

CABINET

Minutes of the meeting held on 25 January 2024 at 7.00 pm in Council Chamber, Council Offices, Cecil Street, Margate, Kent.

Present: Councillor Rick Everitt (Chair); Councillors Whitehead, Albon, Duckworth, Keen and Yates

In Attendance: Councillors J Bayford, Kup, Pugh, Rattigan, Rogers, Austin, Braidwood, Bright, Donaldson, D Green, Matterface, Pat Moore, Ovenden, W Scobie and Worrow

81. APOLOGIES FOR ABSENCE

There were no apologies made at the meeting.

82. DECLARATIONS OF INTEREST

Councillor Whitehead declared a pecuniary interest regarding agenda item 6 (Land at Shottendane Road), with particular reference to recommendation 3 (To dispose of part of the land at Shottendane Road (areas marked as 1b and 2b on annex 5) to KCC for the proposed Major Road Network (Inner Circuit) improvements and a linked sustainable drainage scheme), as she is employed by KCC.

83. MINUTES OF PREVIOUS MEETING

Councillor Everitt proposed, Councillor Albon seconded and Members agreed the minutes as a correct record of the meeting held on 11 January 2024.

84. DRAFT CORPORATE PLAN FOR 2024-28

The report in front of Cabinet members this evening proposes a new Corporate Plan which intends to set the direction of travel for the council over the next four years. Having a clearly defined plan is essential to support the council to work towards achieving our longer-term aspirations for Thanet, and to ensure that resources across the council are focused on what matters most to local people.

Having a clear and concise Corporate Plan will help us to ensure that the community and our stakeholders are aware of the work the council is delivering, and, through regular reporting of our performance, will have an oversight of the progress being made. The draft plan has now been out for public consultation for a period of seven weeks and my thanks to everyone who took the time to respond. There is, encouragingly, broad support for the proposed new priorities for the council which are:

- To keep our district safe and clean;
- To deliver the housing we need;
- To protect our environment;
- To create a thriving place;
- To work efficiently for you.

As I have said before, these are clear statements which reflect the ongoing feedback we receive from our constituents when they tell us that they want their streets to be kept clean, to be able to feel safe and to have thriving towns in the district. My thanks also go to the Overview and Scrutiny Panel for their consideration of this draft plan at their meeting last week, and for their support.

Within our ten year vision we aspire to the prosperity of our residents increasing. As such, I would like to propose an addition to the draft Corporate Plan. This is to include a reference within our priorities which acknowledges the work the council carries out with our partners to address the health inequalities we know exist across the district.

Whilst we may not be directly responsible for delivering those services, we have a key role to play in supporting this activity, and the plan should refer to this point. With this in mind, I move that the Cabinet recommends the draft Corporate Plan; taking into account the proposed addition - for final approval at full Council on Thursday 8 February.

Cabinet agreed to:

1. To recommend the draft Corporate Plan for final approval at Full Council on Thursday 8 February 2024.

85. DECISION FOR COASTAL & BEACH PUBLIC SPACES PROTECTION ORDER (PSPO) RENEWAL TO 2027

This report covers the renewal of the Beach and Coast PSPO for the period 1st April 2024 to 31st March 2027. An evaluation of the Beach and Coast PSPO for the period 1 April 2021 to 31st March 2024 had been completed. It found that the majority of beach users had followed the beach and coast PSPO code of conduct. Residents had a good understanding of the beach and coast PSPO. Visitors have a lesser understanding of the overall PSPO. The Council's Beach and Coast team had undertaken positive stakeholder relationships which had helped spread a wider awareness and understanding of the Beach and Coast PSPO.

The Council had seen a decrease in complaints over the past three years Breaches of PSPO had also decreased. If the Council did not renew the PSPO, the Blue flag and seaside awards may not be renewed. Without the Beach and Coast PSPO, the Council would struggle to protect Thanet beach and coastal area from Anti-Social Behaviour.

Councillor Rogers spoke under Council Procedure Rule 20.1.

Councillor Albon proposed, Councillor Yates seconded and Cabinet approved the renewal of the current PSPO until 30 March 2027 as adopted in accordance with the Anti-Social Behaviour (ASB), Crime and Policing Act 2014.

86. LAND AT SHOTTENDANE ROAD

Cabinet discussed proposals for the public consultation regarding land at Shottendane Road as a potential site for setting up facilities for the traveller community. The Council completed a Gypsy and Traveller Accommodation Assessment in 2019, which forms part of the evidence base for the Thanet Local Plan. The study is published on the council's website. The assessment considered the accommodation needs of gypsies, travellers and travelling showpeople. The study identified the need for 7 permanent pitches and 5 transit pitches over the Plan period to 2031. This need is driven entirely by the current and anticipated future needs of families already in the area and who are already an integral part of our community. The Council had a duty to plan for sites to meet these identified needs. The Council already had a criteria based policy, in the existing adopted local plan, that allowed for planning applications to be considered and determined. The details of this policy were set out in the report. This was not the first time that this Cabinet had considered the need for gypsy and traveller sites in the district.

On 16 December 2019, Cabinet considered some potential options for a tolerated stopping site. A report was subsequently published ahead of the Cabinet meeting on 30 July 2020 which assessed a number of further sites, including the site at Shottendane Road. This report was deferred and not discussed. Cabinet then considered a further

report at its meeting on 17 September 2020, when it was decided that the issue of site allocation would be considered as part of the local plan review. Since that time, in preparation for a review of the Local Plan, Council had held a call for sites, specifically inviting submissions of land to provide for the needs of gypsies and travellers and the Council received no submissions. Additionally the Local Plan update continued to be delayed as a result of a number of uncertainties, including uncertainty about future housing numbers and about the level of protection awarded to agricultural land through the National Planning Policy Framework.

Further work on assessing suitable sites for gypsy and traveller provision was done by the Conservative administration between 2021 and 2023, and I understand that cabinet members visited Shottendane Road then and identified it as a potential site, but the council failed in a funding bid to take matters forward. The recommendation in this report was to undertake a public consultation about the potential to provide some gypsy and traveller pitches on the land at Shottendane Road. The submission of a planning application would be subject to the outcome of this consultation and in itself subject to a further period of statutory consultation. These consultation processes would enable the Council to fully explore the suitability of the Shottendane Road site against the Council's adopted planning policy and other factors that may be raised.

It was fully recognised that the Shottendane Road site was currently used as agricultural land, and the report therefore recommends that Cabinet note that no proposals for housing on the land could come forward ahead of the Local Plan review, by which time the number of homes that the council would have to provide by 2040 and the level of protection provided to agricultural land through the National Planning Policy Framework may be clearer. Housing does not form part of the consideration tonight. Overview and Scrutiny made two recommendations when it considered the report, which were around dealing with the outcome of the proposed consultation and delaying the consultation to look at other sites. Two different cabinets had previously looked at a long list of other sites twice in the late four years and the Council had also conducted a call for sites for this use without success. In any event, more than one site was likely to be required as set out in the report. In view of the obvious public interest, however, and mindful of the need for transparency, the leader proposed to amend recommendation 2. This would mean that Members and the public had a further opportunity to comment before a decision to submit a planning application was made. The report also recommended the disposal of two areas of the site to Kent County Council to facilitate the new route of the inner circuit major road network. This route had itself been the subject of a major public consultation and was an integral part of the district's infrastructure needs.

The following Members spoke under Council Procedure Rule 20.1:

Councillor Worrow;
 Councillor Braidwood;
 Councillor Green;
 Councillor Austin;
 Councillor Davis;
 Councillor Kup;
 Councillor Pugh.

Cabinet agreed the following:

1. To conduct public consultation with the Gypsy and Traveller community and neighbouring residents about the proposal to establish a number of Gypsy and Traveller pitches on land off of Shottendane Road (area shown in annex 6).
2. Following the consultation, bring back to cabinet, and prior to that to the overview and scrutiny panel, any proposal arising to submit an application for outline planning permission for the provision of Gypsy and Traveller Pitches on the land marked 1a ii in annex 5,

Cabinet further noted:

4. That proposals for the provision of housing on the wider Shottendane Road site could only be considered following the assessment of all land submitted to the council as part of the 'Call for Sites' and the completion of the current review of the Thanet Local Plan.

20:00hrs: Councillor Whitehead left the Council Chamber

Councillor Everitt proposed, Councillor Albon seconded and Cabinet agreed the following:

3. To dispose of part of the land at Shottendane Road (areas marked as 1b and 2b on annex 5) to KCC for the proposed Major Road Network (Inner Circuit) improvements and a linked sustainable drainage scheme.

20:01hrs - Councillor Whitehead returned to the Council Chamber.

87. TEMPORARY STAFF CONTRACT

Cabinet considered proposals for the issuing a temporary worker contract to support the delivery of Council services. The current contract to provide the council with temporary staff is due to expire on 14th April 2024. It is a three year contract with a one year extension option, this extension was exercised in April of last year. Temporary (or "agency") staff are required to replace staff that are off through Annual Leave or Sickness, often at short notice and also to cover seasonal variations such as additional beach cleaning in the summer.

The current annual spend on this contract is circa £1.3m p/a. 80% of this cost is attributed to the Cleansing Service. It should be noted that this is a "call-down" contract with no obligation to spend the projected £1.3m. The contract has not been awarded, this decision is requesting approval for it to be procured via an agreed framework. As part of this process a full review will be conducted into the use of agency staff within TDC.

Councillor Albon proposed, Councillor Duckworth seconded and Cabinet approved Option 3 as described in section 3 of the report which was to competitively procure a temporary staff contract via a framework with an approximate value of £1.3m per annum.

88. 2024/25 FEES AND CHARGES

Cabinet discussed proposals for the 2024/25 fees and charges. The fees and charges proposals were originally presented to Cabinet in October 2023 as part of the main budget report in order to support the 2024-25 budget setting process and were subsequently taken to the Overview & Scrutiny Panel earlier this month. Work undertaken looked to ensure that charges would remain competitive and that income budget expectations were realistic, allowing the Councils to manage existing shortfalls of actual income against budget.

Members of the Overview & Scrutiny Panel were made aware of the fundamental changes to Cabinet's assumptions around fees and charges; these being a review of the fee increase and where possible, bringing these nearer to 5%. As a result the budget for 2024/25 now included the allocation of £116k to help facilitate this. The revised annex to this report, being the detailed schedule, was not available for that Overview and Scrutiny Panel meeting and the Portfolio Holder for Corporate Services indicated to members of the Panel that it would be brought to Cabinet at the end of January for consideration. The main changes related to parking, bin replacement, garden waste and the crematorium.

At the Panel, there were comments made around community events charges. Cabinet confirmed that as per the annex to the report, the application fees for community events, together with the day-rate costs for community, charity and commercial events have been frozen. This meant that there was no increase in these community event costs. However, given the difficulty splitting out parking charges for events from wider parking fees and charges, the suspension of parking bay charges for events could not be frozen for community events.

Councillor Austin spoke under Council Procedure Rule 20.1.

Cabinet agreed to recommend the fees and charges as set out in the report to Full Council for approval.

89. EKS TRANSITION PROGRAMME BUSINESS CASE FOR APPROVAL

Cabinet considered the report on the EK transition programme business case and noted from the report that Civica had provided Revenue, Benefits and Customer Services functions to Canterbury, Dover and Thanet Council as a shared service since 2018. Civica had now indicated the intention to cease providing such services after the expiry of the current contract in January 2025.

Cabinet was asked to agree in principle that in future these services be provided by way of a LATCo. The detailed report set out the business case. Cabinet was also asked to agree that a further business plan be brought back to Cabinet for approval once details including details such as the share arrangements were known. Therefore, it was recommended that Cabinet:

1. Note that the contract between East Kent Shared Services and Civica UK limited for the delivery of Revenue, Benefits and Customer Services will terminate in March 2025;
2. Note the content of the Service Transition Case at Annex 1 of this report and agree in principle to the formation of a joint local authority trading company together with Canterbury and Dover for the delivery of the services referred to in 1 above;
3. Agree that a further report will be presented to Cabinet for approval within 4 months together with a detailed business plan for the proposed company, a draft shareholders agreement and proposed articles of association.

Councillor Yates proposed, Councillor Duckworth seconded and Cabinet agreed the following:

1. Note that the contract between East Kent Shared Services and Civica UK limited for the delivery of Revenue, Benefits and Customer Services will terminate in March 2025;
2. Note the content of the Service Transition Case at Annex 1 of the report and agree in principle to the formation of a joint local authority trading company together with Canterbury and Dover for the delivery of the services referred to in 1 above;
3. Agree that a further report will be presented to Cabinet for approval within 4 months together with a detailed business plan for the proposed company, a draft shareholders agreement and proposed articles of association.

90. PURCHASE OF 7 HOMES AT NORTHWOOD ROAD BROADSTAIRS FOR AFFORDABLE RENT

Members discussed proposals for the purchase of seven homes at Northwood Road in Broadstairs to add to the Affordable Rent portfolio. Council had recently approved an accelerated affordable rented housing development programme of at least 400 new

homes, constructed or acquired, by 2027. Officers were contacted by the owner of the site at Northwood Road Broadstairs, who are required to deliver seven new affordable homes, as part of their development at Northwood Road, Broadstairs. There were long discussions with this developer who wanted to look at alternative options for the delivery of the Affordable Housing.

However, as this requirement was set out in the section 106 obligations for the development, they decided to accept the Council offer. These homes were anticipated to be EPC B and construction would start early next year. The capital cost for the seven homes was £955,000 and £30k for associated costs. Paragraph 2.5 of the report showed the cash flow deficit from year 1 of £8,940 k with a breakeven point in year 13.

As the homes had been designated as affordable homes in the planning consent and section 106 agreement, they had been designed specifically for that purpose and accordingly were considered appropriate for the HRA, in line with the needs of households on the Council's register or those living in temporary accommodation. There was a significant level of need for one bedroom homes, as well as for larger family homes. The unit sizes and the mix of dwellings were as follows:

- 4 x 1 bed flats
- 3 x 3 bed houses

It was proposed that the new homes are let in accordance with the council's adopted allocations policy.

Councillor Whitehead proposed, Councillor Yates seconded and Cabinet agreed:

1. The purchase of 7 new affordable homes, using the additional capital budget, approved by council at its meeting on 12 October 2023;
2. The letting of these homes in accordance with the council's Allocations Policy, at an affordable rent as set out in the council's Tenancy Strategy.

91. RAMSGATE REGENERATION PROGRAMME

Cabinet discussed the updates regarding the Ramsgate Regeneration Programme. The meeting was informed that the Council had secured £22.5m of government funding for regeneration projects in Ramsgate. This included both the Future High Streets Fund (£2.7m) and the Ramsgate Levelling Up Fund (£19.8m). Along with Margate regeneration funds which would be reported next month, these programmes were part of a complex array of central government grants, with different timescales and reporting requirements. The government invited the Council to participate in its Simplification Pathfinder Pilot, with the aim of simplifying project approval and reporting arrangements and setting a more realistic timescale for project delivery of March 2026. This was an opportunity to reset the programme and on 21 September 2023, Cabinet approved a new Investment Plan, setting out the updated programme, which had subsequently been approved by government.

The programme focused on projects that provided creative workspace, improved the public realm and connectivity between the harbour and the town, improved the port and harbour itself and created opportunities for skills development and job creation. The report provided update details of each of the 10 projects currently in the programme and an update on progress. Cabinet was not expected to make any decisions on this matter. The purpose of this report was to set out publicly some of the issues that would need to be addressed in due course.

This funding represented a significant step up in the scale of the Council's regeneration capital programme. At the time of the bid submissions and funding awards, the Council

was not adequately resourced to deliver a programme at this scale. Therefore it had been essential for the Council to employ additional project management officers and appoint construction design teams to deliver the programme. The Council also experienced a period of high inflation. Although reasonable assumptions were made about inflation, the Council could not have anticipated the 20%-30% increases in construction costs that had since been experienced. This was common across the whole of the national levelling up programme.

At the time of the central government bidding rounds, many projects submitted for funding across the national bidding programme were only at concept stage, with only high level projections of costs and timelines. Considerable work had been completed to develop the original programme concepts into deliverable projects with updated costs and delivery timelines. The Council had also learnt more about the likely viability of some of the projects proposed. It was not just a question of whether the initial investment was possible within the funding provided, but in some cases whether the proposed use would be achievable or sustainable. In this respect, the Leader of Council had arranged to meet the Thanet Fisherman's Association to ensure that there was understanding of their position on that project and how the Council could best support them.

The Leader recently had the opportunity to visit the Clock House, which had now returned to Council control, and was confident from talking to representatives of the Ramsgate Heritage Regeneration Trust and Ramsgate Society, as well as Council officers and project leads, that the Council was not only going to be able to safeguard the historic building but also provide something really special in it. The Leader further said that from speaking regularly to the staff at the Newington Community Centre there was a positive view about the works planned there. The Leader had also seen first-hand the potential at 5A Broad Street. The Council was working through the Royal Institute of Architecture's design stages (details in annex 1 to the report) for each project. This provided a much improved understanding of the design and outcomes for each project, the project timelines and the estimated costs.

This work was continuing and importantly a detailed condition survey and costed schedule of works for the port infrastructure project had been commissioned. The cost of this project would exceed the original grant allocation and the outcome of this work would provide much greater clarity about these costs. It would also be aligned with the Council's process to appoint an operator, in order to ensure the major investment was only made to meet the demand which Cabinet remained confident now existed. Other options to fund the port infrastructure would also be explored and the Council was already engaging with government on a strategic level in view of the pressures on Dover and its motorway access corridor.

Overall, inflation had put pressure on the affordability of the full programme, but most projects remained deliverable and where they may not be that was not just about the upfront cost. It was inevitable that the Council would have to make some difficult decisions about the final programme over the coming months, and use the flexibility provided to the council as part of the Simplification Pathway Pilot to switch funds between projects where this was necessary. Cabinet had already committed to not moving funds from Margate to Ramsgate, or from Ramsgate to Margate, but within each town adjustments would be required.

At this stage, Cabinet was simply asked to note the progress made and challenges which have emerged. The report would also progress on to the Overview and Scrutiny Panel so that it could be further scrutinised. Importantly each individual project would be considered by the Overview and Scrutiny Panel and Cabinet before being approved once complete information about project design, outcomes, timelines and costs were known.

The following Members spoke under Council Procedure Rule 20.1.

Councillor Austin;
Councillor Davis;
Councillor Pugh.

Cabinet agreed to:

1. Note the progress achieved in the delivery of the approved Ramsgate regeneration programmes;
2. Note that further reports will be received, authorising specific procurement activities as each respective project reaches that stage, and setting out the project deliverables, timelines and costs;
3. Note the proposed monitoring and reporting arrangements, set out in section 6;
4. Note the current funding gap in the programme;
5. Refer this report to the Overview and Scrutiny Panel and subsequently consider any comments made by the Panel.

92. DANE PARK DEPOT WASTE

Members were advised that the Head of Coastal and Public Realm started in their role in September. The officer was tasked with installing 5 EV charging points at Dane Park Depot. During a site visit to the depot the officer found large waste piles where the points would have been installed. The waste came from grounds maintenance of open spaces across the district. The Council was storing 2,180 tonnes of waste at the depot. The depot has a T23 waste exemption certificate for 60 tonnes of waste. This had to be suitable for composting. The Council's waste consultant was asked to advise on the waste at the depot.

The consultant confirmed the waste at the depot exceeded that allowed. Further they confirmed the Council was at risk of sanctions being imposed by the Environment Agency (EA). The consultant advised that courts can issue substantial fines and custodial sentences for noncompliant waste activities. The Corporate Management team agreed that immediate action should be taken to remove the waste and dispose of it through a compliant waste disposal service. An estimated cost of £225,000 for this work was provided by Mears. Due to the estimated cost the agreement to remove the waste was a decision that officers could enter into. Given the urgency of remedying this issue it was agreed by the S151 officer that a contract could be entered into with the identified waste disposal service without the usual procurement process.

Work commenced removing all the waste in late November. This was completed within a matter of weeks. Officers were then advised that the final cost of waste removal was £275,000. The final cost makes this a key decision and consequently retrospective cabinet approval is now being sought. Officers had put in place measures that would ensure the depot was compliant with its T23 waste exemption certificate going forwards.

Councillor Austin and Councillor Davis spoke under Council Procedure 20.1.

Cabinet agreed:

1. To ratify the decision made by the s151 officer on the 16th November 2024 to enter into a contract with an estimated value of £225,000 with Mears Group Plc. for the removal and disposal of waste from Dane Park Depot;
2. To approve the payment of an additional £50,000 based on the final cost of removal and disposal of waste from Dane Park Depot being £275,000.

Meeting concluded: 9.05 pm