

## COUNCIL

### Minutes of the meeting held on 5 September 2019 at 7.00 pm in the Council Chamber, Council Offices, Cecil Street, Margate, Kent.

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

#### 1. APOLOGIES FOR ABSENCE

Apologies were received from Councillors Albon, Crittenden, Day, Keen, Potts, Roper, Rusiecki and Stevens.

#### 2. MINUTES OF THE PREVIOUS MEETING

It was proposed by the Chairman, seconded by the Vice-Chairman and agreed, that the minutes of the Council meeting held on 11 July 2019 be approved and signed by the Chairman.

#### 3. ANNOUNCEMENTS

There were no announcements.

#### 4. DECLARATIONS OF INTEREST

There were no declarations of interest.

#### 5. PETITIONS

##### (a) Save Our NHS in Kent Judicial Review

Dr Gordon-Nesbitt presented a e-petition regarding NHS stroke services. Members noted that the following e-petition contained 86 valid signatures:

"We the undersigned petition the council to contribute £5,000 to Save Our NHS in Kent's judicial review of the decision to close the stroke unit at QEQM Hospital."

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.

##### (b) Petition Regarding the Budget - Report Back to Council

Members noted the Cabinet response to the petition as detailed in the report.

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

(a) **Question No.1 - Lewis Crescent Waste Issues**

The questioner was not present at the meeting. A written response would be provided to the questioner after the meeting in accordance with Council procedure rule 13.6.

(b) **Question No. 2 - Land for Travellers**

Mr Wraight asked the Leader the following question:

“Has TDC spoken to any private landowners, i.e River Oak Strategic Partnership about temporary use of their land for use by the travellers. Or any other landowners?”

The Leader responded with the following points:

- RiverOak had not been approached by the Council, however other landowners have been approached including Kent County Council.
- Temporary stop site options had been considered by the Council’s Traveller Working Group.

(c) **Question No. 3 - Ramsgate Port feasibility study**

Mr Byrne asked the Leader following question:

“The Port & Harbour continue to lose millions each year from falling revenue and needless costs such as Berths 4/5. You said the Feasibility Study would be completed in 2019. This is not possible given the predicted 6 months delivery time so, what is your plan?”

The Leader responded with the following point:

- The study was programmed to be undertaken before the end of the calendar year. The feasibility scope had been completed and agreed with the Port and Harbour Working Group, and a project programme had been prepared. Quotations would be invited shortly.

(d) **Question No. 4 - Seaweed disposal**

The questioner was not present at the meeting. A written response would be provided to the questioner after the meeting in accordance with Council procedure rule 13.6.

(e) **Question No. 5 - Brexit Funding**

The questioner was not present at the meeting. A written response would be provided to the questioner after the meeting in accordance with Council procedure rule 13.6.

(f) **Question No. 6 - Verge Cleaning**

Mr Wise asked Councillor Ashbee the following question:

“What plans do the Council have to restore the verge cleaning service to our major through-route roadways? Or do officers and councillors intend that the already unacceptable levels of detritus in these locations be left to lie and accumulate in perpetuity?”

Councillor Ashbee responded with the following points:

- The High Speed Roads Clearance Programme took place each summer. The Council payed Kent County Council (KCC) for this and KCC coordinated the works with their contractors.
- The works had been carried out in July in accordance with the standards set out in the Defra code of practice on litter and refuse.
- Other main routes across the District were mechanically swept on scheduled rounds and on a reactive basis when required.

(g) **Question No. 7 - Land at Tivoli Park Avenue**

Ms Garfield asked Councillor D Saunders the following question:

“Please can you explain why land on Tivoli Park Avenue was sold to a developer at auction despite being covenanted to the people of Margate as green space in perpetuity?”

Councillor D Saunders responded with the following points:

- The land had not been designated as public open space in the Local Plan, and there were no other policies dedicating it as community land or a village green.
- The land was sold with a limited title guarantee, the Council had the right to dispose of the land, and had the right to transfer the title to the buyer.
- There were no restrictive covenants imposed on the land including no known covenants about the use of the land.

(h) **Question No. 8 Economic Impact and Value of the Royal Harbour and Marina**

As the questioner was not present at the meeting, a written response would be provided to the questioner after the meeting in accordance with Council procedure rule 13.6.

(i) **Question No. 9 The Manston Airport site and DCO Examination-**

As the questioner was not present at the meeting, a written response would be provided to the questioner after the meeting in accordance with Council procedure rule 13.6.

(j) **Question No. 10 Use of Glyphosate in open spaces-**

Mr Pressland asked Councillor Ashbee the following question:

“The council has now recognised a climate and ecological crisis emergency, great. However we now need action. Will the council now stop using glyphosate in all open areas and invest in non chemical alternatives like the weedingtech foamstream system? If not, why not?”

Councillor Ashbee responded with the following points:

- The open spaces team and the Health and Safety Compliance Officer were looking into alternatives such as hot foam, to reduce or stop the use of weed killers.

- Dover District Council (DDC) had trialled the hot foam technique, and the Council had were looking at DDC's findings.
- Following the climate emergency declaration, the Council aimed to change working practices where practicable to support biodiversity across the District's open spaces.

(k) **Question No. 11 The deployment of 5G in Thanet**

Ms Hynes asked Councillor Game the following question:

"What are the current plans and timescale for the deployment of 5G in Thanet and how well informed is the council on this subject?"

Councillor Game responded with the following points:

- Central Government was consulting on proposals to reform permitted development rights to support the deployment of 5G and extend mobile coverage.
- The development of improved connectivity for residents and businesses, through the roll out of 5G was supported, however the Council was not aware of any specific roll out plans or timescales.

(l) **Question No. 12 Create a bylaw for the prevention and suppression of nuisances**

As the questioner was not present at the meeting, a written response would be provided to the questioner after the meeting in accordance with Council procedure rule 13.6.

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

(a) **Question No.1 Viking Bay Lift**

Councillor Bailey asked Councillor D Saunders the following question:

"Viking Bay is promoted as a having a lift however, it regularly breaks down. Many elderly and disabled depend on this lift and often can't manage the alternative steep slopes. At almost twenty years old, it needs significant investment.

Please can money be found to upgrade this valuable asset?"

Councillor D Saunders responded with the following points:

- Replacement parts had recently been received and tested, the lift was now operational.
- The lift would operate until 6 October.
- The lift had received considerable investment over the last few years.

Councillor Bailey followed up her question by asking if the Council would undertake a commitment to overhaul the lift system rather than respond reactively to problems.

Councillor D Saunders responded that ideally the lift would be fully reconditioned, however this would leave the lift out of action for a long period of time. Options for the lift would be looked at when the 2020-21 budget was considered.

(b) **Question No. 2 Leopold Street Car Park**

Councillor Ara asked Councillor Ashbee the following question:

“The harbour multi-storey car park in Ramsgate is in an absolutely filthy state, with graffiti litter, drug use and public urination. The lift is a potential hazard, especially for families with children, or to those with a physical disability. Does the cabinet have a fixed date to start renovations.”

Councillor Ashbee responded with the following points:

- The Royal Harbour car park was deep cleaned in April 2019, however the car park suffered regularly from vandalism, graffiti and abuse.
- In January 2019 the Council invested over £30,000 on a state-of-the-art CCTV system for the car park, which has helped the Council identify offenders and abusers of the car park so that the police could take action.
- In September 2019 the Council would undertake another deep clean followed in early October 2019 by a complete repainting of all of the stairways and railings.
- The lifts are were in need of substantial refurbishment/replacement. The Council was talking to the owners of the building to see how this could be achieved.
- The Leader met with representatives from Ramsgate Town Council and the Town Team, and a shared action plan and programme of work was agreed that would support the delivery of improvements.
- The Council has committed to cleaning the car park daily

Councillor Ara followed up her question by asking if there was an ongoing plan to ensure the car park remained in a good condition following the clean up.

Councillor Ashbee responded that she would keep a close watching eye on the matter to ensure that the action plan was followed.

(c) **Question No.3 Brexit Preparations**

Councillor Everitt asked the Leader the following question:

“Is the leader confident that the council is fully prepared for a possible "no-deal Brexit" and that the impacts on the district of Operation Brock, in particular, can be managed within existing council resources and without detriment to the everyday lives of Thanet residents.”

The Leader responded with the following points:

- Over the last 12 months the Council had engaged with partners through the Kent Resilience Forum at a strategic and tactical level in preparation for the UK leaving the EU.
- The Council, and other partners, had expressed concerns to the Department of Transport and the Ministry for Housing, Communities and Local Government. The potential impact on communities needed full recognition by the Government and allocation of resources needed to reflect the increased risks faced by the District.
- Preparations included:

- The implementation of duty rotas to ensure the Senior Management Team were engaged and informed regarding arrangements for a no deal Brexit.
- Safety Advisory Group arrangements with the Department for Transport to assess the impact of a lorry park and management plans for the Manston site.
- Completion of a detailed community impact assessment .
- All services have carried out business continuity impact assessment and developed a Brexit specific risk register.
- The Council's communication leads had engaged with the strategic media cell and had provided a tool kit for the local community to use.
- There had been engagement with local business, led by the Strategic Partnerships Manager.
- A Brexit lead officer had been appointed to co-ordinate the multiple work streams required.
- The Council's business continuity plans with specific reference to Brexit had been tested.
- The Council had engaged in Operation Lundy a multi-agency test of the plans.
- The Council would continue to do all it could to mitigate and prepare for a worst case scenario.

Councillor Everitt followed up his question by asking if the Leader had met with the District's Members of Parliament (MPs) in order to make them aware of the potential challenges facing the District.

The Leader advised that he regularly met with the Districts MP's and they were aware of the challenges.

(d) **Question No.4 Beach Cleanliness**

Councillor Rawf asked Councillor Ashbee the following question:

"Protecting the environment is in council plan. But our streets and beaches are covered in rubbish. It is pulled into the sea and causes lasting environmental damage. Volunteers can't clear it. Can the cabinet explain their plan for ending this scandal and when that plan will be published?"

Councillor Ashbee responded with the following points:

- The street cleansing and seasonal beach teams had worked hard to clean up after beach users throughout the summer season and deserved our thanks for their effort.
- Staff work from 6am until 8pm at peak times throughout the summer.
- The Council has worked on joint publicity campaigns with Southern Water and the Environment Agency about how litter could affect water quality and negatively impact the natural environment.
- The District's beaches had won more Blue Flags and Seaside Awards than any other area in the country.
- The Council procured a number of litter vacuums which were used by staff and were available for community groups to use.

Councillor Rawf followed up his question by asking how often did the Council check on the quality of work done by contractors and what penalties had been issued to these contractors for poor performance?

Councillor Ashbee responded that the service was not contracted to an external service provider, however additional agency staff were employed during the summer months to meet the additional workload.

(e) **Question No.5 Climate Emergency Committee**

Councillor Garner asked the Leader the following question:

Will the Leader of the Council agree to set up a cross party Climate Emergency committee of councillors to work with the officers producing the Climate Emergency Report, for the Feb 2020 council meeting, to offer advice and support, demonstrating how seriously the Council takes this issue?

The Leader responded with the following points:

- A cross party working group would be established that initially would consider the implications of achieving carbon neutral status by 2030.
- The cross party group would:
  - Compile a report on the current situation with immediate and longer term actions to be taken.
  - Ensure that the report included the environmental impact of the Council, suggestions to reduce this impact and measures to support a positive environmental impact across the District.

Councillor Garner followed up his question by asking whether standards for housing developments would be considered by the Group.

The Leader responded that the Group would consider all aspects relating to the climate emergency.

(f) **Question No.6 Email Correspondence**

Councillor Duckworth asked Councillor Pugh the following question:

“Does the council block specific residents from contacting members or officers directly by email and if so, how many residents are blocked and on what basis?”

Councillor Pugh responded with the following points:

- The Council did not block specific residents from contacting Members or Officers directly by email. However, in some very limited and exceptional circumstances, it was necessary for the Council to manage or moderate correspondence from specific email addresses, by redirecting the email to a single point of contact in the Council.
- The purpose of this action was to apply a filter process to remove vexatious contact by individuals.
- The Council had a duty of care to its staff to take appropriate lawful steps to prevent this type of behaviour.
- There were at present no redirections in place.

Councillor Duckworth followed up her question by asking if the Council was confident that this practice was lawful? How could Members be assured that the action was proportional?

Councillor Pugh responded that the Council had received legal advice on the matter that confirmed that the policy of redirecting emails to a single point of contact was lawful.

(g) **Question No.7 Asset Management Process**

Councillor Currie asked Councillor D Saunders the following question:

"What process is TDC using to actively seek out, engage with, encourage and facilitate community groups to take on council assets that are being disposed of? Please can you lay out the steps that are being taken, when and by whom?"

Councillor D Saunders responded with the following points:

- Members recently had briefing about the asset transfer process.
- Recent successful freehold asset transfers to community groups included Foresters Hall to East Kent Mencap and the Westgate Pavilion to the Westgate Pavilion local project.
- Successful leasehold transfers included the Margate Caves Community project and the Ramsgate Tunnel Project.
- Asset disposals were regulated by law, and the Council had a strategic and proactive approach to reviewing property and land ownership with policies and processes documented in the Strategic Asset Management Plan (2017 - 2021) and the Community Asset Transfer Policy (January 2018 to December 2021).
- The list of Council owned assets available for disposal was available on the website.
- The Local Government Transparency Code 2015 required the Council to publish a full list of assets on the website and maintain a public register of assets of community value
- Members were encouraged to share these policies their constituents.

Councillor Currie followed up his question by asking whether the Council would provide support to the asset holder once a transfer had been made?

Councillor D Saunders responded that the Council supported new asset holders.

(h) **Question No. 8 Street Trading**

The time allocated for consideration of questions from Members had expired, therefore the questioner would receive a response to the question in writing, in accordance with council procedure rule 14.2.

**8. NOTICES OF MOTION**

No notices of motion had been received.

**9. LEADERS REPORT**

During his report the Leader covered the following areas:

- The Ramsgate Port and Harbour feasibility study specification had been finalised.
- A cross party working group had been set up to look at toilet provision across the District.

- The Chief Executive and Deputy Leader had met with Margate Harbour Arm businesses.
- Beach cleansing team had done an extraordinary job to keep the beaches clean during a busy summer season.
- Following the Council's declaration of a climate emergency, a working group would be set up, and a situation report would be brought to the February 2020 meeting of Council.
- A Scrutiny working group regarding Travellers had been set up to look at how the Council could address unlawful incursions.
- The Turner Prize 2019 would be hosted in Margate by the Turner Contemporary between 28 September 2019 and 12 January 2020.
- The Council had worked with the Sunshine Café who would host an art exhibition for five weeks from 13 September 2019.
- Ramsgate was one of 50 towns invited to apply for Future High Streets Funding.
- The Council had successfully secured £226,100 from the Ministry of Housing, Communities and Local Government to tackle rogue landlords.
- Cabinet recently held an extraordinary meeting to consider Overview and Scrutiny Panel's (OSP) recommendations regarding the sale of Dreamland.
- A recent Air Quality Annual Status report had found an improvement in air quality across Thanet. The Council had been working with partners to encourage more environmentally friendly travel methods.

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

- There were a number of topics missing from the Leaders report, such as a reference to staffing and East Kent Housing.
- Progress on the Ramsgate Port feasibility study was welcome, however there was lots of public concern about the Port and its future.
- Councillor Yates deserved recognition for his scrutiny of the Dreamland sale process. The Labour Group would continue to seek assurances that the future of the site was protected from property development for as long as possible.
- In Future group leaders should be consulted before a Council meeting was cancelled.

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

- The Leader would provide an update regarding staffing and East Kent Housing to Councillor Everitt when they had their next one to one meeting.
- The process regarding the sale of Dreamland had been as open and transparent as possible. There had been a Members Briefing, an OSP meeting and two Cabinet meetings on the subject.

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

- When would the Ramsgate Port and Harbour feasibility study be completed?
- The public outcry following the recent litter incident on Margate beach was understandable, a strong response was needed if it happened again.
- Lessons should be learnt from Hove's recent traveller incursion experience. Hove had a dedicated traveller site, however it was not used. The benefits of a dedicated traveller site should be made clear.
- The Turner Prize in Margate was a wonderful thing. It would be good to charge a nominal fee to visitors.
- Funding to tackle rogue landlords and the nomination of Ramsgate to apply for Future High Street's Funding was good news.

- Cabinet should take notice of OSP's recommendations regarding the future of the Dreamland site.

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

- Cabinet considered all of the recommendations from the OSP.
- The Council could consider charging a tourist tax, this practice was seen as normal in other Countries.

Councillor Garner representing the Green Party made the following points:

- It was good to hear about the Turner Prize and other exhibitions opening in Thanet.
- Funding to tackle rogue landlords and for Ramsgate High street was positive.
- A cross party working group set up to produce a climate emergency action plan was good.
- Once the arboricultural officer was in place a biodiversity plan should be published and implemented as soon as possible.
- There was concern that the process to sell the Dreamland site had not been transparent.
- No new spending should be authorised at the Port of Ramsgate until the review had been completed. Members should be provided with business plans and engineers reports in order to understand the reasoning behind recent spending decisions.
- External help was needed to assist the Council in overcoming its challenges and to restore the community's confidence in the Council.

- The Leader replied to Councillor Garner's comments with the following points:
- The planned expenditure at Ramsgate Port was in regard to berths 4 and 5, this work had been built into the capital programme by the last Council.
- The sale of Dreamland would ultimately reduce the Council's future liabilities. The process had been very transparent and Cabinet had taken on board the recommendations of the OSP.
- The Leader invited Councillor Garner to meet with him to discuss what kind of help he felt that the Council needed.

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

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

- The Panel had met three times;
  - 18 July to receive a report on Ramsgate Port
  - 15 August to scrutinise the sale of the Dreamland freehold
  - 27 August to review the corporate statement and receive a report from Councillor Albon the Chairman of the Travellers Working Party.
- Minutes of these meetings were available on the Council's website.

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

Members agreed:

1. That South East Employers be added to the list of Executive appointed outside bodies;
2. That Councillor Wright be nominated to the Trust for Thanet Archaeology.

## **12. APPOINTMENTS TO COMMITTEES, PANELS AND BOARDS**

## **NOMINATION OF MEMBERS TO SERVE ON COMMITTEES**

Members noted the following nominations:

- That Councillor Gregory would replace Councillor Constantine on the Overview and Scrutiny Panel.
- That the Thanet Association of Parish Council's nominate Town Councillor Pennington to the Joint Transportation Board and Parish Councillors Quittenden and Crow-Brown to the Standards Committee.
- That Councillor Reverend Piper replace Councillor Dennis on the Constitutional Review Working Party.

Meeting concluded: 20:40