

CABINET

Minutes of the meeting held on 16 June 2022 at 7.00 pm in Council Chamber, Council Offices, Cecil Street, Margate, Kent.

Present: Councillor Ash Ashbee (Chair); Councillors Pugh, J Bayford, R Bayford, Kup and D Saunders

In Attendance: Councillors Albon, Crittenden, Fellows, Garner, Keen, M Saunders, Shonk, Whitehead and Wing

816. APOLOGIES FOR ABSENCE

There were no apologies received at the meeting.

817. DECLARATIONS OF INTEREST

There were no declarations of interest.

818. MINUTES OF PREVIOUS MEETING

Councillor Ashbee proposed, Councillor Pugh seconded and Members agreed the minutes as a correct record of the meeting held on 19 April 2022.

819. OVERVIEW AND SCRUTINY PANEL REVIEW REPORT ON COASTAL WASTE COLLECTION PRACTICES

Cabinet considered the coastal waste review report with recommendations from the Overview and Scrutiny Panel. Members agreed that these recommendations would best be further considered in more depth in the autumn when officers would not be as busy as they currently were. Members were advised that some of the issues raised in the recommendations had been looked at before, and had already been addressed. Officers were continually looking for ways to further control litter.

With regards to the review of the council's corporate priorities, it was advisable that at this stage of the council cycle, that such a review may be more appropriate to be conducted by the incoming Administration after the 2023 May Local Government Elections. Members acknowledged that litter continues to be a serious problem. There was a need for cultural change to the problem of littering in order to help manage the problem.

The following Members spoke under Council Procedure Rule 20.1:

Councillor Austin;
Councillor Albon;
Councillor Wing;
Councillor Keen.

Cabinet notes the report and instructs officers, in conjunction with the relevant portfolio holders, to undertake a comprehensive review of all the matters raised in the OSP report and to report back to Cabinet before the end of the year.

820. APPROVAL OF TLS, RESIDENT INVOLVEMENT STRATEGY 2022-2025

Members considered the report and were advised that for a housing provider to be compliant with regulations set by the Regulator for Social Housing, they must develop a

clear resident engagement strategy. The government's Housing white paper also addressed the issue of engaging residents by introducing a measure on respectful and meaningful resident engagement, in the suite of performance indicators being developed by the regulator.

Cabinet considered it important to embed a culture of listening to and working with tenants to improve services, and tackle the stigma that some residents experienced. The tenant and leaseholder services had kick-started this with the development of this strategy. This Strategy set its own aspiration which was 'Bringing voices together - collaboration of residents and officers.'

Cabinet was aware that involving residents would help provide the service that residents needed which in turn would increase residents' satisfaction and help foster a culture of transparency and respect between the Council and residents. The strategy was co-developed with a residents' focus group. Cabinet had also listened to the wider residents' contributions that took part in two public consultations last year and reflected on existing and future requirements for landlords.

From this there were 5 objectives that were developed for the tenant and leaseholder services to achieve and these were as follows:

1. To ensure residents influence services;
2. To develop a resident involvement structure that enables residents to influence and scrutinise services;
3. To ensure our services benefit from residents' involvement and residents feel valued;
4. To benefit from a broader range of experiences and ideas;
5. To support residents to get involved

Councillor Whitehead spoke under Council Procedure 20.1.

Councillor Jill Bayford proposed, Councillor Bob Bayford seconded and Cabinet approved the adoption of the new Resident Involvement Strategy.

821. APPROVAL OF TLS, RESIDENT INVOLVEMENT EXPENSES AND INCENTIVE POLICY

Members agreed that in order for the Residents Involvement Strategy discussed earlier to be effective, there was a need to remove barriers for the wider residents' participation. This Residents Involvement Expenses and Incentive Policy partly addressed objective 5 in the Resident Involvement strategy; which is to support residents to get involved.

The policy helps break down some engagement barriers, by ensuring residents are reimbursed for expenses incurred as a result of getting involved, making the reimbursement of expenses clear, easy and transparent for residents to see what they would be able to claim for and for our officers to administer. The Policy also sets out how we will use incentives to maximise and engage a broader range of residents.

Councillor Whitehead spoke under Council Procedure 20.1.

Councillor Jill Bayford proposed, Councillor Saunders seconded and Cabinet approved the adoption of the new Resident Involvement Expenses and Incentives Policy.

822. FIRST HOMES INTERIM POLICY STATEMENT

The First Homes initiative had been established by the Central Government to help make home ownership more affordable to first time buyers. First Homes were sold on the

market with a discount of at least 30% against the market value and the discount would need to be higher in some areas of the district. After the discount was applied the first sale must be at price no higher than £250,000. First Homes could only be sold to people who meet the eligibility criteria which were set out in the Cabinet report, and if they were subsequently sold on, the same discount must be applied. The ranges of discounts to be applied in Thanet were set out in Table 1 (p4) of the Interim Policy Statement.

First Homes were delivered as part of the affordable housing requirement and secured through Section 106 planning obligations. All residential development of more than 10 units were required (in Local Plan Policy SP23) to provide 30% affordable housing. Of the affordable housing, 25% would be First Homes, 5% Intermediate and 70% Social/Affordable rent.

The Local Plan policy setting out the requirement for affordable housing (SP23) would be updated to reflect the requirement for the provision of First Homes and this would be included in the Local Plan Review. In the meantime, this Interim Policy Statement was being proposed for adoption for Development Management purposes so that the provision of First Homes could be requested prior to the completion of the Local Plan Review.

Councillor Whitehead spoke under Council Procedure 20.1.

Councillor Ashbee proposed, Councillor Bob Bayford seconded and Cabinet agreed to recommend to Full Council that the First Homes Interim Policy Statement for Development Management Purposes be adopted.

823. 2019-2023 CORPORATE STATEMENT - PROGRESS UPDATE

This report summarises a review of some of the achievements made by the Council as measured against the 2019-2023 Corporate Statement.

Councillor Ashbee proposed, Councillor Pugh seconded and Members agreed to note the progress, made to date, in achieving the 2019-2023 Corporate Statement and supporting Core Business Objectives.

824. ASSET MANAGEMENT - RAMSGATE MARKET

The council was proposing to carry out a full procurement exercise (not a PIN as previously) to secure a new operator at a fee of £250 per market and this was an already reduced rate and in line with what TDC charged other markets in the locality.

In order to operate Street Trading from Ramsgate High Street, Queen Street and King Street, the Council should seek to remove the Street Trading and Hawking restriction for this area in order to designate the High Street as a Licensed Street for the purposes of Street Trading.

The following Members spoke under Council Procedure Rule 20.1:

Councillor Crittenden;
Councillor Austin;
Councillor Albon;
Councillors Wing.

Councillor Saunders proposed, Councillor Jill Bayford seconded and Cabinet agreed the following:

1. To remove Street Trading and Hawking restrictions on the High Street, King Street and Queen Street, Ramsgate to facilitate an outdoor market;

2. To give delegated authority to the Director of Law and Democracy to prepare and complete the relevant Agreement(s) on terms to be agreed.

825. REVISIONS TO THE LOCAL DEVELOPMENT SCHEME (LDS - LOCAL PLAN WORK PROGRAMME)

Cabinet considered the revisions to the Local Development Scheme (Work Programme). Every local planning authority had to “prepare and maintain” a work programme for its Local Plan-related work, known as the Local Development Scheme (LDS). This was a requirement under the Planning & Compulsory Purchase Act 2004. In December 2021, Cabinet agreed a new Local Development Scheme (LDS). The LDS needed to be updated, to reflect changes in circumstances affecting Local Plan progression, and these were set out in the report.

The Local Plan Inspectors’ report identified the future of Manston Airport as a matter for the Local Plan update, to take into account the decision on the Development Consent Order. However, a final decision on the DCO was still awaited. In addition, the Inspectors identified the need for a review of the local housing need figures under the Government’s “standard method”. However, the Government was currently reviewing the “standard method”, and as yet, no announcement had been made regarding any detailed changes to be made to the methodology. The Council was assessing the impact of the changes to planning set out in the draft Levelling Up & Regeneration Bill, which could also affect the nature of the Local Plan, and the timetable.

The Council was also currently pursuing a number of lines of enquiry to ensure that it could meet the identified need for Gypsy and Traveller accommodation in the Local Plan Update and to bring forward a site to meet the immediate accommodation needs of Gypsies and Travellers.

For these reasons, it was considered that the timetable set out in the current LDS was not realistic, and a new timetable to reflect the issues had to be considered.

The following members spoke under Council Procedure Rule 20.1:

Councillor Garner;
Councillor Albon;
Councillor Whitehead.

Councillor Ashbee proposed, Councillor Bob Bayford seconded and Cabinet agreed the proposals for the revised Local Development Scheme.

826. APPROVAL TO COMMENCE PROCUREMENT ACTIVITIES OF KEY GOVERNMENT FUNDED PROGRAMMES

Cabinet was requested to consider approving the commencement of procurement activities of key government funded programmes. This was a reflection that the Council was now in a position to start delivery on some of the Margate Town Deal, Future High Street Fund and Ramsgate Levelling Up Fund projects which were externally funded by the Department for Levelling up, Housing and Communities. As this was a key decision, Cabinet decision was required for the incurring of this expenditure by the Council.

These projects supported the Council’s corporate priority for Growth, by encouraging regeneration. The projects had already received budget approval and had been incorporated into the Council’s 2022/23 capital programme. The projects were also fully funded from external grant funding allocations, with an approved programme of projects.

The following Members spoke under Council Procedure Rule 20.1:

Councillor Austin;
Councillor Albon;
Councillor Wing.

Cabinet agreed:

1. To approve the commencement of procurement activities that exceed £250,000 for the Margate Town Deal, Ramsgate Levelling Up Fund and Future High Street Fund, funded from the DLUHC, as detailed at section 2.1;
1. That the Director of Regeneration and Director of Law and Democracy are authorised to agree appropriate contracts for works and grant payments, based on approval from the Director of Finance.

827. ASSET MANAGEMENT - WESTBROOK LOGGIA

Cabinet received an update following the Feasibility Study commissioned for the Westbrook Loggia building. The Council commissioned Fourth Street with architect Purcell and Quantity Surveyors, Betteridge & Milsom to complete a Feasibility Study that considered the opportunities for the redevelopment of the Westbrook Loggia site, including the types of uses. This was informed by evidence and community engagement.

Members were pleased that over 800 people took part in the engagement activity, and agreed that the report by Fourth Street was comprehensive and well informed. The report was clear as the consultant went the extra mile to ensure that they understood the site, and the destination with good knowledge of other coastal places and sites that supported this work.

The Loggia is a wonderful building in a prime location for both residents and visitors, and as the report highlights, it has significant opportunity. We have considered the Council's role in delivering such a scheme ourselves; however with so many external funded projects being delivered by the Council, it makes sense that we take this out to the marketplace for the private sector to take a scheme forward.

Members were very clear that Cabinet wanted to see something that adds value to the whole destination throughout the year, not just seasonal improvements to Westbrook Bay and provided a service for residents. It was therefore a good approach to sell the site through a conditional sale with specific conditions relating to use, development timescales and with a buy back in the event of failure to deliver.

Cabinet agreed to:

1. Note the independent Feasibility Study in Annex 1 (to the cabinet report), into the options for the Westbrook Loggia;
2. Progress the Westbrook Loggia through the disposal framework identified in Option 2 (to the report), with specific sale conditions relating to use, development timescales and buy back in the event of failure to deliver;
3. Give delegated authority to the Disposal Surveyor in consultation with the Director of Property to market the property and negotiate relevant sale terms;
4. Give delegated authority to the Director of Property in consultation with the Portfolio Holder to enter into a binding sale contract.

828. PORT OF RAMSGATE, REPLACEMENT OF BERTH 4/5 - PROJECT UPDATE

Cabinet received an update for the replacement of Berth 4/5 at the Port of Ramsgate. The project had been delayed in 2020 to enable an environmental impact assessment to be undertaken. The assessment was completed and the Council planning application seeking permission for the replacement berth was granted by the planning committee on 18 May 2022. The marine licence was issued on 27 May 2022.

The project had started in earnest and dredging had commenced and marine works were expected in late July 2022. Berthing works were anticipated to be completed by the end of August this year.

Councillor Wing and Councillor Albon spoke under Council Procedure 20.1.

Councillor Ashbee proposed, Councillor Bob Bayford seconded and Members agreed to note the content of the update report.

829. REPRESENTATION ON EXECUTIVE APPOINTED OUTSIDE BODIES FOR 2022/23

Cabinet considered the Leader's nominations for the Executive Appointed Outside Bodies for 2022/23. The Council through Cabinet was responsible for nominating representatives to the executive appointed outside bodies in order for the representatives to express the views of the Council to those bodies on the work they undertake, and to feed back to the Council issues emerging from those bodies that relate to Council activities.

Cabinet agreed the list of nominations to the Executive-related outside bodies as shown at Annex 1 (to the cabinet report) and as detailed below.

List of Executive Appointed Outside Bodies Nominations for 2022/23

Name of Outside Body	No. of Reps	Nomination
British Ports Association	1	Cllr Ashbee
British Destinations Association (AGM, Annual Conference and Executive Meetings)	1	Cllr Pugh
Community Safety Partnership	1	Cllr Kup
Domestic Violence Forum	1 + 1 sub	Cllr Jill Bayford
East Kent Opportunities Ltd	1	Cllr Ashbee
East Kent Spatial Development Company	1	Cllr Pugh
Kent Police and Crime Panel	1	Cllr Kup
Local Government Association Coastal Special Interest Group	1	Cllr Pugh
Local Government Association District Councils' Network	1	Cllr Ashbee
Local Government Association (General Assembly)	1	Cllr Ashbee
Local Government Association Strategic Aviation Specialist Interest Group	1	Cllr Ashbee
Manston Skills and Employment (MSE) Board	1	Cllr Pugh
Margate Town Partnership	1	Cllr Pugh
South East England Councils	1	Cllr Ashbee
Supporting People in Kent Commissioning Body	1	Cllr Jill Bayford
Thanet (Ramsgate) Harbour Users' Groups	1 + reserve	Cllr Ashbee Cllr Bob Bayford
Thanet Quality Bus Partnership	1	Cllr Wright
Tourism South East	1	Cllr Pugh
Your Leisure Thanet Sub Group	2	Cllr Ashbee

		Cllr Bob Bayford
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830. EXCLUSION OF PUBLIC AND PRESS

Councillor Ashbee proposed, Councillor Pugh seconded and Cabinet agreed that the public and press be excluded from the meeting for agenda item 16 as it contains exempt information as defined in Paragraph 3 of Schedule 12A Part 1 of the Local Government Act 1972.

Live streaming of the meeting was ended and Cabinet went into a private session.

831. FOOD SERVICE PLAN AND ENFORCEMENT POLICY

Cabinet considered the proposed Food Service Plan and Enforcement Policy and was advised that the local authority was responsible for the enforcement of food safety legislation and this function was regulated by the Food Standards Agency.

The Food Law Code of Practice was regulatory guidance that was in place and should be followed by all local food enforcement authorities. The Code sets out how food hygiene work would be undertaken and enforcement carried out by the authority. The Code required the local authority to have in place at all times a food service plan and food safety enforcement policy.

Councillor Jill Bayford proposed, Councillor Bob Bayford seconded and Members agreed to recommend the Service Plan and Enforcement Policy to Full Council.

Meeting concluded: 8.47 pm