

OVERVIEW & SCRUTINY PANEL

Minutes of the meeting held on 17 September 2024 at 7.00 pm in Council Chamber,
Council Offices, Cecil Street, Margate, Kent.

Present: Councillor Phil Fellows (Chair); Councillors D Green, Austin, Britcher, Currie, d'Abbro, Davis, Kup, Pope, Scobie, W Scobie, Wing and Worrow

In Attendance: Councillors Everitt, Munns and Rogers

26. APOLOGIES FOR ABSENCE

Apologies were received from the following Members:

Councillor Farooki, substituted by Cllr D'Abbro;
Councillor Paul Moore, substituted by Councillor Manners;
Councillor Joanne Bright;
Councillor Packman;
Councillor Will Scobie.

27. DECLARATION OF INTERESTS

There were no declarations made at the meeting.

28. MINUTES OF PREVIOUS MEETING

Councillor Kup proposed, Councillor Austin seconded and the Panel agreed the minutes to be a correct record of the meeting held on 13 August 2024.

29. MINUTES OF EXTRAORDINARY MEETING

Councillor Austin proposed, Councillor Green seconded and the Panel agreed the minutes to be a correct record of the extraordinary meeting held on 20 August 2024.

30. CABINET MEMBER PRESENTATION BY THE LEADER OF COUNCIL - ON COUNCIL'S PERFORMANCE REGARDING THE CORPORATE PRIORITIES

Councillor Everitt, Leader of Council made a presentation on the Council's performance regarding the corporate priorities. During the presentation, Councillor Everitt made the following points:

- The Corporate Plan was adopted on February 2024 and it set out the priorities which were framed around things that the public were concerned about;
- The Council's vision statement informed the corporate priorities;
- These priorities covered all of the Council's functions;
- The priorities were served by the Corporate Plan and Corporate Service Plans;
- There were a number of corporate activities that the council had been engaged in to progress the priorities;

- These include removing graffiti which had seen additional resources being allocated to this activity to clean up at least 220 locations across the district;
- This activity would also require building relationships with KCC and utilities companies;
- The street cleansing staff rota was changed in June to make it more efficient;
- More recycling bins were now located in public places;
- Bin collection had increased from 99.51% to 99.80%;
- The Council was tackling anti-social behaviour (ASB). The Beach PSPO was renewed in April 2024. Education and deterrent activities were also important aspect to tackling ASB;
- Council agreed to deliver 400 new homes by 2027, so far 465 homes had been secured. This was what made the difference to people's lives. The Council was working on developing Council owned temporary accommodation;
- Currently temporary accommodation costs were contributing a substantial amount to its budget. Council owning temporary accommodation properties would reduce these costs;
- The Council's five tower blocks were being refurbished under a £40 million retrofit programme;

Environment

- These works would ensure that the properties were EPC C compliant. This was a government grant funded project through the Better Care Fund and Household Support Grant;
- The Council was giving home energy advice to households in order to help them manage their energy costs;
- Fifty four trees were planted at Crispe Park in Birchington;
- A new power for fixed penalty notices for engine idling was given to the enforcement team;
- Thirty five cycling events were held this summer with 227 attendees that included 104 bike fix sessions;

Creating a thriving place

- Cabinet was looking at the Port of Ramsgate concession opportunities;
- Planning permission had been granted for the Clock Tower in Ramsgate, a listed building;

Margate Projects

- The Margate Digital Campus and funding for the Theatre Royal were still on track;
- The skate park sites surveys had been completed;
- The Thanet Community Lotto programme had been launched;
- The Community Champions Conference was held and was attended by 150 representatives;
- A Museums Manager was recruited who would assist with the strategic review of museums;

- The Ramsgate Market had been re-introduced this summer and the Teenage Market was successfully held this summer;
- The Parking Strategy was being developed. A public consultation had been conducted and about 5,000 responses had been received;
- £206k had been allocated for the refurbishment of toilets;

Work efficiently for you

- The council would continue to be open and transparent in how it conducted its business;
- Annual residents surveys would continue to be conducted to engage residents in council activities;
- Key decisions proposals were now being reviewed by the Overview and Scrutiny Panel before Cabinet made a final decision on them. Cabinet was now engaging more members in the decision making process;
- The constitutional review process had been made simpler by establishing a Constitutional Review Committee that replaced the Constitutional Review Working Party;
- Cabinet had re-established the Parish Forum;
- Council's rent income had increased by £138,968 for 2023/24;
- Condition surveys had been completed for sixty two of the council's properties;
- Work had started on the long term investment plan;
- The Service Plan and organisational policies including the cyber security policies to counter cyber attacks had been updated;
- The Council had recruited additional staff for the cleansing team.

Members of the Panel asked questions and made comments as follows:

- Councillors were excited by the work being done by the Council officers, and Cabinet;
- The Council was now in a decent place as it had made a lot of progress;
- One member asked if there were any plans being made by the Council for those residents that were going to be affected by the stopping of the winter fuel allowance;
- The further asked that with the changes to the procurement laws, was there any view about prioritising engagement with the third sector in future procurement processes;
- One member asked if Cabinet was considering coming up with ideas for explaining to residents that funding coming through to the Council was for specific purposes and could therefore not be redirected for other purposes;
- Was there a recognition that the Council had a lot of property and was there any plans to dispose of some of those properties?
- Another member said that it was good to note that Cabinet had listened to councillors by purchasing the hot foam machine for the Open Spaces team. Cleaning up public spaces using such equipment was a most welcome development;

- Another member noted that improving biodiversity in the district would in turn attract visitors to the district thereby improving the visitor economy;
- Could enforcement be improved to manage the beach spaces in 2025?
- One member said that the Council still had a long way to go regarding sourcing locally. There was a need to use the source locally policy more efficiently;
- The further said that it was pleasing to note that the Council had a Hoarding Officer whose role was useful to residents who struggled with the issue;
- Another member asked when the Winter Gardens would be opened;
- They also said that the Westgate Pavilion had a lot of potential but that was not being developed. They asked if there was anything being considered for it;
- A member said that they were now receiving fewer complaints about housing, bins collection and litter. They said that this indicated how the Council was performing. Staff needed to be complemented for their hard work;
- There was still more work to be done regarding collaborative working between KCC and Thanet District Council;, for example regarding clearance of road drainage and emptying drains;
- It was important to work the Kent Police on graffiti removal;
- The member asked whether there was anything the Council would need to do in view of the Grenfell Tower Block Report that had now been published;
- Another member asked how the Council was going to improve recycling in Thanet;
- One Member asked when the Council was going to prioritise repurposing or refurbishing sea shelters as some were not in a particularly good condition and this did not reflect well on Thanet;
- Another said that it was pleasing to note the Parish Forum had been re-established to engage town and parish councils.

Additional Corporate Plan priorities detail is set out in Annex 1 to this minute item.

The Panel Chair asked when Cabinet would be making a decision on the Tourism Scrutiny Review report that was presented to Cabinet early this year.

Councillor Everitt, Mike Humber, Director of Environment and Bob Porter, Director of Place responded as follows:

- The message should always be that TDC did not get all the money that the public paid as council tax as some of it went other public agencies like KCC and Fire Services;
- TDC spent the money in a way it was allowed to by law;
- Some councils were offering top ups for winter fuel allowances to its residents. The Council was working on the winter fuel issue, but would not be able to offer top ups;

- Cabinet would soon be sharing some ideas on how best to communicate to residents on how council tax was distributed and used;
 - TDC was building relationships with the third sector could be evidenced by the Community Champions programme;
 - Disposal of assets by Council was not popular with residents. There was also the issue that some of the properties were listed buildings that the Council had a duty to look after;
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- The Council had to make some difficult choices and sometimes the day to day service delivery had more urgent need than the issue of properties;
 - Cabinet was going to review enforcement activities carried out in 2024 in order to identify areas for improvements in 2025;
 - Biodiversity leveraging to the visitor economy was something that Cabinet could look at;
 - Hoarding was an issue in some areas, but it had to be handled with sensitivity;
 - With regards to the procurement process; it was important that the Council handled this process objectively;
 - Officers would get a response regarding the Westgate Pavilion and pass it on to members and to the Westgate Town Council as requested;
 - Councillors would be updated regarding the Winter Gardens in the next few months. This issue was one of the Leader's priorities;
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- Officers had read the Grenfell Tower Block Report, including the recommendations that came out of it and compared with where TDC was regarding the issues raised in that report. There were now new regulations in the Social Housing Act that require the Council to register with the Health Safety Executive and the Council completed the required registration;
 - The Council was reviewing the emergency response that officers were also looking into by studying the recommendations from the report;
 - TDC had no control over weeds on highways as this was KCC matter;
 - Council officers were delivering an exceptional service;
 - A funding stream was coming that the Council could access in order to improve recycling in Thanet. If TDC recycled then they would get less from that funding;
 - This new funding stream was simplified and Council was proposing to reach 20% more households for collection and would be accepting mixed bags as a new collection approach. This would increase recycling;
 - The collection would target buildings with multiple occupants;
 - Officers were working through an officer group to review all of the shelters. They were now working through this list to identify which ones were available for concession, which ones would be repaired and which ones would not be repairable. Officers would then engage the portfolio holder to discuss proposed outcomes and then take proposals to committee for decision and start work on the agreed outcomes;

- Cabinet would be considering the Tourism Scrutiny Review report at its meeting in October.

The Panel thanked the Leader for his presentation and noted the update report.

31. **PROCUREMENT OF PUBLIC TOILETS WORKS AT MARGATE MAIN SANDS**

Tony Marmo, Head of Coastal and Public Realm introduced the report and made the following comments:

- This report proposed the procurement and award of a contract for the capital works to refurbish Margate Subterranean toilets and build new toilets that allow equal access for disabled people. Subject to planning approval, the toilets would be built above the entrance of the Margate Subterranean toilets;
- Based on a report commissioned in 2022 the Council had committed to undertake both revenue repairs, and a programme of capital build projects to improve the standard of public toilet provision across the district;
- The Margate Subterranean toilets located on Marine Drive near to Margate main sands were closed to the public and the existing facility was unsuitable for disabled use as they were underground and accessed by steep steps. Therefore, in order to address this, the Council were proposing that a DDA compliant toilet be added at promenade level, occupying some of the space of the existing staircase on both the ladies and gents toilet blocks;
- RIBA stage 2 work had been completed and subject to Cabinet approval the project team was ready to proceed with stage 3 to enable the submission of a planning application and undertake procurement of a suitable contractor to undertake the works;
- £600k of capital funding had been allocated to undertake both the refurbishment and new build works required at Margate Subterranean toilets. Early cost estimates had indicated that all of the budget would be required to complete this work.

The Panel asked questions and made comments as follows:

- One member said that they welcomed these proposals to for works on the public toilets improvement at the Margate Main Sands;
- Would the works lead to the toilets being changing places compliant?

Tony Marmo, Mike Humber, Director Environment and Luke Glover, Coast & Engineering Services Manager responded as follows:

- A changing places toilet had not been considered in the design because there was not the space to accommodate such a facility;
- A changing places toilet would require a substantial increase in the size of the toilets and any larger size would most likely have not gained planning permission.

The Panel noted the report and did not make any formal recommendations to Cabinet.

32. PROCUREMENT OF PUBLIC TOILET WORKS AT STONE BAY, BROADSTAIRS

Tony Marmo, Head of Coastal and Public Realm introduced the report and made the following comments:

- This report was about the procurement and award of a contract for capital works to refurbish the existing toilet block and build a new toilet block at promenade level at Stone Bay Broadstairs, which would be subject to planning approval;
- Based on a report commissioned in 2022 the Council had committed to undertake both revenue repairs, and a programme of capital build projects to improve the standard of public toilet provision across the district;
- Stone Bay, Broadstairs, had been selected as the highest priority for capital funding due to the number of visitors to this bay, the condition of the existing facilities, and the location of the existing facilities, which were up a flight of steps, causing accessibility issues for those at the bay;
- RIBA stage 2 work had been completed and subject to Cabinet approval the project team was ready to proceed with stage 3 to enable the submission of a planning application and undertake procurement of a suitable contractor to undertake the works;
- The suggested location of the new build toilet block did not require beach huts to be moved and maintain a promenade width of 4m, while also being as close to existing services as possible;
- £571k capital funding had been allocated to the new build public convenience at Stone Bay. Early cost estimates have indicated that the Stone Bay toilet improvements including the refurbishment of existing WC's and the construction of a new WC block will cost £283k, this figure includes a 10% contingency. However, until this had been tendered it was recommended that the budget allocation of £571k be retained for the project for the time being.

Speaking under the Scrutiny public speaking provisions, Mr Dan Montello addressed members of the Panel and expressed his support for the proposals. Mr Montello said that the business community would be willing to maintain the new toilets throughout the year.

The Panel asked questions and made comments as follows:

- One member said that Botany Bay had more visitors than Stone Bay and had toilet accessibility issues. The toilets in Botany Bay often experienced breakdowns;
- Another member encouraged Council officers to work with Mr Montello regarding engaging the business community that included kiosk operators to make arrangements for maintaining the toilets;

- How was the Council prioritising the refurbishment of toilets across the district?
- Did all bays have toilet facilities?
- In Ramsgate, could the Green Campus provide toilet facilities since the Western Undercliff ones were lost?
- Another member said that it was great that these works were coming onboard. They further asked if there had been any discussions with the business community to allow these toilets to be opened for longer;
- Another asked how far away the services were from the proposed toilets;
- They also said that there was need for urgent meeting to be had with businesses about managing the toilets and perhaps have agreement with concessioners on that issue;
- One member asked why the baby changing rooms were in the disabled toilets only.

Tony Marmo, Mike Humber, Director Environment and Luke Glover, Coast & Engineering Services Manager responded as follows:

- There were other arrangements being made for Botany Bay toilets and officers were working Southern Water on the matter;
- Officers were waiting for an update from Southern Water on what they were currently doing at Botany Bay;
- People washing feet of sand within the Botany Bay toilets had caused blockages of the drains. The drains did not have the capacity to handle this;
- A report would be brought to the Panel and Cabinet in October which would detail the list of toilets refurbished, what been achieved and what was being proposed with the allocated funding still available;
- In prioritising the works footfall was a key consideration with those toilets with high footfall being prioritised;
- Discussions about managing the toilet facilities would fall under a different Head of Service. Toilets were closed on a route around the district by an officer. Changing the time this route is completed to a later time would mean additional costs to the Council;
- Regarding the location at Stone Bay, it was difficult to find the perfect location due to shortage of space;
- Officers would explore and consider the implications of the suggestion that the businesses could operate the council owned public toilets;
- There was also a need to consider the possibility of anti-social behaviour and damage to the toilets.

Councillor Davis proposed, Councillor Kup seconded and the Panel recommended the following to Cabinet, that:

Wherever possible Thanet District Council should explore collaboration with the private businesses to manage public toilet facilities owned by the Council.

33. SECURITY CONTRACT

Tony Marmo, Head of Coastal and Public Realm introduced the report and made the following comments:

- This report was about the procurement and award of a contract for security at the Port of Ramsgate, the Ramsgate Royal Harbour and other key security requirements at TDC;
- The estimated value of all lots within the contract would be £436k per year over a 5 year contract (3 years with potential for 2 year extension), making a total estimated contract value of £2.180m;
- The Port of Ramsgate and the Ramsgate Royal Harbour had a requirement for 24 hours a day, 7 days a week, security. The security officers are required to monitor CCTV, conduct patrols of the port and marinas, control access to the port restricted area and conduct other security related duties on a daily basis. Also included in the contract was the Council's requirements for security:
 - At the Cecil Street Council Offices
 - At Royal Harbour and Mill Lane multi storey car park where they open and close the car parks and provide an out of hours cover for the car parks;
 - For Seasonal and ad Hoc security provision.
- The existing contract expired in June 2023. The original supplier had agreed to maintain existing security cover as per the original terms and conditions of the contract until the retendering of the contract had been completed. Officers were focused on completing this procurement as soon as possible.

The Panel asked questions and made comments as follows:

- One member asked if the seven lots of the proposed contract areas were these tendered as separate tenders or as one big tender;
- Another member asked if this was a continuation of the existing contractor;
- One Member said that if port operations increased, there would be a need for reviewing security arrangements.

Tony Marmo, Mike Humber, Director Environment and Matt Kenney, Maritime Operations Manager & Harbour Master responded as follows:

- There would be seven lots of separate tenders;
- This was a continuation of the contractor with the existing staff. If a new company were to win the tender, the staff would have to be TUPED over;
- If port operations increased, officers would need to review the security arrangements to ensure that they were still appropriate.

The Panel noted the report and did not make any formal recommendations.

34. EAST PIER BUILDING IMPROVEMENTS

Tony Marmo, Head of Coastal and Public Realm introduced the report and made the following comments:

- The Panel was being asked to comment on proposals for the procurement and award of a contract to undertake essential improvements to the concrete structure and replacement of the windows at the East Pier Building, located at Ramsgate Royal Harbour East Pier. The estimated value of the contract will be £468k;
- The East Pier Building at the Ramsgate Royal Harbour East Pier was home to the Brasserie restaurant (a private concession with a lease), port control, fishing storage facilities, Royal Temple Yacht Club and Kelvin Hughes RADAR manufacturers. In addition to this there was outside seating and a storage unit at the end of the main building;
- A qualified contractor carried out a detailed inspection to the external areas. Their report showed 596 defects in total. The worsening condition of the building structure was increasing the cost of carrying out maintenance year on year;
- The existing capital budget of £307k was for concrete improvements only. However, it had become clear that the windows also needed to be replaced because of their current condition and the obligations the authority had within the current lease. This had increased the cost of the project by £178k;
- The Property Enhancement Programme had sufficient unallocated funds to cover the shortfall in the budget for this project of £178k and Cabinet agreed the reallocation of resources to meet this requirement at their meeting of 22 August 2024.

The Panel asked questions and made comments as follows:

- A member said that this was a welcome proposal;
- They then asked what measures were going to be in place for those businesses that would be affected by these improvement works;
- Another member asked if there was an opportunity to upgrade the building and therefore increase the yield of rental income from the property;
- One member said that they hoped that after these improvement would attract appropriate amounts of rental fees;
- They asked if rent opportunities could be explored on the ground floor of the building that is by getting concessions.

Tony Marmo and Grant Burton, Asset Development Manager responded as follows:

- Officers would need to first get a method statement from the contractor. This was to check whether the contractor would say whether they could do the refurbishment works whilst the businesses could still continue to operate or not;
- Double glazing would be used;
- There currently were fisherman stores on the ground floor.

The Panel noted the report and did not make any formal recommendations.

35. PURCHASE OF 11 HOMES BUILT BY VISTRY FOR TEMPORARY ACCOMMODATION

Ashley Jackson, Head of Housing and Planning introduced the report and made the following comments:

- This report sought Panel comments to proposals to Cabinet for the approval to purchase eleven homes, constructed by Vistry, that would be used for temporary accommodation in the Thanet District;
- Unlike previous properties being acquired by the Council, these properties did not sit in a Section 106 agreement and were therefore not an addition to the Council's Housing Revenue Account stock;
- The homes were not, as in other instances, sitting empty. These were homes that the Council had sought out from the developer, knowing that there was a need for high quality temporary accommodation of varying sizes;
- The council had a good working relationship with Vistry from the LAHF properties it had acquired, which had proven to be good acquisitions. These homes would be managed and maintained by the Council and would be managed closely through the temporary accommodation property officer that the housing options team employed to check on the welfare of its tenants;
- The cost for the eleven homes (made up of 4 x 2 bedroom homes and 7 x 3 bedroom homes) totaling £2,850,000 plus £132,000 Stamp Duty and £22,000 legal costs and was funded through the general fund capital budget, if approved by Council;
- This was why in addition to the Overview & Scrutiny Panel and Cabinet reports, a separate report drafted seeking approval to add this additional budget and borrowing to the capital programme;
- Though the homes had not been designated as temporary accommodation in the planning consent, they would have been designed to a very good specification, which would be adequate for those households the Council would temporarily house there.

The Panel asked questions and made comments as follows:

- What was the timeframe for completing these homes and getting them occupied?
- Could stamp duty processes be done as a separate transaction?
- Use of £2.8 million from the General Fund was a lot of money.

Ashley Jackson and Matt Sanham, Head of Finance & Procurement responded as follows:

- The homes were completed buildings;
- Stamp duty could not be done separately as this needed to be done as one transaction;

- This project would break even in year 1 and from year 2, it would be contributing to the General Fund.

The Panel noted the report and did not make any formal recommendations.

36. MECHANICAL DREDGING CONTRACT

Tony Marmo, Head of Coastal and Public Realm introduced the report and made the following comments:

- The Council was a Statutory Harbour Authority and had a duty to maintain the Port of Ramsgate and Ramsgate Royal Harbour;
- During the summer season, a large number of visitors from around the UK and Europe visit the Harbour. In order to safely facilitate these vessels the Council must invest in regular maintenance dredging to maintain safe access and navigation for vessels. In addition, without regular dredging to maintain safe access to the Port and Harbour the council risks breaching the open port duty;
- In Ramsgate, the two principal sediment types (silt and sand) were removed via two entirely different methods. A method of mechanical dredging known as grab dredging would be used to remove sand at Ramsgate;
- The proposed term contract (the subject of this report) would be based on the grab dredging method which used a large 360 degree long reach excavator mounted on the deck of the dredger to dig (or grab) the sand from the sea bed;
- The recurring nature of the dredging requirement at the Port and Harbour means that a multi-year term contract was the most appropriate procurement method for this work to be contracted;
- The awarded contract for routine maintenance dredging would be funded via an existing recurring revenue budget of £145,500. The estimated value of the contract will be £72,750 per year, which was 50% of the annual budget for dredging. The maximum contract term would be 5 years (core term of 3 years with potential for a 2 year extension), making a total estimated contract value of £363,750.

Members asked questions and made comments as follows:

- The Panel said that this was a welcome proposal;
- They also asked if there was a way of addressing the problems within the inner harbour because that area was shallow in places, particularly at the Clock Tower end.

Matthew Kenney, Maritime Operations Manager and Harbour Master responded as follows:

- The East Pier structure, around the pier heads was where most of the dredging would be taking place;
- Officers were surveying the rest of the marina to identify areas that need dredging.

- If additional funding were available this proposed contract would be used for dredging those other areas as well.

The Panel noted the report and did not make any formal recommendations.

37. PURCHASE OF 137 HOMES AT HAINE ROAD FOR AFFORDABLE RENT

Ashley Jackson, Head of Housing and Planning introduced the report and made the following comments:

- Council recently approved Thanet District Council's accelerated affordable housing development programme, which will see at least 400 new homes, constructed or acquired, by 2027;
- As the Panel would recall, previously, the Council had primarily acquired s106 homes where registered providers had refrained from bidding;
- However, in this case, the Council was proactively looking for the opportunity to acquire homes as it was strongly felt that securing a robust pipeline of homes was one way in which the Council could, through local lettings plans, reduce its reliance on the expensive use of nightly-paid temporary accommodation;
- However this acquisition would mean that the Council did not proceed with a decision it sought, and that was approved, at Cabinet in July. In July, officers sought the approval of purchasing 32 s106 homes at this site;
- These homes would now be acquired by a registered provider (RP) specialising in shared ownership homes;
- The cost for the 137 homes totalled £38,225,000 (including legal costs) and it was recommended that delegated authority be granted to the Director of Corporate Services to re-assess the viability of projects within the programme, and subsequently approve a variation to the assumed level of borrowing or other funding needed, in consultation with the Deputy Leader and Cabinet Member for Housing;
- This was provided the assessment showed that the schemes remain viable and remain within the overall approved budget. Any changes in funding will be subsequently reported to Cabinet.

The Panel noted the report and did not make any formal recommendations.

38. REVIEW OF OVERVIEW & SCRUTINY PANEL WORK PROGRAMME FOR 2024/25

The Chair invited members to comment on the work programme report. The External Grant Funding Review Working Party Chair said that they were finalising the draft report, which would be presented to the October. Most members said that they would like to tackle the youth provisions in Thanet topic as the next scrutiny review project.

Members said that this topic was pertinent now because KCC had indicated intentions to dispose of the Millmead Centre and this would affect youth provisions in Thanet. They said that Thanet Youth Council should be involved in the proposed review.

The Panel noted the report.

39. **FORWARD PLAN & EXEMPT CABINET REPORT LIST**

Members noted the report.

Meeting concluded: 9.08 pm