CANTERBURY CITY COUNCIL

Minutes of a meeting of the CANTERBURY CITY COUNCIL duly convened and held on Thursday, 22nd October, 2026 at 7.00 pm in The Guildhall, St Peter's Place, Canterbury

Present: Councillor Alister Brady (Lord Mayor)

Councillor Steph Jupe, Councillor Alan Baldock, Councillor Mike Bland, Councillor Dane Buckman, Councillor Jean Butcher, Councillor Peter Campbell, Councillor Lee Castle, Councillor Charlotte Cornell, Councillor Chris Cornell, Councillor Mel Dawkins, Councillor Michael Dixey, Councillor Pat Edwards, Councillor James Flanagan, Councillor Beth Forrester, Councillor Andrew Harvey, Councillor Liz Harvey, Councillor Stuart Heaver, Councillor Harry McKenzie, Councillor Tom Mellish, Councillor Keji Moses, Councillor Peter Old, Councillor Grace Paget, Councillor Paul Prentice, Councillor Alex Ricketts, Councillor Dan Smith, Councillor Naomi Smith, Councillor Mike Sole, Councillor Ian Stockley, Councillor Jeanette Stockley, Councillor David Thomas, Councillor Clare Turnbull and Councillor Dan Watkins

366 **Apologies for absence**

Apologies for absence had been received from Councillors Bothwell, Carnac, Hazelton, Jones and Nolan.

367 **Declaration of interests by councillors or officers**

Councillors Baldock, Sole, Watkins and A Harvey 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.

368 **Petitions or questions from the public**

(A)- Rights of the River petition

(a) Hallie Rounthwaite addressed the Council regarding a petition seeking council support for the development of a Rights of Rivers Charter to strengthen the protection of local rivers.

(b) It was noted that the petition referred to the second Motion on the agenda which would be debated later in the meeting.

(B) - Rights of the River question

(a) Alan Atkinson asked whether the Rights of Rivers motion should be withdrawn due to concerns about its practical implications, lack of consultation with local river groups and impact on local communities, including those in Bridge parish.

(b) It was noted that the question referred to the second Motion on the agenda which would be debated later in the meeting.

369 **Announcements**

The Lord Mayor had no announcements for the meeting.

The Leader of the Council provided an update on preparations for local government reorganisation and advised that, in line with guidance from the Minister for Local Government Devolution and Regional Growth, the Council was only undertaking work that would remain beneficial regardless of the future geography or timing of any new unitary authority arrangements.

Councillor Chris Cornell, Cabinet Member for Economic Development and Regeneration, encouraged applications to the Place Panels for Canterbury, Whitstable and Herne Bay advising that the panels would bring together local businesses, community representatives and councillors to help shape the future of the district's high streets. Members were asked to encourage suitable applicants ahead of the 3 November deadline.

Peter Davies, Joint Chief Executive updated members on recent global IT disruptions, confirming that critical systems and services had been prioritised and restored where necessary, with work ongoing to resolve a small number of outstanding issues

370 **Recommendations to Full Council from Cabinet**

There were no recommendations to Full Council from Cabinet for this meeting.

371 **Recommendations to Full Council from Committees and Boards**

371.1 **Review of Harbour Charges 20272028**

Councillor Chris Cornell proposed, and Councillor Turnbull seconded, the recommendation from the Whitstable Harbour Board on 9 October 2026 and it was RESOLVED

a) That the proposed Schedule of Charges be approved, with the following amendment: That the Fuel Levy remains unchanged, rather than applying the proposed 1.5% increase.

Record of voting
For (32): Councillors Alan Baldock, Mike Bland, Alister Brady, Dane Buckman, Jean Butcher, Peter Campbell, Lee Castle, Charlotte Cornell, Chris Cornell, Mel Dawkins, Pat Edwards, James Flanagan, Beth Forrester, Andrew Harvey, Liz Harvey, Stuart Heaver, Steph Jupe, Harry McKenzie, Tom Mellish, Keji Moses, Peter Old, Grace Paget, Paul Prentice, Alex Ricketts, Dan Smith, Naomi Smith, Mike Sole, Ian Stockley, Jeanette Stockley, David Thomas, Clare Turnbull and Dan Watkins.
Against: (0)
Abstained: (0)

372 **Councillors questions**

(a) Councillor Paget asked the following question:

It was encouraging to hear at Scrutiny Committee recently that recruitment has enabled the council's parking enforcement team to be back up to fully staffed capacity. Could the cabinet member outline what impact this has had and what action is being taken to address parking issues outside schools in Herne Bay and in particular the ones I shared with her during our visit to the roads surrounding the primary schools in Herne Village?

Councillor Chris Cornell as Cabinet Member for economic development and regeneration replied and advised that the Parking and Transport team was now fully staffed and had resumed regular school enforcement visits across the district. These visits helped improve road safety and traffic management by deterring illegal and inconsiderate parking, preventing obstruction of dropped kerbs and reinforcing safe parking practices.

In Herne Bay, enforcement activity had increased, with Herne Bay Infants School receiving five visits in 2026, resulting in 17 Penalty Charge Notices (PCNs). A further 19 enforcement visits had been undertaken across schools in Herne Bay, including Hampton Primary, Herne Bay Infants, Herne Bay Juniors, Reculver and Thornden Wood, resulting in 32 PCNs being issued.
In a supplementary question, Councillor Paget asked whether parking enforcement activity could also be considered at weekends, when schools often hosted additional activities and events.

Councillor Chris Cornell advised that schools could discuss any concerns with the enforcement team and highlighted the availability of the Think Park, Think Smart toolkit. It was noted that targeted enforcement operations could be undertaken where specific issues were identified by local councillors or headteachers.

b) Councillor Mellish asked the following question:

This Council has always recognised the diversity of the residents in the district and strived to ensure that everyone, whatever their ethnic origin, gender, sexual orientation or physical and mental differences, is able to develop in, and contribute to, what we are proud to call home.

The Kent Nationalist Movement is set to bring their message of hate and division to Herne Bay. Just like the National Front and The British National Party before them, KNM wrap themselves in the Union flag and the flag of St George, purporting to be patriots, but in fact they are nothing more than white supremacists.

Herne Bay has recently seen Cross of St George flags illegally erected on lamp posts along Central Parade, and elsewhere, replacing similar flags which had become dirty and tattered. These flags have been posted in advance of the nationalist demonstration on 24th October in Herne Bay. Would the Leader agree with me, that these flags have been erected to encourage not only those who have genuine concerns about immigration to support KNM, but to embolden others to bring their far-right opinions on to our streets? And would he agree that by refusing to remove these illegal flags,

Reform, at Kent County Council, appear to endorse the inflammatory messages put out by KNM?

Councillor Baldock, Leader and Cabinet Member for strategy and finance replied as follows:

Councillor Mellish is right to remind me and the Council that we are a Council committed to inclusion, and I hope that we always will be.
We know in our hearts that communities are stronger when we are united. That is why division is the purpose of the few who seek to divide our neighbourhoods for their own obvious ends.

The flags that you identify are, of course, not universally welcome across Herne Bay, or anywhere else, to be quite honest. For most people, they are simply a tatty piece of symbolism, free from context and meaningful purpose.
Those flags, erected without permission on Kent County Council property, such as lamp posts in Herne Bay, should, in this administration's opinion, be removed by Kent County Council quickly. It is not good enough for them to hide behind imagined, self-serving criteria for not removing flags except where they are causing a distraction or blocking a roadside. No permission should mean no flag.

If removals are not forthcoming, then Kent County Council and the Kent County Councillors for Herne Bay will have failed to deliver on residents' justifiable concerns. I hope residents with concerns will contact their Kent County Councillor and hold them to account.

By contrast, flags flown from Canterbury City Council property without permission will be removed. That decision follows our Council's long-standing flag policy, a policy that ensures we fly the Union Flag in Canterbury, Whitstable and Herne Bay every day. In doing so, we can proudly reflect the unity of the nations of the United Kingdom, and that is entirely lawful for us to do.

Finally, in answer to your question, Councillor Melish, it is perhaps right that we reflect on the words of Jo Cox:

"We are far more united and have far more in common than that which divides us." Her legacy has become our rock in troubled seas. It is that rock that we must find as a district and as councillors this weekend in Herne Bay.

It is for us all to celebrate what we have in common, to understand where we differ, and to show the tolerance that exists in our hearts and in our communities.

In a supplementary question, Councillor Mellish asked the Leader to write to the Reform leadership at Kent County Council and the local Reform county councillors for Herne Bay, urging the removal of the illegally erected flags as a matter of urgency, and also invited councillors and members of the public to attend a community unity gathering at the Clock Tower in Herne Bay.

The Leader responded that attendance at any protest or demonstration was a matter for individual councillors to decide. He confirmed that he would write to the two Kent County Councillors for Herne Bay regarding the flags and stated that he would consider writing to the Leader of Kent County Council at a later date should no effective action be taken.

[Councillor Dixey arrived during this item]

(c) Councillor Liz Harvey asked the following question:

There are two protests planned to take place at the Clocktower in Herne Bay on October 24. Given that the Clocktower is an iconic building of historic importance and having seen the damage that has been caused to buildings in other towns during these protests, what steps is the council taking to protect the Clocktower?

Councillor Prentice as Cabinet Member for transport and planning, replied as follows:

These protests have been planned well in advance. The police are having ongoing engagement with organisers to work out logistics and ensure there is as little disruption to the public as possible.

The police believe this will be a peaceful protest and do not anticipate any damage. The event itself will be well resourced by the police and as a council we have lined up Canenco to be on hand to clear up afterwards if there is a need.

In a supplementary question, Councillor Liz Harvey asked whether consideration had been given to the possibility of people travelling to Herne Bay from outside the district solely to provoke tensions or cause disruption during the protests.

In response, Councillor Prentice advised that lessons from recent protests in Dover had informed planning arrangements, with police and council officers agreeing measures to secure key locations, manage protest routes, monitor activity, and maintain safe separation between protesters and counter protesters.

(d) Councillor Watkins asked the following question:

My question relates to the payment which Kent County Council pays our council for our recycling rate performance. I suspect my fellow councillors are unaware that we have lost out on funds of £300,000 - and rising - due to Canenco's declining performance on recycling rates.

Following my previous question to Council on this topic, and several chasers since, finally it has been confirmed that since 2023 the KCC annual payment to our council has dropped from £570,000 to £430,000. This is due to Canenco missing the target 45% recycling rate by a significant margin. Previously we have been informed that our declining recycling rate has been driven by lighter packaging materials. However, I note that other councils in east Kent have not seen their KCC payments fall.

Losing £150,000 each year, which could be spent on essential front-line services, is a serious matter. I would ask if the Council would treat it as such by committing to a full investigation into the reason for our recycling underperformance versus other local councils, together with the development of an action plan to get us back on track?

Councillor Charlotte Cornell, as Cabinet Member for council services, culture

and heritage responded as follows:

We agree that the reduction in income matters, although I would slightly dispute your figures. We do want to improve our recycling performance and the payment we receive. It is not good enough that we have lost out on the income you have mentioned.

The Kent County Council payment reflects the baseline and performance provisions in our agreement rather than a straightforward 45% target for Canenco, and I am very happy to sit down with you and officers to go over the agreement and how that mechanism works to calculate the payment.

Our recycling rate fell from 44.5% in 2022/23 to 41.0% in 2023/24, when the nine-week waste strike significantly affected our collections. It improved the following year to 41.7% in 2024/25, and unverified data for 2025/26 suggests that rate is being maintained at 41.7%.

It is not good enough. I think we are asking many of the same questions. Two years on from the strike, why have behaviours not readapted to the previous position, or indeed improved upon it?

As you rightly point out, neighbouring authorities vary. In 2024/25, Dover reported a recycling rate of 43.3%, while Swale reported 34.9%.
We have discussed packaging changes before, along with food waste collections, garden waste subscriptions and how the cost of garden waste services might affect take-up. These are matters we discuss annually, and rightly so. However, you are right to point out that we are not catching up with some of our neighbouring authorities.

As such, we will compare our performance with similar councils and work with Kent County Council and Canenco on an action plan. I am happy to report that back to whichever committee is best placed to provide scrutiny and oversight of the data so that we can undertake the most thorough review possible.
We also have a resident mail-out on recycling, what we offer and how residents can take part, which will be issued on 7 November. That forms part of the simpler recycling work we undertake with Kent County Council. I hope that any future proposals to support recycling will receive your full support in the weeks ahead.

I would also like to thank those residents who do recycle their garden waste and food waste and who take the time to separate different waste streams. It is important that we continue to recognise those efforts and encourage others to follow them.

In short, yes, I agree. We will commission a report and report back. It is not good enough. We want to know what neighbouring authorities are doing right that we are not doing. I am very happy to have a separate meeting with you and officers to go through the contract and the figures in more detail, and we will return to the matter once that work has been completed.

In a supplementary question, Councillor Watkins welcomed the offer of a meeting to discuss recycling performance and asked when the Cabinet Member first became aware of the loss of revenue associated with the Council's recycling performance. He also asked why the matter had not previously been brought to the attention of the Council, or whether it had been considered by a

committee without wider awareness.

In response, Councillor Charlotte Cornell stated that the issue became apparent following the waste strike when recycling performance data indicated that the Council was unlikely to achieve the level required for the full Kent County Council payment. While the reduced performance during the strike year was not unexpected, it was more surprising that recycling behaviours had not returned to previous levels in the following year. She confirmed that both she and the waste team were aware of the issue before the verified data was received but acknowledged that insufficient scrutiny had been given to the continuing underperformance and the reasons behind it.

(e) Councillor Ian Stockley asked the following question:

It's some time since the section 19 public consultation. Will you provide an update on the progress of the local plan and when the inspector will begin their review?

Councillor Alan Baldock, Leader and cabinet member for strategy and finance, responded as follows:

Our planning team, and the team preparing the Local Plan, have been processing all the feedback received during the Regulation 19 consultation. They have been assessing that feedback and making modifications where appropriate. A huge amount of work has gone into this, and a great deal of effort has been made to refine the document.

It has been a significant task as part of a long and detailed process that is now coming towards its conclusion. The period following the Regulation 19 consultation has been devoted to that work.

We are on target to submit our checklist confirming the Local Plan to the Planning Inspectorate at the end of this month, and we believe the plan is ready for submission. The checklist will be reviewed by the Planning Inspectorate to ensure that everything required has been submitted. This is the first step towards final submission before 31 December this year.

Submitting before 31 December is important because it means our Local Plan will be examined under the existing NPPF rules, which are the rules under which the document has been prepared.

In terms of the Examination in Public, the next stage of the process, we are in the hands of the Planning Inspectorate, particularly as many councils will be submitting plans ahead of the Government's year-end deadline.

As long as we submit the plan before 31 December, we will have met that requirement. However, while this remains subject to change, we currently have the start of the Examination in Public pencilled in for March or April next year. In summary, the Local Plan will be submitted by the end of this year, and we are hopeful that the examination will begin in the early part of next year.

(f) Councillor Paget asked the following question:

This year marks the 80th Anniversary of Strode Park Foundation, which has one of its sites in Herne & Broomfield. The charity provides care, support

services and leisure activities for young people and adults with a range of disabilities in Kent. Could the cabinet member outline what work the council is currently doing to support people in Herne Bay and across the Canterbury district who are living with disabilities and in particular whether the public toilets at St Georges and at Hampton will include Changing Places facilities as part of their redevelopment to support people with disabilities to enjoy our seafront?

Councillor Charlotte Cornell, as Cabinet Member for council services, culture and heritage responded:

The work that Strode Park Foundation does is absolutely fantastic. It means a great deal to many families across the district, including many whom we know personally.

We provide a range of support for disabled residents. This includes adaptations to our council homes, Disabled Facilities Grants for eligible private tenants and homeowners, accessible public facilities, support for inclusive sports and cultural activities in our museums, and making reasonable adjustments to our services and opportunities wherever we can.

We also provide grants and other support to voluntary and community organisations delivering inclusive services, and we work with disabled residents to help shape our services and projects. We have also reinstated free parking for Blue Badge holders for up to three hours across the district.

Some key services, including adult social care, occupational therapy, sensory services and Blue Badges, are provided by Kent County Council. We work within that wider system to give people the support they need.

On Changing Places facilities specifically, these facilities are expensive and require a large footprint. We have worked hard to secure funding to provide them at Kingsmead Leisure Centre, the Beaney, Herons Leisure Centre and Whitstable Harbour. These facilities tend to work better within buildings than as standalone toilet facilities and are often best located alongside staffed facilities so that assistance can be provided quickly if needed.

The siting of Changing Places facilities is an important consideration. They contain expensive equipment and we are all aware of some of the challenges our public conveniences have faced in recent years.

Unfortunately, there is currently no funding available to install Changing Places facilities in other locations. However, we will continue to monitor opportunities as they arise and consider how issues such as antisocial behaviour may affect future provision. The last thing we would want is to install a facility and then lose it immediately.

Should an opportunity arise for us to provide a facility safely and in a location where support can be made available if required, we will pursue it. I am also happy to receive ideas and suggestions that might help make that happen.

In a supplementary question, Councillor Paget asked whether potential future funding for Changing Places facilities could be explored through sources such as Section 106 contributions or Community Infrastructure Levy (CIL) funding.

In response, Councillor Charlotte Cornell advised that she could not comment specifically on the use of Section 106 or CIL funding, as much of that funding was already allocated to identified projects. However, she described the provision of Changing Places facilities as a matter of personal importance to her, recognising how important they are for families and adults with disabilities.

She said that, should suitable funding become available, she would be delighted to support such a project, provided it could be delivered in a safe and maintainable location, and stressed that the possibility should remain under consideration.

373 **Notices of Motion**

373.1 **Motion: Disclosure and Barring Service (DBS) – Checks for new Members**

A) Councillor Forrester proposed, and Councillor Prentice seconded, the following Motion:

B) Council debated the Motion:

1. That such checks will ordinarily be undertaken prior to the exercising of their duties by any member who is willing, starting with those elected in the May 2027 elections.
2. To request, following a debate at full council, that the Joint Chief Executive develop and implement a clear protocol covering:
   - The handling, storage, and confidentiality of DBS information;
   - The process for considering any information disclosed;
   - Roles and responsibilities in decision-making;
   - The options available where concerns arise, including how these interact
     with Council or group decision-making processes.
3. To authorise the Joint Chief Executive to make the necessary administrative arrangements for the delivery of basic DBS checks in accordance with the agreed policy.
4. To request that the Leader write to the Secretary of State at MHCLG advising them of this motion and requesting that a recommendation for basic DBS checks for all councillors is considered in the LGR reforms.
5. To request that the Leader recommend that basic DBS checks for all councillors and enhanced checks for those discharging education or social care functions are recommended by Canterbury City Council in the development of the East Kent Unitary Authority.

C) An amendment in the form of additional wording 'costs to be paid by the council' was proposed and seconded, agreed by the Motion's proposer and seconder, and accepted into the Motion unanimously by general assent:

And it was RESOLVED:
1. That such checks will ordinarily be undertaken prior to the exercising of their duties by any member who is willing, starting with those elected in the May 2027 elections.
2. To request, following a debate at full council, that the Joint Chief Executive develop and implement a clear protocol covering:
   - The handling, storage, and confidentiality of DBS information;

- The process for considering any information disclosed;
- Roles and responsibilities in decision-making;
- The options available where concerns arise, including how these interact
  with Council or group decision-making processes.

3. To authorise the Joint Chief Executive to make the necessary administrative arrangements for the delivery of basic DBS checks in accordance with the agreed policy.
4. To request that the Leader write to the Secretary of State at MHCLG advising them of this motion and requesting that a recommendation for basic DBS checks for all councillors is considered in the LGR reforms.
5. To request that the Leader recommend that basic DBS checks for all councillors and enhanced checks for those discharging education or social care functions are recommended by Canterbury City Council in the development of the East Kent Unitary Authority.
6. Costs to be paid by the council.

Record of vote:
For (33): Councillors Alan Baldock, Mike Bland, Alister Brady, Dane Buckman, Jean Butcher, Peter Campbell, Lee Castle, Charlotte Cornell, Chris Cornell, Mel Dawkins, Michael Dixey, Pat Edwards, James Flanagan, Beth Forrester, Liz Harvey, Stuart Heaver, Steph Jupe, Harry McKenzie, Tom Mellish, Keji Moses, Peter Old, Grace Paget, Paul Prentice, Alex Ricketts, Dan Smith, Naomi Smith, Mike Sole, Ian Stockley, Jeanette Stockley, David Thomas, Clare Turnbull and Dan Watkins.
Against (1): Councillor A Harvey
Abstained (0)

373.2 **Motion: Declaration of Rights of the Stour (Kent)**

A) Councillor Edwards proposed, and Councillor Campbell seconded, the following Motion:

Canterbury City Council resolves, as far as existing resources allow:

- To recognise and support the above rights for the Stour (Kent) catchment within the jurisdiction of the council; to establish how they should be enforced and to create a Charter which stakeholders pledge to uphold.
- To work with community groups, statutory bodies and environmental experts to identify and support the practical recognition of those rights and to establish the standards, targets and data needed for this purpose.
- To embody the above rights into future Council policies, particularly those concerning planning, development, land use, water quality, water management and biodiversity, and to introduce institutional arrangements to give a voice to our rivers and ensure that they are represented in the consideration of such policies.
- To work together with local authorities in the Stour Catchment and the new unitary authority in East Kent to ensure that the rights of rivers and wetlands are adopted more broadly.
- To publish regular public reports on the work of Stour Environmental Credits company (SEC) to help ensure that the SEC makes a tangible difference to the health of our rivers and wetlands.
- To raise public awareness of the importance of the Kentish Stour and

support local initiatives and citizen science water testing to protect and restore the health of our rivers and wetlands;

- To request that the Environment Agency publishes an annual 'State of the Rivers' report to track progress in protecting river ecosystems.
- To hold water companies to account to protect public health, preserve river ecosystems and prevent environmental degradation caused by over abstraction and raw sewage spills.
- To advocate to regional and national bodies that they should adopt a river rights framework and enhanced protection for our chalk streams and freshwater ecosystems, including other water courses within our local authority.

B) Council debated the Motion:

C) An Amendment in the form of the replacement of the first bullet point -'To recognise and support the above rights for the Stour (Kent) catchment within the jurisdiction of the council; to establish how they should be enforced and to create a Charter which stakeholders pledge to uphold.' with the following two bullet points - 'To recognise and support the above rights for the Stour (Kent) catchment within the jurisdiction of the council, whilst at the same time taking action to address the problems faced by residents and businesses in the district whose properties are affected by flooding.' and 'To work together with the Friends of the Kentish Stour and other key stakeholders to create a Charter for the Stour (Kent) which all stakeholders pledge to uphold.' was agreed by the Motion's proposer and seconder, and accepted into the Motion unanimously by general assent:

D) And it was RESOLVED:

Canterbury City Council resolves, as far as existing resources allow:

- To recognise and support the above rights for the Stour (Kent) catchment within the jurisdiction of the Council, whilst at the same time taking action to address the problems faced by residents and businesses in the district whose properties are affected by flooding.
- To work together with the Friends of the Kentish Stour and other key stakeholders to create a Charter for the Stour (Kent) which all stakeholders pledge to uphold.
- To work with community groups, statutory bodies and environmental experts to identify and support the practical recognition of those rights and to establish the standards, targets and data needed for this purpose.
- To embody the above rights into future Council policies, particularly those concerning planning, development, land use, water quality, water management and biodiversity, and to introduce institutional arrangements to give a voice to our rivers and ensure that they are represented in the consideration of such policies.
- To work together with local authorities in the Stour Catchment and the new unitary authority in East Kent to ensure that the rights of rivers and wetlands are adopted more broadly.
- To publish regular public reports on the work of Stour Environmental Credits Company (SEC) to help ensure that the SEC makes a tangible difference to the health of our rivers and wetlands.
- To raise public awareness of the importance of the Kentish Stour and support local initiatives and citizen science water testing to protect and

restore the health of our rivers and wetlands.

- To request that the Environment Agency publishes an annual "State of the Rivers" report to track progress in protecting river ecosystems.
- To hold water companies to account to protect public health, preserve river ecosystems and prevent environmental degradation caused by over-abstraction and raw sewage spills.
- To advocate to regional and national bodies that they should adopt a river rights framework and enhanced protection for our chalk streams and freshwater ecosystems, including other watercourses within our local authority.

Record of voting:
For (33): Councillors Alan Baldock, Mike Bland, Alister Brady, Dane Buckman, Jean Butcher, Peter Campbell, Lee Castle, Charlotte Cornell, Chris Cornell, Mel Dawkins, Michael Dixey, Pat Edwards, James Flanagan, Beth Forrester, Andrew Harvey, Liz Harvey, Stuart Heaver, Steph Jupe, Harry McKenzie, Tom Mellish, Keji Moses, Peter Old, Grace Paget, Paul Prentice, Alex Ricketts, Dan Smith, Naomi Smith, Mike Sole, Ian Stockley, Jeanette Stockley, David Thomas, Clare Turnbull and Dan Watkins.
Against (0)
Abstained (0)

374 **Constitution updates - October 2026**

The Joint Chief Executive introduced the report, explaining that it noted the constitutional changes agreed by Council in July and outlined the further amendments required to implement the national scheme of delegation for planning functions from 31 October 2026. He advised that the necessary constitutional amendments would be made under existing delegated powers by the Monitoring Officer.

During the debate, a number of Members expressed strong opposition to the nationally imposed changes to the delegation of planning functions, arguing that they would reduce the role of Planning Committee, limit democratic accountability and diminish opportunities for residents and councillors to influence planning decisions in public. Concerns were raised that the changes would centralise decision-making and remove an important local voice from the planning process.

Other Members acknowledged those concerns but emphasised that councillors would continue to have opportunities to engage with planning applications at an earlier stage of the process and influence outcomes through discussion with officers and applicants.

The report was NOTED.

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

The following changes to memberships of committees and sub-committees were NOTED by general assent:

Councillor Paget removed from Whitstable Harbour Board as a member.

Councillor Jones removed from Whitstable Harbour Board as a substitute and added as a member.

376 **Minutes**

376.1 **Council - Wednesday, 16 September 2026**

Councillor Baldock proposed and Councillor Prentice seconded, approval of the minutes of the meeting held on 16 September 2026 and it was so

RESOLVED

Record of voting
For (33): Councillors Alan Baldock, Mike Bland, Alister Brady, Dane Buckman, Jean Butcher, Peter Campbell, Lee Castle, Charlotte Cornell, Chris Cornell, Mel Dawkins, Michael Dixey, Pat Edwards, James Flanagan, Beth Forrester, Andrew Harvey, Liz Harvey, Stuart Heaver, Steph Jupe, Harry McKenzie, Tom Mellish, Keji Moses, Peter Old, Grace Paget, Paul Prentice, Alex Ricketts, Dan Smith, Naomi Smith, Mike Sole, Ian Stockley, Jeanette Stockley, David Thomas, Clare Turnbull and Dan Watkins.
Against (0)
Abstained (0)

377 **Report back on Notices of Motion**

There were no updates on previous motions for this meeting.

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

378.1 **Cabinet - Monday, 5 October 2026**

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

378.2 **General Purposes Committee, Wednesday 16 September 2026**

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

378.3 **Licensing Sub-Committee - Wednesday, 9 September 2026**

It was proposed by Councillor Andrew Harvey and seconded by Councillor Jeanette Stockley and AGREED by general assent that the minutes of the above meeting be received.

378.4 **Licensing Sub-Committee - Wednesday, 23 September 2026**

It was proposed by Councillor Andrew Harvey and seconded by Councillor Jeanette Stockley and AGREED by general assent that the minutes of the above meeting be received.

378.5 **Overview Committee - Thursday, 10 September 2026**

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

378.6 **Planning Committee - Tuesday, 15 September 2026**

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

378.7 **Scrutiny Committee - Wednesday, 2 September 2026**

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

379 **Notices of urgent decisions made by the Joint Chief Executives under delegation**

There were no urgent decisions reported.

380 **Any other urgent business to be dealt with on the night**

(A) The Joint Chief Executive advised that the Monitoring Officer had published a Section 5 Report on 20 October 2026 and that Council was required to consider the report within 21 days of its publication. He explained that the item had not been published with five clear days' notice in accordance with the Local Government Act 1972 and was therefore being brought forward as a matter of urgency with the agreement of the Lord Mayor.

The Monitoring Officer introduced a statutory Section 5 Report under the Local Government and Housing Act 1989, advising that Public Spaces Protection Orders (PSPOs) made by the Council had been approved by Full Council when they should have been determined as an executive function. As a result, the PSPOs were unlawful.

The Monitoring Officer explained that the error arose from an incorrect interpretation of legislation following the Council's transition from the committee to the leader and cabinet model of governance in May 2022.

It was noted that, as the PSPOs had not been validly made, related enforcement action was also invalid. It was clarified that this did not affect littering enforcement carried out on the Council's behalf.

The Monitoring Officer outlined the proposed actions to address the matter, including revoking the existing PSPOs, remaking them through the correct decision-making process, contacting those affected by enforcement action, considering any appropriate remedies, and undertaking a review of other local choice functions to ensure compliance.

During the following debate, councillors expressed concern about the implications of the unlawful PSPOs, including the potential financial impact on the council and the need to provide clarity on the number and value of fines affected. Members welcomed the commitment to remake the PSPOs through the correct decision-making process and sought assurance that other decisions reviewed to ensure that they had been made by the appropriate decision-making body.

(B) It was proposed and seconded, that a report be submitted to the Scrutiny Committee to review the circumstances that had led to the error, the actions being taken to resolve the matter, the risks arising from it, and the wider review of local choice functions. Following advice during the debate, the proposal was amended from Scrutiny Committee to Governance Committee and accepted by the proposer, and it was:

(C) RESOLVED - that a report be submitted to the Governance Committee to review the circumstances that had led to the error, the actions being taken to resolve the matter, the risks arising from it, and the wider review of local choice functions.

Record of voting:
For (33): Councillors Alan Baldock, Mike Bland, Alister Brady, Dane Buckman, Jean Butcher, Peter Campbell, Lee Castle, Charlotte Cornell, Chris Cornell, Mel Dawkins, Michael Dixey, Pat Edwards, James Flanagan, Beth Forrester, Andrew Harvey, Liz Harvey, Stuart Heaver, Steph Jupe, Harry McKenzie, Tom Mellish, Keji Moses, Peter Old, Grace Paget, Paul Prentice, Alex Ricketts, Dan Smith, Naomi Smith, Mike Sole, Ian Stockley, Jeanette Stockley, David Thomas, Clare Turnbull and Dan Watkins.
Against: (0)
Abstained: (0)

(D) Members supported further examination of the matter and discussed the need to understand any wider governance risks, future decision making arrangements, potential financial liabilities, signage associated with existing PSPOs, and arrangements for refunding fines and supporting affected individuals.

In response, the Monitoring Officer advised that a review of local choice functions would be appropriate, although a review of every Council decision since 2022 might not be proportionate. She confirmed that the issue arose from an incorrect interpretation of legislation, rather than an error in the drafting of the Constitution itself. She further advised that the estimated value of any fines that might require refunding was approximately £10,000, although final figures were still being established.

Members acknowledged the seriousness of the error, whilst recognising that it had been identified internally and reported transparently by officers. Support was expressed for the actions being taken to remedy the position and to ensure that the relevant PSPOs were reinstated through the correct legal process.

The Monitoring Officer clarified that the issue had not arisen from

conflicting legal advice, but from a previous interpretation of legislation that was subsequently reconsidered and confirmed through external Counsel's advice.

The report was NOTED.

There being no other business the meeting closed at 10.00 pm