

CABINET

Minutes of the meeting held on 28 November 2024 at 7.00 pm in Council Chamber, Council Offices, Cecil Street, Margate, Kent.

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

In Attendance: Councillors Bambridge, J Bayford, Dawson, Kup, Pugh, Rattigan, Rogers, Davis, Fellows and D Green

62. APOLOGIES FOR ABSENCE

There were no apologies made at the meeting.

63. DECLARATIONS OF INTEREST

There were no declarations of interest.

64. MINUTES OF PREVIOUS MEETING

Councillor Everitt proposed, Councillor Yates seconded and Members agreed the minutes as a correct record of the meeting held on 24 October 2024.

65. ADOPTION OF THE FOLLOWING NEW POLICIES: DECANT POLICY AND DAMP, MOULD AND CONDENSATION POLICY

Cabinet considered proposals for the Decant Policy and Damp, Mould and Condensation Policy. There were different drivers for the development of new policies. The two new policies that were presented to Cabinet for approval were developed both in response to new legislation and where a gap had been identified in operations. The requirement for a Damp Mould and Condensation policy was due to Awaabs Law, which was introduced in July 2023 as part of the Social Housing Regulation Act. The Act was in place to ensure every social housing resident lived in a home that was decent, safe, secure and received high-quality service from their landlord. The Act provided tools in place that could be used by residents to hold their landlord to account. It was named after Awaab Ishak, who died from a respiratory condition linked to the presence of mould in a housing association property.

Awaab's Law entered statute through clause 42 of the Social Housing Regulation Act and was expected to come into force at the end of 2024. It required landlords to investigate and fix reports of damp, mould and condensation within specified timeframes. This policy had been working for just under a year, to ensure that the Council was implementing everything possible to protect residents ahead of implementation. The policy followed the prescribed timescales and therefore provided clear guidelines to officers. The policies also provided tenants with information on what they could expect from Council services and ensured that the Council was operating within the legislation.

The Decant Policy had been identified as a requirement through gap analysis. There was a need to give a framework to officers that ensured consistency was applied when faced with a situation where a tenant needed to be decanted from their home, due to situations such as required repair works or emergency situations. The policy described the reasons why a tenant might need to be decanted, what the Council

would do in response and under what circumstances compensation would be considered.

Councillor Whitehead proposed, Councillor Keen seconded and Cabinet agreed to:

1. Adopt the two new policies;
2. Delegate authority to the Head of Tenant and Leaseholder Services, in consultation with the Cabinet Member for Housing to make minor operational changes to the policies, as required.

66. EVALUATION OF RETENTION OR DISPOSAL OPTIONS FOR HOUSING REVENUE ACCOUNT UNITS

Cabinet discussed the report that was co-produced in by the Housing team and the Tenant and Leasehold team. The report outlined the ownership and refurbishment options for the following properties: 37 Hereson Road, Ramsgate, CT11 7DP; Flat 3 Cobb Court, 27 King Street, Margate, CT9 1BZ; and 1 Park Lodge, Montefiore Avenue, Ramsgate, Kent, CT11 8BD. All three residential dwellings were currently owned by the council. This report examines both the cost of refurbishing the properties and the potential capital receipts from their disposal at auction.

The recommendation was to dispose of these properties and reinvest the proceeds of the sales in the council's Housing Revenue Account (HRA) Capital Programme, to purchase homes that were more suitable for households on the Housing register. The total estimated cost of the essential maintenance required, based on the higher end of the quoted range for all properties, was £291,665. Independent valuation reports provided current market valuations for each property as follows:

- 37 Hereson Road, Ramsgate, CT11 7DP: £102,500;
- Flat 3 Cobb Court, 27 King Street, Margate, CT9 1BZ and freehold for 27 Kings Street: £328,500;
- 1 Park Lodge, Montefiore Avenue, Ramsgate, Kent, CT11 8BD and freehold for flats 1, 2 and 3 Park Lodge: £201,000.

In total, if each property and associated freehold where applicable was sold at its valuation, it would generate £632,000. The homes in question would never achieve a required EPC rating due to their age and original construction. 1 Park Lodge and 3 Cobb Court 27 Kings Street were both below the EPC BAND C minimum that the Council would want for properties within its housing stock. Both properties were Grade II listed. The investment required to get these homes to a suitable environmental standard would be £250,000, which was disproportionate to the amount the Council would spend on other properties through the voids or planned maintenance programme. This was the reason why the properties had been empty since vacated.

Listed buildings cost more to maintain as parts, materials and labour cost more and specifically 1 Park Lodge and 3 Cobb Court both Grade II listed, Park Lodge needed considerable external work, which would be more costly due to their listed status. Two of the homes in question were the last properties in a block that were now all leaseholders. Managing multiple tenures in a block was trickier for the TLS team. Cobb Court and Park Lodge were both part of 'blocks' that the Council no longer wholly owned.

Councillor Whitehead proposed, Councillor Keen seconded and Cabinet agreed that:

1. The Council owned properties, 37 Hereson Road, Ramsgate, CT11 7DP, Flat 3 Cobb Court, 27 King Street, Margate, CT9 1BZ and 1 Park Lodge, Montefiore Avenue, Ramsgate, Kent, CT11 8BD are disposed of through auction;
2. The proceeds of sale are reinvested in the council's Accelerated Housing Delivery Programme as agreed by Council in July 2023.

67. PENSION CREDIT

Cabinet received an update on the action that had been taken by Thanet District Council to increase the take up of pension credit by those residents who were entitled to receive such pension credit. Previously a motion was agreed at Full Council where members noted that the outgoing Conservative government left behind billions of pounds of unfunded in-year spending commitments, which required the new Labour government to take action to balance the 2024/25 budget.

The motion that was considered at Full Council noted that government policy over the period since 2010 had discriminated against people below pension age, in particular forcing millions to use food banks to feed themselves and their families, and driving hundreds of thousands of children into poverty. Members also noted that continuing the Winter Fuel Payment to the wealthiest pensioners would be inconsistent with social justice when children are going hungry. The motion welcomed the fact that the Council was and would continue to use its communication channels and social media platforms to alert those eligible for Pension Credit which in some respects would help access to the Winter Fuel Payment for those most in need.

On request from Full Council, the Leader of Council had written to the Chancellor of the Exchequer, urging a review of the decision to means test the Winter Fuel Payment and asking the government to ensure that vulnerable pensioners, particularly those who did not claim Pension Credit, were protected from fuel poverty. Council had acknowledged the 'Save the Winter Fuel Payment for Struggling Pensioners' petition being run by Age UK and agreed to write to all council members offering them the opportunity to sign the petition themselves. Council agreed that it would encourage local efforts to promote Pension Credit uptake through this Council partnerships with local charities and community organisations to ensure that all eligible pensioners in Thanet were supported in claiming their entitlement.

Work on increasing the take up of pension credit began in February 2024 when 300 households were written to and provided advice on how to apply. Those contacting the Council's Benefits team were signposted while making related enquiries. Information was sent out in the bills and was available on the Council website. Twenty-three tenant and leaseholders had been directly contacted and supported with applications. In order to try alternative ways of reaching people two informative podcasts had been published about pension credit including one with the local department for work and pensions office.

The DWP campaign had been shared with by the Council's Comms team and the DWP were writing to 295 households that they had identified as possible claimants. Council also promoted the work of the local voluntary sector who provided dedicated drop in sessions to support individuals in completing the application forms. So far the direct work of the Council had seen 74 households receive an increase on average of £330 a month as well as being entitled to claim the winter fuel payment and other

financial assistance such as housing benefit, council tax support, NHS dental treatment and free TV licence.

It was not too late to apply in order to be able to claim the winter fuel allowance, if there were residents in the local area who could apply for pension credit. It was important to reach out to them. If the claim were made before 21 December 2024, it would be backdated to 21 September 2024, which would mean it fell within the claim period.

Councillor Fellows spoke under Council Procedure Rule 20.1.

Councillor Keen proposed, Councillor Yates seconded and Cabinet noted the contents of the report.

68. GRENFELL ENQUIRY REPORT

Cabinet considered the Grenfell Enquiry report and noted the public enquiry into the tragic and shocking fire at Grenfell Tower in Kensington and Chelsea published their phase 2 report in September 2024. As a landlord of residential tower blocks, Thanet District Council had followed the enquiry closely. Council considered the health and safety of its tenants and leaseholders to be its top priority and would always take any action needed to improve the management of health and safety.

With this in mind, the Council completed a detailed self-assessment against all of the relevant recommendations from the enquiry, published in both the phase 1 and phase 2 reports and this self-assessment that was attached to the Cabinet report. Of the fourteen recommendations relevant to the landlords of residential tower blocks, the Council had fully implemented twelve and were progressing the remaining two. Until all fourteen were completed, the Council had mitigation arrangements in place in the form of waking watch services in five of the tower blocks. The Council had also recently conducted an audit of these buildings with the Kent Fire and Rescue Service. TDC worked closely with KFRS and had a strong and positive working relationship. At the audit, the KFRS made some recommendations for improvement on their previous advice, which were implemented on the same day and which would be ratified by this report.

Council had already started work on the full retrofit and refurbishment of these buildings with the replacement of heating systems with new energy efficient measures. Other works in this programme including the upgrading of fire doors and the replacement and upgrading of external wall insulation would start in the new year. The Grenfell Enquiry Report also made recommendations for all local authorities in relation to their preparedness for a major emergency. Although the council has emergency planning arrangements in place, Council saw the report as a moment to review and improve its arrangements. Officers had developed and were implementing an improvement plan for the emergency arrangements. A detailed self-assessment was attached to the Cabinet report.

The actions being taken included additional training for all staff, improved community liaison and a review of communications protocols. As an active partner in the Kent and Medway Resilience Forum, there were already established emergency plans and Thanet had responded well to previous emergencies. The failings that led to Grenfell and further continued with the management of the crisis would always be remembered. This was in order to not only ensure that Council remembered those lost and affected by an appalling and preventable tragedy, but also to ensure that the

damage previously done to the central regulatory systems was repaired, and that residents across the country were never again exposed to that level of risk.

There had been a huge amount of work done in recent years to ensure that the safety of residents remained the priority. The huge strides that had been achieved were in order to strengthen residents' voices through the systems and Tenant and Leaseholder Groups. The work on all of the policies was recognised and greatly appreciated. Seeing Grenfell unfold was, for so many a moment of horror and powerlessness and grief. However, Council reclaimed that power in ensuring that such a tragedy was never repeated and by continually prioritising resident safety. TDC invested in the waking watch services and the emergency protocols were an investment in residents' safety, which in turn was an investment in residents' lives and quality of life. This would always be the main priority for Cabinet.

The following Members spoke under Council Procedure Rule 20.1:

Councillor Bayford;
Councillor Austin;
Councillor Pugh.

Councillor Whitehead proposed, Councillor Albon seconded and Cabinet agreed:

1. To note the self-assessment against the phase 1 and phase 2 recommendations, attached at annex 1;
2. To increase the waking watch service in line with the revised guidelines from the Kent Fire and Rescue Service;
3. To note the increased cost of the waking watch service for the remainder of 2024/25 and approve the necessary in-year virement (as detailed in 6.1.1 to the Cabinet report).

69. NOTICE OF MOTION REGARDING THE LOCAL PLAN

Cabinet debated the Notice of Motion report and considered the recommendation from the Overview and Scrutiny Panel. The item was for Cabinet to consider a motion brought to Full Council in October by Councillor Pugh concerning the Local Plan. The motion sought to amend a policy framework item and as such, the constitution requires that first a report be brought to the Overview and Scrutiny Panel and Cabinet for a recommendation before Full Council could consider that motion in full. The Panel met on 19 November 2024 and after considering a report from officers on the legal and practical position, it supported the officer recommendation not to recommend the motion to Cabinet.

Cabinet recognised that the development of agricultural land and the provisions of the Local Plan were a matter of public concern and that Council should have an opportunity to debate these issues at the Full Council meeting on 12 December. The Leader of Council had submitted a motion on the Local Plan to provide that opportunity. This motion would allow all opinions to be aired. The substance of the report attached to this item was contained in an earlier report to Cabinet, published in July 2024, which made clear that revoking the Local Plan was not something that the Council could do, and that while it could ask the Secretary of State to do so, such a request was unlikely to be granted.

Despite the opportunity to amend the motion to refer to the role of the Secretary of State, the Member allowed it to remain as submitted, which supported the view fostered during the general election campaign by their political party that the Council could revoke the Local Plan, when those responsible knew that it could not. The motion asked the Council to consult on a new Local Plan, the process for which was also set out in July 2024. The Council was required to follow a statutory process to develop a plan, but in order to consult it must first develop a plan and assemble the evidence, which would support it. This work had been under way for some time and would continue.

The motion requested that the Council used more recent census data as the basis for population projections, but the previous government failed to update the methodology meaning a new plan published today would still rely on the 2014 projections. The new government was consulting on changes to the housing number methodology, but there was no proper basis for the Council to substitute its own methodology as suggested by the motion and such an approach would not be found to be sound at examination. The motion also asked the Council to remove current housing allocations on Grade 1 agricultural land. The Council could not change the allocations in the adopted Local Plan and any new plan making changes had to be the subject of formal consultation and examination.

The Council had and would continue to seek better protection for agricultural land through its consultation responses to proposed changes in the National Planning Policy Framework. Revoking the Local Plan, even if it was possible, would remove important development policies over and above land allocations. It would not, however, protect those agricultural sites allocated for housing by the decisions of the past. There was a recognition that councillors were obliged to operate in a framework set by the government at the time, particularly around housing delivery, but Members could not pretend that these decisions could be reversed now, whether by Full Council or the Planning Committee. The Leader moved the officer recommendation that the notice of motion is not supported and that cabinet takes no further action in respect of it.

The following Members spoke under Council Procedure Rule 20.1:

Councillor Bambridge;
Councillor Rogers;
Councillor Rattigan;
Councillor Green;
Councillor Davis;
Councillor Kup;
Councillor Fellows;
Councillor Pugh;
Councillor Dawson.

Cabinet agreed the following:

1. That the Notice of Motion to revoke the Thanet Local Plan 2020 is not supported;
2. As a result, the Cabinet takes no further action.

70. EXTERNAL GRANT FUNDING SCRUTINY REVIEW REPORT

Cabinet discussed the review report from the Overview and Scrutiny Panel and thanked the Panel for their work to produce this report. This Cabinet recognises the valuable work undertaken by the voluntary, community and social enterprise sectors in the district, and the dedication of staff, volunteers and the community in supporting these organisations. The report of the Overview and Scrutiny Panel highlighted the great work being done in the district and the importance of a supportive, collaborative and productive relationship between the Council and the Voluntary, Community and Social Enterprise sector.

It was also of note that the report on the Grenfell Tower Enquiry, considered at this Cabinet meeting also identified the important role performed by voluntary and community organisations and the important role of local authorities in helping to support and coordinate the sector. Cabinet was delighted that they had managed to secure resources from the existing budgets to recruit a new Community Development Officer, a role that would help to progress many of the recommendations of this report. The officer comments included in the report clearly demonstrated support for the recommendations at a senior level.

The original brief for the review focused on how the council could help the sector to secure additional small grant funding for Thanet. The report recognised that in the end, the scope of the review was broader and looked at how the Council could more generally support the sector. This broader scope was welcomed and it was clear that the wider support advocated by the report, would contribute to helping Voluntary, Community and Social Enterprise organisations attract new sources of grant funding.

Cabinet particularly welcomed the recommendations to identify a lead contact officer at the Council for the sector and to establish a new Voluntary and Community Sector Forum. Cabinet would work to take these recommendations forward. The report referenced the Council's charging policy for voluntary and community sector organisations. Fees and Charges were set annually at a meeting of the Full Council and considered in the context of the Council's overall budget, and although the Cabinet recommends the budget, this was not a decision that could be made by Cabinet. However, the recommendation was welcomed and would be considered as part of the budget setting process. Overall, this was a positive piece of work.

Councillor Austin and Councillor Fellows spoke under Council Procedure Rule 20.1.

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

1. To note that the Scrutiny Report made a total of 17 recommendations to Cabinet;
2. Cabinet considered the recommendations and the senior management comments made in response to each recommendation, as set out in the Cabinet report and agreed the recommendations from the Overview and Scrutiny Panel as recommended by officers as detailed in section 5 of the Cabinet report.

71. TOURISM SCRUTINY REVIEW REPORT

Cabinet considered the scrutiny review report on tourism in the district. This report came out of a work of the Tourism Review Working Party that was set up by the Overview and Scrutiny Panel on 20 July 2023. The working party was tasked with focusing on the negative impact of tourism on the district and how the Council could

mitigate that impact on local communities. On 25 April this year the outcome report from that study was brought to Cabinet for its consideration. The report looked at impacts including the additional costs of clearing up litter and attending to anti-social incidents. The report further looked at issues such as traffic management in the summer season and the operation of AirBnBs.

Cabinet noted the positive contributions that tourism brought to Thanet's many businesses, which benefit from seasonal visitors. It seemed clear that the benefits of tourists visiting the district, such as the creation of local employment opportunities, outweighed the costs that this industry generated. The Overview and Scrutiny Panel had an important role in pointing out issues to Cabinet. In view of this role and the detailed findings and recommendations from the working party, it was recommended in April that Cabinet took time to consider these findings and recommendations. Cabinet committed to bringing a detailed response back to a Cabinet meeting before the end of the third quarter of this year. This time had allowed Cabinet to seek further officer advice on multiple aspects including the budget implications for each of the recommendations in the context of the Council's limited resources.

The report set out a summary of the working party's recommendations in Section 3. The table in section 5 included senior management comments on each of the recommendations proposed. Of the twenty-five individual recommendations, eight were already in place, a further four were proposed to be implemented in part or full and three more were proposed to be investigated further. However, some of the recommendations were not proposed to be taken forwards. In all instances, the table in section 5 provided a brief summary management response.

Where recommendations were not proposed to be taken forward, the reasons included challenges in practical implementation, conflict with legislative requirements or the budgetary impact of the proposal. Cabinet had therefore considered the recommendations of the Scrutiny review and responded in full to each recommendation. It was proposed that Cabinet adopt recommendations based on the senior management advice as set out in section 5 of the report. This meant adopting twelve recommendations and agreeing more investigation into a further three recommendations.

Councillor Austin and Councillor Fellows spoke under Council Procedure Rule 20.1.

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

1. To note that the Tourism Review Working Party report made a total 25 recommendations spread across 5 subject headings. Cabinet considered the recommendations and senior management comments on each, which were set out in the cabinet report;
2. To approve the recommendations set out in section 5 of the Cabinet Report in accordance with the senior management advice on each recommendation in that section which meant agreeing twelve of the recommendations, eight of which were already in place. Cabinet further agreed to investigate a further three recommendations which may also be taken forward if found to be feasible.

72. MID YEAR REVIEW 2024/25: TREASURY MANAGEMENT AND ANNUAL INVESTMENT STRATEGY

Cabinet considered the midyear review report, which included the treasury management and annual investment strategy. Cabinet noted that for the period under review, the Council operated a balanced budget, which broadly meant cash raised during the year would meet its cash expenditure. Part of the treasury management operation was to ensure this cash flow was adequately planned, with surplus monies being invested in low risk counterparties, providing adequate liquidity initially before considering optimising investment return.

The second main function of the treasury management service was the funding of the Council's capital plans. These capital plans provided a guide to the borrowing need of the Council, essentially the longer-term cash flow planning to ensure the Council could meet its capital spending operations. This management of longer-term cash may involve arranging long or short-term loans, or using longer-term cash flow surpluses, and on occasion, any debt previously drawn may be restructured to meet Council risk or cost objectives.

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

1. To note the report;
2. To recommend this report and annexes (including the prudential and treasury indicators that are shown and the proposed changes to the 2024/25 Treasury Management Strategy Statement) to Full Council for approval.

Meeting concluded: 8.50 pm