

## COUNCIL

**Minutes of the meeting held on 11 July 2019 at 7.00 pm in Council Chamber, Council Offices, Cecil Street, Margate, Kent.**

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

### **1. APOLOGIES FOR ABSENCE**

Apologies were received from Councillors Braidwood, Boyd and Towning.

### **2. MINUTES OF THE PREVIOUS MEETING**

It was proposed by the Chairman, seconded by the Vice-Chairman and agreed, that the minutes of the Annual Council meeting held on 16 May 2019 be approved and signed by the Chairman.

### **3. ANNOUNCEMENTS**

Members stood as a mark of respect as the Chairman presented Councillor David Saunders with the Past Chairman's Badge.

### **4. DECLARATIONS OF INTEREST**

Councillor Game declared an interest in item 7e of the agenda as she sat on the East Kent Housing Board.

### **5. PETITIONS**

#### **(a) Margate Clocktower Toilets Petition**

Councillor Yates presented a petition regarding the Margate Clock Tower Toilets. Members noted that the following petition contained 386 valid signatures:

"We the undersigned demand that Thanet District Council immediately rescinds its decision to close the much needed Margate Clocktower toilets. The three million pounds allocated to refurbish council offices should be used to protect essential local and tourist services. We need to safeguard the services that boost our flourishing tourism economy. This decision is short-sighted and detrimental."

In accordance with the Council's Petition Scheme, the petition was referred to Cabinet without debate for report back to the Council within three ordinary meetings.

### **6. QUESTIONS FROM THE PRESS AND PUBLIC**

#### **(a) Question No.1 from a Member of the Public Regarding Noise Nuisance**

Mr Shoul asked Councillor Game the following question:

"Statutory Noise Nuisance policy & practice requires urgent strategic/operational overhaul, rendering it fit-for-purpose to deal with ASB, where residential street disturbances involve car stereo/karaoke/mobile phones functioning as street based sound systems: can a Noise Abatement Officer, liaising out-of-hours with Thanet police be instituted?"

Councillor Game responded with the following points:

- Statutory noise nuisance was defined by the Environmental Protection Act 1990, changes to this would be outside the remit of the Council.
- The Council had an Environmental Enforcement Policy which was currently under review and Mr Shoul's concerns would be fed into this process.
- A statutory nuisance was different to disturbance.
- There was an out of hours service to gather evidence in ongoing cases.
- The Environmental Protection Team investigated over 1000 noise complaints a year, a majority of which were from domestic premises.

(b) **Question No.2 from a Member of the Public Regarding Hedgerow and Tree Maintenance**

Ms Matwy asked Councillor Ashbee the following question:

"Will TDC create papertrails as to who orders works on trees and hedgerows so that someone is accountable for any felling and trimming and are they willing to reinstate the full time tree officer?"

Councillor Ashbee responded with the following points:

- Following a recent review, additional processes for works on trees and hedgerows would be imminently adopted by the Open Spaces team.
- Check sheets would be included as part of the ecological risk assessment to ensure compliance was documented. Recommendations are also being sought from the RSPB, the Wildlife Trust and other local authorities.
- The Council would recruit an Arboriculturalist for the district.

(c) **Question No.3 from a Member of the Public Regarding an Environment and Biodiversity Strategy**

Mr Wise asked the Leader the following question:

"Given the growing public interest and concern with regard to our natural environment, will the Council commit to preparing an Environment and Biodiversity Strategy and associated policies for Thanet, publish a timeline for completion, and include consultation with local experts and other interested parties in the work programme?"

The Leader responded with the following points:

- The Council recognised the increased public interest in the natural environment and understood the need to respond and adapt accordingly.
- There were currently a number of different environmental strategies in place both within the district and Kent wide, such as the Kent Biodiversity Strategy.
- The Council would demonstrate how seriously it took the issue when it considered the declaration of a Climate Emergency motion later in the agenda.

(d) **Question No.4 from a Member of the Public Regarding Margate Clocktower Toilets**

Ms Ellena asked Councillor Ashbee the following question:

"With the high season soon approaching, when will TDC fix and reopen the clocktower toilets to accommodate the vast amount of visitors to the town"

Councillor Ashbee responded with the following points:

- It would cost several thousand pounds to re-open the toilets. The Council did not plan to open the toilets in the near future as they were part of a wider district wide investment strategy that was yet to be agreed.
- There are several other toilets within close proximity that people could use.
- Event organisers should provide additional toilets if this was deemed a requirement by the Council's safety advisory board.

## **7. QUESTIONS FROM MEMBERS OF THE COUNCIL**

### **(a) Question No.1 from a Member Regarding Traveller Incursions**

Councillor Taylor asked Councillor Game the following question:

"How is the new administration going to tackle the expensive Traveller incursions?

Councillor Game responded with the following points:

- A significant amount of activity was underway to address the growing number of unauthorised encampments across the district.
- An Officer Task and Finish Group was set up in February and its work fed into the newly created Traveller Scrutiny Working Group, which had just held its inaugural meeting.
- Updates would be provided to Councillors on this work as it progressed.

### **(b) Question No.2 from a Member Regarding Child Poverty**

Councillor Constantine asked the Leader the following question:

"Child poverty is unchecked and growing in parts of Kent. In my ward Newington recent research shows 52% of all children are living in poverty. Will the leader explain what targets TDC has put in place to mitigate the impact"

The Leader responded with the following points:

- Child poverty was a real issue but not something the Council could tackle alone. It would require a wholesale change, through education, job opportunities, general economic growth and the supply of good housing.
- The Council had a shared responsibility, with other public sector agencies, in mitigating the impacts of child poverty.
- There were a range of interventions funded and delivered by the Council to support residents, including:
  - 'Fit and Fed' meals during school holidays
  - 'Step Up' support for those out of work
  - Discretionary housing payments.
  - Increased funding to the Citizens Advice Bureau
  - A limit on the Council's affordable rents to the Local Housing Allowance rate.
  - The Private Sector Rented team focused on the standard of rented property.
  - The Local Plan had an affordable housing target of 30%.
  - The Council worked with Save the Children on the Eat, Sleep, Learn and Play project.

Councillor Constantine followed up her question by asking if a working party could be set up to review what the Council could do to support children in poverty.

The Leader responded that he would meet with Councillor Constantine to discuss the idea.

(c) **Question No. 3 From a Member Regarding the Restoration of Sites in Cliftonville**

Councillor Currie asked Councillor D Saunders the following question:

"The Newgate Gap shelter, Oval Bandstand, the former Butlins and mini golf sites are derelict or run down areas of Cliftonville West that require development or restoration. This is one of the most deprived wards in the whole of Kent. What is the Council doing to facilitate this process?"

Councillor D Saunders responded with the following points:

- The Council planned to remove the Newgate Shelter roof for safety reasons in the near future. Then community groups would be contacted to discuss a community asset transfer.
- The Oval Bandstand was on the asset disposal list, plans were in place to transfer the Bandstand to a local group in line with the Community Asset Transfer policy.
- The mini golf site was available to let, but there had been no suitable applications. The Council would welcome any suggestions to improve the area from ward Councillors and the community of Cliftonville West generally.
- The former Butlin's site was privately owned, however the Council would monitor any plans for the site.

Councillor Currie followed up his question by asking if the Council would publish a regular quarterly update about the sites to keep the public updated.

Councillor D Saunders responded that Members would be kept up to date regarding asset disposals once the legal process had been completed.

(d) **Question No.4 from a Member Regarding Appointment of a Tree Officer**

Councillor Duckworth asked Councillor Ashbee the following question:

"Considering that we currently have no Trees Officer within the council, can you confirm when one will be appointed and whether that position will be a council position or done on a contract basis, considering the necessity of both the role and of solid employment within our area?"

Councillor Ashbee responded with the following point:

- The Council would recruit an Arboriculturalist. This post would be employed by the Council.

Councillor Duckworth followed up her question by asking what specific measures were being put in to place to bring these kind of contracts in house and monitor the work undertaken.

Councillor Ashbee responded that following a recent review, a number of additional processes for works on trees and hedgerows would be imminently adopted. As part of the ecological risk assessment there would be a check sheet to ensure compliance was documented.

(e) **Question No.5 from a Member Regarding East Kent Housing**

Councillor Whitehead asked the Leader the following question:

"Considering the failures in relation to the East Kent Housing contract, can you tell me what measures are underway to ideally bring our housing back to in house management, and in the interim to protect tenants who have been failed in terms of health and safety under current management"

The Leader responded with the following points:

- The Council was alerted to the failure of the gas safety contract in May 2019, by which time 130 Council properties did not have a valid Landlord Gas Safety Report (LGSR).
- The situation was similar in the other East Kent Councils.
- The current position has improved, as at 9 July 2019 there were 13 outstanding.
- Recovery measures were put in place and alternative contractors had been issued works.
- LGSR's were a statutory health and safety requirement. The Council's top priority was the safety of tenants.
- The Health and Safety Executive was aware of the position and the recovery arrangements. The Council was also required to report any significant breaches of the required standards to the Regulator for Social Housing.
- The Council's Monitoring Officer was required to report the situation to Members formally and a paper had been drafted for the July meeting of Cabinet. The report would be accompanied by a further report setting out the circumstances, recovery actions and future intervention options. Both reports have been circulated to all Councillors and would be published on the Council's website on 15 July 2019.
- Alternative arrangements for the future management of the Council's housing stock, would be considered by Cabinet on 25 July 2019.
- The Council was committed to ensuring that the recently highlighted issues with tenant health and safety were urgently resolved, and that the Council would consider all of the available options to secure the best possible future management arrangements for Council tenants.

Councillor Whitehead followed up her question by asking if the Council monitored the impact that housing placements had on vulnerable people.

The Leader responded that Councillor Whitehead's concerns were noted.

**(f) Question No.6 from a Member Regarding Community Safety**

Councillor Rawf asked Councillor Game the following question:

"Considering that we have recently had a high profile racially motivated incident, can you tell me what measures are in place to guarantee that we are ensuring that Thanet is a safe and welcoming place for all visitors and residents"

Councillor Game responded with the following points:

- The Council was unable to comment on ongoing Police investigations however it was committed to providing a safe and welcoming environment for visitors and residents.
- The Council worked with the other statutory agencies in the Thanet Community Safety Partnership and with the local community through regular neighbourhood engagement meetings.
- The Police Community Liaison Officer, who specialised in incidents of this type, worked within the co-located team in the council office which enabled the Council to be fully engaged with providing support.
- Every incident of hate crime was discussed at police threat risk and harm meetings. Victim and Perpetrator information is discussed and action plans were developed as applicable.

Councillor Rawf followed up his question by asking if the Council would look at existing projects to encourage diversity and equality within the district.

Councillor Game responded that the Council was committed to encouraging diversity and equality for those living and visiting the district. She offered to meet with Councillor Rawf to explore what could be done.

(g) **Question No.7 from a Member Regarding Member Training**

Councillor Hopkinson asked Councillor Pugh the following question:

"As councillors, we are likely to encounter residents requiring mental health assistance, sometimes urgently, as part of our casework. Would the council therefore consider providing first aid mental health training to help members recognise mental health warning signs and direct residents towards appropriate help?"

Councillor Pugh responded with the following points:

- Councillors could request training on a wide variety of topics.
- Councillors were encouraged to complete the learning needs analysis (LNA) that had recently been circulated. This document helped Councillors identify gaps in their knowledge and was the basis upon which the member training programme was created.
- Responses to the LNA and the draft training programme would be considered by the Member Training Group.

Councillor Hopkinson followed up his question by asking what was Cllr Pugh's personal view on the need for training?

Councillor Pugh responded that he agreed that Members did encounter residents with a variety of needs including mental health requirements. He offered to meet with Councillor Hopkinson to explore the issue further.

## **8. NOTICE OF MOTION**

(a) **Motion - Climate Change Emergency**

It was proposed by Councillor Yates and seconded by Councillor Garner that:

"This Council resolves to:

- Declare a climate emergency;
- Pledge to do what is within our powers and resources to make Thanet District Council carbon neutral by 2030, taking into account both production and consumption emissions;
- Call on Westminster to provide the powers and resources to make the 2030 target possible;
- Continue to work with partners across the county and region to deliver this new goal through all relevant strategies;
- Requests the council investigate all possible sources of external funding and match funding to support this commitment."

In accordance with council procedure rule 3.7, the Leader provided a response to the motion.

The Leader proposed, Councillor Ashbee seconded and Members agreed to discuss the motion.

Following being put to the vote the motion was agreed and would be referred to Cabinet.

(b) **Motion - The Council's System of Governance**

It was proposed by Councillor Reverend Piper and seconded by Councillor Roper that:

"That Council Members have a debate this evening to consider gathering information that may provide members, at a later date, the opportunity to examine the option of changing our system of governance, from the current Cabinet led system to a Committee led system. There are many councils across the UK, including Maidstone Council and Canterbury City Council, who have successfully adopted the committee system."

In accordance with council procedure rule 3.7, Councillor Pugh provided a response to the motion.

Councillor Pugh proposed, The Leader seconded and Members agreed to discuss the motion.

Councillor Everitt proposed an amendment, seconded Councillor Albon as follows:

"That Council calls upon the four political groups and the single non-aligned Councillor to work together to identify preferred options for changing our system of governance, from the current Cabinet led system to a Committee led system, and then submit those options to the Constitutional review Working Party for consideration. There are many councils across the UK, including Maidstone Council and Canterbury City Council, who have successfully adopted the committee system."

Councillor Reverend Piper proposed, Councillor Dennis seconded and Members agreed that the amended motion become the substantive motion.

Following being put to the vote the motion was agreed.

**9. LEADERS REPORT**

During his report the Leader covered the following areas:

- Automatic Number Plate Recognition went live in Trinity Square Car Park.
- Cabinet would consider the sale of freehold lease for the Dreamland site.
- Finance surgeries had been held this month to allow the public to inspect the Council's accounts.
- Funding had been received to provide new services in Ramsgate to help support rough sleepers.
- In June events had taken place in Dalby Square, Cliftonville funded by the National Lottery Heritage Fund and the Council.
- Ellington Park would receive a significant grant to fund improvements to the Park.
- Following a significant number of complaints about recent hedgerow work undertaken around the Winter Gardens, a number of new processes have been introduced to the Council's practices.
- The opening of the Turner Prize 2019 exhibition was just three months away.
- Thanet beaches had been awarded more blue flags and had received 21 beach awards, this was more than any other council in the country.

Councillor Everitt as Leader of the Labour Party responded with the following points:

- The positive developments mentioned in the Leaders report were welcome.
- The failure of the East Kent Housing (EKH) had been brought about through a failure of governance and management.
- The concept of EKH had been opposed by the Labour group when it was initially set up.
- East Kent Audit Partnership's audit of EKH had found a number of shortcomings within the organisation.
- EKH had no forward plan or records of decisions made listed on its website.

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

- The Council had been open about the shortcomings and accepted that something needed to be done. Cabinet would look at options for the future when it met on 25 July.

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

- It was striking that the Council was listening to the public and communicating far better than it had done previously.
- The Council was not trying to hide its problems. The Monitoring Officer's report showed that the EKH issue was being taken very seriously.

Councillor Roper as leader of the Green Party made the following points:

- The Leaders report showed that the public was being listened to and that the Council was responding.
- It would be good if the Council would continue to listen when considering the provision of public toilets.

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

Councillor Campbell, the Chairman of the Overview and Scrutiny Panel (OSP), presented his report and the following points were noted:

- The report detailed the work of the Panel and its work programme. Panel had met once since the last meeting of Council and had decided to set up a five member working group to look at the issue of Travellers in the district.

#### **11. REPRESENTATION ON OUTSIDE BODIES**

The Leader proposed, Councillor Everitt seconded and Members agreed the list of executive and non-executive outside bodies as shown in annex 1 and annex 2 of the report for the municipal year 2019-20.

Members also agreed that Councillor Farrance be the representative on Powell Cotton Museum and Quex House, and agreed the list nominations to the non-executive outside bodies for the municipal year 2019-20 as shown in the Members Notes, namely;

Name of Outside Body	No. of Reps	Representatives 2019/20 (Councillor)
Citizens Advice Bureau, Thanet	2	Rawf Keen
East Kent Housing Area Board	2	Whitehead Huxley
East Kent Housing Board	1	Game
Millmead Children's Centre Partnership Ltd	1	Duckworth
Multiple Sclerosis Society	1	Gregory

Thanet Rural Regeneration Group	1	Wright
Thanet Sports Network	1 +reserve	Garner Scott (Reserve)
Thanet Volunteer Bureau	1	Scott
The Friends of Margate Cemetery Trust	2	Tomlinson Yates
Youth Advisory Group	1	Kup

**12. CHANGES TO COMMITTEES PANELS AND BOARDS 2019/20**

**NOMINATION OF MEMBERS TO SERVE ON COMMITTEES**

The Leader advised that he nominated Councillors Coleman-Cooke and Parsons to replace Councillors Savage and Wright on the Overview and Scrutiny Panel.

Councillor Everitt advised that he nominated Councillors Currie, Green and Pat Moore as substitute members on planning committee.

**ELECTION OF VICE CHAIRMAN OF OVERVIEW AND SCRUTINY**

It was proposed by the Leader, seconded by Councillor Campbell and Members agreed that Councillor Parsons be elected vice chairman of the Overview and Scrutiny Panel for the remainder of the 2019/20 year.

**13. CHANGES TO THE CONSTITUTION - STANDING ORDERS IN RELATION TO STAFF**

This item was withdrawn.

**PAY POLICY STATEMENT**

It was proposed by the Chairman, seconded by Vice-Chairman and Members agreed the recommendation as shown in the report, namely that Members:

“Approve the Pay Policy Statement for 2019/20 as set out in Annex 1, after which it will be published.”

**15. MEMBERS ALLOWANCES - REPORT BACK FROM THE EKJIRP COMMITTEE**

Members noted the report.

Meeting concluded: 8.55pm