

COUNCIL

Minutes of the meeting held on 13 May 2010 at 7.00 pm in Council Chamber, Cecil Street, Margate, Kent.

Present: Councillor Mrs Margaret G Sheldrick (Chairman); Councillors Mrs Aldred, Bayford, Brown, Bruce, Cameron, Campbell, Clark, Crotty, Mrs Dark, Day, Ezekiel, Mrs Fenner, Ms Gideon, Goodwin, D Green, Ms Green, Gregory, B Grove, Harker, Harrison, C Hart, Mrs S Hart, Hayton, Jarvis, King, J D Kirby, Latchford, Lawson, Mrs Lodge-Pritchard, McCastree, Moores, R Nicholson, Mrs B Nicholson, Nottingham, Peppiatt, Poole, Mrs Roberts, M Roberts, Mrs Rogers, Mrs Russell, Savage, Scobie, Mrs Sullivan, B Sullivan, Taylor, M Tomlinson, Mrs Tomlinson, Watkins, Watt-Ruffell, Wells, Mrs Wiltshire and Wise

In Attendance: Mr Robin Hills, Independent Member

155. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Mrs Johnston, Councillor Mrs Kirby and Councillor Ward.

156. DECLARATIONS OF INTEREST

It was noted that all Members had a personal interest in Item No 13 of the Agenda: Members' Allowance Scheme - Review for 2010/11 (Minute No. 167 refers).

157. ELECTION OF CHAIRMAN AND APPOINTMENT OF VICE-CHAIRMAN

ELECTION OF CHAIRMAN

Councillor Mrs Sheldrick vacated the Chair and invited the Vice-Chairman, Councillor Mike Roberts, to preside for this item.

Councillor Mike Roberts in the Chair

Moved by Councillor Ezekiel, seconded by Councillor Hart and resolved that Councillor Mrs Sheldrick be elected Chairman for the ensuing year.

Councillor Mrs Sheldrick made the statutory declaration of acceptance of office and thanked Members for electing her. She appointed her husband as escort.

Councillor Mrs Sheldrick in the Chair

ELECTION OF VICE-CHAIRMAN

Moved by Councillor Ezekiel, seconded by Councillor Hart and resolved that Councillor Mike Roberts be elected Vice-Chairman for the ensuing year.

Councillor Mike Roberts made the statutory declaration of acceptance of office, thanked Members for electing him and appointed Councillor Mrs Jo Roberts as his escort.

158. MINUTES OF PREVIOUS MEETING

The minutes of the meeting of Council held on 22 April 2010 were approved by Council and signed by the Chairman.

159. ANNOUNCEMENTS

The Chairman congratulated Councillor Hayton on his recent appointment as Chairman of Kent County Council.

In reply, Councillor Hayton stated that he would remain steadfast in fulfilling his responsibilities to Thanet.

The Chairman announced that Councillor King had replaced Councillor McCastree as the new Leader of the Independent Group.

The Chairman further announced that Mr Peter Finlay, a former Thanet District Councillor, had passed away that morning.

Tributes were paid to the late Mr Finlay for his hard work for the community, particularly in Margate and Westgate, and to his involvement with "Lest we Forget" and "Cheerful Sparrows".

All Members stood for a minute's silence as a mark of their respect.

160. ELECTION OF LEADER AND DEPUTY LEADER OF THE COUNCIL**Election of the Leader of the Council**

Moved by Councillor Ezekiel, seconded by Councillor Latchford, and resolved that Councillor Bayford be elected Leader of the Council for the year 2010/2011.

Councillor Bayford thanked Members for electing him and paid tribute to Councillor Ezekiel, as former Leader.

He announced that the chairmanship of the Overview & Scrutiny Panel would be offered to the Labour Group.

On behalf of Officers, the Chief Executive thanked Councillor Ezekiel for his support and paid tribute to his many attributes as Leader.

Election of the Deputy Leader of the Council

Moved by the Leader, seconded by Councillor Ezekiel, and resolved that Councillor Wise be elected Deputy Leader of the Council for the year 2010/2011,

In thanking Members for electing him, Councillor Wise paid tribute to the hard work of Councillor Latchford as Deputy Leader over the past number of years.

161. CONSTITUTION OF COMMITTEES, POLITICAL BALANCE, APPOINTMENTS TO COMMITTEES, PANELS AND BOARDS, AND APPOINTMENT OF CHAIRMEN AND VICE-CHAIRMEN OF COMMITTEES, PANELS AND BOARDS - 2010/11

Council received the report of the Democratic Services & Scrutiny Manager.

Moved by the Chairman, seconded by the Vice-Chairman, and resolved that the membership of Committees, Panels and Boards for the year, 2010/11, as set out in the Members' Notes, be approved:

Planning Committee

Conservative		Labour		Independent Group	
1	Cllr Gregory *	1	Cllr Mrs Aldred	1	Cllr McCastree
2	Cllr Mrs Roberts #	2	Cllr Campbell		
3	Cllr Crotty	3	Cllr C Hart		
4	Cllr Goodwin	4	Cllr Poole		
5	Cllr Hayton	5	Cllr Ward		
6	Cllr Jarvis				
7	Cllr Lawson				
8	Cllr B Sullivan				
7	Cllr Mrs Sullivan				

Planning Committee (pool of substitute Members)

Conservative		Labour		Independent Group	
1	Cllr Brown	1	Cllr Mrs Dark	1	Cllr King
2	Cllr Bruce	2	Cllr Mrs Fenner		
3	Cllr Cameron	3	Cllr D Green		
4	Cllr Mrs Rogers	4	Cllr Ms Green		
5	Cllr Savage	5	Cllr Mrs Nicholson		
6	Cllr M Tomlinson	6	Cllr Nottingham		
7	Cllr Mrs Tomlinson	7	Vacant		
8	Cllr Wells				
9	Cllr Wiltshire				
10	Vacant				
11	Vacant				

Licensing Board

Conservative		Labour		Independent Group	
1	Cllr M Tomlinson *	1	Cllr Campbell	1	Cllr Grove
2	Cllr M Roberts #	2	Cllr Mrs Dark		
3	Cllr Goodwin	3	Cllr Miss Harker		
4	Cllr Gregory	4	Cllr R Nicholson		
5	Cllr Lawson	5	Cllr Ward		
6	Cllr Mrs Roberts				
7	Cllr Mrs Russell				
8	Cllr B Sullivan				

Overview and Scrutiny Panel

Conservative		Labour		Independent Group	
1	Cllr Brown	1	Cllr Campbell	1	Cllr King
2	Cllr Bruce #	2	Cllr Harrison *		
3	Cllr Jarvis	3	Cllr Mrs Johnston		
4	Cllr Mrs Kirby	4	Cllr Nottingham		
5	Cllr Lawson	5	Cllr Scobie		
6	Cllr Mrs Roberts	6	Cllr Watkins		
7	Cllr Mrs Rogers				
8	Cllr Taylor				

Governance and Audit

Conservative		Labour		Independent Group	
1	Cllr Savage *	1	Cllr Mrs Johnston		
2	Cllr Mrs Russell #	2	Cllr Mrs Lodge-Pritchard		
3	Cllr Cameron	3	Cllr Mrs Nicholson		
4	Cllr Day				
5	Cllr Peppiatt				

General Purposes ¹

Conservative		Labour		Independent Group	
1	Cllr Crotty	1	Cllr Mrs Aldred		
2	Cllr Goodwin	2	Cllr Mrs Dark		
3	Cllr Taylor	3	Cllr Mrs Hart		
4	Cllr Wells				
5	Cllr Mrs Wiltshire				

¹ The Chairman and Vice-Chairman of the General Purposes Committee are elected at its first meeting.

Appeals Panel

Conservative		Labour		Independent Group	
1	Cllr Latchford	1	Cllr Ms Green		
2	Cllr Mrs Wiltshire				

Joint Transportation Board

Conservative		Labour		Independent Group	Parish /Town Council ¹	
1	Cllr B Sullivan [#]	1	Cllr Clark		1	To be determined
2	Cllr Brown	2	Cllr Mrs Fenner			
3	Cllr Day	3	Cllr D Green			
4	Cllr Ezekiel					
5	Cllr Goodwin					

¹ The Parish/Town Council Member will be nominated by Thanet Association of Parish Councils

The Chairman of the Joint Transportation Board for 2010/11 will be a KCC Member

Constitutional Review Working Party

Conservative		Labour		Independent Group	Independent ¹	
1	Cllr Gregory	1	Cllr D Green		1	Robin Hills ²
2	Cllr Latchford	2	Cllr Harrison		2	Brian Hinchley ²
3	Cllr Mrs Roberts					

¹ Drawn from the Independent Members of the Standards Committee

² Subject to the approval of Agenda Item 11, Standards Committee Appointment (Minute No. 165 refers)

Standards Committee

Conservative		Labour		Independent Group	Independent	Parish / Town Council ¹			
1	Cllr Day	1	Cllr Ms Green	1	Cllr King	1	Robin Hills * 2	1	To be determined
2	Cllr Lawson	2	Cllr R Nicholson			2	Brian Hinchley #2	2	To be determined
3	Cllr M Tomlinson					3	Linda Frampton	3	To be determined
4	Cllr Mrs Wiltshire					4	Miriam Sarrafan		

¹ Parish/Town Council Members will be nominated by Thanet Association of Parish Councils

² Subject to approval of Agenda Item 11, Standards Committee Appointments (Minute No. 165 refers)

Standards Hearings and Referrals Sub-Committee

Conservative	Labour	Independent Group	Independent	Parish/Town Council ¹
To be determined	To be determined	To be determined	To be determined	To be determined

¹ Parish/Town Council members will be nominated by Thanet Association of Parish Councils

Standards Appeals Sub-Committee

Conservative	Labour	Independent Group	Independent	Parish/Town Council ¹
To be determined	To be determined	To be determined	To be determined	To be determined

¹ Parish/Town Council members will be nominated by Thanet Association of Parish Councils

Standards Appointments Working Party

Conservative		Labour		Independent Group
1	Cllr Mrs Kirby	1	Cllr Harrison	
2	Cllr B Sullivan	3	Cllr Mrs Johnston	
3	Cllr Wells			

East Kent Joint Arrangements Committee

Conservative		Labour		Independent Group
1	Leader of the Council			
2	Deputy Leader of the Council			

East Kent Joint Scrutiny Committee

Conservative		Labour		Independent Group
1	Cllr Mrs Roberts	1	Cllr Harrison	
2	Cllr Mrs Rogers			

Key

* Chairman

Vice-Chairman

On the nomination of Councillor Hart, Councillor R Nicholson was appointed Chairman of the Overview and Scrutiny Panel, and on the nomination of the Leader, Councillor Bruce was appointed Vice-Chairman (as shown on the table above).

162. RESPONSIBILITY FOR FUNCTIONS - EXECUTIVE DELEGATIONS

Moved by the Leader, seconded by the Deputy Leader and resolved that the Council notes the Cabinet Portfolios, Portfolio Holders, Shadow Cabinet Portfolio Holders, Responsibilities for Corporate Plan Theme and Operational Accountabilities (functional alignment), as set out in the Members' Notes:

Cabinet Portfolio and Portfolio Holder	Responsibility for Corporate Plan theme	Operational accountability (functional alignment)
<p>Leader of the Council – Councillor Bayford</p> <p>Shadow Leader of the Council – Councillor C Hart</p> <p>Deputy Leader of the Council - Councillor Wise</p> <p>Shadow Deputy Leader of the Council – Councillor Poole</p>		
<p>Environmental Services</p> <p>Portfolio Holder – Councillor Wise</p> <p>Shadow Portfolio Holder – Councillor Watkins</p>	KEEPING THANET BEAUTIFUL	Environmental management and cleaning; waste collection and recycling; cemeteries and crematoria; parks and open spaces and public toilets; leisure and recreation including theatres; management of the partnership with Thanet Leisureforce Limited; children's play areas and spaces; foreshore and coastal management; tourism, cultural development; parking and residual highway matters.
<p>Finance and Corporate Services</p> <p>Portfolio Holder – Councillor Bayford</p> <p>Shadow Portfolio Holder – Councillor R Nicholson</p>	MODERN COUNCIL	Finance including revenue and capital for general fund and HR budgets preparation and monitoring; human resources and organisational development; health and safety; corporate governance and risk management; service planning and best value performance planning; performance management in conjunction with service portfolio holders.

<p>Regeneration and Economic Development</p> <p>Portfolio Holder – Councillor Latchford</p> <p>Shadow Portfolio Holder – Councillor Poole</p>	<p>THANET'S ECONOMY</p>	<p>Strategic planning policy; regeneration and economic development; asset management; Port of Ramsgate; Margate Renewal Partnership.</p>
<p>Customer Services, Business Transformation, Regulatory Services and Ramsgate Marina</p> <p>Portfolio Holder – Councillor Moores</p> <p>Shadow Portfolio Holder – Councillor Mrs Aldred</p>	<p>MODERN COUNCIL</p>	<p>Service improvement and transformation information and communications technology; e-government; information, records and data management and strategy; housing and Council tax benefits.</p> <p>Building control; estate management; development control; planning enforcement; conservation of historic built environment; licensing and land charges; Ramsgate Marina.</p>
<p>Community Services</p> <p>Portfolio Holder – Councillor Wells</p> <p>Shadow Portfolio Holder – Councillor Mrs Johnson</p>	<p>SAFER NEIGHBOURHOODS, DECENT QUALITY HOUSING and HEALTHY COMMUNITIES</p>	<p>Landlord services; homelessness and housing needs; private sector housing; housing strategy; environmental health; neighbourhood renewal; community safety and CCTV; community development.</p>

The Leader pointed out that the portfolios would be reviewed and a report brought to the next meeting of Council.

163. RESPONSIBILITY FOR FUNCTIONS - OFFICER DELEGATIONS

Moved by the Chairman, seconded by the Vice-Chairman, and resolved that Council approves the Officer Delegations for the ensuing municipal year, as set out in Annexes 1 & 2 to the report by the Democratic Services and Scrutiny Manager.

164. CONSTITUTIONAL CHANGES

Moved by the Chairman, seconded by the Vice-Chairman, and resolved that Council agrees the amendments to the Council's Constitution, as set out in Annexes 1 to 7 inclusive to the report by the Monitoring Officer.

165. STANDARDS COMMITTEE APPOINTMENTS

Moved by the Chairman, seconded by the Vice-Chairman, and resolved that the recommendations as set out at Paragraph 4.0 of the report by the Monitoring Officer be adopted:

1. that the appointment of Robin Hills and Brian Hinchley as Independent Members of the Standards Committee be extended to the date of the Annual Meeting of Council in 2012;
2. that Robin Hills be elected to the office of Chairman of the Standards Committee for the municipal year 2010/11;
3. that Brian Hinchley be appointed to the office of Vice-Chairman of the Standards Committee for the municipal year 2010/11.

166. CALENDAR OF MEETINGS 2010 - 2011

Moved by the Chairman, seconded by the Vice-Chairman, and resolved that the calendar of meetings for the municipal year 2010/11, as set out at Annex 1 to the report by the Democratic Services and Scrutiny Manager, be approved.

167. MEMBERS ALLOWANCES SCHEME: REVIEW FOR 2010/11

Moved by the Chairman, seconded by the Vice-Chairman, and resolved:

1. that the decision of Council at its meeting held on 8 May 2008:

“that Nominations for each Group to Cabinet/Shadow Cabinet posts must cover one entire portfolio area and not part or parts of more than one”

be rescinded for one cycle and that a fuller review of Executive delegations be carried out and presented to Council on 15 July 2010;

2. that the proposed Scheme of Allowances for the period from 13 May 2010 to 31 March 2011, as set out in Annex 1 to the report by the Head of Legal & Democratic Services, be approved, subject to the changes shown below

Position	Number	Allowance £	Possible maximum expenditure £
Executive			
Leader	1	18,082	18,082
Deputy Leader	1	10,776	10,776
Cabinet Portfolio Holder	3	7,990	23,970
Non-Executive			
Opposition Group Leader	1	5,204	5,204
Opposition Deputy Group Leader	1	2,304	2,304
Shadow Cabinet	4	2,304	9,216

3. that the Scheme be referred to the East Kent Joint Independent Remuneration Panel (EKJIRP) for consideration;
4. that Members be informed of the date(s) of the meeting(s) of the EKJIRP and the manner in which representations can be made to it;
5. that Council considers the report and recommendations of the EKJIRP at the meeting of council immediately following receipt of such report and recommendations.

It was noted that Councillor Wise would be foregoing allowance for Deputy Leader and only claiming SRA as a Cabinet Portfolio Holder.

168. REPRESENTATION ON OUTSIDE BODIES

Moved by the Chairman, seconded by the Vice-Chairman, and resolved that authority be delegated to the Group Leaders to agree representatives to serve on Outside Bodies and that a revised schedule be submitted to Council for approval at its meeting on 15 July 2010.

169. OVERVIEW AND SCRUTINY ANNUAL REVIEW

Councillor Harrison presented the Annual Report of the Overview and Scrutiny Panel, attached as Annex 1 to the Minutes, and, in doing so, paid tribute to the Leader, as retiring Chairman of the Panel, on his fairness and impartiality. He also commended Members comprising the Panel's Working Parties for their valued contributions.

The Leader made reference to the key successes of cross-party scrutiny working, particularly in relation to shared services. On behalf of the new Chairman and himself, he thanked the members of the Panel and Glenn Back, Democratic Services and Scrutiny Manager, and his team for all their support.

Moved by Councillor Harrison, seconded by the Leader, and resolved that the report be noted.

Meeting concluded : 8.03 pm