CANTERBURY CITY COUNCIL

Minutes of a meeting of the CANTERBURY CITY COUNCIL duly convened and held on Thursday, 18th July, 2013 at 7.00 pm at The Guildhall, Westgate, Canterbury

Present: Councillor H Taylor (Lord Mayor)

> Councillor Baker, Councillor Baldock, Councillor Bellamy, Councillor Bissett, Councillor Bright, Councillor Byford, Councillor Cartwright, Councillor Clark, Councillor A Cook, Councillor S Cook, Councillor Cragg, Councillor Dixey, Councillor Doyle, Councillor Eden-Green, Councillor Fitter, Councillor Flanagan, Councillor Gilbey, Councillor Glover, Councillor Harrison, Councillor Hirst, Councillor Howes, Councillor Law, Councillor Lee, Councillor Linfield, Councillor MacCaul, Councillor O'Dea, Councillor Perkins, Councillor Reuby, Councillor Samper, Councillor Sonnex, Councillor Staley, Councillor A Taylor, Councillor I Thomas, Councillor R Thomas, Councillor Todd, Councillor Vickers, Councillor Vickery-Jones, Councillor Waters, Councillor Williams,

Councillor Wood and Councillor Wratten

165 **PRAYERS**

The meeting was opened with prayers by the Lord Mayor's Chaplain, Reverend Peter Freeman.

166 **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Austin, Edwards, Ellis, Flaherty, Oakey, Sharp and Westgate.

167 **DECLARATION OF MEMBERS' INTERESTS**

Councillors Gilbey, Perkins and Wratten each made a declaration, on behalf of the members of their respective political groups, that the interests declared by Members as set out in the minutes for consideration at this meeting were deemed to be declared again by those Members.

168 **PETITIONS AND / OR QUESTIONS**

Questions

Mrs M Myerscough asked the following questions about the bus services for (1) the St Dunstan's area

How and when is the council implementing measures to monitor and to significantly lessen the burden of our serious concerns regarding the following issues affecting London Road?

Environmental impact via noise, pollution, vibration and dirt. (i)

- (ii) Accessibility for pedestrians, cyclists, people with disabilities and children.
- (iii) Preservation of the appearance and sustaining a positive experience for visitors to, and passing through, this key conservation area.
- (iv) Prevention, and rectification, of damage to buildings and infrastructure
- (v) Frequency of buses, routing of buses, size and type of buses.
- (vi) Size, volume and speed of vehicles permitted to pass through the residential area of London Road.
- (2) Mr B Abrams asked the following question about the increased noise pollution due to buses in London Road.
 - Has the council studied the impact of this new environmental hazard, and how will they prevent it from causing damage to the lives of residents?
- (3) Debbie Barwick said that Stagecoach have stated that they are unable to drive through the Westgate Towers due to legislation, which prohibits them from driving forward whilst their wing mirrors are retracted, and referred to a letter from a resident at Herne Bay in today's Gazette.
 - Debbie Barwick asked the following questions
- (a) Was he breaking the law by proceeding forward with his wing mirrors retracted?
- (b) What else could or should he have done in the circumstances?
- (c) Will he lose his job by doing so?

Debbie Barwick asked whether she being cynical that the Stagecoach statement regarding the supposed legislation on the retractable wing mirrors was merely a ply to persuade the Council to re-arrange the traffic system around the Towers to accommodate the new bigger buses?

Debbie Barwick asked if the Council can tell us how much longer we are to be held to ransom by the bus company?

How much longer will they call the tune?

If the story about legislation is true, will the driver in question be prosecuted? If so, under which law. If not, why not?

Do we want a bus company running our bus services who either allow supposedly dangerous drivers to drive the public or more likely do we want to be held to ransom by a company that makes spurious statements regarding non-existent laws as an excuse to persuade the Council to dance to their tune?

Will the Council do the right thing and challenge Stagecoach to specify which legislation they quote?

It also should be noted that subsidies of some £16million of our money is paid to this company.

The Lord Mayor asked the Leader to respond to the question.

The Leader said that all of the questions which have been raised are very important. He indicated that a written response would have to be provided on the questions by Debbie Barwick.

With regard to the questions by Mrs Myerscough and Mr Abrams, he asked the Lord Mayor to allow the portfolio holder for Transport, Councillor Vickery-Jones, to reply.

With the approval of the Lord Mayor, Councillor Vickery-Jones responded to the questions by Mrs Myerscough and Mr Abrams and made the following points:-

Who can have nothing but sympathy with their plight. This is one of the main reasons why we were so clearly trying to persuade the KCC not to "pull the plug" at the end of the 12 month trial until we had an opportunity to look at the data and the results collated. This is one of the results of that in that Members did know that the buses could no longer legally go through the Westgate Towers, but at that time thought Stagecoach would be able to re-route along North Lane. This proved to be unviable. So in desperation an ancient idea of a fleet of 3 electrically powered small Hopper buses circling Canterbury was resurrected. This suggestion in his view had a fairy tale quality in that it looked good until you returned to the normal world. Then it became apparent that it was completely unworkable for some very good reasons.

Firstly, and probably most importantly, there was no money coming from KCC for this. The Hopper buses would still have to be compliant with current Regulations regarding disabled access which would mean they will still be too wide to go through Westgate Towers anyway.

Councillor Vickery-Jones referred to the number of passenger trips Stagecoach currently carry out.

He indicated that according to their latest passenger numbers they provided 9,335,447 passenger journeys in 2012 and that is a slowly increasing situation. He said that to be fair it is now flat-lined in 2013.

He went on to say that it does mean that in 2012/13 something like 25,576 people wanted to travel on the buses daily every day.

These people's needs to travel have largely been ignored so far. No-one ever seems to mention bus passengers and the number of people who wish to use the buses.

He said that this is desperate because we need to recognise that despite what people say and accuse us of being controlled by the Stagecoach company is absolutely not the case. We are not and will not be controlled by anyone if it is not for the right reasons. There are a lot of views at the moment. Sadly none have suggested a viable alternative. There are some which have a rather misguided view of what is possible but again sadly ignores the needs of 25,000 to travel per day.

He referred to Harry Bell who writes in the Gazette and that he found his comments very entertaining. For instance the writer accused him of having insane support for the Westgate Towers trial.

However, Councillor Vickery-Jones said that he absolutely sees that there is a need to do something but indicated that Mr Bell went on to say that Canterbury's chief problem is "there are too many cars on the roads that are too old and too small for them but restricting road use is not the answer."

Councillor Vickery-Jones indicated that he had emailed Harry Bell but unfortunately he had not yet had a response.

Councillor Vickery-Jones pointed out that he is looking for a solution. He mentioned we have a Steering Group and there is already criticism of that Steering Group but there has to be a perception that if you make the Steering Group too large it will simply be unworkable. We have to reach a solution which will require compromise by all parties. He said that our best chance will be to support the efforts of the Steering Group, chaired by KCC David Brazier.

Councillor Vickery-Jones promised that he would not make decisions unless they are based on good factual background. There has to be a good viable alternative.

He explained that the currently there is not whole-hearted support for the Steering Group but there needs to be.

The Leader emphasised that the Council sympathised with everyone and we did not like saying "the buck doesn't stop here", but he said that in this case it doesn't. He added that there had been a perception for some time that the whole of the trial and everything that followed was associated with Canterbury City Council.

The Leader pointed out that the Council do not run, do not own or work on the roads. That is entirely a function of the County Council not the City Council. He suggested that if in future people had these sorts of problems they should come to the Council and it would undertake through the Committee and other contacts to get their objections and concerns directed to the County Council Officers and Members responsible.

It is a County Council responsibility as it has been ever since and before the trial began.

The Lord Mayor indicated that the Leader would send a written response to the questions by Debbie Barwick.

Petitions

- (D) Mr C Weller presented a petition about the introduction of the "Bedroom Tax".
 - The Lord Mayor indicated that the petition was received by the Council without debate, but the points raised by the petitioner would be taken into account later in the meeting when the Council considered the Notice of Motion on the matter.
- (E) Councillor Flanagan presented a petition about the allocation in the draft Local Plan regarding development of land south Canterbury.

The Lord Mayor indicated that the petition would be received by the Council without debate but the petition would be referred to the **Head of Planning and Regeneration** for consideration.

169 **ANNOUNCEMENTS**

- (a) The Lord Mayor conveyed to Councillors Oakey and Sharp best wishes for a speedy recovery.
- (b) The Lord Mayor wished Councillor Williams a happy birthday for today.
- (c) The Chief Executive informed the Council of the death of former Councillor Allan Hyams. The funeral would take place on Tuesday 23 July.

(d) Councillor Glover made the following announcements:-

Out of 16 projects listed across the country for the Structural and Steel Design Awards for 2013 the Marlowe Theatre had received one of the four Commendations.

The citation stated "The complex layout of the 1,200 seat theatre and back of house demanded very careful design and details of the crucial steel work, which had proved most successful."

Paula Gillespie and Mark Everett collected the award on behalf of the Theatre last week.

At a ceremony at the Oval, London last week The Beaney House of Art and Knowledge pioneering paper Apothecary project won the Collections Trust and History pin inaugural prize for participatory practice.

The citation stated that it highlights an exceptional example of how hands on activities have enhanced its relationship with its users.

The King's Hall had celebrated 100 years. The Herne Bay Historical Records Society had held a reception at the King's Hall on 10 July to celebrate the 100th opening of the King Edward V11 Memorial Hall by Her Majesty Princess Henry of Battenberg. The Sheriff had the pleasure of cutting the ribbon. It had been a very enjoyable event for all those who attended.

On the 13 July the King's Hall held a Community Fun Day. This again was to celebrate the 100th Anniversary. Staff from the Council and the King's Hall dressed in historical Edwardian costumes. The children had fancy dress and a there was a fun fair. An attempt to create the biggest Battenberg cake was provided by the Thanet College catering students. In addition there was an exhibition showing the 100 years of running the King's Hall and this runs to the 22 July.

The Marcel Duchamp Festival in Herne Bay commenced today and runs until Saturday, 17 August. The second Blue Plaque is to be unveiled in August to commemorate his arrival in the town in the summer of 1913. This will form part of the Herne Bay Festival activities.

On 6 July at the Whitstable Museum there had been opened an exhibition called *Images from the Shell Advertising Art Collection - See Britain first on shell*. This included posters and original artwork alongside spoken memories of seaside holidays in the past.

170 EXECUTIVE MINUTES / REPORTS TO FULL COUNCIL

(a) Recommendations from the Special Meeting of the Executive on 18 July 2013 - Whitstable Ten Pin Bowing Centre, Tower Parade, Whitstable - Acquisition of Long Leasehold Investment

Prior to the consideration of this item the Chief Executive asked Members to indicate whether they wished to discuss any of the confidential elements of the proposal.

No Members indicated that they wished to do so. It was, therefore, not necessary to exclude the press and public during the consideration of the item

It was then proposed by Councillor Gilbey, seconded by Councillor Law, and

RESOLVED - That the Council approve the following recommendations from the special meeting of the Executive held on 18 July 2013 regarding the acquisition:-

- (1) That the Property Services Manager be authorised to work with the Head of Legal & Democratic Services to agree terms for the acquisition by way of a surrender and re-grant of the leasehold investment of the Whitstable Ten Pin Bowling Centre premises and to conclude a purchase.
- (2) That a suitable property advisor be appointed to advise upon the valuation of the interests

(b) Executive meeting (Special Meeting) 15 May 2013 - Minutes

The Council received the minutes of the above meeting.

(c) Executive Meeting 20 May 2013 - Minutes

The Council received the minutes of the above meeting.

(d) Executive (Special Meeting) 30 May 2013 - Minutes

The Council received the minutes of the above meeting.

(e) Executive Meeting 27 June 2013 - Minutes

The Council received the minutes of the above meeting.

171 **QUESTIONS**

There were no questions for the meeting under Rule 11 of the Council Procedure Rules.

172 NOTICE OF MOTION - INTRODUCTION OF THE "BEDROOM TAX"

During the consideration of this item the Lord Mayor adjourned the meeting for a short period because of a disruption to the business by a member of the public.

(The meeting was adjourned and resumed accordingly).

(A) It was proposed by Councillor Wratten and seconded by Councillor Baldock

"The Labour group believe that the so-called "bedroom tax" is unfair and discriminatory and it is very likely to cause unmanageable stress to many who have very little control over their family circumstances.

We therefore call on this Council to ask the Executive to take all possible steps to mitigate its effect."

The Lord Mayor allowed the Notice of Motion to be dealt with at the meeting.

WHEREUPON

(B) Following a debate it was proposed by Councillor Gilbey and seconded by Councillor Law that the Motion be amended to read:-

"This Council calls on the Executive to take all reasonable steps to mitigate the effect of the under occupancy rule."

Councillors Wratten and Baldock, as the proposer and seconder respectively of the original Motion then indicated that they were willing to accept the amendment to the Motion.

The amended Motion was then put and it was CARRIED.

(C) The original Motion at (A) above, as varied by the foregoing amendment, was then put as the substantive Motion and it was RESOLVED accordingly.

173 CHANGE IN MEMBERSHIP OF COMMITTEES

It was proposed by Councillor Gilbey, seconded by Councillor Law, and

RESOLVED - That the following changes in membership be approved for the remainder of the Council Year 2013/14:-

- (a) That Councillor Waters replace Councillor Edwards as a member of the General Purpose and Licensing Committee.
- (b) That Councillor S Cook replace Councillor Sharp as a member of the General Purposes and Licensing Committee.
- (c) That Councillor Edwards replace Councillor Waters as a member of the Overview Committee.
- (d) That Councillor Morgan replace Councillor Sharp as a member of the Overview Committee.
- (e) That Councillor Harrison (currently a substitute Member) replace Councillor Sharp as a member of the Whitstable Harbour Board.

174 MINUTES

The minutes of the Annual Meeting of the Council held on 15 May 2013 were agreed as a true record and signed by the Lord Mayor.

175 MINUTES OF THE SPECIAL MEETINGS ON 15 MAY 2013 WHICH CONTAIN RESOLVED DECISIONS ONLY

The Lord Mayor allowed the minutes to be taken en bloc.

It was proposed by Councillor Gilbey, seconded by Councillor Law, and

RESOLVED - That the minutes of the special meetings of the following Committees / Sub-Committee be received-

Overview Committee Scrutiny and Audit Committee Development Management Committee General Purposes and Licensing Committee Accounts Committee Appointments Sub-Committee

176 OVERVIEW COMMITTEE MEETINGS - 13 MAY AND 19 JUNE 2013

It was proposed by Councillor O'Dea, seconded by Councillor Baker, and

RESOLVED - That the minutes of the above meetings be received.

177 SCRUTINY COMMITTEE - 24 APRIL 2013

It was proposed by Councillor Perkins, seconded by Councillor R Thomas, and

RESOLVED - That the minutes of the above meeting be received.

178 DEVELOPMENT MANAGEMENT COMMITTEE MEETINGS

It was proposed by Councillor Samper, seconded by Councillor Clark, and

RESOLVED - That the minutes of the meetings of the Development Management held on 30 April, 28 May and 25 June 2013 be received.

179 GENERAL PURPOSES COMMITTEE - 10 MAY 2013

It was proposed by Councillor Bellamy, seconded by Councillor Clark, and

RESOLVED – That the minutes of the above meeting be received.

180 GENERAL PURPOSES AND LICENSING COMMITTEE MEETINGS - 20 JUNE AND 3 JULY 2013

(A) It was proposed by Councillor Bellamy and seconded by Councillor Clark that the minutes of the meeting of the General Purposes and Licensing Committee held on 20 June 2013 be received and that the recommendation at Minute No. 92 regarding a reference back of an issue be approved.

WHEREUPON

- (B) It was then proposed by Councillor Gilbey and seconded by Councillor Law that the Council do not refer back the proposed procedure at paragraph 8 of the report for the Taxi application process as recommended by the Committee at Minute No. 92.
- (C) Councillor S Cook requested clarification on a procedural issue. The Monitoring Officer advised on the matter.
 - Following a debate, the foregoing amendment was put to a vote and CARRIED.
- (D) The proposal at (B) above, as varied by the foregoing amendment at (C) above, was then put and it was RESOLVED accordingly.

181 STANDARDS COMMITTEE - 26 JUNE 2013

It was proposed by Councillor Samper, seconded by Councillor Morgan, and RESOLVED - That the minutes of the above meeting be received.

182 LICENSING SUB-COMMITTEE MEETINGS

- (A) It was proposed by Councillor Harrison, seconded by Councillor Clark. and RESOLVED That the minutes of the meetings of the Licensing Sub-Committee held on 10, 29 and 30 May 2013 be received.
- (B) It was proposed by Councillor Sonnex, seconded by Councillor Clark, and

RESOLVED - That the minutes of the meetings of the Licensing Sub-Committee held on 4 and 13 June 2013 be received.

183 WHITSTABLE HARBOUR BOARD MEETINGS - 26 APRIL AND 7 JUNE 2013

It was proposed by Councillor Todd, seconded by Councillor Dixey, and

RESOLVED - That the minutes of the above meetings be received.

There being no other business the meeting closed at 9.05 pm