

## COUNCIL

### Minutes of the meeting held on 10 October 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, Boyd, Campbell, Coleman-Cooke, Constantine, Crittenden, Currie, Day, Dennis, Dexter, Duckworth, Everitt, Farrance, Fellows, Game, Garner, Green, Gregory, Hopkinson, Huxley, Keen, Kup, Pat Moore, Ovenden, Parsons, L Piper, S Piper, Potts, Pugh, Rawf, Rogers, Roper, Rusiecki, D Saunders, M Saunders, Scobie, Shrubbs, Stevens, Taylor, Tomlinson, Towning, Whitehead, Wing, Wright and Yates.

#### 1. APOLOGIES FOR ABSENCE

Apologies were received from Councilors; Braidwood, Hart, Paul Moore and Scott.

#### 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 5 September 2019 be approved and signed by the Chairman.

#### 3. ANNOUNCEMENTS

The Chairman announced that both former Councillor Dennis Payne and former Councillor John Fullarton had recently passed away. Members stood for a minute's silence as a mark of respect, and offered sympathy to Mr Payne's and Mr Fullarton's families.

#### 4. DECLARATIONS OF INTEREST

There were no declarations of interest.

#### 5. PETITIONS

No petitions were received in accordance with council procedure rule 12.

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

##### (a) Question No. 1 From A Member Of The Public Regarding Renewable Energy

Mr Pressland asked Councillor D Saunders the following question:

"In view of the clear benefits of solar and air source heat pumps in reducing co2 and advancing climate change mitigation and reducing energy costs for council run public buildings long term. Will TDC create a clear strategy to install renewables on all council buildings. If not, why not"

Councillor D Saunders responded with the following points:

- A property portfolio review was underway that considered the energy rating of the properties. The Council would look to keep sustainable property, however some

property maybe retained that had protection through planning policy, such as grade 2 listed buildings, where adaptations were limited.

- The Council had invested in energy efficiency and renewable energy in council housing. Strategic Priority four of the draft Local Plan set out a commitment to ensure that all new development was built to the highest attainable quality and sustainability standards.

(b) **Question No. 2 From A Member Of The Public Regarding The Overview And Scrutiny Panel**

Ms Austin asked Councillor Pugh the following question:

“TDC’s website states that the function of the Overview and Scrutiny Committee is to monitor the performance of the Leader and Cabinet and scrutinise services and policies throughout the district. How can it do this effectively if information can be withheld from it on the basis of commercial confidentiality?”

Councillor Pugh responded with the following points:

- Relevant information to the work of the Overview and Scrutiny Panel would not generally be withheld on the grounds of commercial confidentiality.
- Officers would usually recommend that it was dealt with in private session following the exclusion of the press and public from the meeting.
- Where the information belonged to a third party, the Council would seek the views of the third party on how the information could be shared with the Panel.

(c) **Question No. 3 From A Member Of The Public Regarding The Ramsgate Port Feasibility Study**

Mr Murphy asked the Leader the following question:

“Evaluation Criteria in the Port Ramsgate Feasibility Study tender favour low price over quality and encompass unacceptably small operations with low credit ratings. Quality analysis of all options is vital to turn the port around. A low quality applicant may win. What will you do to stop this?”

The Leader responded with the following points:

- The evaluation criteria for this work had been written to suit the value range and specific content of the project. The project had a limited budget so cost was an important factor. This did not mean that quality was not important, the quality score had a significant influence on the outcome.
- The contract included provisions to protect against abnormally low or high bids and protection in the event that the quality element did not meet an acceptable standard.
- Rules on a bidders credit score were applied in a manner consistent with similar valued projects. It would be unfair to require prospective bidders to have a turnover in excess of that suggested by the Council’s procurement guidelines for a project of this scale.

(d) **Question No. 4 from a Member of the Public regarding Land on the North Side of Tivoli Park Avenue Margate**

The question was with drawn at the request of the questioner.

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

(a) **Question No.1 Broadstairs Playgrounds**

Councillor Garner asked Councillor Ashbee the following question:

"Plans to replace the 4 playgrounds in Broadstairs parks, along with the Section 106 funding to pay for them, have been waiting for approval since last year. Can you confirm when the 4 new playgrounds will be installed?"

Councillor Ashbee responded with the following points:

A programme had been drafted for the playground refurbishment works. Completion of the site works was programmed for the end of June 2020.

Councillor Garner followed up his question by asking if residents could be engaged at an early stage in the process, and involved in the planning of the playgrounds.

Councillor Ashbee responded that she would be very happy to coordinate a meeting with the residents and planners in order to have input from residents.

(b) **Question No.2 Tivoli Woods**

Councillor Gregory asked Councillor Ashbee the following question:

"Referencing TDCs 'Open Space Strategy 2018' that cites health benefits and pollution reduction evidence, please explain the tree and wildlife habitat decimation in Tivoli Woods since TDC sold this covenanted site. Will TDC designate this site a 'Local Green Space' as it is demonstrably special to the local community?"

Councillor Ashbee responded with the following points:

- The Council could consider proposals for local green space that were put forward by the community. Proposals would be considered against the criteria for local green space set out in the National Planning Policy Framework (NPPF).
- The next opportunity to consider proposals for local green space would be during the review of the Council's Local Plan in 2020, or as part of any work to develop a Margate Neighbourhood Plan.
- The site was covered by a historic Tree Preservation Order (TPO) from 1952, it covered an area which was formerly part of the railway line. The planning enforcement team investigated the removal of trees from the whole site over the past year however these trees were not covered by the TPO on the site.
- The Council had protected 15 Sycamore trees on the frontage of the site by serving and confirming a TPO earlier this year, and would continue to monitor the site to ensure no unauthorised work occurs to the protected trees.

Councillor Gregory followed up her question by asking if the council would seek to address the terms of sale of the land to ensure that any work in breach of a protective covenant was undone.

Councillor Ashbee offered to come back to Councillor Gregory following a discussion with the estates department.

(c) **Question No.3 Removal of Bins**

Councillor Ara asked Councillor Ashbee the following question:

"Ramsgate residents have brought to my attention the removal of dog-waste and litter bins from our open spaces and residential places. People are having to walk further to find bins and dog-poo bags may be discarded wherever. What can the cabinet member tell me about this?"

Councillor Ashbee responded with the following points:

- The litter and dog bins at King George VI Park, Western Undercliff and the Warre Rec had been replaced with larger bins in strategic locations at these sites.
- There were bins at access and egress points to these sites.

- Stickers were available to Members and the public upon request that could be placed on bins to advise residents that dog waste could be put in any public litter bin.

Councillor Ara followed up her question by asking if bins could be returned to areas that seemed to be lacking them?

Councillor Ashbee responded by asking Cllr Ara to detail the main sites of concern and she would visit them to assess the situation.

(d) **Question No.4 from a Member Regarding Fly Tipping**

Councillor Duckworth asked Councillor Ashbee the following question:

“Has any analysis been done of the effect of KCC's decision to start charging for tip use, to see if fly tipping has increased since the charges were introduced?”

Councillor Ashbee responded with the following points:

- The Council had started to gather data to report to Kent County Council.
- TDC were part of the Kent Resource Partnership, and attended a Streetscene project group where these issues were discussed.
- There was an increase in dumped rubble in July, but this had since returned to more average figures.
- The Council needed a few more months to establish any if there was a long term impact.

(e) **Question No.5 From A Member Regarding The System Of Governance**

Councillor Bailey asked the Leader the following question:

“On 11th July a motion was put forward for members to explore the committee system of governance. Has any work been done towards this yet?”

If we are looking to adopt a new system at the next Annual meeting then time is short.”

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The Leader responded with the following point:

- This was a Member led motion, and the Leader offered to meet with Councillor Bailey to see how the matter could be progressed.

Councillor Bailey followed up her question by advising that Ed Hammond from the Centre for Public Scrutiny could help as he had assisted other councils to change their system of governance.

The Leader responded that he would meet with Councillor Bailey to look at the options available.

(f) **Question No.6 From A Member Regarding Travellers**

Councillor Rawf asked Councillor Game the following question:

“This council has legal, moral duties towards people of nomadic habit. In 2012 the nationally agreed immediate need for new pitches was 6000. Less than a third of those have been provided. Do we provide pitches with basic hygiene services sufficient to the needs of this minority in our area?”

Councillor Game responded with the following points:

- The primary requirement to assess Gypsy and Traveller accommodation need was set out in the Housing & Planning Act 2016 (Section 124). Government guidance was in the Planning Policy for Traveller Sites (PPTS)(Department for Communities & Local Government, 2015).
- The Council had been involved in a series of studies, the most recent was part of a suite of studies across Kent, and was published in March 2019. The study identified a need for seven permanent pitches and five transit pitches over the plan period to 2031.
- The draft Local Plan included a policy that set out how applications for sites would be assessed and determined. The Council was due to review its Local Plan following adoption in 2020, and would take proactive steps to accommodate all emerging needs of Gypsy and Travelling communities within the District.
- The Council had established a Scrutiny Review Group which was exploring site options, an update was due at the November scrutiny meeting.

Councillor Rawf followed up his question by asking, what the Council did to ensure the health and wellbeing of gypsies and travellers.

Councillor Game responded that the community safety team took the health and wellbeing of travellers very seriously, they made regular visits to sites to ensure needs were met.

(g) **Question No.7 From A Member Regarding Ramsgate Port**

Councillor Wing asked the Leader the following question:

“Given the TDC contract with BRETTS makes the landlord (TDC) responsible for maintaining and/or upgrading the facilities they use at the Port of Ramsgate, have BRETTS ever requested work to be carried out and did this include the proposed work involving one of the pontoons presently in Ramsgate Harbour?”

The Leader responded with the following points:

- The Council was obliged to repair or renew berths 4 and 5 as stated in the facilities agreement. The agreement did not specify the method of construction for the berth which could be a fixed quay or a floating pontoon berth.
- Brett continued to require the use of a berth as indicated in the agreement.

Councillor Wing followed up her question by asking if Brett had requested the work?

The Leader responded that Brett had not.

(h) **Question No.8 From A Member Regarding The Council Becoming Carbon Neutral**

Councillor Roper asked Councillor D Saunders the following question:

“Whilst we wait for the Climate Emergency Working Party to be formed, could relevant Council Officers please examine ways in which TDC could move towards becoming Carbon Neutral. For example ensuring that our electricity supply comes from renewable sources and that any vehicle replacements are as environmentally friendly as possible”

Councillor D Saunders responded with the following points:

- The portfolio review included consideration of the energy rating of property, the strategy was to reduce the amount of property over a reasonable period of time to ensure that the council only kept sustainable property.
- When replacing vehicles, consideration would be given to electric vehicle alternatives.

Councillor Roper followed up his question by asking if the Council would look to make council houses as environmentally friendly as possible?

Councillor D Saunders responded that the future management of the housing stock had not been agreed, however if it was to be managed by the Council then that would be the case.

(i) **Question No.9 From A Member Regarding The Protection And Planting Of Trees**

Councillor Farrance asked Councillor Ashbee the following question:

“It has been clearly stated that, scientifically, planting more trees is the biggest and cheapest way to tackle the climate crisis. TDC unanimously declared a Climate Emergency on 11 July, so what action is the council taking to plant more trees in Thanet, as well as safeguarding our existing trees?”

Councillor Ashbee responded with the following points:

- This would be encompassed in the overall response to climate emergency declaration. Actions may include looking to plant more trees in Thanet, as well as safeguarding existing trees.
- The Council was recruiting an Arborist, this officer would play a key part in the management of trees and open spaces.
- Councillor Ashbee had been working as a partner on the Isle of Thanet Tree and Woodland Initiative with a view to planting a large number of trees across sites in Thanet.

Councillor Farrance followed up her question by asking if she could be kept up-to-date on any timelines for these projects and asked how existing trees were safeguarded?

Councillor Ashbee responded that there were a number of separate projects underway, Members would receive updates once they had bedded in. Councillor Ashbee’s work with the Isle of Thanet Tree and Woodland Initiative was a personal project outside of the Council, if successful, it could bring significant benefit to the district and other projects could be built around it.

(j) **Question No.10 From A Member Regarding Shelter Surveys**

Councillor Whitehead asked Councillor D Saunders the following question:

“Considering the recent works to both the Fort Hill and Newgate Gap Shelters, in the interest of transparency, could Council please outline for the public how a section 78 notice is implemented and identify which contractors have been/will be used to assess the structural integrity of these shelters?”

Councillor D Saunders responded with the following points:

- A section 78 notice enabled the Council to carry out emergency measures to buildings that were found to be unsafe.
- There were health and safety issues at both sites and contractors had made both sites safe.
- Councillor Saunders would advise Councillor Whitehead who the survey contractors were, once they had been appointed.

Councillor Whitehead followed up her question by asking if the survey results could be made public once they were completed?

Councillor D Saunders responded that once completed the survey results could be made available to Members and any other interested party who may wish to take on structures.

## 8. NOTICE OF MOTION

### (a) Notice of Motion Regarding Council Housing

It was proposed by Councillor Whitehead and seconded by Councillor Everitt that:

“This council regards the recently identified health and safety failings in the management of Thanet’s council housing by East Kent Housing as grossly unacceptable and a grave failure of the council’s duty of care towards its tenants. Council also notes concerns with regards to potential financial mismanagement. Consequently, council has no confidence in East Kent Housing as an organisation and calls upon cabinet to take substantive action during the current calendar month towards bringing this authority’s council housing back into direct management.”

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

Members chose to debate the motion, after which the motion was carried.

## 9. LEADERS REPORT

During his report the Leader covered the following areas:

- Ramsgate had been selected for High Street Heritage Action Zone funding from Historic England.
- Ramsgate had reached the second round in its application for Future High Street Funding.
- Margate had been selected as one of 100 towns in England eligible for the New Town Deal, potentially there was £25million available.
- The annual residents survey would soon be sent to 6000 randomly selected residents across the District.
- The Thanet RISE team, who worked with the homeless, had been shortlisted for the Team of the Year award at the Kent Housing Group Excellence Awards.
- The Council had been working to put contingency plans in place to mitigate the disruption of services as a result of Brexit.
- Recent repair work had been carried out on the Newgate Gap Shelter in the interest of public safety. The shelter was on the asset transfer list and expressions of interest had been received.
- East Kent Housing’s health and safety management failings were totally unacceptable, the Council was working with the regulator for social housing and specialist advisors to recover the situation as quickly as possible. Cabinet would meet on 17 October to consider a report recommending that a resident consultation was begun immediately to bring the management of the Council’s housing stock back in-house.
- Thanks were offered to everyone who had helped to make the Margate look its best for the Turner Prize.

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

- Westwood Cross shopping centre had been a success however local high streets had suffered, so it was good to hear of funding for Ramsgate and Margate. The work of the Ramsgate Town Team and the Town Promoter should be recognised.
- Officers had done a lot of work to prepare for Brexit.
- The annual residents survey was likely to identify the cleanliness of the streets, reliability of refuse collection and cutting of grass as top priorities.
- The Council’s communication around the issues at Ramsgate Port should be improved as there was a lot of misinformation around. Councillor Everitt had viewed the legal advice in relation to the purchase of the pontoons at Ramsgate Port and believed it to be sound.

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

- The Council repeatedly highlighted the potential impacts of Brexit on the District to ministers.
- Cleaning services had been stretched over the summer, there had been a focus on the prominent parts of the District, such as sea fronts, in response to the large number of visitors to the area.
- It was agreed that communications surrounding Ramsgate Port should be looked at.

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

- It was good to hear of the funding for Ramsgate and Margate. In addition to the Ramsgate Town Team and Promoter, acknowledgment should also be given to former Councillor Lin Fairbrass for her efforts in promoting the area.
- The work of the Thanet RISE team deserved recognition.
- The East Kent Housing situation was very serious and required very serious action to bring about a swift resolution.
- It was good that those outside of the District had honoured the District by choosing to hold the Turner Prize here.

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

- If the bid for funding for Margate was successful, the community and stakeholders would be engaged to ensure that the money was used properly.

Councillor Roper as Leader the Green Party made the following points:

- He wished every success for the Ramsgate High Street Action Zone, and it was encouraging to hear of funding for Margate. However there were other parts of the District that also needed funding.
- It was marvellous that such a prestigious event as the Turner Prize was held in Thanet.
- It was hoped that the Council's housing stock would be bought back in-house.
- There should be more open debate, more scrutiny and a more open communication system with Members and members of the public. All Councillors should work together to improve the services within Thanet.

The Leader replied to Councillor Roper's comments noting that he felt that he had been open and had attended every scrutiny meeting since Annual Council in May.

Councillor Parsons left the meeting during this item.

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

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

The Panel had met once since the last report. This was an extraordinary meeting held on the 1st October during which the Panel reviewed:

- The Individual Cabinet Member Decision to vary the 2019/20 Capital Programme in relation to two pontoons at the Port and Harbour;
- The East Kent Housing quarter 1 performance report
- The Council's quarter 1 Corporate Performance report

Members noted the report.

## **11. CORPORATE PRIORITIES 2019-2023**

It was proposed by the Leader, seconded by Councillor Ashbee and Members agreed the recommendation as shown in the report, namely:

“That Council note the report and adopt the proposed new Corporate Statement and supporting Core Business Objectives.”

**12. ANNUAL TREASURY MANAGEMENT REVIEW 2018-19**

It was proposed by Councillor D Saunders, seconded by Councillor Ashbee and Members agreed that the recommendation set out in the report be agreed, namely:

“That council:

- Notes the actual 2018-19 prudential and treasury indicators in this report.
- Approves the Annual Treasury Management report for 2018-19.”

**13. CHANGES TO COMMITTEES, PANELS AND BOARDS 2019/20**

**NOMINATION OF MEMBERS TO SERVE ON COMMITTEES**

It was noted that:

- Councillor Rev. Piper would replace Councillor Braidwood on the General Purposes Committee, Councillor Braidwood would become the reserve for this committee.
- Councillor Braidwood would replace Councillor Rev. Piper of the Governance and Audit Committee.

Meeting concluded: 8.30 pm