

Agenda

Council Meeting

**Thursday 25 April 2024
7.00 pm**

Lord Mayor: Councillor Jean Butcher
Head of Paid Service: Tricia Marshall

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Canterbury City Council
Military Road
CANTERBURY
CT1 1YW

17 April 2024

To: The Members of the CANTERBURY CITY COUNCIL

I hereby summon you to attend **A MEETING OF THE CANTERBURY CITY COUNCIL to be held at THE GUILDHALL, ST PETER'S PLACE, CANTERBURY ON THURSDAY 25 APRIL 2024 at 7.00 pm** for the transaction of the business described in the following agenda.



Head of Paid Service

Agenda

1 Apologies for absence

2 Declaration of interests by councillors or officers

TO RECEIVE any declarations for the following in so far as they relate to the business for the meeting:

- A. Disclosable Pecuniary Interests
- B. Other Significant Interests (what were previously thought of as non-pecuniary Prejudicial interests)
- C. Voluntary Announcements of Other Interests i.e. relevant memberships

Voluntary Announcements of Other Interests not required to be disclosed as DPI's or OSI's, i.e. announcements made for transparency reasons alone, such as:

- Membership of outside bodies that have made representations on agenda items, or
- Where a Councillor knows a person involved, but does not have a close association with that person,
- Where an item would affect the well-being of a Councillor, relative, close associate, employer, etc but not his/her financial position.

[Note: an effect on the financial position of a Councillor, relative, close associate, employer, etc; OR an application made by a Councillor, relative, close associate, employer, etc, would both probably constitute either an OSI or in some cases a DPI].

3 Petitions or questions from the public

Any member of the public may present a petition or put a question, provided that it is supported by not less than 15 signatories, **and provided that notification has been given to Democratic Services by 12.30pm the working day before the meeting.**

The Head of Paid Service will report verbally any notifications received within the prescribed time limit regarding any petitions or questions for the meeting.

Other than in accordance with the Council's Petition Scheme, no debate shall take place upon any matter put before the Council by way of petition.

No debate shall take place upon any matter put before the Council by way of question except at the discretion of the Lord Mayor, when the Leader or Chair of an appropriate committee may respond. The Leader or the Chair may agree to a written response being sent on behalf of the Council.

The Lord Mayor, at their discretion, may determine the order in which the petitions and / or questions are taken.

It is the usual practice to refer any petitions or questions to the relevant decision making body or, if there is a related item on the agenda, they will be considered at the meeting.

Under the Council's Petition Scheme

- Duplicate Petitions will not be accepted (Where more than one petition is received in time for a particular meeting, each supporting the same outcome on one matter, each petition organiser will be treated as an independent organiser, but only the petition organiser of the first petition will be invited to address the relevant meeting).

- Repeat Petitions will not be accepted (Where a petition will not normally be considered where they are received within six months of another petition being considered by the authority on the same matter).

4 Announcements

TO RECEIVE any announcements by the Lord Mayor, the Cabinet Members or the Head of Paid Service.

5 Community Governance Review in Westbere and Hersden - revised timetable

TO CONSIDER the report of the Head of Corporate Governance (pages 11 - 14)

6 Recommendations to Full Council from Cabinet

(Councillors must read the relevant reports and appendices of the Cabinet meeting held on 25th March 2024 relating to these items. They can be viewed [online here](#).)

(a) Treasury Management Strategy, Investment Strategy and Capital Strategy for 2024/25

At its meeting of [25 March 2024](#) (minute 663) Cabinet RECOMMENDED to Full Council:

- a) that the attached Treasury Management Strategy including the Minimum Revenue Provision policy for 2024/25 be approved.
- b) that the attached Capital Strategy for 2024/25 be approved.
- c) that the attached Investment strategy for 2024/25 be approved.

(b) Proposed Dog Control Public Space Protection Order (PSPO) 2024

At its meeting of [25 March 2024](#) (minute 665) Cabinet RECOMMENDED to Full Council:

1. The adoption of a new Dog Control PSPO 2024 as set out in Appendix D which includes requirements relating to:

- Dog fouling
- Dog on lead of no more than two metres as per locations listed in Schedule 1 of Appendix D
- Direction given to place dog on lead
- Dog exclusion as per locations listed in Schedule 2 of Appendix D

2. To include the new site of Bridge Recreation Ground as a dog exclusion area (as set out in Schedule 2 of Appendix D)

3. To attach site maps to locations listed in Section 2 of this report, to ensure boundaries and areas that restrictions apply are clear.

4. To NOT include in the new order:

4.1 Dog lead restrictions at the following sites:

- a. Paths of the Riverside Walk
- b. The public footpath within Whitstable Cemetery Whitstable

4.2 Dog exclusion at the following sites:

- Play area The Maltings, Enclosed, Littlebourne
- Play area Black Griffin Lane, Canterbury
- Sturry Road Community Park Garden Area, Northgate

4.3 The requirement of a person in charge of a dog on land to which the order applies, to produce (if asked to do so by an officer) a suitable means to pick up, remove and appropriately dispose of dog faeces

7 Recommendations to Full Council from Committees and Boards

Councillors are asked to view the reports considered by the various committees before considering the following recommendations to Full Council. They can be found [online here](#).

(a) Regulation of Investigatory Powers Act (RIPA) 2000 Annual report

At its meeting of [13th March 2024](#), the Audit Committee (minute 633) RECOMMENDED to Council:

- a) That the updated RIPA Policy document be adopted.
- b) That the annual report was received and noted.

(The report that the Committee considered should be viewed [online](#))

(b) Updates to the Constitution - April 2024

At its meeting on [11 April 2024](#), the Governance Committee (minute number 684) RECOMMENDED:

that the proposed changes to the Constitution be recommended to Council for approval, as follows -

1) That the proposed amendments to the Whitstable Harbour Board (WHB) governance arrangements set out in the proposals below be recommended for adoption, to take effect from the annual meeting in May 2024 -

- a) That the WHB becomes a committee of Council and not Cabinet.
- b) That WHB maintains a 10-year (not five-year) plan of quay maintenance and provides this annually to the Council.
- c) That the WHB agree a 10-year strategic plan and develop a business plan to identify cost implications to the Council throughout this period.
- d) That proposals for a ring-fenced reserve for quay maintenance are referred directly to the Service Director for Finance and Procurement to consider the financial implications on the wider council budget. These implications will be fed into the future budget-setting process.
- e) That the WHB would receive a copy of the budget submission for the Harbour and the agreed budget – in order to ensure we have sufficient funds to complete works.
- f) That the designated officer will annually ensure flexibility and discretion is given to the Lead Officer of the Harbour in the budget setting process, to achieve the strategic goals, in line with the delegations set out in the Constitution.
- g) That the WHB will have full discretion on the formation of ‘task and finish groups’ (previously referred to as working groups) subject to officer capacity being available.
- h) That clarification will be sought as to whether the Memorandum of Understanding (MoU) will need amending were the byelaw to be amended/repealed
- i) The size of the WHB change to 5 councillors and 4 independent members, in line with the Department for Transport’s Ports Good Governance Guidance, with political

balance retained and a councillor appointed as chair.

j) Additionally, that the Memorandum of Understanding, once agreed with Cabinet, be incorporated into the Terms of Reference of the Board.

k) That an advisory note be added to the terms of reference that where possible no more than two Board members should also be Cabinet members.

2) That the following changes to the Petition Scheme are recommended for adoption -

a) acceptance of e-petitions from third party sites

b) an initial response by the Leader or nominee at Council to petitions referred to Cabinet

3) To amend the carers allowance in the Members Allowance Scheme to pay the real Living Wage, irrespective of the age of the carer.

TO NOTE -

4) The amendments made by the Head of Legal Services under delegation F28.

(The report that the Committee considered should be viewed [online](#).)

(c) Whitstable CGR Consultation results

At its meeting on 16 April 2024, the General Purposes Committee (minutes to follow as a supplement to this Agenda) RECOMMENDED to Full Council:

1. That feedback is sought on the following draft recommendations -

Based on the findings of the consultation, the advisory group has not recommended an alternative boundary for a smaller town council.

Instead, it recommends a qualitative approach inviting comments, opinion and evidence which supports or disproves the following four propositions:

i. That a parishing of the whole CT5 area does not represent the interest of the community given the lack of public support.

ii. That the splitting of wards in Gorrell will damage community cohesion by forcing only some in an area to pay for largely shared services and resources.

iii. That a smaller parished area covering Harbour & Tankerton lacks community cohesion given the lack of public support and distinct unique identity of both settlements, therefore is not recommended.

iv. That a smaller parished area covering Harbour & Tankerton will neither be effective or convenient in achieving the original aims of the petition to create a single 'voice for Whitstable' and incapable of delivering the range of projects presented by the petitioning organisation.

2. That feedback is obtained through written representations using the means set out in the report.

3. That the revised timetable be approved

The report that the Committee Considered should be viewed [online](#).)

8 Councillors questions

To answer any questions from Councillors under Rule 10 of the Council Procedure Rules.

Details of any questions received will be reported at the meeting.

(Note: There is a time limit of one minute for asking a question and three minutes for its answer, with supplementary questions being allowed, with a total of 30 minutes for all questions).

9 Notices of Motion

a) Floor Coverings

Proposed by Councillor Naomi Smith

Seconded by Councillor Keji Moses

Research this year by End Furniture Poverty found that 1.2 million UK adults are living without flooring in their home, of whom almost two-thirds – or 760,000 adults – are social housing tenants”. (Inside Housing 20/1/2024)

<https://www.insidehousing.co.uk/insight/the-case-for-flooring-to-be-included-when-social-homes-are-let-83666>

On re-lets often the existing floor covering is removed due to health and safety concerns. This will often leave bare concrete floors and floorboards. The lack of floor covering means that homes are cold and draughty leading to higher fuel bills. Not having adequate floor coverings can also create a noise nuisance to neighbours.

In the Inside Housing report, they used the example of Thirteen Housing in the North East who having piloted a scheme, that either provided the existing floor coverings cleaned or new where appropriate, the cost benefits more than stood up.

“In 2018, Thirteen piloted an enhanced standard for empty homes and applied it to 100 properties. It found that those tenancies performed markedly better across key metrics such as re-lets, arrears and reported repairs. On exploration, Thirteen found that flooring and paintwork were the most valued elements, so rolled that out as standard across its portfolio”.

Wales has passed regulations that all new social housing lets must come with floor covering included. We are pleased to say that this will be the case with the new Council homes coming soon in Canterbury.

The cost of moving into a new home from Temporary Accommodation or fleeing domestic abuse can be financially crippling on our most vulnerable. UC Loans can only go so far and floor coverings are often the last priority over a cooker, fridge and a washing machine.

We should be able to offer tenants a warm cosy home. Providing carpet and vinyl flooring can go a long way towards that aim.

We ask that our that Cabinet consider conducting a pilot;

- Keep existing floor coverings (cleaned where appropriate using local companies)
- Provide new floor covering throughout the property when existing can't be re-used
- Assess if the pilot is positive for our tenants, our housing stock and our Housing Revenue Account.
- Explore how Social Landlords in the district could be required to provide floor covering throughout, on all new lets.

(The Lord Mayor has been advised that this motion should be referred to the Cabinet without debate. Where a matter is referred to Cabinet, the Lord Mayor will permit the Leader or nominated Cabinet Member to provide an initial response to the Motion. No further debate will be allowed.)

b) Wilder Blean Woods Complex

Proposer by Councillor Dan Smith
Seconded by Councillor Steph Jupe

This council supports the concept of a land bridge for the Wilder Blean Woods Complex. The land bridge is needed over the A2 to facilitate the contiguous connection of these two areas of the Blean, over the roadblock caused by the A2, to allow movement of animals such as deer across the wider Blean area.

In supporting this concept this council agrees, without any commitment to incur costs, to work with the appropriate organisations to facilitate a connection from South Blean [Chartham Hatch\Lower Harbledown] with the RSPB managed Church Woods area of West Blean [Rough Common\Upper Harbledown\Blean].

(The Lord Mayor has been advised that this motion should be referred to the Cabinet without debate. Where a matter is referred to Cabinet, the Lord Mayor will permit the Leader or nominated Cabinet Member to provide an initial response to the Motion. No further debate will be allowed.)

10 Changes to memberships of committees and boards and notification of changes to lead councillor roles

TO ACCEPT the nomination(s) of the political group leaders.

11 Minutes

TO CONFIRM as a true record the minutes of the meeting of the Council held on 22 February 2024.

(a) Council - Thursday, 22 February 2024 (pages 16 - 28)

12 To receive the following minutes of the meetings specified and to receive questions and answers on any of the minutes

(Note: By virtue of Article 17.03 of the Council Procedure Rules, there shall be no amendment to resolved minutes, save on the written advice from the Monitoring Officer and/or the Chief Financial Officer).

- a. Audit Committee - Wednesday 13 March 2024 (pages 29 - 34)
- b. Cabinet - Monday 11 March 2024 (pages 35 - 39)
- c. Cabinet - Monday 25 March 2024 (pages 40 - 47)
- d. Cabinet Committee (companies) - Thursday 20 February 2024 (pages 48 - 50)
- e. General Purposes Committee - Tuesday 16th February (to follow after publication)
- f. Governance Committee - 11 April 2024 (pages 51 - 56)
- g. Joint Transportation Board - Tuesday 30 January 2024 (pages 57 - 61)
- h. Joint Transportation Board - Tuesday 19 March (pages 62 - 69)
- i. Licensing Sub-Committee - Wednesday 17 January 2024 (pages 70 - 76)
- j. Overview and Scrutiny Committee - Thursday 29 February 2024 (pages 77 - 82)
- k. CANCELLED - Overview & Scrutiny Committee Thursday 28th March 2024
- l. Planning Committee - Tuesday 6 February 2024 (pages 83 - 86)
- m. Planning Committee - Tuesday 5 March 2024 (pages 87 - 89)
- n. Planning Committee - Tuesday 2 April 2024 (pages 90 - 92)
- o. Scrutiny Sub-Committee - Wednesday 28 February 2024 (pages 93 - 96)
- p. Whitstable Harbour Board - Friday 15 March 2024 (pages 97 - 103)

13 Programme of meetings for 2024/25 (pages 104 - 105)

TO CONSIDER the adoption of amendments to the programme of meetings 2024/25.

14 Notices of urgent decisions made by the Head of Paid Service under delegation

There are no notices of decisions made by the Head of Paid Service under delegation for this meeting.

15 Any other urgent business to be dealt with on the night

Council
25 April 2024

Subject: Community Governance Review in Westbere and Hersden - revised timetable

Director and Head of Service:

Director of Corporate Services

Officer:

Head of Corporate Governance

Cabinet Member: Mike Sole, Cabinet member for finance

Key or Non Key decision: Non Key

Decision Issues:

These matters are within the authority of the Council

Is any of the information exempt from publication:

This report is open to the public.

CCC ward(s): Sturry

Summary and purpose of the report:

The purpose of this report is to propose a revision to the timetable and consultation plan for the Community Governance Review (CGR) of the parish boundary between the Westbere and Hersden parished area.

To Resolve

That the revised timetable and consultation plan for the Westbere and Hersden Community Governance Review be adopted.

Next stage in process:

The stage one consultation will continue as planned. The draft recommendations will be published and feedback sought prior to final recommendations being submitted to Council for approval in October 2024.

1. Introduction

The stage one consultation process is underway for the review of the boundary between the parishes of Westbere and Hersden.

The timetable approved by full Council on 22 February 2024, recommended a single stage consultation process in light of the fact that the petition request is relatively straightforward. It proposes the boundary line for the Westbere Parish be moved to incorporate the Bread and Cheese Field.

Recent advice received from the Association of Electoral Administrators in relation to the consultation process for the Whitstable community governance review stated -

Section 102(4) of the Local Government and Public Involvement in Health Act 2007 states that a principal council concludes a CGR when the council publishes the recommendations made in the review.

You must consider all representations received during the review and publish your draft recommendations. You should then conduct another round of consultations for comments about those recommendations, before publishing final recommendations.

In light of this advice it is recommended that the timetable for the Westbere/Hersden CGR be revised to allow time to gather feedback on the draft recommendations.

There is no change to the proposed end date. The second stage consultation will be undertaken in the period July to September, with the aim of reporting back in October 2024.

There is provision in the legislation for Council to amend the timetable. Agreement is therefore sought to make changes and approve the revised timetable set out in Appendix A.

3. Relevant Council policy, strategies or budgetary documents

Constitution

4. Consultation planned or undertaken

A two-stage consultation process is proposed, as set out in the report.

5. Options available with reasons for suitability

Option 1 - To agree the changes to the timetable and consultation plan (recommended)

Option 2 - To suggest amendments to the terms of reference and timetable.

6. Reasons for supporting option recommended, with risk assessment

Option 1 is recommended

7. Implications

(a) Financial

Resources to publicise the review, undertake consultation and manage the responses.

(b) Legal

The Local Government and Public Involvement in Health Act 2007 (Part 4) devolved power from the Secretary of State to principal councils to carry out community governance reviews and put in place or make changes to local community governance arrangements. The Community Governance Review will be undertaken in accordance with this Act and supplementary guidance.

The council is obliged to undertake a review which has been requisitioned following the submission of a valid petition.

(c) Equalities

None

(d) Environmental including carbon emissions and biodiversity

None

Contact Officer: Matthew Archer, Head of Corporate Governance

Background documents and appendices

[Guidance on Community Governance Reviews, 2010](#)

Additional document(s) containing information exempt from publication:

No

Appendices

Appendix A - Revised timetable

Appendix A

Westbere and Hersden CGR 2024 - revised consultation programme and timetable v2

Stage	Date/Timeline	Timescale	Outline of Activity
Commencement	29 Jan General Purposes Committee		Consider Terms of Reference recommend to Council
	Council 22 February 2024		Approval of terms of reference and timetable
Notice	26 February 2024		Publication of Notice, terms of reference and stakeholder notification of commencement of the review.
Invite submissions	26 February 2024 to 22 May 2024	12 weeks	Consultation launched. Initial submissions invited.
<i>Proposed revisions</i>			
Make recommendations	General Purposes Committee - 4 July 2024		General Purposes Ctte makes proposals to Council.
Approve draft recommendations for consultation	Council - 18 July 2024		Council approves the draft recommendations for stage 2 consultation
Invite views on recommendations	22 July 2024 to 16 September 2024	8 weeks	Consultation period
Final recommendations	General Purposes Committee - 8 October 2024		Propose final recommendations to Council
Decision	Council - 17 October 2024		Council can conclude the review and make final recommendations or elect to carry out a further round of consultation on proposals.
Conclusion	Oct - Nov 2024		Council can make a Reorganisation Order if required.

**Changes to Memberships
Nominations by Group leaders**

Committee Members:

Committee name: Planning Committee

Remove: Councillor Roben Franklin

Add: Councillor Lee Castle

Substitute Members:

Committee name: Planning Committee

Remove: Councillor Lee Castle

Add: Councillor Roben Franklin

CANTERBURY CITY COUNCIL

Minutes of a meeting of the CANTERBURY CITY COUNCIL duly convened and held on Thursday 22 February 2024 at 7.00 pm in The Guildhall, St Peter's Place, Canterbury

Present: Councillor Jean Butcher (Lord Mayor)

Councillor Baldock, Councillor Bland, Councillor Brady, Councillor Buckman, Councillor Carnac, Councillor Carr-Ellis, Councillor Castle, Councillor Charlotte Cornell, Councillor Chris Cornell, Councillor Dawkins, Councillor Dixey, Councillor Edwards, Councillor Flanagan, Councillor Franklin, Councillor A Harvey, Councillor L Harvey, Councillor Hazelton, Councillor Howes, Councillor Jones, Councillor McKenzie, Councillor Mellish, Councillor Moses, Councillor Nolan, Councillor Old, Councillor Prentice, Councillor Ricketts, Councillor D Smith, Councillor N Smith, Councillor Sole, Councillor Thomas, Councillor Turnbull, Councillor Watkins and Councillor Wheeler.

566. Apologies for absence

Apologies for absence were received from Councillors Bothwell, Jupe, Ian Stockley, Jeanette Stockley and Warley.

567. Declaration of councillors' interests

Councillors Baldock, Dixey, Carnac and Turnbull each made a statement that any declarations of interests by councillors in their respective groups that were recorded in the minutes presented to the meeting were deemed to be declared again by any of those councillors present at the meeting.

568. Petitions or questions from the public

Three related petitions were presented and the lead petitioner, Robert Johnson, spoke.

The Lord Mayor advised the petition would be discussed under the budget item which included parking income forecasts.

569. Announcements

The Lord Mayor gave thanks to all those involved in the recent cyber incident that had affected not just our authority but others nearby. Particular thanks were given to the Digital, Data and Improvement team. A round of applause was given to them and other officers who had worked tirelessly to keep council services running.

There were no other announcements from other cabinet members or officers.

570. Budget proposals 2024/25

A. Councillor Sole delivered the Labour/Liberal Democrat leadership coalition budget priorities speech.

B. Councillor Carnac replied on behalf of the Conservative Group.

C. Councillor Turnbull replied on behalf of the Green Party Group

D. Councillor Baldock replied to the speeches by Councillors Carnac and Turnbull.

571. Recommendations to Full Council from Cabinet

(a) Pay Policy 2024/25

Councillor Baldock proposed and Councillor Dixey seconded the recommendations from the Cabinet meeting of 8 February 2024 relating to the Pay Policy Statement 2024/25 (minute) and it was

RESOLVED: That the Pay Policy Statement for 2024/25 be adopted.

Record of voting:

For the vote (34): Councillors Baldock, Bland, Brady, Buckman, Butcher, Carnac, Carr-Ellis, Castle, Charlotte Cornell, Chris Cornell, Dawkins, Dixey, Edwards, Franklin, Andrew Harvey, Liz Harvey, Hazelton, Howes, Jones, McKenzie, Mellish, Moses, Nolan, Old, Prentice, Ricketts, Dan Smith, Naomi Smith, Sole, Thomas, Turnbull, Watkins and Wheeler.

Against the vote (0):

Abstained (0):

(b) Draft Housing Revenue and Capital Budget

(A)Councillors debated the proposal.

(B)Councillor Carnac proposed and Councillor Howes seconded, the following amendment:

To propose increasing garage charges – adding to the HRA income – so that charges are £13.50 per week for locals and £16.50 per week for non-tenants.

(C)This was subject to a debate and put to a vote and was LOST. Record of the voting on the amendment:

Record of voting:

For the vote (7): Councillors Carnac, Andrew Harvey, Liz Harvey, Howes, Jones, Thomas and Watkins.

Against the vote (26): Councillors Baldock, Bland, Brady, Buckman, Butcher, Carr-Ellis, Castle, Charlotte Cornell, Chris Cornell, Dawkins, Dixey, Edwards, Flanagan, Franklin, Hazelton, McKenzie, Mellish, Moses, Nolan, Old, Prentice, Ricketts, Dan Smith, Naomi Smith, Sole, Turnbull and Wheeler.

Abstained (1): Councillor Butcher

(D)Councillor Baldock proposed and Councillor Dixey seconded the recommendations from the Cabinet meeting of 8 February 2024 relating to the Draft Housing Revenue Account budget and it was RESOLVED:

That the draft housing revenue and capital budgets in Appendices A to C be approved.

Record of voting:

For the vote (34): Councillors Baldock, Bland, Brady, Buckman, Butcher, Carnac, Carr-Ellis, Castle, Charlotte Cornell, Chris Cornell, Dawkins, Dixey, Edwards, Flanagan, Franklin, Andrew Harvey, Liz Harvey, Hazelton, Howes, Jones, McKenzie, Mellish, Moses, Nolan, Old, Prentice, Ricketts, Dan Smith, Naomi Smith, Sole, Thomas, Turnbull, Watkins and Wheeler.

Against the vote (0): Councillors

Abstained (0): Councillors

(c) Financial outlook and draft budget 2024/25

(A) Councillor Thomas proposed and Councillor L Harvey seconded, the following amendment:

Parking Amendments – that the free parking in William St car park from 6-9pm is reinstated by taking £5,000 from the parking discounts/incentives for events budget

(B)This was subject to a debate and put to a vote and was LOST. Record of the voting on the amendment:

Record of voting:

For the vote (7): Councillors Carnac, Andrew Harvey, Liz Harvey, Howes, Jones, Thomas and Watkins.

Against the vote (24): Councillors Baldock, Bland, Brady, Buckman, Butcher, Carr-Ellis, Castle, Charlotte Cornell, Chris Cornell, Dawkins, Dixey, Edwards, Flanagan, Franklin, Hazelton, McKenzie, Moses, Nolan, Old, Prentice, Ricketts, Dan Smith, Naomi Smith and Sole.

Abstained (3): Councillors Mellish, Turnbull and Wheeler.

(C)Councillor Jones proposed and Councillor Howes seconded, the following amendment:

Remove the increases for all the leisure car parks in band A (4) – this amounts to £1,642 which can be taken from the one-off marketing budget.

Leave the parking charges as they are in School Lane, Herne – this accounts for £1,628 In total that leaves £3,546 in the parking discounts/incentives for events budget

(D)This was subject to a debate and put to a vote and was LOST. Record of the voting on the amendment:

Record of voting:

For the vote (7): Councillors Carnac, Andrew Harvey, Liz Harvey, Howes, Jones, Thomas and Watkins.

Against the vote (26): Councillors Baldock, Bland, Brady, Buckman, Butcher, Carr-Ellis, Castle, Charlotte Cornell, Chris Cornell, Dawkins, Dixey, Edwards, Flanagan, Franklin, Hazelton, McKenzie, Mellish, Moses, Nolan, Old, Prentice, Ricketts, Dan Smith, Naomi Smith, Sole and Wheeler.

Abstained (1): Councillor Turnbull.

(E)Councillor Howes proposed and Councillor Carnac seconded, the following amendment:

To delete the market manager as a cost-saving to the council – and tender instead for an independent market specialist to run the markets on a commercial basis

(F)This was subject to a debate and put to a vote and was LOST. Record of the voting on the amendment:

Record of voting:

For the vote (6): Councillors Carnac, Liz Harvey, Howes, Jones, Thomas and Watkins.

Against the vote (27): Councillors Baldock, Bland, Brady, Buckman, Butcher, Carr-Ellis, Castle, Charlotte Cornell, Chris Cornell, Dawkins, Dixey, Edwards, Flanagan, Franklin, Hazelton, McKenzie, Mellish, Moses, Nolan, Old, Prentice, Ricketts, Dan Smith, Naomi Smith, Sole, Turnbull and Wheeler.

Abstained (1): Councillor A Harvey.

(G)Councillor Carnac proposed and Councillor Watkins seconded, the following amendment:

To restore £250 each in the opportunity fund – splitting the grants pot differently so that £9750 is for the opportunity fund and £6250 is left in the grants pot.

(H)This was subject to a debate and put to a vote and was LOST. Record of the voting on the amendment:

Record of voting:

For the vote (8): Councillors Carnac, Andrew Harvey, Liz Harvey, Howes, Jones, Thomas, Turnbull and Watkins.

Against the vote (25): Councillors Baldock, Bland, Brady, Buckman, Butcher, Carr-Ellis, Castle, Charlotte Cornell, Chris Cornell, Dawkins, Dixey, Edwards,

Flanagan, Franklin, Hazelton, McKenzie, Mellish, Moses, Nolan, Old, Prentice, Ricketts, Naomi Smith, Sole and Wheeler.
Abstained (1): Councillor D Smith.

(l)Councillor Baldock proposed and Councillor Dixey seconded the recommendations from the Cabinet meeting of 8 February 2024 relating to the Draft General Fund revenue and capital budgets 2024/25 and it was RESOLVED:

- a) that the Council approves the net revenue budget amount of £20,817,234 for 2024/25;
- b) that the Council approves a Council Tax for Band D of £239.89 for 2024/25, an increase of 2.99% when compared with 2023/24 (as set out in the supplement to the agenda);
- c) that the Council approves the Financial Plan for 2024/25 to 2025/26 set out in Appendix 1 as the basis for the budget in each of those years with the projected Council Tax increase being limited to not more than 2.99% each year;
- d) that, in order to deliver a robust budget in future years, the Council continues to identify further opportunities to generate additional savings;
- e) that the fees and charges set out in Appendix 3 be approved;
- f) that the movements in reserves set out in Appendix 4 be approved; and
- g) that authority be given to incur expenditure on schemes brought into the capital programme since the Council meeting in February 2023 for 2024/25 set out in Appendix 2;
- h) that, subject to any alterations necessary, the draft capital programme set out in Appendix 2 be adopted as the basis for planning the approved capital budget; and
- i) that authority be given to the Head of Paid Services, Director of People and Place, Director of Strategy and Improvement and Service Directors to incur expenditure and otherwise exercise the powers delegated to them in the Constitution in order to implement the Capital Programme.
- j) that for the cost recovery fees and charges (highlighted in amber in Appendix 3), officers are able to further increase or decrease charges during the year by up to 5% if costs vary, in consultation with the Chair of Cabinet.
- k) that authority is given to the Director of Finance & Procurement, Section 151 Officer to make any necessary amendments to individual budget lines following the final Local Government Finance Settlement in line with existing virement rules that does not alter the net revenue budget requirement

Record of voting:

For the vote (25): Councillors Baldock, Bland, Brady, Buckman, Butcher, Carr-Ellis, Castle, Charlotte Cornell, Chris Cornell, Dawkins, Dixey, Edwards, Flanagan, Franklin, Hazelton, McKenzie, Mellish, Moses, Nolan, Old, Prentice, Ricketts, Dan Smith, Naomi Smith and Sole.

Against the vote (6): Councillors Carnac, L Harvey, Howes, Jones, Thomas and Watkins.

Abstained (3): Councillors A Harvey, Turnbull and Wheeler.

There was a short 10 minute adjournment at this point.

(d) Opportunity to purchase affordable housing near Canterbury

Councillor Baldock proposed and Councillor Dixey seconded the recommendations from the Cabinet meeting of 8 February 2024 relating to the Opportunity to purchase affordable housing near Canterbury and it was

RESOLVED: That Council resolves to approve the purchase of the new affordable homes for the price specified in the confidential annex.

Record of voting:

For the vote (34): Councillors Baldock, Bland, Brady, Buckman, Butcher, Carnac, Carr-Ellis, Castle, Charlotte Cornell, Chris Cornell, Dawkins, Dixey, Edwards, Franklin, Andrew Harvey, Liz Harvey, Hazelton, Howes, Jones, McKenzie, Mellish, Moses, Nolan, Old, Prentice, Ricketts, Dan Smith, Naomi Smith, Sole, Thomas, Turnbull, Watkins and Wheeler.

Against the vote (0):

Abstained (0):

(e) Council Tax 2024/25

Councillor Baldock proposed and Councillor Dixey seconded the recommendations from the Cabinet meeting of 8 February 2024 relating to the Council Tax 24/25 and it was

RESOLVED: That Council approves the formal resolution set out in Appendix B to set the Council Tax for 2024/25

Record of voting:

For the vote (34): Councillors Baldock, Bland, Brady, Buckman, Butcher, Carnac, Carr-Ellis, Castle, Charlotte Cornell, Chris Cornell, Dawkins, Dixey, Edwards, Franklin, Andrew Harvey, Liz Harvey, Hazelton, Howes, Jones, McKenzie, Mellish, Moses, Nolan, Old, Prentice, Ricketts, Dan Smith, Naomi Smith, Sole, Thomas, Turnbull, Watkins and Wheeler.

Against the vote (0):

Abstained (0):

(f) Non- Domestic rates (Business rates) Discretionary relief policy

Councillor Baldock proposed and Councillor Dixey seconded the recommendations from the Cabinet meeting of 8 February 2024 relating to the Non-domestic rates (Business rates) Discretionary relief policy and it was

RESOLVED:

- a) Approve a revised business rates discretionary relief policy, in two volumes
- b) Approve the automatic award of relief to certain business types

c) Approve a revised process for making decisions on relief applications in non-automatic award cases, on a case-by-case basis, via a scoring matrix procedure.

Record of voting:

For the vote (34): Councillors Baldock, Bland, Brady, Buckman, Butcher, Carnac, Carr-Ellis, Castle, Charlotte Cornell, Chris Cornell, Dawkins, Dixey, Edwards, Franklin, Andrew Harvey, Liz Harvey, Hazelton, Howes, Jones, McKenzie, Mellish, Moses, Nolan, Old, Prentice, Ricketts, Dan Smith, Naomi Smith, Sole, Thomas, Turnbull, Watkins and Wheeler.

Against the vote (0):

Abstained (0):

572. Recommendations to the Full Council from Committees and Boards

(a) Draft terms of reference for a community governance review of the parish boundary between the parished areas of Westbere and Hersden

Councillor Flanagan proposed and Councillor Brady seconded the recommendations from the General Purposes meeting on 29 January 2024 relating to draft terms of reference for a community governance review of the parish boundary between the parished areas of Westbere and Hersden and it was

RESOLVED:

1. That a Community Governance Review be conducted, in accordance with the Local Government and Public Involvement in Health Act 2007, and the timetable and terms of reference set out in the appendices to this report be approved;
2. That the Head of Corporate Governance, in consultation with the Head of Paid Service be authorised to take all necessary steps in relation to the review;
3. That the CGR Task and Finish Advisory Group be invited to consider the review and make recommendations to the committee.

Record of voting:

For the vote (34): Councillors Baldock, Bland, Brady, Buckman, Butcher, Carnac, Carr-Ellis, Castle, Charlotte Cornell, Chris Cornell, Dawkins, Dixey, Edwards, Franklin, Andrew Harvey, Liz Harvey, Hazelton, Howes, Jones, McKenzie, Mellish, Moses, Nolan, Old, Prentice, Ricketts, Dan Smith, Naomi Smith, Sole, Thomas, Turnbull, Watkins and Wheeler.

Against the vote (0):

Abstained (0):

(b) Updates to the Constitution

Councillor Baldock proposed and Councillor Dixey seconded the recommendations from the Governance Committee meeting of 13 February 2024 relating to updates of the constitution and it was

RESOLVED

1. The amendments to Part 5, terms of reference of committees, outlined in the report were agreed.
2. In relation to the changes proposed to the Audit Committee - i) To include separation between cabinet membership and those charged with oversight on the Audit Committee in the Audit Committee terms of reference. ii) To invite nominations for an independent member to serve on the Audit Committee.
3. To confirm the arrangements in relation to the Planning Sub Committee, and to delegate to the Planning Committee the ability to devolve the monitoring of conditions on other major applications, as necessary, to the Planning Sub Committee.
4. To remove the Herne Bay Residents Association from the list of amenity groups with a reserved speaking slot at the Planning Committee.
5. To amend the call-in procedures to allow 15 clear working days from receipt of a valid call-in to convene a meeting of the Scrutiny Sub Committee.
6. i) That the webcasting and hybrid technology is piloted at Cabinet and then rolled out to Council and other committee meetings when we are confident with the use and reliability of the technology. ii) That the hybrid meeting protocol set out in Appendix D is adopted.
7. That the changes recommended to Article 12 (Statutory officer responsibilities) and Part 8.1 (Scheme of delegation from council to officers) outlined in the report are approved.
8. To amend the Financial Procedure Rules as set out in the report.

Record of voting:

For the vote (34): Councillors Baldock, Bland, Brady, Buckman, Butcher, Carnac, Carr-Ellis, Castle, Charlotte Cornell, Chris Cornell, Dawkins, Dixey, Edwards, Franklin, Andrew Harvey, Liz Harvey, Hazelton, Howes, Jones, McKenzie, Mellish, Moses, Nolan, Old, Prentice, Ricketts, Dan Smith, Naomi Smith, Sole, Thomas, Turnbull, Watkins and Wheeler.

Against the vote (0):

Abstained (0):

(c) Councillor Interest Governance Review Recommendations

Councillor Baldock proposed and Councillor Ricketts seconded the recommendations from the Governance Committee meeting of 13 February 2024 relating to councillor interest governance review recommendations and asked council to note the separate report to accompany the referrals made by the Audit, Standards and Governance Committees.

RESOLVED

That delegated authority be given to the Monitoring Officer, in consultation with the Head of Paid Service, to:

a) amend the Members Code of Conduct to include the requirement for Members to register all directorships as Other Registrable Interests, whether or not they include a pecuniary interest;

b) make further changes to the constitution that relate to the proposed amendments to the Members' Code of Conduct, including for example, changes to procedure rules in terms of when members with a DPI and OSI may speak at a meeting to mirror the addition of Other Registrable Interests and in relation to sensitive interests;

c) amend the Arrangements for dealing with Councillor Conduct Complaints to require the Monitoring Officer to refer a matter to the police where there is a potential criminal offence regarding the failure by a Councillor or Former Councillor to appropriately disclose a Disclosable Pecuniary Interest (Localism Act 2011).

Record of voting:

For the vote (34): Councillors Baldock, Bland, Brady, Buckman, Butcher, Carnac, Carr-Ellis, Castle, Charlotte Cornell, Chris Cornell, Dawkins, Dixey, Edwards, Franklin, Andrew Harvey, Liz Harvey, Hazelton, Howes, Jones, McKenzie, Mellish, Moses, Nolan, Old, Prentice, Ricketts, Dan Smith, Naomi Smith, Sole, Thomas, Turnbull, Watkins and Wheeler.

Against the vote (0):

Abstained (0):

573. Councillor questions

Councillor Howes asked the following question:

Will the leader ensure the implementation of an immediate recovery plan to return Curtis Woods to a site of natural beauty, rather than its current state of resembling a building site following work organised by Canenco?

Councillor Charlotte Cornell the Cabinet Member for Heritage, Open Space, Waste and Recycling replied as follows:

The works at Curtis Wood were undertaken by Canenco's sub contractor Elite to address a health and safety issue relating to dead and dying trees (Ash and Elm) within falling distance of the Curtis Wood Road.

The issues were identified as part of the independent inspection carried out on council trees and woodlands every two years.

A Hymac excavator, fitted with a harvesting head, was used to fell 92 trees.

This is accepted to be the safest and best value for money means of felling the trees.

The Hymac, which is a tracked vehicle, has created ruts within the wood and has left the worked area looking damaged.

Curtis Wood Park is a Local Nature Reserve and is managed as such.

The felled trees will regrow from the coppice stools, albeit they will sadly still be suffering from the Ash dieback or Dutch Elm disease.

The woodland ride created through the removal of the diseased trees will grow into a biodiversity rich area known as a woodland edge habitat.

This more open part of the wood will be suitable for invertebrates (Speckled Wood butterfly), ground nesting birds and also woodland plants.

Regarding the need for a restoration plan, the best restoration plan for the site is to let nature respond to the opening up of this woodland ride.

The planting of trees is not required. There are many locally indigenous native trees waiting for such an opportunity to grow and to become part of the new canopy.

Also, the disturbed soil supports a seed bank that will immediately colonise the cleared area.

Council officers will be working with the Kentish Stour Countryside Project to monitor the wood's response to the clearance and will be reporting back to both Ward and Parish councillors on nature's recovery.

Our usual practice when any tree felling is to occur, is for officers to inform the ward councillors well in advance.

Unfortunately on this occasion we didn't do this and apologise to you and your fellow ward councillors for this error. We will ensure this doesn't happen again.

Councillor Howes asked the following supplementary question.

I have received correspondence from a local resident regarding climate emergency is clearly just words on a page. Following the example at Curtis Woods, what can we do to reassure her?

Councillor Charlotte Cornell responded.

I was copied into the same correspondence. The same resident talks about the removal of species that weren't removed, I can give you a breakdown of the species that were removed and the type of tree that was there. It is not

ideal to ever remove so many trees, but it is a health and safety issue and we were working to protect the highways at the request of other partners. We have a duty in a nature reserve to keep the space safe. We are watching to ensure other biodiverse opportunities are maximised.

Due to the lateness of the meeting, Councillors A Harvey (on behalf of Councillor Bothwell), Flanagan and Turnbull agreed that they would receive a written response to their submitted questions.

574. Notices of Motion

Councillor Carnac proposed, and Councillor Howes seconded, the following Motion:

This Council believes that residents should receive the infrastructure and amenities they are promised when they buy a new home and that developers and this Council should be held accountable for their legal obligations within S106 agreements. This Council will produce a quarterly report detailing performance against financial, programme and other obligations of all parties within S106 agreements of which this Council is a party. The report will be issued to all members of this council. Increasing transparency on performance against commitments will provide confidence to communities that promises will be delivered on.

The Lord Mayor indicated that the Motion would be referred to Cabinet without debate. The Leader gave an initial response and confirmed that the Motion would be referred to Cabinet.

575. Changes to memberships of committees and sub-committees for the remainder of the council year

There were no changes to memberships.

576. Council Minutes

Councillor Baldock proposed, and Councillor Dixey seconded, the approval of the minutes of the previous meeting, and they were RESOLVED by general assent.

577. To receive the following minutes of the meetings specified

a. Audit Committee - Wednesday 24 January 2024

It was proposed by Councillor Brady and seconded by Councillor Carr-Ellis and AGREED by general assent that the minutes of the above meeting be received.

b. Cabinet - Thursday 8 February 2024

It was proposed by Councillor Baldock and seconded by Councillor Dixey and AGREED by general assent that the minutes of the above meeting be received.

c. General Purposes Committee - 29 January 2024

It was proposed by Councillor Flanagan and seconded by Councillor Brady and AGREED by general assent that the minutes of the above meeting be received.

d. Governance Committee - 13 February 2024

It was proposed by Councillor Baldock and seconded by Councillor Ricketts and AGREED by general assent that the minutes of the above meeting be received.

e. Licensing Sub Committee - 10 January 2024

It was proposed by Councillor Bland and seconded by Councillor Castle and AGREED by general assent that the minutes of the above meeting be received.

f. Overview and Scrutiny Committee - 25 January 2024

It was proposed by Councillor Prentice and seconded by Councillor Flanagan and AGREED by general assent that the minutes of the above meeting be received.

g. Planning Committee - 9 January 2024

It was proposed by Councillor Edwards and seconded by Councillor D Smith and AGREED by general assent that the minutes of the above meeting be received.

h. Standards Committee - 7 February 2024

It was proposed by Councillor Moses and seconded by Councillor McKenzie and AGREED by general assent that the minutes of the above meeting be received.

i. Whitstable Harbour Board - 19 January 2024

It was proposed by Councillor Baldock and seconded by Councillor N Smith and AGREED by general assent that the minutes of the above meeting be received.

578. Programme of meetings for 2024/25

It was proposed by Councillor Baldock and seconded by Councillor Dixey to approve the adoption of the programme of meetings for 2024/25

It was AGREED by general assent to approve the adoption of the programme of meetings for 2024/25.

579. Notices of urgent decisions made by the Head of Paid Service under delegation

No urgent decisions had been taken by the Head of Paid Service under delegation

580. Any other urgent business to be dealt with on the night

There was no business under this item.

Meeting closed 22.43

Audit Committee
7 pm, Wednesday 13 March 2024

Minutes

Present: Councillor Alister Brady (Chair)
 Councillor Dan Smith (Vice Chair)
 Councillor Dane Buckman
 Councillor Elizabeth Carr-Ellis
 Councillor Andrew Harvey
 Councillor Peter Old (present as a substitute)
 Councillor Robert Jones

In attendance: Councillor Alan Baldock

Officers: Nicci Mills - Service Director, Finance and Procurement
 Rob May - Head of Finance
 Jan Guyler - Head of Legal Services and Monitoring Officer
 Pippa Tritton - Democratic Services Officer
 Christopher Parker - East Kent Audit Partnership
 Ajay Jha - Audit Manager, Grant Thornton UK LLP

622. Apologies for absence

Apologies for absence were received from Councillor Franklin and Christine Parker, Head of East Kent Audit Partnership.

623. Substitute members

Councillor Old was present as a substitute for Councillor Franklin.

624. Declarations of interest by Members or Officers

No declarations of interest were made by councillors or officers.

625. Minutes

The Chair advised that the minutes of the meeting dated 24 January 2024 had been omitted from the agenda and would be received at the next meeting.

626. Public participation

The Chair advised that there were no public speakers for the meeting.

627. Change of order of the agenda

The committee agreed unanimously to take Agenda Item 8, the Approval of Audited Accounts, as the first substantive item on the agenda.

628. Approval of Audited Statement of Accounts

The Service Director, Finance and Procurement introduced the report, which set out the requirements for the Committee to approve the Annual Governance Statement and the Statement of Accounts 2022/23. The appendices provided some brief notes on the statement, and Grant Thornton had separately reported back their draft audit findings.

Ajay Jha, Audit Manager at Grant Thornton, then set out brief points about the audit and the auditors' findings. Points raised included the following:

- Audit work for 2022/23 was complete, subject to approval at this committee.
- Action plan showed findings for 2022/23 which needed to be reported.
- There had been eight recommendations last year, four had been implemented and four were ongoing.
- Audit adjustment of £7 million, where instructions sent to valuer had included a valuer error. This had been picked up in the review and now corrected. This was an isolated error.
- Other adjustments were not material.
- Value of money works were now complete, however responses weren't made in time to be presented at this meeting.
- One finding around Housing Revenue Account had been identified as a significant risk around budget setting in future.

It was proposed, seconded and when put to a vote, unanimously RESOLVED:

- i) that the Annual Governance Statement 2022/23 and updated Local Code of Corporate Governance was formally approved (Appendix 1)
- ii) that the Statement of Accounts for 2022/23 be formally approved
- iii) that the Chair of the Committee formally sign the 2022/23 accounts
- iv) that the letter of representation (Appendix 4) on behalf of the Council be approved.

Record of voting:

For (7): Councillors Alister Brady, Dan Smith, Dane Buckman, Elizabeth Carr-Ellis, Andrew Harvey, Peter Old and Robert Jones.

Against (0)

Abstained/absent (0)

629. EKAP Quarterly Internal Audit Update Report

The Deputy Head of the East Kent Audit Partnership presented the report asking members to accept the results of internal audit work, and make comments, if required, to Full Council.

An update was provided on progress since the report to the last committee

meeting and the main points were summarised. The following points were discussed:

- There was one main report this period - Payroll - which was a substantial assurance with no recommendations made.
- Two follow up reports had been undertaken also with substantial assurance.
- There were two limited reports pending follow up which would be reported to the July meeting of the Audit Committee.
- Planned progress for the year was also included, with the planned progress for Canterbury standing at 70% completed at the end of January.

It was proposed, seconded and when put to a vote unanimously RESOLVED that:

The Committee accepted the results of internal audit work.

Record of voting:

For (7): Councillors Alister Brady, Dan Smith, Dane Buckman, Elizabeth Carr-Ellis, Andrew Harvey, Peter Old and Robert Jones.

Against (0)

Abstained/absent (0)

630. EKAP Draft Internal Audit Plan 2024/2025

The Deputy Head of the East Kent Audit Partnership introduced the report which set out the draft plan of work for the forthcoming 12 months for approval. The main points were summarised and discussed and included:

- The draft plan had been discussed with senior management at the council to identify the best times to undertake reviews.
- The report reflected on national views, cyber and data security had been identified as the number one threat nationally, with human capital diversity and talent management second.
- Climate Change review had been undertaken in 2022/23 with short catch ups each year, the interim update was currently underway.
- The whole five year draft plan was shown in the report for the committee's information, although comments were only sought for the upcoming year.

Councillors debated the report and clarification was provided where necessary:

- The report was in hierarchical order and was produced after talking to a number of key players and following national trends.
- Climate change was climbing up the order and may continue to rise in future years.

A councillor expressed concern at the number of audit days allocated to Canterbury City Council compared to other Kent authorities. It was noted that this had previously been looked at in 2015 and at that stage it was felt that the provision was adequate.

Canterbury had a very comprehensive risk register compared to some other authorities and also had a five year plan. It was

acknowledged that there would be additional costs involved if extra days were required.

It was proposed, seconded and when put to a vote unanimously agreed to RECOMMEND (to Cabinet) that:

The number of audit days within the Audit Plan were increased to look at the highest risks within the risk register, and to align that with the audits in Years 2 and 3 to see if these could be moved forward within budget constraints.

Record of voting:

For (7): Councillors Alister Brady, Dan Smith, Dane Buckman, Elizabeth Carr-Ellis, Andrew Harvey, Peter Old and Robert Jones.

Against (0)

Abstained/absent (0)

It was then proposed, seconded and when put to a vote it was:

RESOLVED: That councillors approve (but not direct) the Council's Internal Audit Plan for 2023/24

Record of voting:

For (7): Councillors Alister Brady, Dan Smith, Dane Buckman, Elizabeth Carr-Ellis, Andrew Harvey, Peter Old and Robert Jones.

Against (0)

Abstained/absent (0)

631. Capital and Investment and Treasury Management Strategies

The Service Director, Finance and Procurement introduced the report which outlined the strategies to be adopted for Treasury Management, Capital and Investments for 2024/25 including the approval of the Prudential Borrowing Limits for 2024/25-2026/27 and the policy on Minimum Revenue Provision.

Councillors debated the report and the officer provided points of clarification where necessary.

It was proposed, seconded and when put to a vote unanimously agreed to RECOMMEND (to Cabinet)

a) that the attached Treasury Management Strategy including the Minimum Revenue Provision policy for 2024/25 be approved

b) that the attached Capital Strategy for 2024/25 be approved.

c) that the attached Investment strategy for 2024/25 be approved.

Record of voting:

For (7): Councillors Alister Brady, Dan Smith, Dane Buckman, Elizabeth Carr-Ellis, Andrew Harvey, Peter Old and Robert Jones.

Against (0)

Abstained/absent (0)

632. 2023-24 Q3 Treasury Management report

The Service Director, Finance and Procurement introduced the report which detailed the results of the councils' treasury management activities in quarters 1-3 of the financial year ending 31 March 2024.

The report was NOTED.

633. Regulation of Investigatory Powers Act (RIPA) 2000 - Annual report

The Head of Legal Services & Monitoring Officer introduced the report and accompanying updated draft RIPA Policy which set out the council's position with regard to directed surveillance sources under the Regulation of Investigatory Powers Act 2000.

The report was discussed and comments included:

- The policy was very rarely used and no applications had been made since 2015.
- Fly tipping was the most common use.
- It could only be used in preventing crime with a prison sentence exceeding six months.

It was proposed, seconded and unanimously agreed to:

RECOMMEND (to Council)

- a) That the updated RIPA Policy document be adopted.
- b) That the annual report was received and noted.

Record of voting:

For (7): Councillors Alister Brady, Dan Smith, Dane Buckman, Elizabeth Carr-Ellis, Andrew Harvey, Peter Old and Robert Jones.

Against (0)

Abstained/absent (0)

634. Risk Register

The Head of Finance introduced the report which updated councillors on the key risks facing the council. Appendix 2 listed the changes since the last quarterly report, a summary ranking to highlight the major risks and the detailed version of the Risk Register showing how risks were being managed.

Councillors debated the report and comments included:

- Cyber attacks remained the highest risk.
- Staff were thanked for how well they had responded to the cyber attack.
- It was felt that residents needed to be reassured that their data was safe following the attack. It was noted that the communications team would be

working on this.

- Councillors expressed surprise that the flooding risk had decreased, as there were many issues particularly in relation to groundwater and surface flooding.
- Thanks were given to Liam Woollorton, the Head of Engineering, and his team for recent flood related works.
- It was felt that working with partner organisations, such as Kent County Council and their drain maintenance programme, could assist.
- The shortage of building control officers was a matter of concern. More information was needed on this before the risk could be scored.
- With regards to Incremental payments linked to Kent County Council (KCC) recycling targets. The Service Director Finance and Procurement would find more information on this and circulate to councillors.
- Councillors were concerned about homelessness in the area and how the decisions made by coworkers affected the council. In particular, the KCC decision regarding 19+ care leavers and unaccompanied asylum children. Does this score need to be readjusted?
- It was explained that the score would have been reviewed by the Director of People and Head of Housing. However, they could be invited to attend the next meeting of the Audit Committee to explain the impact on statutory authorities.
- The rent guaranteed assurance scheme could be discussed too, as that was linked to homelessness problems.

The report was NOTED.

635. Any other urgent business to be dealt with in public

There was no business under this item.

636. Exclusion of the press and public

637. Any other urgent business to be dealt with in private

There was no business under this item.

Meeting finished - 20.05

Date Published: 20 March 2024

Any decision in the minutes below will come into force, and may be implemented, on the expiry of three clear working days after the publication of the decision, unless a valid request has been received by the Head of Paid Service objecting to the decision and asking for it to be called in.

CANTERBURY CITY COUNCIL

CABINET

Minutes of a meeting held on Monday, 11th March, 2024
at 7.00 pm in The Guildhall, St Peter's Place, Westgate, Canterbury

Present: Councillor Alan Baldock(Chair)
Councillor Charlotte Cornell
Chris Cornell
Mel Dawkins
Pip Hazelton
Connie Nolan

**In attendance
as observers** Councillor Alister Brady
Dane Buckman
Rachel Carnac
Pat Edwards
Paul Prentice
Naomi Smith
David Thomas

Officers: Vanessa - Democratic Services Manager
Montgomery
Peter Davies - Director of Strategy and Improvement
Richard Moore - Head of Transport and Environment
Andrew - Principal Planning Officer (Policy)
Thompson
Leo Whitlock - Head of Policy and Communications
Jan Gaylor - Head of Legal & Monitoring Officer

609 APOLOGIES FOR ABSENCE

Apologies were received from Councillors Sole and Ricketts.

610 DECLARATION OF ANY INTERESTS

The Director of Strategy and Improvement made an announcement that gave further advice regarding the declaration of DPs and OSIs for permission to consult on the local plan and associated documents.

There were no declarations for the meeting.

611 **ANNOUNCEMENTS**

There were no announcements

612 **PUBLIC PARTICIPATION**

There were five public speakers to be heard for item 6 and one for item 7.

613 **MINUTES OF THE MEETING HELD ON 8 FEBRUARY 2024**

The minutes were agreed as a true record by general assent.

614 **PERMISSION TO CONSULT ON THE DRAFT CANTERBURY DISTRICT LOCAL PLAN TO 2040 AND THE DRAFT SUSTAINABLE DESIGN GUIDE SUPPLEMENTARY PLANNING DOCUMENT AND APPROVAL OF THE LOCAL DEVELOPMENT SCHEME (2024)**

(Five public speakers were heard at the commencement of the item Julia Kirby-Smith, Councillor Pat Edwards, Daniel Pellecchia, Jason Marshall and Grahame Harrison)

Councillor Alan Baldock, the Leader, introduced the report asking for the approval to conduct a consultation under Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012 on a revised draft Canterbury District Local Plan To 2040. To also consult on the draft Sustainable Design Guide Supplementary Planning Document under Regulations 12 and 13 of the Town and Country Planning (Local Planning) (England) Regulations 2012 and the revised Local Development Scheme.

The Cabinet discussed the report and clarification was provided where needed by the Director of Strategy and Improvement, the Head of Policy and Communications and the Lead Corporate Policy and Strategy Manager.

The following points were made:

- Thanks was given to the hard and very much valued work of the cross party Local Plan Working Group.
- Commended the strengthening of climate change and biodiversity in the plan.
- The process of consultation was confirmed, consultation can be made through speaking tonight, online surveys, drop in events and then a technical assessment with the results be fed back councillors and then the planning inspectorate
- Cabinet encouraged members of the public to feed into the consultation.
- Land north of University was rejected previously mainly due to no suitable access strategy back in July 2022, since then the land promoter has put forward additional evidence to be able to secure land for a secondary access.
- The strategic land availability assessment has been updated and used to inform this plan.
- Settlement hierarchy is undertaken to understand which rural areas are suitable for an area of growth, proportionate to the services.
- A query was raised regarding the clarification of land on the map on page 87 that is marked as woodland and a buffer between proposed site and Tyler Hill, as it appears to be open grazing fields rather than woodland

- Flood plains were an increasing worry that impact insurance and direction would be given to developers on how to mitigate the risks
- The strategic flood risk assessment has been updated and included in the plan no residential development would be included on a flood plain.
- The only proposed site partially within a flood zone is the Wincheap redevelopment and then the vulnerable users would be moved away from the flood area.
- An overview was given of the sustainable design guide.

It was proposed, seconded and when put to a vote RESOLVED:

1. To conduct a consultation under Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012 on the revised draft Canterbury District Local Plan to 2040 (Appendix A) as set out in this report
2. To conduct a consultation under Regulations 12 and 13 of the Town and Country Planning (Local Planning) (England) Regulations 2012 on the draft Sustainable Design Guide Supplementary Planning Document (Appendix B) as set out in this report
3. To approve the revised Local Development Scheme (Appendix C) as set out in this report
4. A compliance officer role is created in 2025/26 to monitor and manage the delivery of strategic sites, post-planning consent, to ensure adherence with delivery targets, infrastructure delivery and planning consent obligations, including environmental standards and open spaces. Funded through additional fee levies afforded to Local Planning Authorities (LPAs) through the Levelling Up and Regeneration Act 2023

Record of the vote:

For (7): Councillors Alan Baldock, Charlotte Cornell, Chris Cornell, Mel Dawkins, Michael Dixey, Pip Hazelton and Connie Nolan

Against (0)

Abstained (0)

Reason for the decision: The development of a draft Local Plan and associated documents is complex and fraught with legal implications and challenge. The establishment of a Cabinet-sponsored all-party working group has mitigated these issues by ensuring councillors and officers could work confidentially and openly on the issues and needs of a viable Local Plan for the district over the course of many months. As such the final draft documents present a detailed and legally compliant draft Local Plan for which Cabinet can commit to further public consultation and scrutiny

615 **DRAFT TRANSPORT STRATEGY**

(A public speaker Grahame Harrison spoke at the commencement of the item)

Councillor Alan Baldock, the Leader, the report that introduced the draft Canterbury District Transport Strategy and sought authority to consult.

The Cabinet discussed the report and clarification was provided where needed by the Head of Transport and Environment. The following points were made:

- Sturry Park and Ride was to be reopened as promised and the city zones were removed.
- Need to look carefully at where buses need to be in order to serve new developments.
- This plan is a genuine bus led strategy

It was proposed, seconded and when put to a vote RESOLVED:

That the draft Transport Strategy be approved for public consultation and that results are reported to a future meeting.

Record of the vote:

For (7): Councillors Alan Baldock, Charlotte Cornell, Chris Cornell, Mel Dawkins, Michael Dixey, Pip Hazelton and Connie Nolan

Against (0)

Abstained (0)

Reason for the decision:

It is important that the draft Canterbury District Transport Strategy and its appendices are approved for consultation as the documents support the draft Local Plan and its programme of consultation.

616 DRAFT OPEN SPACE STRATEGY

Councillor Charlotte Cornell, Cabinet member for heritage, open space, waste and recycling introduced the report that sought recommendation from Cabinet to include the Open Space Strategy within the Local Plan Reg 18 consultations.

The Cabinet discussed the report and clarification was provided where needed by the Director of Strategy and Improvement. The following points were made:

- This strategy is a stronger form of the first draft which was very popular so we were building upon that feedback
- Hugely important strategy for the quality of life of local communities.
- Important that stewardship models rather than management company models are considered

It was proposed, seconded and when put to a vote RESOLVED:

That the Canterbury Open Space Strategy (2024 - 2040) is included in the Reg 18 Local Plan consultation and that responses are reviewed and the strategy amended as appropriate.

Record of the vote:

For (7): Councillors Alan Baldock, Charlotte Cornell, Chris Cornell, Mel Dawkins, Michael Dixey, Pip Hazelton and Connie Nolan

Against (0)

Abstained (0)

Reason for the decision: The strategy is a key evidence document to the Reg 18 Local Plan. Failure to consult on the strategy will undermine the robustness of the Reg 18 process and will expose the process to challenge. Not including the Open Space Strategy in the Local Plan consultation would not be consistent with the council's Biodiversity Emergency declaration.

617 **DRAFT AIR QUALITY ACTION PLAN**

Councillor Mel Dawkins, Cabinet Member for Climate Change and Biodiversity introduced the report that sought Cabinet's permission to conduct a consultation on the Draft Air Quality Action Plan (Appendix A).

The Cabinet discussed the report and clarification was provided where needed by the Director of Strategy and Improvement. The following points were made:

- A local primary school has a sign displayed asking vehicles to turn off the engine when stationary but does this have an impact? We need to tackle these issues to improve air quality.
- Aware some members of the public cannot afford to change their vehicle to electric, but this strategy alongside the transport strategy goes some way to help.

It was proposed, seconded and when put to a vote RESOLVED:

To conduct a consultation on the Draft Air Quality Action Plan (Appendix A).

Record of the vote:

For (7): Councillors Alan Baldock, Charlotte Cornell, Chris Cornell, Mel Dawkins, Michael Dixey, Pip Hazelton and Connie Nolan

Against (0)

Abstained (0)

Reason for the decision: The development of the draft Air Quality Action Plan has been informed by technical evidence and through partnership working and the officer steering group. The current Air Quality Action Plan covers the period 2018 - 2023, so it is important that we develop and implement a new plan for the next five years, and consultation on the draft Air Quality Action Plan is the next stage in this process.

618 **DATE OF NEXT MEETING**

619 **ANY OTHER URGENT BUSINESS TO BE DEALT WITH IN PUBLIC**

620 **EXCLUSION OF THE PRESS AND PUBLIC**

621 **ANY OTHER URGENT BUSINESS WHICH FALLS UNDER THE EXEMPT PROVISIONS OF THE LOCAL GOVERNMENT ACT 1972 OR THE FREEDOM OF INFORMATION ACT 2000 OR BOTH**

There being no other business the meeting closed at 8.30 pm

Any decision in the minutes below will come into force, and may be implemented, on the expiry of three clear working days after the publication of the decision, unless a valid request has been received by the Head of Paid Service objecting to the decision and asking for it to be called in.

CANTERBURY CITY COUNCIL

CABINET

Minutes of a meeting held on Monday 25 March, 2024 at 7.00 pm in The Guildhall, St Peter's Place, Westgate, Canterbury

Present: Councillor Alan Baldock(Chair)
Councillor Charlotte Cornell
Councillor Chris Cornell
Councillor Mel Dawkins
Councillor Michael Dixey
Councillor Pip Hazelton
Councillor Connie Nolan
Councillor Alex Ricketts
Councillor Mike Sole

In attendance as observers:
Councillor Rachel Carnac
Councillor David Thomas

Officers: Tricia Marshall - Director of Corporate Services
Suzi Wakeham - Director of People and Place
Martin Hall - Senior Environment Manager
Bill Hicks - Service Director, Place
Nicci Mills - Service Director, Finance and Procurement
Vanessa Montgomery - Democratic Services Manager

654. Apologies for absence

There were no apologies for absence

655. Declarations of interest by Members or Officers

Councillor Dawkins made a voluntary announcement regarding item 10 and 11 that she was a dog owner.

Councillor Ricketts made a voluntary announcement that he was a member of the Royal Society for the Protection of Birds (RSPB).

Suzi Wakeham and Marie Royle made declarations that they were Cancenco Board Members.

Tricia Marshall made a voluntary announcement that she was a member of the RSPB.

Bill Hicks made a voluntary announcement that he sits on the Business Improvement District (BID) Board.

Councillor Chris Cornell made a voluntary announcement that he was a member of Kent Cricket Club and that his family were members of Polo farm which are mentioned in the report under item 7

Councillor Sole made a voluntary declaration that he was a park runner and uses the site under item 10.

656. Announcements

Councillor Charlotte Cornell provided an update on the contaminated bin hangers as promised. The first week of issue on 15 January, 379 hangers were issued and the following week this over doubled the following week to 839. Since 22 January there had been a gentle reduction in the number of hangers issued. The figures were in order 431, 475, 270, 233, 161, 122 and 126. This was an encouraging sign that the hangers are working. There have been minimal complaints from the public and these have been investigated and advice offered. Sadly, there has been some abuse of Cancenco staff but these are also being investigated. It was confirmed the use of the hangers will continue as the educational benefits were being felt.

Councillor Dawkins, announced that the council had been successful in a bid from swimming pool support fund for the Whitstable swimming pool receiving £73,000 and this will be spent on solar panels on the roof of the swimming pool. It was estimated this would produce 52,525 kWh per year initially, which equates to more than 10,000 kg CO₂ saved per year. The funding will also pay for five new sub metres which identify any efficiencies that can be made.

She also explained she had been working with Councillor Charlotte Cornell about bringing together better communications to Cancenco and our own biodiversity policy after the eco declaration for the local plan had gone out to consultation. There has been an incident of mismanagement regarding Curtis Wood and many councillors were concerned, so senior officers and Cancenco Director have met

Councillor Ricketts reported back following the Joint Transportation Board (JTB) meeting last week where the Transport Strategy was warmly received. The Board did receive a petition regarding the Herne Bay plaza and Kent County Council have convened a Working Group to discuss this and will report back to JTB and he will then feedback the results to Cabinet.

657. Change of order of the agenda

A request was made by the Chair and it was agreed to change the order so that item 10 (Dog PSPO outcomes) and item 11 (Long Rock management plan) be swapped.

658. Public participation

There were three public speakers heard at the commencement of item 7.

659. Minutes of the meeting held on 11 March 2024

The minutes were agreed as a true record by general assent.

660. References from Committees:

The minutes were NOTED.

PART A - Items to be considered with public participation

661 . BID ballot and voting

Councillor Alan Baldock, the Leader, introduced the report that set out the proposal for a third term Business Improvement District (BID) for Canterbury city, and the decisions required from Canterbury City Council to support and enable the BID to progress to a ballot

The Cabinet discussed the report and clarification was provided where needed by the Service Director for Place.

The following points were made:

- Clear that Canterbury was a better place with the BID than without, as a local authority we cannot accomplish all the BID does and many residents and visitors feel the benefit.
- Value BID for help and advice and they provide a very good read of local business.
- BID stepped in to continue the Christmas lights in Canterbury.
- BID provides not only a business purpose but also a democratic purpose.

- A query was raised regarding Board membership and the importance that this is diverse and represents many demographics.

It was proposed, seconded and when put to a vote RESOLVED:

1. As the local authority:

a: to receive the draft Business Improvement District proposal as detailed in the report;

b: delegate to the Director of Strategy and Improvement to approve the final version which will form the basis for the notification of the BID ballot submitted to the Secretary of State;

c: authorise the Returning Officer to conduct the BID ballot in 2024.

2. As a Non-Domestic Rates levy payer, delegate to the Director of Strategy and Improvement to cast the council's vote as 'Yes' in the forthcoming ballot.

Record of the vote:

For (9): Councillors Alan Baldock, Charlotte Cornell, Chris Cornell, Mel Dawkins, Michael Dixey, Pip Hazelton, Connie Nolan, Alex Ricketts and Mike Sole.

Against (0)

Abstained (0)

Reason for the decision: The advantages for the city and its economy have been proven during the first two BID terms. By supporting the proposal to ballot the council would allow levy payers to determine whether the third BID term will go ahead through a democratic process.

662. Canterbury Environment Company Service Delivery Plan for 2024/25

Councillor Charlotte Cornell the Cabinet Member for heritage, open space, waste and recycling introduced the report that outlined the Service Delivery Plan submitted by Canenco for 2024/25 for Cabinet to consider adopting.

The Cabinet discussed the report and clarification was provided where needed by the Director of Corporate Services.

The following points were made:

- The plan reflects an organisation that was moving forward
- It was suggested that Canenco should draw up a five year strategic plan to cover additional areas such as how to switch to electric vehicles and charging points.
- It was confirmed that the corporate plan was being finalised and once this is complete a longer term plan for some of the strategic points mentioned would be looked at.
- It was positive that the ground maintenance side of the business was receiving greater coverage and examining improvements that can be made.

It was proposed, seconded and when put to a vote RESOLVED:

Record of the vote:

For (9): Councillors Alan Baldock, Charlotte Cornell, Chris Cornell, Mel Dawkins, Michael Dixey, Pip Hazelton, Connie Nolan, Alex Ricketts and Mike Sole.

Against (0)

Abstained (0)

Reason for the decision: The Service Delivery Plan for 2024/25 meets the contractual requirements and ensures the Council's statutory obligations particularly on household waste collections and burial services are met.

663: Treasury Management Strategy, Investment Strategy and Capital Strategy for 2024/25

Councillor Mike Sole the Cabinet Member for Finance introduced the report that advised the council on the Strategies to be adopted for Treasury Management, Capital and Investments for 2024/25 including approval of the Prudential Borrowing Limits for 2024/25 – 2026/27 and the policy on Minimum Revenue Provision.

The Cabinet discussed the report and clarification was provided where needed by the Service Director for Finance.

It was proposed, seconded and when put to a vote **RECOMMENDED TO COUNCIL:**

- a) that the attached Treasury Management Strategy including the Minimum Revenue Provision policy for 2024/25 be approved.
- b) that the attached Capital Strategy for 2024/25 be approved.
- c) that the attached Investment strategy for 2024/25 be approved.

Record of the vote:

For (9): Councillors Alan Baldock, Charlotte Cornell, Chris Cornell, Mel Dawkins, Michael Dixey, Pip Hazelton, Connie Nolan, Alex Ricketts and Mike Sole.

Against (0)

Abstained (0)

PART B - Items for consideration with no public participation

These items have already been considered at the Overview and Scrutiny Committee with public participation. Therefore, there is no further public participation for the items listed in Part A of the agenda

664. Long Rock Management Plan

Councillor Charlotte Cornell the Cabinet Member for heritage, open space, waste and recycling introduced the report that outlined the Long Rock Management Plan for Cabinet to consider adopting.

The Cabinet discussed the report and clarification was provided where needed by the Senior Environment Manager.

The following points were made:

- Thanks was given for an excellent detailed report and support was given for the recommendations to protect the nature in the area.
- New signage had been successful and lots of support for it.
- In such a mixed use site we need to carefully consider public rights of way and these can be marked clearly, but how do we carry and collect surveillance up to 2026 to make an informed decision?
- A process has been started to gather evidence for KCC, working alongside a company who monitors mobiles phones to look at a heat map of movement in the area and will look at that data to see a reduction in footfall and dwell time in some of the sensitive areas. While we cannot wholly rely on this we can also rely on the duty of Environment Act and necessity to protect the area.
- The Cabinet Member and officer will monitor the information and ensure it comes back to Cabinet in a timely manner
- There was an opportunity to further publicise the plan once agreed.

It was proposed, seconded and when put to a vote RESOLVED:

That Cabinet adopt the Long Rock Management Plan.

Record of the vote:

For (9): Councillors Alan Baldock, Charlotte Cornell, Chris Cornell, Mel Dawkins, Michael Dixey, Pip Hazelton, Connie Nolan, Alex Ricketts and Mike Sole.

Against (0)

Abstained (0)

Reason for the decision: The Plan demonstrates the Council's duty to have regard to the protection and enhancement of the Site of Special Scientific Interest. This option is also consistent and sympathetic to the Council's declaration of a biodiversity emergency.

665. Proposed Dog Control Public Space Protection Order (PSPO) 2024

Councillor Connie Nolan the Cabinet Member for community, culture, safety and engagement introduced the report that included the results of the public consultation on the PSPO and outlined the requirements proposed to be included in the PSPO. It seeks the view of Cabinet on the proposals as part of the formal decision making process.

The Cabinet discussed the report and clarification was provided where needed by the Service Director for Place.

The following points were made:

- It was clarified that a request from Barham had been made to change to a complete dog ban on the green to dogs on the lead. The request came in very late and so did not form part of the consultation responses. Therefore the action could not be implemented as part of this process as it would need to go

back out to consultation, officers confirmed at Overview & Scrutiny that they would process this PSPO as it is and then carry out a fresh consultation on the area that Barham raised as a potential variation.

- An additional request had been received from Barham to a Cabinet Member for a dog ban on the football field, clarification would be sought from Barham and then a fresh consultation would go out.
- There were other areas other than Long Rock where dogs are restricted such as on Tankerton slopes
- There has been an improvement of signage at Tankerton and Herne Bay pier including additional maps.
- A dog ban in parts of Long Rock was necessary to protect the area
- Not passing the PSPO risks the commitment to biodiversity and ecology in the area
- The PSPO is being utilised in the smallest area possible to protect it

TO RECOMMEND TO COUNCIL

1. The adoption of a new Dog Control PSPO 2024 as set out in Appendix D which includes requirements relating to :
 - Dog fouling
 - Dog on lead of no more than two metres as per locations listed in Schedule 1 of Appendix D
 - Direction given to place dog on lead
 - Dog exclusion as per locations listed in Schedule 2 of Appendix D
2. To include the new site of Bridge Recreation Ground as a dog exclusion area (as set out in Schedule 2 of Appendix D)
3. To attach site maps to locations listed in Section 2 of this report, to ensure boundaries and areas that restrictions apply are clear.
4. To NOT include in the new order:
 - 4.1 Dog lead restrictions at the following sites:
 - a. Paths of the Riverside Walk
 - b. The public footpath within Whitstable Cemetery Whitstable
 - 4.2 Dog exclusion at the following sites:
 - Play area The Maltings, Enclosed, Littlebourne
 - Play area Black Griffin Lane, Canterbury
 - Sturry Road Community Park Garden Area, Northgate
 - 4.3 The requirement of a person in charge of a dog on land to which the order applies, to produce (if asked to do so by an officer) a suitable means to pick up, remove and appropriately dispose of dog faeces

Record of the vote:

For (9): Councillors Alan Baldock, Charlotte Cornell, Chris Cornell, Mel Dawkins, Michael Dixey, Pip Hazelton, Connie Nolan, Alex Ricketts and Mike Sole.

Against (0)

666. Date of next meeting

7pm, Monday, 22 April 2024

667. Any other urgent business to be dealt with in public

There was no business under this item.

668. Exclusion of the press and public

669. Any other urgent business which falls under the exempt provisions of the Local Government Act 1972 or the Freedom of Information Act 2000 or both

There was no business under this item.

Meeting closed at 20.48

CANTERBURY CITY COUNCIL

CABINET COMMITTEE (COMPANIES)

Minutes of a meeting held 20 February 2024,
At 7 pm at The Guildhall, St. Peter's Place, Westgate, Canterbury

Present: Councillor Elizabeth Carr-Ellis (Chair)
Councillor Alister Brady
Councillor Andrew Harvey
Councillor Joe Howes
Councillor Steph Jupe

Officers: Sarah Randall, Leads Contract Manager
Marie Royle, Service Director People

In Attendance: David Maidman, Director, Canenco
Malcolm Savill, Operations Director, Canenco

558. Apologies for absence

Apologies for absence were received from Councillor Clare Turnbull.

559. Substitute members

Councillor Andrew Harvey was present for Councillor Turnbull.

560. Declaration of interests

Marie Royle, Service Director People, made a voluntary announcement that she was a director on the board of Canenco.

561. Public participation

The Chair confirmed that there were no speakers for the meeting.

562. Canterbury Environment Company Service Delivery Plan for 2024/25

The Lead Contract Manager introduced the report that outlined the Service Delivery Plan submitted by Canenco for 2024/25 and asked the committee to make any recommendations to Cabinet.

The Lead Contract Manager, and the Director and the Operations Manager, Canenco gave clarification where necessary:

- Members praised the report and the improved performance in 2023/2024 and were encouraged by the progress made with carbon footprint issues.
- The general condition of bins could become an issue if the cost to replace remains significant to residents. Officers explained this would be a decision for the Council to make and not Canenco.
- A review of assisted collections is taking place. There are approx 25 new requests per month/300 per year, partly due to the ageing population. These have also increased since the introduction of a new online form. More robust checks on new applications are being carried out by Locality Officers.
- Recruitment and retention remained a priority and greater consistency of staff has ensured that bin collection issues are minimal in the main, although this was more challenging during periods of staff absence and sickness.
- Concerns were raised about coastal recycling bins, and whether these offered value for money, encouraged contamination and fly tipping, and served the purpose intended.
- It was confirmed that the coastal recycling bins were considered progressive and a pilot at this stage and will be further monitored and reviewed to include the feedback received.
- Members had received negative feedback from residents about grounds maintenance by Curtis Woods on the edge of Herne Bay. Officers confirmed this had been carried out by a specialist tree contractor with instruction from the Environment team, and the area, although not aesthetically pleasing currently, is expected to return with increased levels of biodiversity.
- The early stages of apprenticeships and involvement from local Colleges had not progressed as hoped with lower than expected engagement and momentum. Possible opportunities will be revisited by officers.
- The Studd Hill crew were praised for their team working with very few issues reported there.
- A query was raised regarding fleet procurement and whether there were any plans to implement charging infrastructure at the Cotton Road depot in Wincheap for electric powered vehicles. The opportunities for installing electric charging points are being considered along with other fuels which have zero carbon footprint especially for the HGVs.
- Options for a replacement to the Fordwich depot are being explored but nothing has been formally identified as suitable.
- Members suggested that including more detailed financial information in future delivery plans about the growth bid submissions and net savings would be useful to gain a better understanding of the bigger picture and what work is happening to realise savings and offset costs by officers behind the scenes, and to enable members to fully support the proposals in the plan. This will be included in the next plan.

- The additional costs of green fuel were acknowledged but there are clear benefits of using these towards achieving becoming carbon neutral by a certain date.
- There were plans to replace the tablets held by collection crews and reuse their old tablets with the grounds maintenance crews to enable the 'Confirm' system to be more mobile and accessible. This has not been possible but options to progress are being explored. Discussions with the Digital Team have taken place to devise a 3-step plan. Work streams have been delayed due to the recent council wide system issues.
- The programme of the decarbonising of handheld tools is working well and making life easier and safer for staff offering many improvements. There have been slight delays with supply which have now been alleviated.
- Fully electric mowers have been delivered to cemeteries which is a progressive step. Further roll out will depend on cost implications/budget funding and availability.
- Members welcomed news of internal promotions within crews to retain valued staff.

It was proposed, seconded and when put to vote Recommended to Cabinet: That the Service Delivery Plan for Waste Collection and Street Cleansing Contract and Grounds Maintenance & Associated Works for 2024/25 be approved.

Record of the voting:

For (5): Councillors Brady, Carr-Ellis, A Harvey, Howes, Jupe

Against: None

Abstained: None

563. Any other urgent business to be dealt with in public

There was no urgent business to be dealt with in public.

564. Exclusion of the press and public

Not required.

565. Any other urgent business that falls under the exempt provisions

There was no urgent business.

There being no other business the meeting closed at 7.34 pm

Governance Committee
7 pm, Thursday 11 April 2024
The Guildhall

DRAFT minutes

Present:

Councillor Alan Baldock (chair)
Councillor Mike Bland
Councillor Dane Buckman
Councillor Rachel Carnac
Councillor Elizabeth Carr-Ellis
Councillor Michael Dixey (substitute)
Councillor Joe Howes
Councillor Steph Jupe (substitute)
Councillor Keji Moses
Councillor Paul Prentice
Councillor Mike Sole
Councillor Ian Stockley
Councillor Clare Turnbull

In attendance:

Matthew Archer - Head of Corporate Governance
Andrea James - Democratic Services Officer
Tricia Marshall - Head of Paid Service

679. Apologies

Apologies were received from Councillors Alex Ricketts and Lee Castle.

680. Substitutes

Councillor Steph Jupe was present as a substitute for Councillor Ricketts, and Councillor Michael Dixey as a substitute for Councillor Castle.

681. Declarations of any interests by councillors or officers

Councillors Dixey, Howes and Turnbull made a voluntary announcement that they were also members of the Whitstable Harbour Board.

682. Public Participation

There was one public speaker for the meeting, who was heard immediately before the relevant item.

683. Minutes

The minutes of the previous meeting, held on 13 February 2024, were confirmed as a true record by general assent.

684. Updates to the Constitution - April 2024

The Head of Corporate Governance introduced the report, which recommended further updates to the Constitution that would ensure the continued efficient and effective governance of the Council.

The committee members went through the recommendations one at a time, asking questions of the officer and making clarifications:

Recommendation 1: That the proposed amendments to the Whitstable Harbour Board (WHB) governance arrangements set out in the proposals below be recommended for adoption, to take effect from the annual meeting in May 2024 -

- a) That the WHB becomes a committee of Council and not Cabinet.
- b) That WHB maintains a 10-year (not five-year) plan of quay maintenance and provides this annually to the Council.
- c) That the WHB agree a 10-year strategic plan and develop a business plan to identify cost implications to the Council throughout this period.
- d) That proposals for a ring-fenced reserve for quay maintenance are referred directly to the Service Director for Finance and Procurement to consider the financial implications on the wider council budget. These implications will be fed into the future budget-setting process.
- e) That the WHB would receive a copy of the budget submission for the Harbour and the agreed budget – in order to ensure we have sufficient funds to complete works.
- f) That the designated officer will annually ensure flexibility and discretion is given to the Lead Officer of the Harbour in the budget setting process, to achieve the strategic goals, in line with the delegations set out in the Constitution.
- g) That the WHB will have full discretion on the formation of ‘task and finish groups’ (previously referred to as working groups) subject to officer capacity being available.
- h) That clarification will be sought as to whether the Memorandum of Understanding (MoU) will need amending were the byelaw to be amended/repealed
- i) The size of the WHB change to 5 councillors and 4 independent members, in line with the Department for Transport’s Ports Good Governance Guidance, with political balance retained and a councillor appointed as chair.
- j) Additionally, that the Memorandum of Understanding, once agreed with Cabinet, be incorporated into the Terms of Reference of the Board.

Comments and clarifications made on Recommendation 1 included the following:

- Whitstable Harbour Board was already a role-model for municipal harbours, with

excellent independent members. The recommended measures would support its further development and success.

- It was good to see the Harbour Board becoming a committee of Council rather than a committee of Cabinet. When the Council had changed to the Cabinet system in 2022 oversight of the harbour had had no natural home. It was right that the Strategic Plan should be considered by Council and it was also right that all councillors should be involved in voting on harbour issues via the full Council, rather than it being a Cabinet responsibility.
- Reducing councillor members on the Board to five councillors was a positive move, but should no more than a maximum of two of those Councillors (and ideally none of those councillors) be Cabinet members – in order to ensure ‘back-benchers’ were fully involved with the harbour and got a say?
- Members of the Harbour Board should first and foremost have relevant experience for the role.
- The administration’s general philosophy was not to have Cabinet members on any committee, but there had to be flex.
- The more rules that were set, the more restrictive it would be on choices to appoint to the Board. Currently there were many councillors who also worked full time. All committees needed the right councillors with the right availability.
- Having some Cabinet members on the Board provided a conduit between the Board, the Cabinet and the Council and facilitated partnership working.
- It was also important to have Whitstable councillors on the Board to represent local people.
- While the harbour was in Gorrell ward, and some of its land extended into Tankerton ward, all Whitstable councillors, and indeed city council members, should be interested and involved in the harbour.
- It was agreed that an advisory be added to the Terms of Reference for the Board, setting out that where possible no more than two Board members should also be Cabinet members.

Recommendation 2: That the following changes to the Petition Scheme are recommended for adoption -

- a) acceptance of e-petitions from third party sites
- b) an initial response by the Leader or nominee at Council to petitions referred to Cabinet

Comments made on Recommendation 2 included the following:

- These were very positive recommendations that would help the Council be more open to the public.
- Guidance on how to put together a clear petition that could be accepted / actioned should be included on the website, with examples, plus information on who to contact for advice.
- E-petitions were open to abuse, including the ones run by large third-party sites. People could sign a number of times.
- The Council should exercise caution in opening up to petitions from third-party sites. How would we know whether the people signing were from the district?
- There was a risk the Council could be overwhelmed by petitions concerning national campaigns.
- E-Petitions could be artificially expanded by AI.
- Some third-party sites did not have the integrity they claimed to have. Could the Council provide people with a list of approved sites?
- Old-style paper petitions had also been open to abuse / manipulation and falsified

signatures. Was the threat from e-petitions really any worse? If someone was desperate enough to start a petition to get their voice heard, were a few repeat signatures important, either on paper or on an e-petition?

- Most third-party site e-petitions gave the petitioner a list of postcodes of signatories, so these could be checked.
- All surveys and petitions always attracted a small number of people who 'mucked about' and added multiple signatures or mock signatures, it was just par for the course. But the important thing was that many of the signatures were not false: the process gave members of the public a voice.
- The Council should try this new approach for one year and see what happened. If it was overwhelmed with falsified or spurious e-petitions, we could revert to the previous system.
- Website guidance on how to set up and submit an e-petition needed to be clear and free of 'councillor speak'.
- The Council would still validate signatures on e-petitions and sift out repeat signatories. It would also engage with petitioners to ensure e-petitions were 'real' and transparent.
- The Council could not recommend third-party sites to petitioners as the data collected by these sites belonged to them, not the Council. Some sent the data abroad, including to the USA. This was something petitioners and signatories needed to be aware of and take decisions on themselves.
- The Council would allow joint petitions - paper and e-petition together.
- The council's e-petition pages sometimes suffered technical problems.
- Allowing third-party e-petitions would give another option when there was a 'hot topic' going on, allowing local people to raise issues more quickly.
- The Council could trial the new system and if it resulted in Cabinet being asked to consider bogus petitions on a regular basis, it could revert to the previous system.
- The Council should welcome challenges from its residents on the issues that mattered. Petitions were all part of democracy and debate.
- Dealing with vexatious e-petitions could potentially use up a lot of officer time. This should be monitored.
- It was agreed that the new system would be trialled for 12 months with a report back to the Governance Committee after that period.

[Councillor Joe Howes left the meeting at this point]

Recommendation 3: To amend the carer's allowance in the Members Allowance Scheme to pay the real Living Wage, irrespective of the age of the carer.

- Councillors were supportive of this recommendation and no issues were raised.

TO NOTE: the amendments made by the Head of Legal Services under delegation F28.

- This was noted.

It was then proposed, seconded and, when put to the vote

AGREED

- that the proposed changes to the Constitution be RECOMMENDED to Council for approval, as follows:

1: That the proposed amendments to the Whitstable Harbour Board (WHB) governance arrangements set out in the proposals below be recommended for adoption, to take effect from the annual meeting in May 2024 -

- a) That the WHB becomes a committee of Council and not Cabinet.
- b) That WHB maintains a 10-year (not five-year) plan of quay maintenance and provides this annually to the Council.
- c) That the WHB agree a 10-year strategic plan and develop a business plan to identify cost implications to the Council throughout this period.
- d) That proposals for a ring-fenced reserve for quay maintenance are referred directly to the Service Director for Finance and Procurement to consider the financial implications on the wider council budget. These implications will be fed into the future budget-setting process.
- e) That the WHB would receive a copy of the budget submission for the Harbour and the agreed budget – in order to ensure we have sufficient funds to complete works.
- f) That the designated officer will annually ensure flexibility and discretion is given to the Lead Officer of the Harbour in the budget setting process, to achieve the strategic goals, in line with the delegations set out in the Constitution.
- g) That the WHB will have full discretion on the formation of ‘task and finish groups’ (previously referred to as working groups) subject to officer capacity being available.
- h) That clarification will be sought as to whether the Memorandum of Understanding (MoU) will need amending were the byelaw to be amended/repealed
- i) The size of the WHB change to 5 councillors and 4 independent members, in line with the Department for Transport’s Ports Good Governance Guidance, with political balance retained and a councillor appointed as chair.
- j) Additionally, that the Memorandum of Understanding, once agreed with Cabinet, be incorporated into the Terms of Reference of the Board.
- k) That an advisory note be added to the terms of reference that where possible no more than two Board members should also be Cabinet members.

2: That the following changes to the Petition Scheme are recommended for adoption -

- a. acceptance of e-petitions from third-party sites.
- b. an initial response by the Leader or nominee at Council to petitions referred to Cabinet.

3: To amend the carers allowance in the Members Allowance Scheme to pay the real Living Wage, irrespective of the age of the carer.

TO NOTE - 4) The amendments made by the Head of Legal Services under delegation F2

Record of the vote:

For (12): Councillors Baldock, Bland, Buckman, Carnac, Carr-Ellis, Dixey, Howes, Jupe, Moses, Prentice, Sole, I Stockley, Turnbull

Against (0):

Abstained (0):

[Councillor Joe Howes had left the meeting before the vote]

685. Any other urgent business to be dealt with in public

There was no other urgent business to be dealt with in public.

686. Exclusion of the press and public

This item was not required.

687. Any other business which falls under the exempt provisions

There was no other business which fell under the exempt provisions.

The meeting ended at 20:00.

Joint Transportation Board
7pm, Tuesday 30 January 2024

Draft minutes

Present:

Councillor Alex Ricketts (chair)
Dan Watkins (KCC - vice chair)
Councillor Dane Buckman
Councillor Mike Bland
Councillor Rachel Carnac (substitute)
Mark Dance (KCC)
Mel Dawkins (KCC)
Councillor Keji Moses
Robert Thomas (KCC)
Mike Sole (KCC)
Councillor J Stockley
Councillor Clare Turnbull

In attendance:

Alan Atkinson (PC representative)

Officers:

Ruth Goudie - Transportation team Leader
Andrea James - Democratic Services Officer
Hazel Waters - Highway Manager Canterbury (KCC)
Jamie Watson - Senior Programme Manager Active Travel (KCC)

JTB1. Apologies for absence

Apologies were received from Councillors David Thomas, Keith Bothwell and Naomi Smith, and from Dan Watkins (KCC), Neil Baker (KCC) and Alan Marsh (KCC).

JTB 2. Substitute members

Councillor Rachel Carnac was present as a substitute for Councillor Thomas, and Councillor Clare Turnbull for Councillor Bothwell.

JTB 3. Declarations of interest by Members or Officers

There were no declarations of any interest from members or officers.

JTB 4. Public participation

There were no public speakers for the meeting.

JTB 5. Petition - Road Layout Herne Bay New Plaza

A petition from Mrs Baxter titled 'Road Layout Herne Bay New Plaza' was received. The Chair confirmed that the petition would be referred without discussion to the next meeting of the Joint Transportation Board, to be held on 19 March 2024, when Mrs Baxter would

introduce it.

JTB 6. TRO Closure of Pound Lane

The Transportation Team Leader, Ruth Goudie, introduced the report, which set out the rationale for the proposed closure of Pound Lane and the results of the statutory consultation on the advertised change to the Traffic Regulation Order.

Members of the JTB asked questions and made clarifications, including the following:

- The bollards on Pound Lane would be removable in the event of emergency.
- 900 extra vehicle movements on North Lane sounded a lot, but it carried 12-15,000 vehicle movements a day already on average.
- Pound Lane had been closed for several months already due to building works and road users had got used to it being closed without significant problem.
- Traffic would be monitored at busy times, like after a show at the Marlowe, and the ANPR car parks could be brought into play to manage traffic flow.
- The closure would be clearly visible from the westgate towers, so it was very unlikely a car would attempt to turn left in error.
- A footpath had been created from Pound Lane through to Westgate Hall as part of the housing development.
- Pound Lane had been part of a mapped cycle route for 20 years and operated as a shared space without need for a marked cycle lane, however e-bikes could go considerably faster than push bikes, so officers would monitor use and consider whether further safety measures were necessary. The design of the Westgate Square under the LUF programme was a different issue, however, to that of Pound Lane.
- The use of crossing islands, like in St Peters Street, helped to guide pedestrians to the safe place to cross.
- The views of local businesses had been recorded as 'neutral - negative' while councillors were in favour, which was a bit like the Herne Bay Plaza, which local people were now vocally rejecting. Maybe more consultation with BID members could take place.
- The closure of Pound Lane formalised an informal situation for pedestrians and traffic and improved safety for all.
- Unfortunately, the Kent Roadworks Coordinator felt the level of building work still taking place on Pound Lane meant it was too dangerous to open the lane for cycles and pedestrians any time soon. This issue would be followed up if the JTB voted in favour of the proposal, however, to see if the reopening to be expedited.
- Might removing the cars from the lane put cycles at the top of the road hierarchy, making it more dangerous for pedestrians?
- Pedestrians were safer when not sharing a space with cars as well as cycles.
- cyclists were unlikely to speed down Pound Lane when there was a major junction at its Westgate tower end, but safety and reduced speed would be important issues during the design elements of work around Westgate Towers.

It was proposed, seconded and when put to a vote

AGREED, that

The Joint Transportation Board recommend to the KCC Cabinet Member: The permanent closure of Pound Lane to motorised traffic near to the junction with St Peters Street.

Record of the voting:

For the proposal (8): Bland, Brady, Buckman, Dawkins, Moses, Sole, R Thomas, Turnbull

Against (0): none

Abstained (4): Carnac, Dance, Ricketts, J Stockley

JTB 7. Sturry Bypass

The KCC Highway Manager for Canterbury, Hazel Waters, read out a brief update from Richard Shelton (KCC) on the Sturry Bypass.

It was agreed by general assent that the JTB would request a further, fuller written update from the officer for the June JTB meeting date, as the March meeting agenda was already very full.

JTB 8. Active Travel Update Report

Jamie Watson, Senior Active Travel Programme Manager at KCC, and Ruth Goudie, Transportation Team Leader at CCC, introduced the report, which updated members on KCC's Active Travel agenda and requested that a recommendation be made to the KCC Cabinet Member that funding be sought for the construction of the Crab and Winkle extension cycle route scheme.

Members asked questions and made clarifications with officers, including the following:

- The road safety audit had not yet taken place as that usually took place at stage 3 once construction was finished.
- It was very important to have community engagement right from the start.
- The heritage of local places was also very important and needed to be recognised early on in each project and integrated into the design and implementation - possibly via a heritage toolkit to cover issues collaboratively from the beginning.
- Lessons had been learned from the Herne Bay Plaza experience.
- There needed to be more education and explanation about shared spaces.
- Rob Thomas
- Schemes should come forward from the current and new Local Plans to be considered for Active Travel inclusion and funding. Local Plan schemes would have been through the consultation process. Schemes needed to be part of a plan, not made on a whim.
- Ruth
- The Crab and Winkle had been part of the CCC cycle strategy, part of the transport strategy and part of the current 2014-31 Local Plan.
- Lots of cycle schemes had been left over from the former Local Plan that would be included in the new draft.
- The criteria for Active Travel funding was: what was relatively deliverable in a short space of time.
- The Crab and Winkle scheme was as 'shovel ready' as it could be before going to tender and had undergone a lot of consultation.
- KCC was developing a Kent-wide cycling plan as an overarching strategy, under which some schemes from the districts would be prioritised. Work was underway to collate a list of schemes that were agreed and supported.
- Community engagement on the Crab and Winkle scheme would be crucial as planning had been granted a long time ago and the biodiversity and green corridor it currently provided was very important.
- Active Travel was useful for funding but very quick, and some people new to the area may not be aware of these old schemes that had already been consulted on. More consultation on the wider area might be needed.
- The detailed design would be consulted on and local residents and businesses would be involved and re-engaged.
- The contract would include a 12-months maintenance period for the contractor, so that

any defects found during that 12 months would be under the contractor's costs. After that 12 months, the scheme would be handed to KCC for general maintenance.

- Councillors would speak to local people about these plans to gauge their interest and concerns and get a feel for how best to navigate further consultation and implementation.

It was proposed, seconded and when put to a vote

AGREED that

The Joint Transportation Board recommend to the KCC Cabinet Member: that a bid for funding be made to Active Travel England for the construction of the Crab and Winkle extension cycle route scheme and, if the bid is successful, construction should begin as soon as practicable thereafter.

Record of the voting:

For the proposal (11): Bland, Brady, Buckman, Carnac, Dance, Dawkins, Moses, Sole, J Stockley, R Thomas, Turnbull

Against (0): none

Abstained (1): Ricketts

JTB 9. Highway Works Programme

The Highway Manager for Canterbury, Hazel Waters, introduced the report, which updated members on the identified schemes approved for construction 2023/24.

Members made remarks and asked questions, including the following:

- Harbledown Little Meadow was missing from this list (page 39) for street lighting works.
- Light shielding on Roman Road (opposite Prospect Cottages) should be added to the list.
- In Appendix H - Combined Members Grant Programme Update - 2 schemes funded / supported by Mr Mark Dance (KCC) were not shown.
- An updated plan for 2024/25 would be supplied in March 2024.
- A request was made that Valley Road be added to the list for resurfacing.

The report was NOTED by general assent.

JTB 10. Monitoring of previous decisions

Members noted a verbal update and it was agreed by general assent that a renewed monitoring sheet would be supplied at the next meeting.

JTB 11. Date of next meeting

7pm on Tuesday 19 March 2024

JTB 12. Any other urgent business to be dealt with in public

There was no other urgent business.

JTB 13. Exclusion of the press and public

Not required.

JTB 14. Any other urgent business to be dealt with in private

There was no other urgent business to be dealt with in private.

Canterbury City Council

Joint Transportation Board

Minutes of a meeting held on Tuesday 19 March 2024 at 7 pm The Guildhall

Present:

Councillor Alex Ricketts (Chair), Mr Dan Watkins (KCC - Vice-Chair), Mr Neil Baker - KCC, Councillor Mike Bland, Councillor Dane Buckman, Councilor Keith Bothwell, Mr Alister Brady - KCC, Mr Mark Dance - KCC, Ms Mel Dawkins - KCC, Councillor Joe Howes (present as substitute), Councillor Keji Moses, Councillor Naomi Smith, Mr Mike Sole - KCC, Councillor David Thomas and Mr Robert Thomas - KCC.

In attendance:

Mr Alan Atkinson (Parish Council representative)

Officers:

Ruth Goudie - Transportation Team Leader

Richard Jenkins - Senior Transportation Officer

Pippa Tritton - Democratic Services Officer

Jamie Watson - Senior Programme Manager Active Travel (KCC)

JTB 15. Apologies for absence

Apologies for absence were received from Councillor J Stockley and Mr Marsh.

JTB 16. Substitute members

Councillor Howes was present as a substitute for Councillor J Stockley.

JTB 17. Declarations of interest by Members or Officers

Mr Baker advised that he was the Cabinet Member for Highways and Transport at Kent County Council (KCC) and as such would only comment on any recommendations the Board made and not participate in any vote as he was effectively the decision maker.

Councillor Brady had a disclosable pecuniary interest regarding Annual Parking Review item 650, Roper Road, Canterbury.

JTB 18. Public participation

The Chair advised that there were seven public speakers who would be heard directly before the relevant items.

JTB 19. Minutes of the meeting held on 30 January 2024

The minutes of the meeting held on 30 January 2024 were agreed by general assent as a true record, subject to the addition of Mr Brady in the list of attendees.

JTB 20. Petition - Road Layout Herne Bay New Plaza

(Members of the public, SallyAnn Baxter, Martin Head, Mike Hyland, Joe Marshall, Mr Hutton and Roland Barber spoke prior to the discussion on this item.)

The Senior Programme Manager KCC introduced the report of the Head of Transportation (KCC) and Head of Transportation and Environment (Canterbury City Council) (CCC) which summarised the scheme construction to date and the current situation with regards to ongoing feedback, review and monitoring/evaluation and included a petition received by KCC on the “Road Layout Herne Bay New Plaza”.

He advised that a Working Group had been set up at the request of the KCC Cabinet Member for Highways and Transportation to look into the issues previously raised. The membership and terms of reference for the Working Group would be published on KCC’s website shortly, with results due to be presented to Mr Baker in mid April. Minutes of any meetings held would also be available on the website.

Councillors discussed the report and clarification was provided by the Senior Programme Manager where necessary. Comments included:

- KCC should be commended for getting the Working Group together so quickly.
- The Working Group had the ability to report directly to the Cabinet Member but it was hoped that it would report back to JTB with its findings in the future.
- The Active Travel plan had intended to create something unique for Herne Bay and any findings would need to be considered as part of the Road Safety Audit currently taking place.
- Comments made at this meeting would be considered alongside the recommendations made by the Working Group.
- Residents were positive about some parts of the scheme.
- There were concerns regarding the safety of the Richmond Street cycle path.
- The number of cars parking illegally on the High Street caused difficulties.
- Speeding generally was an issue.
- Western Avenue was particularly dangerous due to the bend in the road and increased usage by large vehicles.
- A councillor had been spoken to by residents in support of the plaza and would like to see how it was used in summer.
- There was concern that other schemes such as the Wincheap gyratory could also go wrong.
- There would be much more traffic in the summer.
- It was not yet clear if money would need to be paid back to Active Travel by KCC if the scheme was amended or scrapped.
- Lessons would be learnt and future consultation would be stronger.
- Councillors still wished to keep the principles of the scheme alive, and by encouraging more people to walk, scoot and cycle, there would be less traffic

- on the road.
- The speakers were thanked for attending the meeting and for highlighting the issues.
 - The police were responsible for enforcement, not KCC. With regards to the 20 miles per hour zones, it was the established policy of Kent police to only support it if it was self enforcing.
 - It was acknowledged that some entry points needed to be reconsidered.
 - It was important for the council to show that it can listen and take action when needed.
 - Any decision made regarding the scheme would be reported back to a future meeting.

The report was NOTED.

There was a short adjournment to allow members of the public to leave the Council Chamber.

JTB21. Change of order of the agenda

The committee agreed unanimously to take Agenda Item 9, Active Travel Plan as the next item on the agenda.

JTB22. Active Travel Update

The Chair advised that the Active Travel Plan had been covered during the previous item.

In response to a question the Senior Programme Manager advised that an external consultant had been instructed to undertake a road safety audit for Longport and it was hoped that this would be received imminently.

The item was NOTED.

JTB23. Draft Transport Strategy

The Transportation Team Leader introduced the report which set out the draft Canterbury District Transport Strategy, which had recently gone live for consultation alongside the draft Local Plan. This set out a number of sustainable transportation schemes to cater for the additional travel demands of the planned growth in the draft Local Plan.

Councillors debated the draft Transport Strategy and the Transportation Team Leader provided clarification where needed. Points raised included:

- There was concern about the equality impact statement as it appeared to be geared towards bus transportation in the city centre, not in rural areas, where there were little or no bus services even in 2040.
- The impact of increased parking charges would impact those living rurally with no/limited bus services.
- It was acknowledged that the current situation was not adequate but that the

Strategy was a first step and included lots of elements designed to improve accessibility for those in rural areas, including park and ride.

- The strategy was not anti-car, but did encourage alternative forms of transport.
- Some of the ideas seemed unrealistic and could cause gridlock in the city centre if introduced, such as halving capacity on the ring road.
- The bus industry had been heavily hit by Covid.
- Would KCC transport modelling be presented to the JTB?
- In an ideal world the modelling would already have been undertaken, but the Strategy had changed and it was hoped that the modelling would be ready for the next stage.
- Bus Service Improvement Plan (BSIP) money was only guaranteed until 2025.
- All costings were set out in a supplementary document to the Local Plan and nothing relied on BSIP money. However, CCC would like to tap into that funding if it was available.
- Would all the new bus services be run by Stagecoach or would CCC commission any?
- Any major changes, such as to the ring road, would take place gradually.
- It was hoped to have some continuous monitoring of traffic.
- The Bus Strategy proposed there should be a Steering Group. The Local Bus Focus Group had replaced the Quality Bus Partnership. KCC officers and councillors also sat on that group.
- Bus operators had not yet been considered but it would seem sensible if it was an extension to an existing route to use Stagecoach. If it was a completely new route, it would be put out to tender.
- If possible, JTB would see the modelling when ready.
- Human resources did not seem to have been considered as an increased number of buses and drivers would be needed. Stagecoach often cancelled services currently due to lack of available drivers.
- Herne Bay bus depot car park was often empty after 1900 hours which indicated a lack of drivers.
- Drivers of certain smaller sized vehicles would not need a Public Service Vehicle licence which was a concern.
- It was important to have an aspirational Strategy in place.
- The solution to easing congestion was not by building new roads, but by changing habits and this should be acknowledged.
- It was noted that CCC relied heavily on income from car parking charges within the city centre.
- The use of Park and Rides as delivery hubs was interesting and should be considered carefully, including the use of drones for the final mile of the journey.
- It was not reasonable for developers to fund everything that the council should be doing anyway.

Councillors were reminded that the consultation was now live and that they should respond to it.

The report was NOTED.

JTB24. Annual Parking Review

[Regarding Item 650 Roper Road, Canterbury, Councillor Brady abstained from voting as he had a disclosable pecuniary interest (DPI).]

[Mr Neil Baker abstained from general assent and voting on all items due to his role as Cabinet Member for Highways and Transport at Kent County Council.]

(Mr Hammond spoke in relation to 4900 Ridgeway Cliff prior to the discussion.)

The Chair introduced the report which detailed proposals in the Annual Parking Review for changes to parking restrictions and drew attention to the recommendations of the officers. Board members made comments and the officers gave points of clarification where necessary.

During the course of the meeting, those proposals that were debated were put, seconded and then voted upon. All the rest of the proposals, where no debate was needed as all members were in agreement with the officer's recommendation and there were no public speakers registered, were AGREED by general assent.

RECOMMENDED (to the KCC Cabinet Member for Highways and Transport):

a. To action the following proposals as indicated below:

Parking proposal	Action	Gen assent or vote	Voting record		
			For	Against	Abstain
Canterbury					
650 Roper Road Area	No action	Vote	13 (Bland, Bothwell, Buckman, Dance, Dawkins, Howes, Moses, Ricketts, N Smith, Sole, D Thomas, R Thomas, Watkins)		2 (Baker, Brady)
660 Roper Road Area	Implement	Vote	10 (Bland, Bothwell,	0	5 (Baker, Brady,

			Dance, Howes, Ricketts, N Smith, Sole, D Thomas, R Thomas, Watkins)		Buckman, Dawkins, Moses)
Herne Bay					
4900 Ridgeway Cliff	No action	Vote	12 (Bland, Bothwell, Brady, Buckman, Dance, Dawkins, Howes, Moses, Ricketts, N Smith, Sole, R Thomas)	1 (D Thomas)	2 (Baker, Watkins)
3160 Peartree Road	Implement	Vote	12 (Bland, Bothwell, Brady, Buckman, Dance, Howes, Moses, N Smith, Sole, D Thomas, R Thomas, Watkins)	1 (Dawkins)	2 (Baker, Ricketts)
3300 Reculver Road parking bay	Implement	Vote	7 (Bothwell, Dance, Howes, Sole, D Thomas, R Thomas, Watkins)	5 (Bland, Buckman, Dawkins, Moses, Smith)	3 (Baker, Brady, Ricketts)
4580 Dolphin Street	Amend & implement	Vote	14 (Bland, Bothwell, Brady,	0	1 (Baker)

			Buckman, Dance, Dawkins, Howes, Moses, Ricketts, N Smith, Sole, D Thomas, R Thomas. Watkins)		
Whitstable					
6400 Borstal Hill	Implement	Vote*	5 (Dance, Howes, D Thomas, R Thomas, Watkins)	8 (Bland, Brady, Buckman, Dawkins, Moses, Ricketts, N Smith, Sole)	2 (Baker, Bothwell)
*This vote fell and was then dealt with as one of the remaining proposals by general assent - No action					

(b) That the rest of the officers' recommendations on the remaining proposals (not dealt with at (a) above) be accepted.

Reasons for the recommendations: The balance of the representations from supporters and objectors, the officers' comments and councillors' understanding of the local issues.

JTB25. Highway Works Programme

The Chair advised that there was an update report in the agenda. No comments were made and report was NOTED.

JTB26. Monitoring of Previous Decisions

The report was NOTED.

JTB27. Date of the next meeting

7 pm, Tuesday 18 June 2024 (subject to confirmation at the annual Council).

JTB28. Any other urgent business to be dealt with in public

There was no business under this item.

JTB29. Exclusion of the press and public

JTB30. Any other urgent business which falls under the exempt provisions of the Local Government Act 1972 or the Freedom of Information Act 2000 or both

There was no business under this item.

Meeting ended: 21:50

**CANTERBURY CITY COUNCIL
LICENSING SUB-COMMITTEE**

**Minutes of a meeting held on Wednesday, 17th January, 2024
at 10.30 am in The Guildhall, Westgate, Canterbury**

DRAFT MINUTES

Present: Councillor M Bland (Chair)
Councillor L Harvey
Councillor A Harvey
Councillor K Moses (reserve)

In attendance

Officers: Anton Walden - Licensing Officer
Andrea James - Democratic Services Officer
Peter Kee - Principal Lawyer (Regulatory)

1 Apologies for absence

There were no apologies for absence.

2 Substitute Councillors

There were no substitute councillors.

3 Declaration of any Interests by Councillors or Officers

There were no declarations of any interest by councillors or officers.

4 Order of business

The order of business was noted.

**5 Licensing Act 2003 - Licensing Act 2003 - Premises Licence for Alamis Caffee,
23 Lower Bridge St, Canterbury CT1 2LG**

In addition to the Sub-Committee members and officers, also present at the meeting were the spouse of the Applicant Mrs Irina Paja, the Applicant's Agent Mr Tony Bartlett, Responsible Authority representative Mrs Susan Ginever (Locality Officer (Licensing)) and Diane Attenborough, also a Locality Officer (Licensing).

The Licensing Officer introduced the application for the Grant of a Premises Licence

under Section 17 of the Licensing Act 2003 for Amalis Caffee. He explained that councillors on the panel had conducted a site visit earlier in the day and that the agenda and report had been prepared and published in accordance with the Council's constitution.

The Applicant's agent, Mr Tony Bartlett, then introduced the application and made points, including the following:

1. The Applicant had agreed certain conditions with the Police, hence their representative was not present at the Hearing.
2. The Applicant had agreed to 20 events maximum per year, and this could be reviewed if deemed excessive.
3. CCTV would be maintained in good working order and made available to the relevant authorities when necessary.
4. Staff would receive training in the Licensing Act and Challenge 25 and electronic records of training would be kept.
5. An incident log would also be kept in electronic format.
6. Challenge 25 would be operated.
7. It seemed to have been suggested by the Locality Officer (Licensing) that SIA-qualified door staff would have to be present when there was an event on, but the Applicant felt this was not necessary, as most events would be things like leaving parties, birthday parties and cultural events such as Albanian or Greek-themed evenings, given that the applicants were of Greek and Albanian heritage. Instead, each event would be risk-assessed in advance to scope whether SIA-trained door staff would be necessary.
8. Staff would be instructed to ask for ID in the form of passport / photo ID, or young people's pass cards.
9. The premises did not lend itself to being a drinking establishment, but the Applicant hoped that by putting on occasional events he and his wife might make enough money to keep the business going.
10. The premises was a pleasant, small cafe, mainly frequented by young parents with children and by elderly people. It was not envisaged that the nature of the premises would change.

Members of the Sub-Committee then clarified points with the Applicant's Agent, including the following:

11. The operating hours for the 20 events per year would be different from the usual cafe operating hours. The applicant was requesting that on days when events were taking place, alcohol would be sold between 07:00 - 23:00 Sunday to Thursday and 07:00 - 23:30 Fridays and Saturdays.
12. The planned events would have a finishing time of 23:30 Sunday - Thursday and 00:00 Friday - Saturday.
13. There were some residents living in the proximity; mostly behind the building, so they would not be affected by noise to the front of the building.
14. Anticipated guest numbers for events were estimated at approximately 60 maximum.
15. Music and dancing would take place in the front space of the premises.
16. It was anticipated that the alcohol to be sold would be wine and cocktails. There would be no draft beer and no 'shots'.
17. Just the possibility that customers might want to be served alcohol outside the usual hours when no event was on, and the possibility of conflict if they were refused and it was on show, were significant points of consideration for the panel.
18. Alcohol would be sold both during the 20 events per year and during normal cafe opening hours.
19. The normal cafe opening hours were 07:00 - 19:00, and the applicant was applying

for alcohol to be sold during all of those hours.

The Legal Officer then asked questions and points of clarification of the Applicant's Agent, including the following:

20. According to the application, the hours for all the licenseable activities would be 07:00 - 19:00 on normal days and the cafe would close half an hour after the cease of activities. Non-standard hours covered the 20 events 07:00 - 23:00 Sunday - Thursday and to 23:30 on Fridays and Saturdays.
21. Canterbury City Council's core hours for licenseable activities started at 10:00 - so three hours later than those being applied for. No clear reason had been given by the Applicant for this departure from the core hours.
22. The Applicant's Agent felt screening off the alcohol during any hours it could not be sold would be onerous on the Applicant and that the cafe's normal opening hours and the hours during which licensable activities could be undertaken should be the same.
23. The only off-sales envisaged were for when people wanted to drink alcohol sitting at the 4 tables outside, and would finish at 19:00 as per the pavement licence.
24. CCTV footage would be provided within 24 hours of a telephone request or immediately on request in person by the authorities.
25. The log book would be open to inspection under the same conditions as CCTV footage.

The Licensing Officer then asked questions of the Applicant's Agent and made clarifications including the following:

26. At the site visit, the panel had been informed there was no bar, but on the premises plan it showed a bar, which most people would assume served alcohol and that the premises was therefore a 'bar'. Clarity was needed on the intentions of the Applicant.
27. It was clarified that the bar was for the serving / passing over of food and coffee. No customers would stand at the bar and order drinks to be drunk at the bar. The Applicant did not want the premises to become a bar.
28. The three tables nearest the door would be removed for event evenings to allow dancing to take place.
29. The Applicant would risk-assess noise and other disturbance from the event evenings and decide where the music / dancing would be best held to least disturb neighbours.
30. The 20 events per year would restart with each new year of operation. A review would not be undertaken at the end of the first 12 months unless duly requested by a relevant party.
31. Event noise levels would be monitored by having staff walking around outside the building to check on a regular basis. In the view of the Applicant's Agent, 20 events per year did not justify the expense of the purchase and installation of an electronic sound monitor.

The Responsible Authority's representative, Locality Officer (Licensing) Susan Ginever then asked questions / clarifications of the Applicant's Agent, which included the following:

32. The Applicant and proposed DP was not present at the hearing because he needed to be at the cafe, and because his wife Irina Paja, who was present, spoke better English and was more able to clearly answer any questions.
33. It was agreed that, if no event were taking place on a normal Friday or Saturday, the sale of alcohol would stop at 19:00. The officer observed that she and the Agent had not been able to agree this previous to the Hearing during their negotiations over the

application.

34. The Agent clarified that the Applicant had applied for the maximum number of hours they might need, but as the authorities seemed to fear the cafe would turn into a drinking den, this had been reduced.
35. The Applicant's wife had stated in an off-the-cuff remark at a previous meeting with the Locality Officer (Licensing) that ideally she would like to have the flexibility to stay open after 19:00 on Fridays and Saturdays to serve alcohol - for example if a group of ladies had come in just before 19:00, but she now agreed that alcohol sales after 19:00 would be strictly limited to the 20 events.
36. The 20 events would be pre-planned and by invitation, so no customer could arrive at 18:45 and suddenly decide to stay on drinking at one of the 20 events.

The Responsible Authority's representative Locality Officer (Licensing) then made her representation, with points including the following:

37. The operating hours asked for were 07:00 - 00:30 in the initial application. The current hours were 07:00 - 19:00.
38. Even with amendment, the hours were outside the Canterbury City Council core hours. Usually, the core hours should be addressed immediately by the Applicant or Agent, with a statement as to why the hours sought were outside the core hours, and with evidence that there would be no impact on the licensing objectives if the non-core hours were granted. This application had made no mention of the core hours, or the Council's licensing policy.
39. All agreed conditions needed to be precise and enforceable and the operating schedule needed clarity. Wording such as 'any reasonable time' was not enforceable as who could say what was 'a reasonable time'? 'Occasional' was also not a precise word. The application had generally been of poor quality.
40. Staff working on the door would need to be trained for this role. The officer had not suggested SIA-trained staff would need to be there for all events, but training had not been mentioned anywhere in the application, and staff did need training in management events / working on the door / dealing with customers.
41. The operating schedule still did not properly address the steps the applicant would take to promote the licensing objectives.
42. Under the public nuisance objective, the council needed to see more than just guests being asked to leave quietly, as there were 4 flats above the shop next door at number 24. For example, notices might be required.
43. While environmental health officers had not made any representation, the licensing officer had to flag that local residents might be impacted by the noise from events and this should be closely monitored by trained staff.
44. The application should have made it clear where the off-sales consumption area was.
45. If the cafe was still registered on Deliveroo, it could in theory make off-sales via delivery. If that was the case, this should have been noted in the application. (It was clarified that the cafe was no longer doing Deliveroo services.)
46. Late night refreshment had not been included in the 'blue notice', so if the hours had not been amended following discussion with the licensing officer et al, the applicant would have been in the position of being able to sell alcohol but not hot food or hot drink after 23:00, giving the impression that the cafe would have been more a bar than a cafe, especially as the original end of alcohol service was envisaged as 00:00.
47. The explanatory notice had given the conflicting impression that alcohol would only be served until 19:00 outside 'occasional' events, but there was no clarity then as to what 'occasional' meant.
48. The limit of 20 events per year had been the suggestion of the Locality Officer (Licensing) and seemed reasonable as, at the time, the limit on TENS events had been 20 per year.
49. How would the events be counted / kept track of? The officer had suggested they be

recorded in a bound book at the premises, but this had been resisted by the Applicant's Agent.

50. The promotion of public safety and the prevention of nuisance meant that the standard hours for the licence should be 07:00 - 19:00 and the non-standard hours of 07:00 - 11:30 strictly limited to special events.

Sub-Committee members and the Applicant's Agent then clarified points, including the following, with the Locality Officer (Licensing):

51. While the Locality Officer (Licensing) advised that a bound book would be best and easiest for logging events and easy checking, the Applicant's Agent preferred to produce a spreadsheet where the diary of events could be kept, along with the incident log and log of staff training. Refusals and the 'banned book' list could also be logged in this electronic spreadsheet format.
52. The operating schedule was a work in progress.
53. The close proximity of the neighbouring flats above the Canterbury Corner Shop was described.
54. The start time for events would be no earlier than 19:30 to allow normal day customers to leave the cafe, and to allow staff to acknowledge the change from normal opening hours to 'invite only' events.

The Applicant's Agent then summarised the application, and included the following points:

55. The cafe was a family-friendly environment, not a drinking den.
56. The Applicant had agreed to conditions proposed by the Responsible Authorities.
57. Conditions should be light-touch, not onerous, and if there were problems, a review could be undertaken.

Irina Paja, the Applicant's spouse, then made additional comments, including the following:

58. She and her husband had arrived in the UK 4 years ago with just their luggage and their children.
59. They worked long hours to try to make ends meet but it was difficult in the current economic circumstances. A licence would help them make a little more money and provide cultural events.
60. They were keen to share their Albanian and Greek culture with the local community and share some of their good food, good life and good music.

At this stage, the Licensing Sub-Committee members retired with the Legal Advisor to make their decision. Upon the Panel's return, the Legal Advisor thanked those present and advised that in making their decision the Panel had taken into account the agenda, the evidence presented and submissions made by all parties at the hearing, observations made on a site visit earlier that day, the Council's statement of licensing policy, statutory guidance issued by the Home Office and the rights of all parties under the Human Rights Convention.

RESOLVED: That the application be GRANTED for the hours, and subject to the conditions, as follows:

Hours

For the licensable activities of

- The sale of alcohol for consumption on the premises
- A performance of live music
- The playing of recorded music

- A performance of dance
- Entertainment of a similar description to a performance of live music, any playing of recorded music or a performance of dance.

The standard hours shall be 07.00 hrs to 19.00 hrs, Monday to Sunday

The non-standard hours (which apply on the 20 occasions per calendar year) shall be

Sunday to Thursday, 07.00 hrs to 23.00

Friday and Saturday 07:00 hrs to 23:30 hrs

opening hours

The opening hours on days on which the standard hours apply shall be 07:00 hrs to 19:30 hrs

The opening hours on days on which the non-standard hours apply shall be

- Sunday to Thursday, 07.00 hrs to 23.30
- Friday and Saturday, 07:00 hrs to 00.00 hrs

hours of off sales of alcohol

The sale of alcohol for consumption off the premises shall at all times be between 07:00 and 19:00.

Conditions

1. Off sales of alcohol shall solely be in respect of customers who are consuming alcohol at the pavement tables in front of the premises, in accordance with a pavement licence.
2. Alcohol sales shall only be supplied by a waiter/waitress service.
3. The non-standard hours shall apply for special or cultural events on no more than 20 occasions in each calendar year. For the avoidance of doubt an occasion is one day (not for example a weekend).
4. The premises licence holder shall keep an up-to-date written record, in the form of a bound book, of these special or cultural events. The record shall detail the date and hours of the event, the nature of the event and the name of the person in charge. This book shall be kept at the premises and shall be made available on request to licensing officers of the licensing authority and to the Police.
5. A CCTV system shall be installed and maintained in working order and used at the premises. The CCTV shall cover all of the licensed areas, and also the outdoor seating, including all entrances and exits and the till area. Recordings must be kept for at least 30 days and must be kept secure during that period for inspection by licensing officers of the licensing authority and provided forthwith and promptly to a Police officer or licensing officer of the licensing authority, upon request. A member of staff who can operate the CCTV system and provide copies, shall be available to attend within 24 hours to provide the copies.
6. Training shall be provided to all members of staff responsible for selling alcohol. The training shall include the Licensing Act 2003, the four licensing objectives, the conditions of this premises licence (including the Challenge 25 scheme).
7. Refresher training shall be provided to those members of staff every six months.
8. Written records of the training shall be retained for at least 12 months and shall be made available to a Police officer or licensing officer of the licensing authority, upon request.
9. An incident logbook shall be kept which details all incidents involving any actual, or allegation of, trouble involving members of the public and/or noise complaints that

- occur at the premises. This book will detail the following
1. The day, date and time of the incident
 2. The member of staff making the entry
 3. The members of staff involved in the incident
 4. An account of the incident
 5. Details of any persons injured and the injuries sustained
 6. Any other relevant details.
10. The incident logbook shall be made available to a Police officer or licensing officer of the licensing authority, upon request.
 11. The possible need for SIA door supervisors shall be determined by a risk assessment both in respect of standard and non-standard hours (i.e. the special and cultural occasions). The risk assessment shall be carried out by the premises licence holder. Copies of risk assessments shall be made available to a Police officer or licensing officer of the licensing authority, upon request.
 12. A member of staff shall be on the door on special & cultural occasions (irrespective of whether there is also a SIA person present in accordance with the risk assessment) to tell customers to leave quietly and not to disturb the residents.
 13. A first aid kit will be available and members of staff will receive training in basic first response skills.
 14. The Challenge 25 scheme shall be implemented at the premises and a proof of age policy is to be applied with the accepted means of proof of age being, but not limited to
 1. Passport
 2. Photo driving licence
 3. A recognised ID card bearing the PASS hologram.
 15. A refusals book will be maintained (separate from the other books) and shall be made available to a Police officer or licensing officer of the licensing authority, upon request.

The Legal Adviser then explained that the applicant had a right of appeal under section 181 of, and Schedule 5 to, the Licensing Act 2003. Any appeal would have to be made within a strict 21-day period to the Magistrates' Court.

Overview & Scrutiny Committee

29 February 2024

Draft minutes

Present: Cllr Paul Prentice (Chair)
Cllr James Flanagan (Vice Chair)
Cllr Keith Bothwell (present as a substitute)
Cllr Dane Buckman
Cllr Rachel Carnac
Cllr Elizabeth Carr-Ellis
Cllr Liz Harvey*
Cllr Harry McKenzie
Cllr Keji Moses
Cllr Peter Old
Cllr Dan Smith
Cllr Naomi Smith

In attendance: Councillor Alan Baldock - Leader of the Council
Councillor Connie Nolan - Cabinet Member for Community,
Culture, Safety and Engagement

Officers: Suzi Wakeham - Director of People and Place
Marie Royle - Service Director People
Lacy Dixon* - Senior Specialist Community Safety &
Enforcement Manager
Martin Hall - Senior Environment Manager

(*present for part of meeting)

590. Apologies for absence

Apologies for absence were received from Councillor Jeanette Stockley and Councillor Clare Turnbull.

591. Substitute members

Councillor Keith Bothwell was present as a substitute for Councillor Clare Turnbull.

592. Declarations of interest by Members or Officers

In relation to Item 6, Councillors Dane Buckman, James Flanagan, Naomi Smith and Peter Old made a voluntary announcement that they were dog owners - both Peter Old and Naomi Smith walked their dogs at Long Rock.

In relation to Item 7, Councillors James Flanagan and Peter Old made a voluntary announcement that they participated in park runs at Long Rock.

593. Public participation

The Chair advised that there were two public speakers for the meeting who would be heard directly before the relevant item.

594. MINUTES OF THE MEETING HELD ON 25 January 2024 (pages 6-12)

The minutes of the meeting held on 25 January 2024 were agreed as a true record by general assent.

595. Proposed Dog Control Public Space Protection Order (PSPO) 2024

(Alan Atkinson and Gavin Serkin, members of the public, spoke prior to the discussion.)

The Service Director for People introduced the report which outlined the results of the recent public consultation on proposals within the Dog Control Public Space Protection Order. Councillors views were sought on the proposal as part of the formal decision making process.

There were three options available to councillors.

Option 1:

1. The adoption of a new Dog Control PSPO 2024 as set out in Appendix D which included requirements relating to :
 - Dog fouling
 - Dog on lead of no more than two metres as per locations listed in Schedule 1 of Appendix D
 - Direction given to place dog on lead
 - Dog exclusion as per locations listed in Schedule 2 of Appendix D
2. To include the new site of Bridge Recreation Ground as a dog exclusion area (as set out in Schedule 2 of Appendix D)
3. To NOT include in the new order:
 - 3.1 Dog lead restrictions at the following sites:
 - c. Paths of the Riverside Walk
 - d. The public footpath within Whitstable Cemetery Whitstable
 - 3.2 Dog exclusion at the following sites as there is no longer any play equipment in situ:
 - Play area The Maltings, Enclosed, Littlebourne
 - Play area Black Griffin Lane, Canterbury
 - Sturry Road Community Park Garden Area, Northgate
 - 3.3 The requirement of a person in charge of a dog on land to which the order applies, to produce (if asked to do so by an officer) a suitable means to pick up, remove and appropriately dispose of dog faeces.

Option 2 - To reduce, increase or adapt the activities and locations included.

Option 3 - To not create a new Dog Control PSPO.

Councillors discussed the report, asked questions and for clarifications from the officers and Cabinet Members, and made points, including the following:

- A variety of methods had been used for the consultation, including social media, website, public meetings, pop up events and signage.
- The council's website was currently vague on how to appeal against PSPOs and officers agreed to review this.
- It was clarified that the whole of Bridge recreation ground was included.
- There had been no reported incidents of dogs attacking nesting birds at Long Rock, but it was about reducing risks to species. There were no nesting birds due to the amount of disturbance.
- Clear signage would be key to the implementation of the PSPO. Enforcement staff would be made clear on what they were enforcing and there would be an initial grace period.
- The PSPO would be enforced either by third party contractors, the police or nominated council officers. Third party contractors were salaried and there was no incentive to issue PSPOs.
- Contractors would be trained to issue in a measured and consistent manner.
- Officers would receive a monthly breakdown of fines issued by age, ethnicity etc.
- After the consultation had finished, communication was received from Barham Parish Council who wanted their village green requirements downgrade. There would be a need to go out for further consultation if that change was to be made. The Service Director advised this would be picked up separately.
- Was there any compensation to be made in the way of a 'dogs off lead' area if the PSPO was introduced?
- It should be acknowledged that some people were scared of dogs and people's need to exercise their pet should be balanced particularly around other people and children.
- Strategic signage would be needed for areas such as Toddlers Cove, where it was not a clear, bounded area and that was the reason why maps were being included.
- If a member of the public did not have a means to pick up their dog's mess, officers would have bags and could do so.
- Councillors were aware of the particular sensitivities surrounding the Long Rock area and there was a feeling that it wasn't just dog walkers who could cause disturbance.
- It was suggested there were two existing PSPOs covering the Long Rock area that could be applied currently, those who don't have their dog on a lead and those who remove, damage, deface or vandalise or cause harm to any wildlife. This could be applied to those people who do not have their dogs under control.
- As part of the PSPO, it would be good to review the placement of dog waste bins. Residents should also be made aware that dog waste

could be put into 'normal' litter bins. Officers would discuss with the contracts officer.

- It was noted that some people would find it hard to judge a 2 metre lead.
- There was confusion about the existing rules at Long Rock as signs had been defaced or removed.
- Any new suggestions would need to be considered by Cabinet and then go back out for consultation before Council made their decision.
- If the PSPO was introduced, there would be no change at Long Rock.
- There was currently a dog free area around the Oyster Bay Trail which could be difficult to manage. The officer advised that areas would not be fenced, but adequate signage would be in place.
- It was felt that seasonal restrictions may be difficult to manage and to understand. Seasonality might work for birds but there were other species affected too.

Following discussions regarding Long Rock, councillors agreed to vote separately on that area.

It was proposed, seconded and when put to a vote unanimously agreed to:

Recommend (to Cabinet):

1. The adoption of a new Dog Control PSPO 2024, excluding the **Long Rock area**, as set out in Appendix D which includes requirements relating to :
 - Dog fouling
 - Dog on lead of no more than two metres as per locations listed in Schedule 1 of Appendix D
 - Direction given to place dog on lead
 - Dog exclusion as per locations listed in Schedule 2 of Appendix D
2. To include the new site of Bridge Recreation Ground as a dog exclusion area (as set out in Schedule 2 of Appendix D).
3. To attach site maps to locations listed in Section 2 of this report, to ensure boundaries and areas that restrictions apply are clear.
4. To NOT include in the new order:
 - 4.1 Dog lead restrictions at the following sites:
 - a. Paths of the Riverside Walk
 - b. The public footpath within Whitstable Cemetery Whitstable
 - 4.2 Dog exclusion at the following sites:
 - Play area The Maltings, Enclosed, Littlebourne
 - Play area Black Griffin Lane, Canterbury
 - Sturry Road Community Park Garden Area, Northgate
 - 4.3 The requirement of a person in charge of a dog on land to which the order applies, to produce (if asked to do so by an officer) a suitable means to pick up, remove and appropriately dispose of dog faeces

Record of voting:

For the proposal (12): Councillors Keith Bothwell, Dane Buckman, Rachel Carnac, Elizabeth Carr-Ellis, James Flanagan, Liz Harvey, Harry McKenzie, Keji Moses, Peter Old, Paul Prentice, Dan Smith and Naomi Smith.

Against the proposal (0):
Abstained from the proposal (0) :

The following recommendation was then proposed and seconded.

The adoption of a new Dog Control PSPO 2024, **for Long Rock area only**, as set out in Appendix D which includes requirements relating to :

- Dog fouling
- Dog on lead of no more than two metres as per locations listed in Schedule 1 of Appendix D
- Direction given to place dog on lead
- Dog exclusion as per locations listed in Schedule 2 of Appendix D

When put to a vote it was believed that there was an equality of four votes for and four against the proposal, with three abstentions. The Chair declined to use his casting vote and it was agreed that the report to Cabinet should reflect the vote taken with numbers to demonstrate the split views - along with all comments made by the Committee.

Subsequently it was realised that the vote was five votes for and four against, with three abstentions. The actual vote is reflected in the minutes.

Record of voting:

For the proposal (5): Councillors Keith Bothwell, James Flanagan, Keji Moses, Peter Old and Dan Smith.

Against the proposal (4): Councillors Dane Buckman, Elizabeth Carr-Ellis, Harry McKenzie and Naomi Smith.

Abstained (3): Councillors Rachel Carnac, Liz Harvey and Paul Prentice.

(Councillor Liz Harvey arrived during the officer introduction for this item.)

596. Long Rock Management Plan

The Senior Environment Manager introduced the report detailing the Long Rock Management Plan following public consultation.

There were three options detailed within the report which were:

Option 1: Cabinet approves the adoption of the Long Rock Management Plan and its implementation.

Option 2: Cabinet does not approve the adoption of the Long Rock Management Plan but supports its implementation.

Option 3: Cabinet does not approve the adoption or implementation of the Long Rock Management Plan or its implementation.

Councillors discussed the report, asked questions and for clarifications from the officers and Cabinet Members, and made points, including the following:

- Councillors welcomed the management plan and congratulated the officers.

- It was noted that there wasn't a Friends Group set up and it was suggested that local councillors might like to help get one established.
- It might be possible to treat the whole coastline as linked areas going forward. Officers already worked closely with foreshore and engineering teams.
- Officers would welcome support from local councillors to build upon emerging relationships with residents.
- The public had previously not been keen when previously consulted about a possible footpath at the site but this may be something that a Friends group could consider going forward.
- It was hoped an information leaflet could be produced summarising the Management Plan.
- Signage was also being reviewed and would hopefully be installed at the site shortly.

It was proposed, seconded and when put to a vote unanimously agreed:

TO RECOMMEND (to Cabinet) that the Long Rock Management Plan be adopted.

Record of voting:

For the proposal (12): Councillors Keith Bothwell, Dane Buckman, Rachel Carnac, Elizabeth Carr-Ellis, James Flanagan, Liz Harvey, Harry McKenzie, Keji Moses, Peter Old, Paul Prentice, Dan Smith and Naomi Smith.

Against the proposal (0):

Abstained from the proposal (0) :

597. Any other urgent business to be dealt with in public

There was no business under this item.

598. Exclusion of the press and public

599. Any other urgent business which falls under the exempt provisions of the Local Government Act 1972 or the Freedom of Information Act 2000 or both

There was no business under this item.

Meeting closed at 20:28

CANTERBURY CITY COUNCIL

PLANNING COMMITTEE

Minutes of a meeting held on 6 February 2024,
At 7.00 pm in The Guildhall, St. Peter's Place, Westgate, Canterbury

Present: Councillor Pat Edwards (Chair)
Councillor Dan Smith (Vice Chair)
Councillor Keith Bothwell
Councillor Dane Buckman
Councillor Roben Franklin
Councillor Robert Jones
Councillor Harry McKenzie
Councillor Tom Mellish
Councillor Peter Old
Councillor Paul Prentice
Councillor David Thomas

Officers:

Simon Thomas - Head of Planning and Health
Stevie Andrews - Planning Manager (Development Manager)
Cath Wallen - Principal Solicitor
Elizabeth Donnachie - Planning Officer
Ashley Kynes - Planning Officer
Lauren Wheeler - Democratic Services Officer

512. Apologies

Apologies were received from Councillor Carr-Ellis, Councillor Ian Stockley

513. Substitute members

There were no substitute members.

514. Declarations of any interests by councillors or officers

A generic announcement was made on behalf of all committee members, as follows:
All or some councillors may have received correspondence from or spoken with applicants, agents, supporters or objectors, and some of the public speakers may also be known to members of the committee due to their work as councillors. Neither circumstance prevents councillors from participating in the meeting. However, any

councillor who considers that they do not have an open mind, in respect of any item on the agenda, should not participate in the meeting when the relevant item is to be Discussed.

The following interests were also declared at the meeting:

In respect of item 7, Application No CA/23/02091/FUL, Councillor McKenzie was predetermined and left the Chamber for the item following the speaker section.

In respect of item 8, Application No CA/23/02067/LDC, Councillor Franklin, Councillor Old, and Councillor Smith declared an interest in respect of the application having been made by party member Councillor Sole.

515. Public Participation

The public speakers for the meeting were heard immediately before the consideration of the relevant application below.

516. LIST OF APPLICATIONS AND PROPOSALS

The Committee considered the planning applications, received the observations thereon of interested parties, the reports and recommendations of the Head of Planning, and the comments at the meeting from the public speakers on the applications referred to below. At the commencement of the consideration of the applications, the Committee received a presentation about each application, which included a display of plans, drawings and photographs.

Planning Application No. / Site / Page Nos.	Speakers
Item 5 Application No. CA/23/01248/FUL 48 St Dunstons Street. Canterbury (pages 9-21)	<ol style="list-style-type: none"> 1. Ashley Newstead (supporter) 2. Noemi Bryd (counsel for the agent) 3. Mrs Dunkel (objector)
Item 7 Application No. CA/23/02091/FUL Calcott Bungalow, Calcott Hill, Sturry (pages 32-39)	<ol style="list-style-type: none"> 1. Ms B Goldin (Applicant/supporter), read by Ward Councillor McKenzie

Planning Application No. / Site / Page Nos.	Speakers
Item 8 Application No. CA/23/02067/LDC Birch Lodge, Kingston (pages 40-43)	

516.1 Application No. CA/23/01248/FUL 48 St Dunstons Street. Canterbury

Two and a half-storey building with retail use at ground floor and 2 apartments at first floor and within roof space.

A proposal was put that planning permission be GRANTED for the development described in the above application, subject to safeguarding conditions.

When put to a vote, the proposal was AGREED by the committee.
A record of the vote was taken as follows:

For the proposal: Councillors Bothwell, Buckman, Edwards, Franklin, Jones, McKenzie, Mellish, Old, Prentice, D Smith, Thomas (11)

Against the proposal: None (0)

Abstained from voting: None (0)

516.2 Application No. CA/20/00399/VAR Disused Railway Embankment From All Saints Close To Northwood Road, Whitstable

The application was withdrawn prior to the meeting.

516.3 Application No. CA/23/02091/FUL Calcott Bungalow, Calcott Hill, Sturry

[Councillor McKenzie was predetermined and left the Chamber for the item following the speaker section.]

Change of use from residential dwelling to mixed use comprising first floor flat and a dental and aesthetics clinic and associated external alterations together with extension to car park and creation of new vehicular access.

A proposal was put that planning permission be REFUSED for the development described in the above application.

For the proposal: Councillors Bothwell, Buckman, Edwards, Franklin, Jones, Mellish, Old, Prentice, D Smith, Thomas (10)

Against the proposal: None (0)

Abstained from voting: None (0)

516.4 Application No. CA/23/02067/LDC Birch Lodge, Kingston

[Councillor Franklin, Councillor Old, and Councillor D Smith declared an interest in respect of the application having been made by party member Councillor Sole.]

Application for lawful development certificate for proposed replacement of the ground floor rear UPVC window with UPVC french doors.

It was put to the committee that the proposal was Lawful.

For the proposal: Councillors Bothwell, Buckman, Edwards, Jones, Mellish, Prentice, Thomas (8)

Against the proposal: None (0)

Abstained from voting: Councillors Franklin, Old, D Smith (3)

517. Planning Appeals Report

There were no planning appeals decisions to report.

518. Any urgent business to be dealt with in public

There was no other urgent business to be dealt with in public.

519. ANY OTHER URGENT BUSINESS WHICH FALLS UNDER THE EXEMPT PROVISIONS OF THE LOCAL GOVERNMENT ACT 1972 OR THE FREEDOM OF INFORMATION ACT 2000 OR BOTH

There was no other urgent business which fell under the exempt provisions

There being no other business the meeting closed at 8.00pm

CANTERBURY CITY COUNCIL

PLANNING COMMITTEE

Draft Minutes of a meeting held on 5 March 2024,
At 7.00 pm in The Guildhall, St. Peter's Place, Westgate, Canterbury

Present:

Councillor Dan Smith (Chair)
Councillor Keith Bothwell
Councillor Dane Buckman
Councillor Elizabeth Carr-Ellis
Councillor Chris Cornell
Councillor Roben Franklin
Councillor Robert Jones
Councillor Harry McKenzie
Councillor Tom Mellish
Councillor Peter Old
Councillor Naomi Smith
Councillor Ian Stockley
Councillor David Thomas

Officers:

Stevie Andrews - Planning Manager (Development Manager)
Cath Wallen - Principal Solicitor
Christian De Grussa - Planning Officer
Lauren Wheeler - Democratic Services Officer

600. Apologies

Apologies were received from Councillor Pat Edwards and Councillor Paul Prentice.

601. Substitutes

Councillor Chris Cornell was present for Councillor Pat Edwards, and Councillor Naomi Smith was present for Councillor Paul Prentice.

602. Declarations of any interests by councillors or officers

A generic announcement was made on behalf of all Committee members, as follows:
All or some councillors may have received correspondence from or spoken with applicants, agents, supporters or objectors, and some of the public speakers may

also be known to members of the Committee due to their work as councillors. Neither circumstance prevents councillors from participating in the meeting. However, any councillor who considers that they do not have an open mind, in respect of any item on the agenda, should not participate in the meeting when the relevant item is to be discussed.

No interests were declared at the meeting.

603. Public Participation

There were no public speakers at the meeting.

604. Minutes of the meetings held on 9th January and 6th February

The minutes were confirmed as a true record by general assent.

605. LIST OF APPLICATIONS AND PROPOSALS

The Committee considered the planning applications, received the observations thereon of interested parties, the reports and recommendations of the Head of Planning, and the comments at the meeting from the public speakers on the applications referred to below. At the commencement of the consideration of the applications, the Committee received a presentation about each application, which included a display of plans, drawings and photographs.

Planning Application No. / Site / Page Nos.	Speakers
Item 6 Application No. CA/23/02378/FUL Land between Allora and Mill Tor Marlborough Road, Whitstable (pages 19-27)	

605.1 Application No. CA/23/02378/FUL Land between Allora and Mill Tor Marlborough Road, Whitstable

Two-storey detached dwelling together with detached garage

A proposal was put that planning permission be GRANTED for the development described in the above application, subject to safeguarding conditions.

When put to a vote, the proposal was AGREED by the Committee.
A record of the vote was taken as follows:

For the proposal: Councillors Bothwell, Buckman, Carr-Ellis, Chris Cornell, Franklin, Jones, McKenzie, Mellish, Old, D Smith, N Smith, I Stockley, Thomas (13)

Against the proposal: None (0)

Abstained from voting: None (0)

606. Planning Appeals Report

There were no planning appeals decisions to report.

607. Any other urgent business to be dealt with in public

There was no other urgent business to be dealt with in public.

608. Any other business which falls under the exempt provisions

There was no other business which fell under the exempt provisions.

There being no other business the meeting closed at 7:14pm.

CANTERBURY CITY COUNCIL

PLANNING COMMITTEE

Minutes of a meeting held on 2 April 2024,
At 7.00 pm in The Guildhall, St. Peter's Place, Westgate, Canterbury

Present:

Councillor Pat Edwards (Chair)
Councillor Dan Smith (Vice Chair)
Councillor Keith Bothwell
Councillor Dane Buckman
Councillor Elizabeth Carr-Ellis
Councillor Roben Franklin
Councillor Robert Jones
Councillor Harry McKenzie
Councillor Tom Mellish
Councillor Peter Old
Councillor Paul Prentice
Councillor Ian Stockley
Councillor David Thomas

In attendance:

Councillor Connie Nolan

Officers:

Simon Thomas - Head of Planning & Health
Jessica Harrison - Principal Planning Officer
Cath Wallen - Principal Solicitor
Pippa Tritton - Democratic Services Officer

670. Apologies

There were no apologies for absence.

671. Substitutes

There were no substitutes required.

672. Declarations of any interests by councillors or officers

A generic announcement was made on behalf of all Committee members, as

follows:

All or some councillors may have received correspondence from or spoken with applicants, agents, supporters or objectors, and some of the public speakers may also be known to members of the Committee due to their work as councillors. Neither circumstance prevents councillors from participating in the meeting. However, any councillor who considers that they do not have an open mind, in respect of any item on the agenda, should not participate in the meeting when the relevant item is to be discussed.

In addition, the following interests were declared at the meeting:

In respect of Item 6.1, Application No.CA/23/02263/FUL, Councillor Prentice made a voluntary announcement that he was the Ward Councillor.

In respect of Item 6.1, Application No.CA/23/02263/FUL, Councillor Franklin made a voluntary announcement that he was an alumni of Canterbury Christchurch University College.

673. Public Participation

The public speakers for the meeting were heard immediately before the consideration of the relevant application below.

674. Minutes of the meetings held on 5th March

The minutes were confirmed as a true record by general assent.

675. LIST OF APPLICATIONS AND PROPOSALS

The Committee considered the planning application, received the Observations thereon of interested parties, the reports and recommendations of the Head of Planning, and the comments at the meeting from the public speakers on the applications referred to below. At the commencement of the consideration of the applications, the Committee received a presentation about each application, which included a display of plans, drawings and photographs.

Planning Application No. / Site / Page Nos.	Speakers
Item 6 Application No.CA/23/02263/FUL Canterbury Christchurch	1. Phil Poole (Havelock Street Community Group) 2. Councillor Connie Nolan (Ward Councillor)

<p>UniversityCollege, North Holmes Road, Canterbury</p> <p>(pages 9-32)</p>	<p>3. Rama Thirunamachandran (Applicant -Vice-Chancellor of Canterbury Christ Church University)</p>
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675.1 Application No.CA/23/02263/FUL Canterbury Christchurch UniversityCollege, North Holmes Road, Canterbury

Retention of the existing medical school building with some of the existing rooftop plant to remain on the roof of the building together with proposed screening and the relocation of some of the plant from the roof to ground level together with hard and soft landscaping, parking and other associated works.

A proposal was put that planning permission be granted for the development described in the above application, subject to safeguarding conditions.

When put to a vote, the proposal was AGREED by the Committee.

A record of the vote was taken as follows:

For the proposal: Councillors Buckman, Carr-Ellis, Edwards, Franklin, Jones, McKenzie, Mellish, Old, Prentice and I Stockley (10)
 Against the proposal: Councillors Bothwell and Thomas (2)
 Abstained from voting: Councillor D Smith (1)

There was a short adjournment whilst members of the public left the council chamber.

676. Planning Appeals Report

The report was NOTED by general assent.

677. Any other urgent business to be dealt with in public

There was no other urgent business to be dealt with in public.

678. Any other business which falls under the exempt provisions

There was no other business which fell under the exempt provisions.

There being no other business the meeting closed at 8.08 pm.

Scrutiny Sub-Committee
7 pm, Wednesday 28 February 2024
The Guildhall

DRAFT minutes

Present:

Councillor Rachel Carnac (chair)
Councillor Clare Turnbull (vice chair)
Councillor Alister Brady
Councillor Dane Buckman (substitute)
Councillor Lee Castle
Councillor Roben Franklin
Councillor Joe Howes
Councillor Harry McKenzie
Councillor Keji Moses
Councillor Paul Prentice
Councillor Dan Watkins

In attendance:

Peter Davies - Director, Strategy and Improvement
Caroline Marlow - Head of Digital, Data and Improvement#
Richard Moore - Head of Transport and Environment
Andrea James - Democratic Services Officer

581. Apologies

Apologies were received from Councillors Tom Mellish and Steph Jupe.

582. Substitutes

Councillor Dane Buckman was present as a substitute for Councillor Mellish.

583. Declarations of any interests by councillors or officers

There were no declarations of any interest by councillors or officers.

584. Public Participation

There were no public speakers for the meeting.

585. LUF Quarterly Updates

The Head of Digital, Data and Improvement introduced the report, which gave an update on progress made on the Connected Canterbury Levelling Up project following the last

monitoring return submitted to the Department for Levelling Up, Housing and Communities (DLUHC).

Members asked questions, made points and asked for clarifications, including the following:

- In the next report, could active project strands be reported on individually with clear timelines and cost breakdowns. Individual project monitoring on the key strands with highest public interest, such as the castle, the bus station and the Westgate Square, would be very welcome.
- The weighting given to environmental and sustainability aspects when purchasing / assessing bids would be reviewed, and the Principal Policy Officer (Climate and Environment) consulted on the programme as a whole.
- Sustainability was a key consideration in all project design, but cost was also an important factor.
- There was a geographical constraint on what LUF funds could cover in terms of street lighting. The design of any lighting provided under LUF would be informed by a broader strategic overview so that it would fit in with 'the bigger picture' developed for the city and the district.
- Improving street lighting was always a complex issue as approximately 80% of the lights in the district were owned and managed by Kent County Council (KCC). The City Council had to work in partnership with KCC to review what could be done to improve lighting across the city in a holistic manner.
- The LUF team would look to have conversations with further / higher education providers in the city to see if they could be involved in the programme in some way, to maximise opportunity.
- The bus station works were key for the whole project. They had to take place during the school summer holidays to allow time for construction works to be undertaken. It had been decided to push this work back a year from summer 2024 to summer 2025 to ensure that it could be properly planned for and successfully completed. However, if the works did not take place in summer 2025 there was no other contingency plan.
- It would be useful for the responsible Cabinet Member to attend a Scrutiny Sub-Committee meeting to discuss the bus station works, once the draft Local Plan documents and strategies had been published for public consultation.
- Some things that looked like easy wins on the timelines published on the council LUF project web pages could not be actioned early as there was a chronological necessity for other work to take place first.

It was agreed by general assent TO NOTE the report.

586. Park and Ride Monitoring

The Head of Transport and Environment gave a verbal overview of current park & ride monitoring and performance, and what could be provided going forward once the Sturry Road Park & Ride site reopened on 1st April. He referred to a graph showing Park & Ride usage since 2000 that had been circulated to members before the meeting by email, and which is attached to these minutes for reference.

Members asked questions and for clarifications and made comments, including the following:

- Peak Park & Ride usage had been in 2007.
- Members had been considering how to boost Park & Ride usage when the Covid pandemic occurred, which had had a huge impact on Park & Ride use in particular, and public transport usage in general.
- Usage at the two currently functioning Park & Ride sites was still only at 50-60% of

pre-Covid usage.

- The following could be accurately monitored within current budgets and working regimes: individual Park & Ride parking acts; numbers of people in each car using Park & Ride; levels of footfall in the city and correlation with Park & Ride usage; where people using the service came from (via regular surveys).
- It was suggested two reports each year should be made to the Scrutiny Sub-Committee on this subject.
- Timing of the first report would be finalised once the Scrutiny Sub-Committee schedule of work for the next municipal year had been reviewed (with a view to balancing the number of reports coming for each meeting).
- The draft Transport Strategy going to Cabinet on 11th March set an annual target of 1 million parking acts at the city's Park & Ride sites by 2040. This aspirational target would require demand management.
- The break-even point for each Park & Ride site would be calculated and the income / cost of each site each monitored in the reports.
- Any correlation between reduced city centre parking and increased use of Park & Ride could be reported.
- Impact on air quality in the city would be difficult to attribute, but a calculation of the carbon benefit of each car using the Park & Ride not driving into the city centre could be made.
- Stagecoach reported to the council on Key Performance Indicators that reflected Park & Ride bus performance, including reliability. This information could be shared with the Scrutiny Sub-Committee.
- Live tracking was not part of the Park & Ride package as the buses were generally expected to run every 10-12 minutes. Delays were usually due to incidents in the city centre that were outside the operator's control. When such incidents happened, staff would inform passengers at the Park & Ride sites.
- It would be useful to monitor early morning and evening usage, with a view to considering extending the service if there was demand.
- 200 - 300 car parking events each day at Sturry Road Park & Ride would not make a significant impact on traffic going through Sturry, which was currently over 12,000 per day. It was unlikely there would be a big difference either way for air quality in Sturry as a result of the Park & Ride reopening, but the reduction of car parking in the city centre would make a positive impact on that environment.
- The Park & Ride sites were unlikely to negatively impact on ordinary bus usage, but if they did, Stagecoach would be well placed to inform the Council of this.
- Usage figures had taken a dip in 2018 possibly due to the Council introducing a price rise.
- Marketing of the service had previously been patchy. There was £30,000 in the budget for 2024/25 to cover marketing of the Park & Ride service.
- Use of the Sturry Road Park & Ride would have to increase massively to make it work in terms of reducing carbon emissions, as with minimal use, the buses caused more pollution than they prevented.
- Step changes in bus, and Park & Ride, usage would come about when an additional bus lane was put in place, the Sturry relief road was complete and city centre car parks were reduced in size or closed.
- The decision to reopen the Sturry Road Park & Ride had not been made on a business case, but as a part of a new strategic approach to buses and transport in general.
- Target figures for usage could be developed, but they would need to reflect the overall vision for transport, rather than just the reduction in subsidy for the Park & Ride sites.
- The budget for Park & Ride was part of the 'parking' parcel under the budget; Park & Ride couldn't be considered in isolation from parking.
- The new draft strategies under the draft Local Plan would set out ways to measure

- their success, but would not provide annual targets.
- Park & Ride needed to be monitored alongside the bus-first strategy, active travel initiatives, etc.
 - Cars parked at Park & Ride usually stayed there for 3-4 hours, whereas in city centre car parks they stayed for 1-2 hours on average.
 - Usage surveys could tell the Council where Park & Ride users were coming from.
 - Usage surveys should be annual for the first three years.
 - Could the universities canvass students to find out levels of usage among them?
 - Usage data could be broken down day by day.
 - Stagecoach should be invited to report to the Sub-Committee on Park & Ride performance once all three sites were fully open.
 - The timing of the reports to Scrutiny Sub-Committee would be confirmed, but September and March were suggested.

It was agreed by general assent that the monitoring reports should include the following: Data on daily usage (cars and passengers), length of parking stays; income generated; data on city centre congestion / carbon benefit of Park & Ride parking acts; survey feedback (profile of users and where they came from); impact of marketing spend; annual / longer term targets for increased P&R usage;

587. Any other urgent business to be dealt with in public

There was no other urgent business to be dealt with in public.

588. Exclusion of the press and public

This item was not required.

589. Any other business which fall under the exempt provisions

There was no other business which fell under the exempt provisions.

The meeting ended at 20:10.

Whitstable Harbour Board
3pm, Friday 15 March 2024
Mallandain Room, Whitstable Castle

DRAFT MINUTES

Present:

Councillor Chris Cornell (Chair)
Sandy Lynam
Peter Steen
Neil Webster*
Councillor Michael Dixey
Councillor Andrew Harvey (substitute)
Councillor Joe Howes
Councillor Robert Jones
Councillor Naomi Smith
Councillor Clare Turnbull

In attendance:

Amber Gilbert - Principal Lawyer (Property) & Deputy Monitoring Officer
Andrea James - Democratic Services Officer
Michelle Moubarak* - Head of Culture, Leisure & External Development / Museums
Director
Andrew Pullen - Technician Engineer
Liam Woollorton - Head of Engineering
Adam Wright - Lead Surveyor
Matthew Young - Harbour and Foreshore Manager

*Present for part of the meeting

638. Apologies

Apologies were received from Councillors Keith Bothwell and Simon Warley. An apology for lateness was also received from Neil Webster.

639. Substitute Members

Councillor Andrew Harvey was present as a substitute for Councillor Keith Bothwell.

640. Declarations of interests by board members or officers

Peter Steen made a voluntary announcement that he was a member of Whitstable Maritime.

Councillor Michael Dixey made a voluntary announcement that he was Cabinet Portfolio Holder for Property, Performance and Oversight in relation to Item 15, Property Action Plan Updates.

641. Public Participation

Mr West, a member of the Whitstable Fishermen's Association, thanked the Harbour Board and the Council for the memorial bench which had been unveiled the previous day, and for their support for the harbour since the 1960s, noting that the harbour had been very important to both his parents.

The Chair noted the Board's condolences to Mr West for his father's recent passing.

642. Minutes of the meeting held on 19 January 2024

The minutes of the previous meeting were confirmed as a true record by general assent.

643. South Quay Shed Annual Report 2023/2024

The Head of Culture, Leisure and External Development / Museums Director introduced the report, which gave an overview of operations at the South Quay Shed over the last year and compared data from the previous year to track the progress of the business.

Members asked questions, made clarifications and raised points, including the following:

- 95% occupancy was in the current budget for this year, with the same for 2025/26 (as it had been set for three years). It was hoped that we would get closer to this target over the coming months and years (there would be 100% for the start of the new financial year), but the budget projections may need to be reviewed, if 95% occupancy was not attainable.
- Food units were easier to let than retail, which could result in the SQS becoming more of a food hall.
- Rents for retail units were set lower than those for food outlets in order to encourage them in and to reflect that retail units were less profitable.
- While there were more food outlets than retail outlets, the retail outlets tended to stay open longer.
- Different opening hours for different units could discourage customers.
- Google reviews were being used as a barometer of customer satisfaction. A questionnaire was also being developed, but the best timing and scope of a customer survey was still being considered.
- Pilot education and community projects had been undertaken at SQS. Initial events had developed organically, but now the Strategic Plan was in place the WHB could look more closely at what good projects looked like and how the space could be used to best effect.
- The community classroom was a "Goal" in the new Strategic Plan. A business case would have to be considered, to make sure it didn't take others' trade.

- Goals were different from Commitments in the Plan as commitments were things we did every year, year in, year out. Goals were distinct pieces of work to meet our aspirations.
- Informal meetings could be held at the SQS, or scheduled events after hours. The community room could be available to book, but it was important that the facility did not duplicate services already being offered elsewhere or take business from other spaces such as the Horsebridge and Whitstable Castle.
- If the mission was to support small businesses, then the relatively high turnover of businesses was not too troubling in itself as it went with the territory.
- Some independent feedback on how things were going would be useful; some external challenge / expert advice on business incubation.
- The SQS was intrinsically linked with how the Harbour wanted to position itself and would fit in with the wider Strategic Plan, but was currently difficult to brand / promote as it was such an eclectic mix.
- 1 or 2 members of the WHB should be involved in developing / selecting the public art brief in April.

The report was NOTED by general assent.

644. Whitstable Harbour Strategic Plan

The Head of Engineering presented the report, which updated the board on the proposed final draft of the strategic commitments and goals, and proposed a timeline for completion of the Whitstable Harbour Strategic Plan.

Members asked questions, made clarifications and raised points, including the following:

- The United Nations Sustainable Development Goals should be listed out in full in the final draft.
- The Strategic Plan could be considered operational as of April, so at the next meeting in June the Board could talk more about how each of the items on it could be achieved.
- A dedicated Whitstable online presence should be developed and tied in with a destination and marketing plan. An online presence that was both useful and interesting was needed; something like 'Visit Canterbury'.

The report was NOTED by general assent.

645. Whitstable Harbour Board Governance Arrangements

The Head of Engineering presented the report, which reviewed the governance proposals for the Whitstable Harbour Board previously put forward by Harbour Board members for consideration, and which were now set out again, some with some suggested changes and either / or options.

Members went through each proposal one at a time, asking questions of the officers, making clarifications and raising points. Discussion points included the following:

Proposal 1 – That the WHB become a committee of Council and not Cabinet.

- The proposal was agreed.

Proposal 2 – That WHB maintain a ten-year (not five-year) plan of quay maintenance and provide this annually to the Council.

- The proposal was agreed.

Proposal 3 – That the WHB agree a ten-year strategic plan and develop a business plan to identify cost implications to the Council throughout this period.

- The proposal was agreed.

Proposal 4 – The Council explores whether advice in the Department for Transport's Ports Good Governance means that a ring-fenced reserve for quay maintenance could be set up.

- The officer advice was discussed and the revised form of words considered.
- With the caveat that early input and involvement of WHB was needed in the budget setting process in future, it was agreed that the officer-suggested revised proposal be adopted, as follows; 'That proposals for a ring-fenced reserve for quay maintenance are referred directly to the Service Director for Finance and Procurement to consider the financial implications on the wider council budget. These implications will be fed into the future budget-setting process.'

Proposal 5 – WHB would receive (confidentially) a copy of the budget submission for the Harbour and the agreed budget – in order to ensure we have sufficient funds to complete works.

- Members felt more transparency was very welcome.
- It was agreed that the word 'confidentially' should be removed from the proposal.
- The revised proposal was then agreed.

Proposal 6 – That the designated officer will annually ensure flexibility and discretion is given to the Lead Officer of the Harbour in the budget setting process to achieve the strategic goals.

- It was agreed that the words 'in line with the delegations set out in the Constitution' be added to the proposal.
- The proposal was then agreed as follows: 'That the designated officer will annually ensure flexibility and discretion is given to the Lead Officer of the Harbour in the budget setting process, to achieve the strategic goals, in line with the delegations set out in the Constitution.'

Proposal 7 – The WHB will continue to appoint its own independent members and function as outlined in the Terms of Reference /MoU

- It was agreed to remove this proposal as per the officer's advice and to continue with the current arrangements.

Proposal 8 – That the WHB will have full discretion on the formation of 'task and finish groups' (previously referred to as working groups)

- WHB working groups / task and finish groups were usually fairly light work for officers.
- It was agreed that the words 'subject to officer capacity being available' be added to the end of the proposal.
- The revised Proposal 8 was then agreed as follows: 'That the WHB will have full discretion on the formation of 'task and finish groups' (previously referred to as working groups) subject to officer capacity being available.'

Proposal 9 – That clarification will be sought as to whether the MoU will need amending were the byelaw to be amended / repealed

- The proposal was agreed.

Proposal 10 – The size of the WHB change to 5 councillors and 4 independent members, in line with the Department for Transport's Ports Good Governance Guidance, with political balance retained and a councillor appointed as chair

- Could an independent member become vice-chair?
- Ideally the additional independent post would be filled before September 2024.
- The proposal was agreed.

Proposal 11 – That the appointment of independent members be made by a panel of the WHB and ratified directly by Council and not via the Appointments Committee

- It was agreed that this proposal should be deleted.

It was proposed, seconded and, when put to a vote

AGREED to adopt the recommendations to the Governance Committee as set out on page 24 of the agenda and above, these being the revised form recommended by the officer for proposals 4, 5, 6, 7 and 11.

Record of the Vote:

For: Councillors Chris Cornell, Dixey, A Harvey, Howes, Jones, N Smith, Turnbull, Independent Persons Peter Steen, Sandy Lynam, Neil Webster (10)

Against: none (0)

Abstaining: None (0)

646. Harbour and Foreshore Manager's Report

The Harbour and Foreshore Manager introduced the report, which updated the Harbour Board on matters pertaining to legislation, management, harbour operations, staff, communication, publicity and general port marine issues.

The Board members discussed the report, asked questions and made points, including the following:

- While the trial by Aggregate Industries of utilising a barge for cargo from the Isle of Grain at East Quay had been successful and had already been repeated, it would not replace the work of the regular aggregate ships.

- The West Quay lay-by berth was limited in terms of what craft it could accommodate for repair works. Reduction in shingle had allowed more craft to access it, but this was always subject to tides. The safety of repair operations had been improved, but it was not something that could be actively promoted. The setting also meant that repair operations were limited to rudder and propeller repairs; it was not somewhere you could strip a craft of paint, for example.

The report was NOTED by general assent.

647. Engineer's report

The Technician Engineer introduced the report, which provided a summary for the Board of key points and forthcoming works.

The Board members discussed the report and made points, including the following:

- Additional repair works to the harbour launch ramp had been completed. They had been paid for from the existing maintenance budget without the need to request additional funding.

The report was NOTED by general assent.

648. Date of next meeting

The date of the next meeting was confirmed as 3pm, on Friday 21st June 2024.

649. Any other urgent business to be dealt with in public

There was no other urgent business to be dealt with in public.

650. Exclusion of the press and public

It was proposed, seconded and AGREED unanimously by general assent:

That under Section 100(A)(4) of the Local Government Act 1972, the press and public be excluded from the meeting during consideration of the following items of business on the grounds that there would be disclosure of exempt information as defined in Part 1 of Schedule 12A of the Act or the Freedom of Information Act or both.

651. South Quay Shed Annual Report 2023/2024

This item was not discussed under the exempt provisions.

652. Property Action Plan Updates

(Councillor Dixey made a voluntary announcement that he was Cabinet Portfolio Holder for Property, Performance and Oversight in relation to Item 15, Property Action Plan Updates)

The Lead Property Surveyor introduced the report, which gave updates on active property cases.

The recommendations of the Lead Property Surveyor, in terms of the matters detailed in the report, were agreed by general assent.

653. Any other business which falls under the exempt provisions

There was no other business that fell under the exempt provisions.

Draft Programme of meetings 2024-2025

Colours indicate reporting cycles. Dates in brackets are reserve dates indicating meetings to which regular business is not expected to be scheduled.

	Day of meeting	2024								2025				
		May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May
Council	Thursday 7pm	15 Annual Meeting (Wed)		18			24			9	24 (Mon) Budget 26 (Wed)**			7 (Wed) 15 Annual meeting
Cabinet	Monday 7pm		10	8			7	4 Budget	9		10 Budget	24	23 (Wed)	
Overview and Scrutiny Committee	Thursday 7pm	23	13			5	10	7		23 Budget	27	27		
Whitstable Harbour Board	Friday 3pm		21				11			10		7		
Joint Transportation Board	Tuesday 7pm		18				22					18		
Scrutiny Sub-Committee	Weds 7pm		26	(3) (25) Thurs		11	(23)	27*	(19) Thurs			5*	(10) Thu	(8) Thurs
Audit Committee	Weds 7pm			10			2			22		12		
Cabinet Committee (Companies)	Thursday 7pm							28				13		
General Purposes Committee	7 pm			4			8							
Governance Committee	Tuesday 7pm										25			

Regulatory Committees, Boards and other Panels and Groups	Day and time of meeting	2024								2025				
		May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May
Licensing Sub-Committee	Wednesday 10.30 am	Provisionally every Wednesday, except Christmas week												
Licensing Committee	Monday 10am	20		8 Annual Meeting										
Planning Committee	Tuesday 7pm	28	25	23	20	17	15	12	10	7	4	4	1 29	27
Planning Sub-Committee	Thursday 7pm	1 (Wed)				12						20		
Standards Committee	Monday 7pm			15										
Councillor Briefings (subject to change)	Wednesday 5.30pm online		12			4	9 30 Budget	20		15	12	19	30	
South Thames Gateway Building Control Joint Committee	Thursday 10am		27 AGM			26			12			13		

Meeting locations:

Most meetings will be held at The Guildhall, Westgate, Canterbury CT1 2DB. Members of the public can listen to the audio live stream at democracy.canterbury.gov.uk

Meetings of the Whitstable Harbour Board are normally held in The Mallandain Room, Whitstable Castle, Tower Hill, Whitstable CT5 2BW

Please note:

*Meeting includes hold date for call in

() Meeting is a hold date and will only be held if there is a call in

**Council Meeting - Reserve date, if required, for any additional decisions required for the Budget

Democratic Services Team - 01227 862009, democracy@canterbury.gov.uk