the property into a gallery and artist studios did not happen and consequently the Council sought full repayment of the grant from Melltree Properties Limited. The Council managed to recover £5k in full and final settlement. Cabinet requested that the matter be report to the Police. Kent Police were contacted to investigate if any criminal proceedings could be brought, but they had since responded advising that a prosecution was unsupportable. Since there was a breach regarding the conditions of the grant; the Department for Communities and Local Government (DCLG) requested that Council repaid the grant in full.

Councillor Everitt proposed, Councillor Nicholson seconded and Cabinet approved the repayment of £68,750 grant to DCLG and that this is funded using the £5,000 grant reclaimed, with the balance from the un-ring-fenced grants reserve.

209. ROYAL SANDS, RAMSGATE

Cabinet acknowledged the positive contributions from the Overview & Scrutiny Panel that came from the extraordinary Panel meeting that was held the previous day (on 15 October 2014). The views of the professional external legal and valuation experts that were heard at that meeting, helped inform the recommendation that was forwarded and tabled at the Cabinet meeting. The Chairman of the Overview & Scrutiny Panel advised the meeting that the following was the recommendation from the Panel that:

Cabinet instructs officers to negotiate with Cardy to obtain the best consideration for Council in relation to the Royal Sands Development.

The following Members spoke under Council Procedure Rule 24.1:

Councillor Gideon;
Councillor Bayford;
Councillor Bruce;
Councillor Wells.

Councillor Everitt proposed, Councillor D. Green seconded and Members:

1. Authorised the project team (in consultation with the S151 Monitoring Officer, Head of Paid Service and Cabinet Member for Finance and Estates) to progress with negotiations involving variations to the existing agreement (or a new agreement as

provided for within the existing contract) in respect of Royal Sands. These negotiations will be undertaken in accordance with existing delegations and within the parameters detailed in paragraphs 3 through to 7 (to the Cabinet report); provided best consideration is achieved;

2. Agreed that if further information becomes available during these negotiations that would result in there being a significant negative effect on the consideration owed, particularly as a result of the cliff wall surveys, then the matter should be brought back to Cabinet for further strategic review.

Councillor Everitt, Cabinet Member for Financial Services and Estates gave a commitment that before the agreement was signed between Council and Cardy, the contents of the proposed agreement would be shared with Councillor Binks, the main opposition spokesperson.

Meeting concluded: 8.49 pm