

MEETING 11M251192F
DATE 25/11/1992
CANTERBURY CITY COUNCIL

MINUTES of a meeting of the CANTERBURY CITY COUNCIL
duly convened and held at The Whitstable Umbrella Assembly Rooms,
The Horsebridge, Whitstable,
on the 25 November 1992.

Present: Councillor Burke (Lord Mayor)
Councillors Archer, Arter, Baker, Barzotelli, Baylis, Bliss,
Castle, Clifford, Dixey, Dolby, Douglas, Mrs Fielding,
Flaherty, Frogley, Hawkswell, Hayes, Hornsby, Hyams, James,
Law, Mrs McCabe, Nicholls, Mrs Pears, Pentin, Perkins,
Purchase, Rees, Reid, Mrs Reuby, Mrs Rigden, Rowley, Ruston,
Mrs Seath, A M Stanley, T V Stanley, Taber, Mrs Todd, Wales,
Walker, Walklin, Mrs Watling, Whitemore and Mrs Yonge.

853 PRAYERS

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

854 APOLOGIES FOR ABSENCE

Apologies for absence were submitted from Councillors Mrs Attwood, Ms Sargeant and Windsor.

855 MINUTES

The Lord Mayor signed as a true record the minutes of the meeting of the Council held on the 7 October 1992 subject to the addition of Councillor Mrs Watling to the list of Members who submitted apologies for absence.

856 RAF SEARCH AND RESCUE SERVICE, MANSTON

The Lord Mayor reported that, although he had received a reply from the Ministry of Defence on the withdrawal of the RAF Search and Rescue Service at Manston which was not encouraging, Thanet District Council were now in the process of putting together a petition.

857 MR H WILKS

The Lord Mayor reported on the recent death of Mr Hector Wilks a former Councillor on the Whitstable Urban District Council.

RESOLVED - That the condolences of the Council be sent to Mrs Wilks.

858 PETITIONS

The Lord Mayor received petitions relating to the following matters and those persons referred to in the first column attended the meeting, and spoke in accordance with Standing Order 3(1):-

Name of Person Petition

Mr W Mallion Traffic calming, Millstrood Road, Whitstable

Mrs David on behalf of the Future use of St Mary's Whitstable Society Parish Hall, Whitstable

Mr D M Lumley.)

Mr J Vaughan.)

Mr J Law on behalf)

of the Whitstable Improvement Trust) Future use of St Mary's

) Parish Hall, Whitstable

Mr R Cousens.)

Mr S Parry on behalf of the Whitstable)

and Tankerton Chamber of Commerce)

859 CONTRACT STANDING ORDERS

(Minute No 652 (1992/93) refers)

The motion

"That the new contract standing orders for tenders and contracts as set out on pages 426 to 434 to these minutes be approved and adopted with effect from 26 November 1992."

was put to the vote and CARRIED, and it was

RESOLVED accordingly.

(Note - Pages 426 to 434 from part of the minutes of the meeting of the Policy Committee held on the 28 September 1992)

860 VARIATION OF ORDER OF BUSINESS

It was proposed by Councillor Perkins and seconded by Councillor Hayes that, in accordance with Standing Order 3(3)(c), the order of business be varied to allow consideration of Item 10(d) next on the Agenda and it was

RESOLVED accordingly.

861 NOTICE OF MOTION - FUTURE MANAGEMENT OF THE OLD PARISH HALL (ST MARY'S HALL), WHITSTABLE

It was proposed by Councillor A Stanley and seconded by Councillor Mrs

Seath:-

"In recognition of the wide community aims and objectives of the Whitstable Umbrella, and mindful of the purposes for which the old Parish Hall was acquired, this Council resolves that Umbrella should be asked to take on the day to day management of the old Parish Hall with effect from 1 April 1993.

The Council also records its appreciation for the caretaker management undertaken by the Whitstable Improvement Trust in the interim period."

The Lord Mayor allowed the motion to be dealt with at this meeting.

WHEREUPON -

It was proposed by Councillor Mrs Fielding and seconded by Councillor Mrs Yonge:-

That the motion be amended by deleting it in its entirety and substituting therefor:-

"That the Whitstable Improvement Trust on behalf of the community be allowed to continue to manage the St Mary's Parish Hall, Whitstable and that 10% of the income be given to Whitstable Umbrella."

Upon being put, the foregoing amendment was LOST.

The original motion was then put and CARRIED and it was

RESOLVED accordingly.

862 NOTICE OF MOTION - STANDING ORDER 4 - RENT - COMMUNITY PREMISES

(Minute Nos 484, 558 and 666 (1992/93) refer)

The Council considered the motion, as set out at Minute No 484 (1992/93), together with the report of the Estates Committee at Minute No 775 (1992/93).

After a discussion the motion, together with the report of the Estates Committee was put to the vote and CARRIED and it was

RESOLVED accordingly.

863 NOTICE OF MOTION - STANDING ORDER 4 - CYCLISTS - STURRY ROAD/BRYMORE ROAD, CANTERBURY

(Minute Nos 681 and 726 (1992/93) refer)

The Council considered the motion, as set out at Minute No 681 (1992/93), together with the report of the Public Works and Transport

Committee at Minute No 726 (1992/93).

It was proposed by Councillor Pentin and seconded by Councillor Reid and

RESOLVED - That the motion, amended by the deletion of the second paragraph and the report of the Public Works and Transport Committee be approved.

864 NOTICE OF MOTION - STANDING ORDER 4 - PARC - PERMITS FOR CARERS

(Minute Nos 684 and 727 (1992/93) refer)

The Council considered the motion, as set out Minute No 684 (1992/93), together with the report of the Public Works and Transport Committee at Minute No 727 (1992/93).

It was proposed by Councillor Whitemore and seconded by Councillor Douglas:-

That the motion be amended by inserting the words "urges the Kent County Council to" after the word "Council" in the first line of the motion.

Upon being put the foregoing amendment was CARRIED.

After a discussion, the original motion, as varied by the foregoing amendment, was put and CARRIED and it was

RESOLVED accordingly.

865 NOTICE OF MOTION - STANDING ORDER 4 - PARK AND RIDE - USE BY LOCAL PEOPLE

(Minute No 686 and 728 (1992/93) refer)

The Council considered the motion, as set out at Minute No 686 (1992/93), together with the report of the Public Works and Transport Committee at Minute No 728 (1992/93).

It was proposed by Councillor Reid, seconded by Councillor Whitemore and RESOLVED - That consideration of the motion be deferred to await the report of the Public Works and Transport Committee following a report from the appropriate Chief Officers.

866 NOTICE OF MOTION - STANDING ORDER 4 - PROVISION OF WOOD SHREDDER

(Minute Nos 685 and 789(1992/93) refer)

The Council considered the motion, as set out at Minute No 685 (1992/93), together with the report of the Environment and Health Committee at Minute No 789 (1992/93).

It was proposed by Councillor Reid, seconded by Councillor Whitemore and

RESOLVED - That consideration of the motion be deferred to await the report of the Environment and Health Committee following a further report from the Director of Environmental Services.

867 PLANNING COMMITTEE

It was proposed by Councillor Hawkswell, seconded by Councillor Baylis and

RESOLVED - That the minutes of the meeting of the Planning Committee held on the 13 October 1992, be approved and adopted.

868 URGENCY COMMITTEE

It was proposed by Councillor Hayes, seconded by Councillor Walklin and

RESOLVED - That the minutes of the meeting of the Urgency Committee held on the 19 October 1992, be received.

869 AMENITIES AND RECREATION COMMITTEE

It was proposed by Councillor Wales and seconded by Councillor Law:-

That the minutes of the meeting of the Amenities and Recreation Committee held on 19 October 1992, be approved and adopted.

WHEREUPON -

A. It was proposed by Councillor Perkins and seconded by Councillor Mrs Rigden:-

That the recommendations in Minute No 718 be referred back to the Committee for further consideration.

A requisition having been made and supported pursuant to Standing Order 12(1) a record of the voting was taken as follows:-

For the amendment

Councillors Archer, Baker, Barzotelli, Bliss, Castle, Clifford, Mrs Fielding, Frogley, Hyams, Mrs McCabe, Nicholls, Mrs Pears, Pentin, Perkins, Mrs Rigden, Mrs Todd and Mrs Yonge. (17)

Against the amendment

Councillors Arter, Baylis, Dixey, Dolby, Douglas, Flaherty, Hawkswell, Hayes, Hornsby, James, Law, Purchase, Rees, Reid, Mrs Reuby, Rowley, Mrs Seath, A M Stanley, T V Stanley, Taber, Wales,

Walker, Walklin, Mrs Watling and Whitemore. (25)

Abstained from voting

Councillors Burke and Ruston. (2)

The amendment was declared LOST.

B. It was proposed by Councillor Pentin and seconded by Councillor Clifford:-

That recommendation (c) in Minute No 722 be referred back to the Committee for further consideration.

A requisition having been made and supported pursuant to Standing Order 12(1) a record of the voting was taken as follows:-

For the amendment

Councillors Archer, Baker, Barzotelli, Bliss, Castle, Clifford, Mrs Fielding, Frogley, Hyams, Mrs McCabe, Nicholls, Mrs Pears, Pentin, Perkins, Mrs Reuby, Mrs Rigden, Mrs Todd and Mrs Yonge. (18)

Against the amendment

Councillors Arter, Baylis, Dixey, Dolby, Douglas, Flaherty, Hawkswell, Hayes, Hornsby, James, Law, Purchase, Rees, Reid, Rowley, Mrs Seath, A M Stanley, T V Stanley, Taber, Wales, Walker, Walklin, Mrs Watling and Whitemore. (24)

Abstained from voting

Councillors Burke and Ruston. (2)

The amendment was declared LOST.

The original motion was then put and CARRIED and it was

RESOLVED accordingly.

870 PUBLIC WORKS AND TRANSPORT COMMITTEE

It was proposed by Councillor James, seconded by Councillor Arter, and

RESOLVED - That the minutes of the meeting of the Public Works and Transport Committee held on 20 October 1992, be approved and adopted.

(During discussion on Minute No 733 of the above minutes, Councillor Whitemore asked that the Kent County Council be requested to consider the desirability of making the new link road between North Holmes Road

and Military Road, Canterbury, adjacent to the Ambulance Station one-way in the direction of Military Road so as to prevent the area becoming a rat-run. The Chairman of the Public Works and Transport Committee gave an assurance that this matter would be drawn to the attention of the Kent County Council.)

871 HOUSING COMMITTEE

It was proposed by Councillor Walker, seconded by Councillor Dolby, and

RESOLVED - That the minutes of the meeting of the Housing Committee held on 21 October 1992, be approved and adopted.

872 APPEALS COMMITTEE

It was proposed by Councillor Walklin, seconded by Councillor Baylis, and

RESOLVED - That the minutes of the meeting of the Appeals Committee held on 27 October 1992, be received.

873 ESTATES COMMITTEE

It was proposed by Councillor Dixey and seconded by Councillor Walker:-

That the minutes of the meeting of the Estates Committee held on 28 October 1992, be approved and adopted.

WHEREUPON -

A. It was proposed by Councillor Whitemore and seconded by Councillor Douglas:-

That Minute No 774 be amended by adding the words "except that the length of the lease shall not exceed forty years and that a condition be imposed that the Council is to have the right to use the premises on a limited number of occasions each year for civic functions" to the end of recommendation (a) in the minute.

After a discussion, the above amendment, with the consent of the Council, was withdrawn by the proposer.

B. It was proposed by Councillor Whitemore and seconded by Councillor Douglas:-

That the recommendations in Minute No 774 be referred back to the Committee for further consideration.

Upon being put, the foregoing amendment was CARRIED.

C. It was proposed by Councillor Pentin and seconded by Councillor Archer:-

That Minute No 774 be amended by the insertion of the following additional recommendation:-

(c) That the Chief Solicitor conducts a full investigation (including the questioning of Members and officers) into the serious breaches of confidentiality that have recently occurred in respect of the Wool Store and Central Bandstand items discussed at this Estates meeting and that he report to the Policy meeting on 22 February 1993 with his findings and recommendations for avoiding such breaches arising in the future".

Upon being put, the foregoing amendment was CARRIED.

The original motion, as varied by the foregoing amendments B. and C. was then put and CARRIED, and it was

RESOLVED accordingly.

874 QUALITY AND PERFORMANCE REVIEW COMMITTEE

It was proposed by Councillor Flaherty and seconded by Councillor A Stanley:-

That the minutes of the meeting of the meeting of the Performance Review Committee held on 2 November 1992, be approved and adopted.

WHEREUPON -

It was proposed by Councillor Frogley and seconded by Councillor Perkins:-

That Minute No 784 be amended by adding:-

- (1) The words "within five days of receipt" to the end of paragraph 2.
- (2) The words "the statutory functions and deadlines referred to above will be laid out in a schedule and reported to the next meeting of this Committee" to the end of paragraph 4.
- (3) The words "the functions referred to above will be laid out in a schedule and reported to the next meeting of this Committee" to the end of paragraph 5.

Upon being put, the foregoing amendment was CARRIED.

The original motion, as varied by the foregoing amendment, was then put and CARRIED and it was

RESOLVED accordingly.

At this point, it was proposed by Councillor Hayes and seconded by Councillor Walker that the provisions of Standing Order 8(17) be suspended to enable the meeting to continue after 11.30 pm.

Upon being put, the foregoing amendment was CARRIED.

875 ENVIRONMENT AND HEALTH COMMITTEE

It was proposed by Councillor Hornsby and seconded by Councillor Dolby:-

That the minutes of the meeting of the Environment and Health Committee held on 5 November 1992, be approved and adopted.

WHEREUPON -

It was proposed by Councillor Mrs Yonge and seconded by Councillor Mrs Pears:-

That recommendation (a) in Minute No 798 be deleted in its entirety and substituted by:-

"That shire horses be considered for use in the street cleansing contract."

Upon being put, the foregoing amendment was LOST.

The original motion was then put and CARRIED, and it was

RESOLVED accordingly.

876 PLANNING COMMITTEE

It was proposed by Councillor Hawkswell, seconded by Councillor Baylis, and

RESOLVED - That the minutes of the meeting of the Planning Committee held on 10 November 1992, be approved and adopted.

(In accordance with Section 94 of the Local Government Act 1972, Councillor Mrs Seath declared her interest in Minute No 803 and took no part in the discussion and voting thereon).

877 POLICY COMMITTEE

It was proposed by Councillor Hayes and seconded by Councillor Walker:-

That the minutes of the meeting of the Policy Committee held on 16

November 1992, be approved and adopted.

WHEREUPON -

A. It was proposed by Councillor Douglas and seconded by Councillor Whitemore:-

That Minute No 838 be amended by adding the words "and that this transfer take place within two calendar months of this minute" to the end of the recommendation.

Upon being put, the foregoing amendment was CARRIED.

B. It was proposed by Councillor Pentin and seconded by Councillor Mrs Fielding:-

That Minute No 846 be amended by deleting recommendation (a) in its entirety and substituting the following:-

"(a) That as the "revised statutory provisions" were introduced in 1989 under the Local Government and Housing Act of that year, the Appeal Panel meeting held on 27 July 1982 was improperly constituted and that Minute No 208 (1991/92) be and the same is hereby rescinded".

Upon being put, the foregoing amendment was LOST.

C. It was proposed by Councillor Pentin and seconded by Councillor Mrs Fielding:-

That Minute No 846 be amended by:-

(1) deleting recommendations (b) to (d) in their entirety; and

(2) renumbering the existing recommendation (e) to (b).

Upon being put, the foregoing amendment was LOST.

The original motion, as varied by the foregoing amendment A., was then put and CARRIED and it was

RESOLVED accordingly.

878 QUESTION PURSUANT TO STANDING ORDER 6(2)

In relation to the question put by Councillor Frogley set out at Item 9 of the Agenda, Councillor Hornsby, as Chairman of the Environment and Health Committee undertook to give him a written reply.

879 NOTICE OF MOTION - CLOSURE OF HERNE BAY HIGH SCHOOL

It was proposed by Councillor James and seconded by Councillor A Stanley:-

This Council deplores the decision taken by the Kent County Council Education Committee on Monday 5 October to close Herne Bay High School, and to use the buildings of that school for a selective grammar school. This Council further deplores the manner in which the Kent Education Committee has abused the public consultation procedure in failing to take note of the clear desire of the residents to maintain non-selective education in Herne Bay, and instructs the Chief Executive and Town Clerk to write to the Area Director of Education indicating the feelings of this Council in accordance with the public notice published on 9 October **1992**.

The Lord Mayor allowed the motion to be dealt with at this meeting.

WHEREUPON -

A. It was proposed by Councillor James and seconded by Councillor A Stanley:-

That the motion be amended by deleting it in its entirety and substituting therefor the words:-

This Council being aware of the U turn made by Kent County Council on Thursday 19 November, nevertheless deplores the manner in which Kent Education Committee attempted to close Herne Bay High School and the Sir William Nottidge School in Whitstable and the manner in which they abused public consultation procedures in failing to take note of the clear desire of residents and parents to maintain non selective education in the two coastal towns; also their failure to investigate and bring forward wide ability options.

This Council instructs the Chief Executive and Town Clerk to write to members of Kent County Council and the Area Director of Education stating the feelings of this Council.

Upon being put, the foregoing amendment was CARRIED.

B. It was proposed by Councillor Pentin and seconded by Councillor Mrs Pears:-

That the motion be amended by deleting it in its entirety and substituting therefor the words:-

This Council welcomes the decision taken by the Kent County Council on 19 November 1992 to reconsider the plans for the closure of Sir William Nottidge School and Herne Bay High School. This Council further urges the Kent County Council Education Committee to

continue to take note of the public's views when any consultation is adopted in the future.

Upon being put, the foregoing amendment was LOST.

After a discussion, the original motion, as varied by the foregoing amendment at A. above, was then put and CARRIED and it was

RESOLVED accordingly.

880 NOTICE OF MOTION - CLOSURE OF SIR WILLIAM NOTTIDGE SCHOOL, WHITSTABLE

The motion as set out at item 10(b) on the Agenda was, with the concurrence of the seconder and the consent of the Council, withdrawn by the proposer.

881 NOTICE OF MOTION - SHOPS (AMENDMENT) BILL 1992

It was proposed by Councillor Rees and seconded by Councillor Mrs Seath:-

This Council believes that the Shops (Amendment) Bill 1992, presented to Parliament by Ray Powell MP, and due to receive its second reading in the House of Commons on 22 January 1993, presents a unique opportunity to rationalise the laws governing retail trading, through balancing the interests of shopworkers, shopkeepers and the wider community and through preserving the special nature of Sunday.

This Council therefore affirms its support for the Bill and urges Julian Brazier, Member of Parliament for the Canterbury Constituency, and Roger Gale, Member of Parliament for the Thanet North Constituency, to vote in support of the Shops (Amendment) Bill 1992, and to promote its cause.

In accordance with the provisions of Standing 4(4), this motion upon being formally moved and seconded, was referred without discussion to the Environment and Health Committee for consideration and report to the next ordinary meeting of the Council for discussion and decision.