

MEETING OF THE COUNCIL



Thursday, 10th July, 2014

7.00 pm

**Council Chamber
Thanet District Council
Margate**

**www.thanet.gov.uk
01843 577000**

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Date: 30 June 2014
Ask For: Anona Somasundaram
Direct Dial: (01843) 577046
Email: anona.somasundaram@thanet.gov.uk



You are hereby summoned to attend the meeting of the Thanet District Council to be held in the Council Chamber, Council Offices, Cecil Street, Margate, Kent on Thursday, 10 July 2014 at 7.00 pm for the purpose of transacting the business mentioned below.

A handwritten signature in black ink, appearing to read "G Bach".

Democratic Services & Scrutiny Manager

To: The Members of Thanet District Council

FIRE ALARM PROCEDURES: If the fire alarm is activated, please vacate the offices via the stairs either through the security door to the left of the Chairman or opposite the lifts in the foyer. Please do not use the lifts. Please assemble in Hawley Square on the green. Officers will assist you and advise when it is deemed safe to return to the Chamber.

AGENDA

Item
No

Subject

1. **APOLOGIES FOR ABSENCE**

2. **MINUTES OF PREVIOUS MEETING** (Pages 1 - 12)

To approve the Minutes of the annual meeting of Council held on 15 May 2014, copy attached.

3. **ANNOUNCEMENTS**

To receive any announcements from the Chairman, Leader, Members of the Cabinet or Chief Executive in accordance with Council Procedure Rule 2.1 (iv).

4. **DECLARATIONS OF INTERESTS**

5. **PETITIONS FROM THE PUBLIC**

To receive petitions from the public in accordance with the Council's Petitions Scheme

<u>Item No</u>	<u>Subject</u>
5a	<u>PETITION - COMPULSORY PURCHASE OF MANSTON, KENT'S INTERNATIONAL AIRPORT</u> (Pages 13 - 16)
6.	<u>QUESTIONS FROM THE PRESS AND PUBLIC</u>
	To receive questions received from the press or public in accordance with Council Procedure Rule 13.
7.	<u>QUESTIONS FROM MEMBERS OF THE COUNCIL</u>
	To receive questions from Members of the Council in accordance with Council Procedure Rule 14.
8.	<u>MOTIONS ON NOTICE</u>
	To receive motions on notice in accordance with Council Procedure Rule 16
8a	<u>MOTION ON NOTICE - COMMITTEE SYSTEM</u> (Pages 17 - 20)
8b	<u>MOTION ON NOTICE - MANSTON AIRPORT</u> (Pages 21 - 22)
9.	<u>LEADER'S REPORT</u> (Pages 23 - 24)
10.	<u>RESPONSIBILITY FOR FUNCTIONS - EXECUTIVE</u> (Pages 25 - 36)
11.	<u>CONSTITUTION OF COMMITTEES, POLITICAL BALANCE, APPOINTMENTS TO COMMITTEES, PANELS AND BOARDS</u> (Pages 37 - 44)
12.	<u>REPRESENTATION ON OUTSIDE BODIES</u> (Pages 45 - 46)
13.	<u>MEMBERS' ALLOWANCES SCHEME 2014/15</u> (Pages 47 - 48)
14.	<u>REPORT ON PEER REVIEW</u> (Pages 49 - 74)
15.	<u>REPORT BACK ON NOTICE OF MOTION RELATING TO THE DESIGNATION OF CONSERVATION AREA, CLIFTONVILLE</u> (Pages 75 - 76)
16.	<u>REPORT ON URGENT DECISION NOT SUBJECT TO CALL-IN - DREAMLAND</u> (Pages 77 - 84)
17.	<u>CALL-IN AND URGENCY - ANNUAL REPORT</u> (Pages 85 - 88)
18.	<u>APPOINTMENT OF HEAD OF PAID SERVICE</u> (Pages 89 - 92)
19.	<u>APPOINTMENT OF RETURNING OFFICER AND ELECTORAL REGISTRATION OFFICER</u> (Pages 93 - 96)

Item
No

Subject

20. **APPOINTMENT OF INTERIM DIRECTOR OF CORPORATE RESOURCES AND S.151 OFFICER** (Pages 97 - 106)
21. **APPOINTMENT OF INTERIM MONITORING OFFICER** (Pages 107 - 116)
22. **EXCLUSION OF PUBLIC AND PRESS** (Pages 117 - 118)
23. **REPORT ON THE DISCHARGE OF COUNCIL FUNCTIONS (FOLLOWING THE CORPORATE RESTRUCTURE)** (Pages 119 - 166)

Declaration of Interests Form

COUNCIL

Minutes of the meeting held on 15 May 2014 at 7.00 pm in Council Chamber, Council Offices, Cecil Street, Margate, Kent.

Present: Councillor Mrs Kay A Dark (Chairman); Councillors H Scobie (Vice-Chairman), Alexandrou, Aldred, Bayford, Binks, Bruce, Campbell, Clark, Cohen, Coleman-Cooke, Day, Driver, Duncan, Dwyer, Edwards, Everitt, Fenner, Gibson, Gideon, D Green, E Green, I Gregory, K Gregory, Grove, Harrison, C Hart, S Hart, Hayton, J Scobie, Hornus, Huxley, Johnston, King, Kirby, Lodge-Pritchard, Marson, Matterface, Moore, Moores, Nicholson, Poole, Roberts, D Saunders, M Saunders, Savage, W Scobie, Sullivan, M Tomlinson, S Tomlinson, Watkins, Wells, Wiltshire, Wise, Worrow and Wright

118. APOLOGIES FOR ABSENCE

There were no apologies for absence.

VICE-CHAIRMAN IN THE CHAIR

Councillor H Scobie announced that he had just received notification from the Chief Executive that Councillor Dark had resigned from the office of Chairman of Council, and that he would therefore preside over the election of the Chairman.

119. ELECTION OF CHAIRMAN

Nomination 1

It was proposed by Councillor Johnston and seconded by Councillor C Hart:

“THAT Councillor Dark be elected Chairman of Council for the ensuing year”.

Nomination 2

It was proposed by Councillor Bayford and seconded by Councillor Wise:

“THAT Councillor D Saunders be elected Chairman of Council for the ensuing year”.

Upon the two nominations being put to the vote, Councillor Dark was declared ELECTED Chairman of Council for the 2014/15 municipal year.

RECESS

There was a short recess, during which the new Chairman of Council was invested with the Chain and Badge of Office.

Following this recess, Councillor Dark made the statutory declaration of acceptance of office of Chairman of Council, returned thanks for her election and formalised Mrs Jean Amber as her escort.

COUNCILLOR DARK IN THE CHAIR

120. ELECTION OF VICE-CHAIRMAN

Nomination 1

It was proposed by Councillor Dark and seconded by Councillor Johnston:

“THAT Councillor H Scobie be elected Vice-Chairman of Council for the ensuing year”.

Nomination 2

It was proposed by Councillor Bayford and seconded by Councillor S Tomlinson:

“THAT Councillor Savage be elected Vice-Chairman of Council for the ensuing year”.

Upon the two nominations being put to the vote, Councillor H Scobie was declared ELECTED Vice-Chairman for the 2014/15 municipal year.

Councillor H Scobie made the statutory declaration of acceptance of office of Vice-Chairman of Council, returned thanks for his election and formalised his wife, Mrs Sue Scobie, as his escort.

121. MINUTES OF PREVIOUS MEETING

On the proposal of the Chairman, seconded by the Vice-Chairman, the minutes of the meeting of Council held on 24 April 2014 were approved by Council and signed by the Chairman.

122. DECLARATIONS OF INTERESTS

There were no declarations of interests.

123. ANNOUNCEMENTS

There were no announcements.

124. ELECTION OF THE LEADER OF THE COUNCIL

Nomination 1

It was proposed by Councillor C Hart and seconded by Councillor Nicholson:

“THAT Councillor Johnston be elected Leader of the Council until the date of the Annual Meeting of Council in 2015”.

Nomination 2

It was proposed by Councillor Wise and seconded by Councillor Wells:

“THAT Councillor Bayford be elected Leader of the Council until the date of the Annual Meeting of Council in 2015”.

Upon the two nominations being put to the vote, Councillor Johnston was declared ELECTED Leader of the Council until the date of the Annual Meeting of Council in 2015.

125. APPOINTMENT OF THE DEPUTY LEADER OF THE COUNCIL

It was NOTED from the new Leader of the Council, that she was appointing Councillor Nicholson as Deputy Leader of the Council until the date of the Annual Meeting of Council in 2015.

126. RESPONSIBILITY FOR FUNCTIONS - EXECUTIVE

Council NOTED the Cabinet Portfolios, Cabinet Portfolio Holders, Shadow Cabinet Portfolio Holders and Operational Accountabilities (including the executive delegations as set out in Annex 2 to the report), as follows:

Portfolio Holder	Name of Portfolio	Functions Covered
Councillor Johnston Leader of the Council <i>Shadow Cabinet Member: Councillor Wells</i>	Community Services	Community Safety, Margate Task Force, Events, Community Development (including Town Teams), Cultural Development, Indoor and Outdoor Leisure, Safeguarding Children, Sport, Youth, Tourism, Your Leisure Kent Ltd, Land Charges, Licensing, Environmental Health, including integrated Pollution Control, Street Nameplates, Statutory Nuisance, Food Safety and External Health and Safety, Health and Wellbeing Board
Councillor D Green <i>Shadow Cabinet Member: Councillor Bayford, Shadow Leader of the Council</i>	Strategic Economic Development Services	Economic Development & Regeneration Policy; East Kent Opportunities Ltd; Thanet Regeneration Board, Business Engagement and the Health and Wellbeing Board
Councillor Nicholson Deputy Leader of the Council <i>Shadow Cabinet Member: Councillor Marson</i>	Housing and Planning Services	Housing Intervention, Private Sector Housing, Housing Needs/Homelessness, Housing Strategy, Client-side East Kent Housing, Building Control, Strategic Planning, Planning Applications, Planning Enforcement, Conservation
Councillor Harrison <i>Shadow Cabinet Member: Councillor Moores</i>	Operational Services	Port of Ramsgate, Ramsgate Royal Harbour Marina, Broadstairs and Margate Harbours, Cemeteries and Crematorium, Emergency Planning, Coastal Engineering, Grounds Maintenance, Parks and Open Spaces Management Playgrounds, Public Toilets, Street Cleaning, Recycling and Waste, Off Street Parking, On Street Parking, Street Scene Enforcement, Temporary Road Closure Orders, Thanet Coast Project, Water Safety and Beach Services, Foreshore, Allotments, CCTV

Portfolio Holder	Name of Portfolio	Functions Covered
Councillor Everitt <i>Shadow Cabinet Member: Councillor Wise, Shadow Deputy Leader of the Council</i>	Financial Services and Estates	Budget Setting, Monitoring and Final Accounts, Treasury Management (Revenue, Capital and HRA), Insurance, Income, Payments, Systems Control and Improvement, Commercial Property, East Kent Audit Partnership, Property Management (including asset disposal, acquisition and asset management), Housing and Council Tax Benefits, Revenues (including Debt Recovery), Media Centre and Kent Innovation Centre
Councillor E Green <i>Shadow Cabinet Member: Councillor Bruce</i>	Business and Corporate Resources	Business Information and Improvement, Information and Communications (including Public Relations, Marketing, Press Relations, Internal Communications, film locations and Records and Data Management), Business Support and Compliance (including Corporate Governance and Business Continuity), Policy and Business Planning (including Performance Management, Business Transformation and Options, Procurements and Contracts Customer Services, Human Resources (including internal Health and Safety), IT, Democratic Services including Electoral Management, Member Services and Legal Services

127. CONSTITUTION OF COMMITTEES, POLITICAL BALANCE, APPOINTMENTS TO COMMITTEES, PANELS AND BOARDS

RECESS

There was a recess for five minutes to enable Members to read the replacement report

Number of Committees

It was proposed by the Chairman, seconded by the Vice-Chairman and RESOLVED:

“THAT the recommendation at Paragraph 3.51 of the report be adopted, namely:

‘That Council confirms the number of committees for the 2014/15 Municipal year as set out in Table 2.’”

Option to achieve Proportionality

It was proposed by the Leader of Council, seconded by Councillor Nicholson, and RESOLVED:

“THAT Council agrees the number of Members serving on committees and composition of membership in accordance with **Option 2**, as set out at paragraph 4.18.1 of the report.

Waiving proportionality for the Standards Committee

It was proposed by the Chairman, seconded by the Vice-Chairman and RESOLVED:

“THAT the recommendation as set out at paragraph 4.18.2 of the report be adopted, namely:

‘That Council agrees to waive proportionality for the Standards Committee and to apply the approximate proportionality as set out at Table 4.’”

Joint Committee and Board

It was proposed by the Chairman, seconded by the Vice-Chairman and RESOLVED:

“THAT the recommendation as set out at paragraph 4.18.3 of the report be adopted, namely:

‘That Council agrees the Joint Committee and Board set out in Tables 5 and 6’”

Nominations to Committees, Panels and Boards

It was proposed by the Chairman, seconded by the Vice-Chairman and RESOLVED:

“THAT the recommendation set out at paragraph 5.5.1 of the report be adopted, namely:

‘That Council notes the Group nominations to Committees, Panels and Boards for the 2014/15 Municipal Year, as follows:

Planning Committee

Labour		Conservative		Thanet Independent Group		UKIP		Independent Group	
1	Alexandrou	1	Binks	1	Cohen			1	King
2	Campbell	2	Hayton						
3	Edwards	3	Kirby						
4	Fenner	4	Sullivan						
5	C Hart	5	S Tomlinson						
6	Lodge-Pritchard	6	Wright						
7	Matterface								

Planning Committee (*pool of substitute Members*)

Labour		Conservative		Thanet Independent Group		UKIP		Independent Group	
1	Dark	1	Bruce	1	Worrow			1	Grove
2	E Green	2	Coleman-Cooke						
3	Huxley	3	K Gregory						
4	Moore	4	D Saunders						
5	Nicholson	5	M Saunders						
6	Vacant	6	M Tomlinson						
7	Vacant								

Licensing Board

Labour		Conservative		Thanet Independent Group		UKIP		Independent Group	
1	Campbell	1	Coleman-Cooke			1	Duncan	1	Grove
2	Clark	2	I Gregory						
3	Dwyer	3	Roberts						
4	Edwards	4	M Saunders						
5	Huxley	5	M Tomlinson						
6	Matterface	6	S Tomlinson						
7	Watkins								

Overview and Scrutiny Panel

Labour		Conservative		Thanet Independent Group		UKIP		Independent Group	
1	Campbell	1	Gideon	1	Worror			1	Driver
2	Dwyer	2	I Gregory						
3	Gibson	3	K Gregory						
4	Huxley	4	Hornus						
5	Matterface	5	D Saunders						
6	Moore	6	M Tomlinson						
7	W Scobie								

Governance and Audit Committee

Labour		Conservative		Thanet Independent Group		UKIP		Independent Group	
1	Campbell	1	Binks	1	Worror				
2	Lodge-Pritchard	2	Day						
3	Moore	3	D Saunders						
4	W Scobie	4	S Tomlinson						

Governance and Audit Committee (Pool of Substitute Members)

Labour		Conservative		Thanet Independent Group		UKIP		Independent Group	
1	Dwyer	1	K Gregory	1	Cohen				
2	E Green	2	M Saunders						
3	Matterface	3	M Tomlinson						
4	H Scobie	4	Wells						

General Purposes Committee

Labour		Conservative		Thanet Independent Group		UKIP		Independent Group	
1	Campbell	1	Bayford			1	Wiltshire	1	King
2	Everitt	2	I Gregory						
3	Fenner	3	Marson						
4	H Scobie	4	S Tomlinson						

Boundaries and Electoral Arrangements Working Party

Labour		Conservative		Thanet Independent Group		UKIP		Independent Group	
1	D Green	1	Gideon			1	Duncan		
2	Nicholson	2	Hornus						
3	W Scobie	3	Roberts						

Constitutional Review Working Party

Labour		Conservative		Thanet Independent Group		UKIP		Independent Group		Independent Members (non Councillors) *	
1	Nicholson	1	Hayton							1	Jonathan Sexton †
2	Watkins	2	Wright							2	Janet Bacon #

NOTE: * drawn from the Independent Members of the Standards Committee

Key † Chairman (*ratified later at the meeting*)

Vice-Chairman (*ratified later at the meeting*)

Joint Transportation Board

Labour		Conservative		Thanet Independent Group		UKIP		Independent Group		Parish/ Town *	
1	Aldred	1	K Gregory							1	Vera Hovenden
2	Clark	2	D Saunders								
3	S Hart	3	M Saunders								
4	J Scobie	4	Savage								

NOTE *: nominated by Thanet Association of Parish Councils.

Standards Committee

Labour	Conservative	Thanet Independent Group	UKIP	Independent Group	Independent Members (non Councillors)	Parish / Town *
1 D Green	1 Marson			1 Grove	1 Jonathan Sexton †	1 Jennifer Fletcher
2 Nicholson	2 Roberts				2 Janet Bacon #	2 David Lawson
3 H Scobie	3 M Tomlinson				3 Vacant	3 John Way
					4 Vacant	

NOTE *: Nominated by Thanet Association of Parish Councils.

Key † Chairman (ratified later at the meeting)

Vice Chairman (ratified later at the meeting)

East Kent Joint Arrangements Committee

1	Leader of the Council
2	Deputy Leader of the Council

Elections of Chairman and Vice-Chairmen to Committees, Panels and Boards for the 2014/15 Municipal Year

NOMINATION(S) FOR:	MEMBER ELECTED
	Councillor:
<p>Chairman of the PLANNING COMMITTEE</p> <p>Upon two nominations as follows being put to the vote:</p> <p>Councillor Cohen – proposed by Councillor Johnston, seconded by Councillor Nicholson</p> <p>Councillor S Tomlinson – proposed by Councillor Bayford, seconded by Councillor Wise</p>	COHEN
<p>Vice-Chairman of the PLANNING COMMITTEE</p> <p>Upon two nominations as follows being put to the vote:</p> <p>Councillor C Hart – proposed by Councillor Johnston seconded by Councillor Nicholson</p> <p>Councillor S Tomlinson – proposed by Councillor Bayford, seconded by Councillor Wise</p>	C HART
<p>Chairman of the LICENSING BOARD</p> <p>Upon two nominations, as follows, being put to the vote:</p> <p>Councillor Huxley – proposed by Councillor Johnston, seconded by Councillor Nicholson</p> <p>Councillor M Tomlinson – proposed by Councillor Bayford, seconded by Councillor Wise</p>	HUXLEY

NOMINATION(S) FOR:	MEMBER ELECTED
<p>Vice-Chairman of the LICENSING BOARD</p> <p>Upon two nominations, as follows, being put to the vote:</p> <p>Councillor Matterface – proposed by Councillor Johnston, seconded by Councillor Nicholson</p> <p>Councillor M Tomlinson – proposed by Councillor Bayford, seconded by Councillor Wise</p>	<p>Councillor:</p> <p>MATTERFACE</p>
<p>Chairman of the OVERVIEW AND SCRUTINY PANEL</p> <p>On the proposal of Councillor Johnston, seconded by Councillor Bayford, and there being no further nominations</p>	<p>GIDEON</p>
<p>Vice-Chairman of the OVERVIEW AND SCRUTINY PANEL</p> <p>On the proposal of Councillor Johnston, seconded by Councillor Nicholson, and there being no further nominations</p>	<p>CAMPBELL</p>
<p>Chairman of the GOVERNANCE AND AUDIT COMMITTEE</p> <p>Upon two nominations, as follows, being put to the vote:</p> <p>Councillor Worrow – proposed by Councillor Johnston, seconded by Councillor Nicholson</p> <p>Councillor Binks – proposed by Councillor Bayford, seconded by Councillor Wise</p>	<p>WORROW</p>
<p>Vice-Chairman of the GOVERNANCE AND AUDIT COMMITTEE</p> <p>Upon two nominations, as follows, being put to the vote:</p> <p>Councillor Lodge-Pritchard – proposed by Councillor Johnston, seconded by Councillor Nicholson</p> <p>Councillor Binks – proposed by Councillor Bayford, seconded by Councillor Wise</p>	<p>LODGE-PRITCHARD</p>
<p>Vice-Chairman of the JOINT TRANSPORTATION BOARD</p> <p>On the proposal of Councillor Johnston, seconded by Councillor Nicholson, and there being no further nominations</p>	<p>CLARK</p>

Appointment of the Chairmen and Vice-Chairman of the Standards Committee and Constitutional Review Working Party

It was proposed by the Chairman, seconded by the Vice-Chairman and RESOLVED:

1. THAT Dr Jonathan Sexton be appointed Chairman of the Standards Committee and Constitutional Review Working Party for the 2014/15 Municipal Year;
2. THAT Mrs Janet Bacon be appointed Vice-Chairman of the Standards Committee and Constitutional Review Working Party for the 2014/15 Municipal Year.

128. RESPONSIBILITY FOR FUNCTIONS - OFFICERS

It was proposed by the Chairman, seconded by the Vice-Chairman and RESOLVED:

“THAT the Officer Delegations for the 2014/15 Municipal Year, as set out in Annex 1 to the report be approved”.

129. CALENDAR OF MEETINGS 2014/15

It was proposed by the Chairman, seconded by the Vice-Chairman and RESOLVED:

“THAT Council approves the revised calendar of meetings for 2014/15, as set out in Annex 1 to the report”.

130. REPRESENTATION ON OUTSIDE BODIES

It was noted that “British Ports Association” on the executive list at Annex 1 should read, “British Destinations”.

It was proposed by the Leader, seconded by Councillor Campbell and RESOLVED:

“THAT Council agrees:

1. the list of Executive Outside Bodies for the year 2014/15, as set out at Annex 1 to the report;
2. the list of Non-Executive Outside Bodies for the year 2014/15, as set out at Annex 2 to the report;
3. the nominations to the Non-Executive Outside Bodies for the year 2014/15, as set out at Annex to the report, subject to:
 - i. Councillor Nicholson being appointed in place of Councillor D Green on the East Kent Housing Area Board;
 - ii. Councillor Harrison replacing Councillor Poole on the PATROL (Parking and Traffic Regulation Outside London) Adjudication Joint Committee;
 - iii. Councillor Dwyer replacing Councillor Gibson on the Youth Advisory Group

131. MEMBERS' ALLOWANCES SCHEME 2014/15

It was proposed by the Chairman, seconded by the Vice-Chairman and RESOLVED:

“THAT the recommendations as set out in Section 5 of the report be adopted, namely:

1. That Council notes the comments of the East Kent Joint Independent Remuneration Panel (EKJIRP) on the 2014/15 Members' Allowances Scheme as adopted at Council on 24 April 2014;
2. That Council agrees the changes to the Members' Allowances Scheme regarding requiring VAT receipts to be provided in support of mileage claims, as shown in Annex 2 to the report;
3. That Council agrees the changes to the Members' Allowances Scheme as shown at Annex 1 to the report regarding replacing the existing mileage rates with a "within Kent" mileage rate, and that all journeys outside of Kent are paid on the basis of whichever the lower is of a standard open class rail fare inclusive of taxis fares, parking charges and underground fares of mileage at a rate of 34.41 pence per mile;
4. That if the Members' Allowances Scheme is amended, Council refers the Scheme to EKJIRP for them to consider, with any comments from EKJIRP being reported back to Council.

132. ANNUAL REPORT - CHAIRMAN OF OVERVIEW & SCRUTINY PANEL

The report was NOTED.

133. REVIEW OF THE EFFECTIVENESS OF THE GOVERNANCE AND AUDIT COMMITTEE AND ANNUAL REPORT FOR 2013/14

It was proposed by Councillor Worrow, seconded by Councillor Johnston and RESOLVED:

"THAT Council approves the content of the annual report and the recommended actions within the action plan".

Meeting concluded : 8.15 pm

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PETITION TO COUNCIL – COMPULSORY PURCHASE OF MANSTON, KENT’S INTERNATIONAL AIRPORT

To: **Council – 10 July 2014**

By: **Madeline Homer, Director of Community Services**

Classification: **Unrestricted**

Wards: **All**

Summary: A petition to the Council has been received in relation to Kent international Airport

For decision

1.0 Introduction and background information

- 1.1 Under the Council’s petitions scheme, if a petition contains more than 1,000 signatures, the petition organiser will be offered five minutes to present the petition at a meeting of Council; and, at the meeting at which the presentation of the petition takes place, Council will debate the petition and decide how to respond.
- 1.2 The petitions scheme also states that the total time devoted to the consideration of petitions at any single Council meeting will not exceed 30 minutes.

2.0 Current Situation

- 2.1 AnEpetition organised by Oscar Maynard (Save Manston Airport Group) has been signed by 3361 persons. The petition prayer reads:

“We the undersigned petition the council to make a compulsory purchase of Manston, Kent’s International Airport. We would also like Thanet District Council to look into the possibility of members of the public to buy bonds into this purchase.

- 2.2 In addition to the 3,361 persons who have signed the Epetition, 4,330 persons have validly signed a paper petition containing the same petition prayer as the Epetition. Officers cannot check whether these two sets of signatures “duplicate” any signatories, as those who have signed the paper petition have not always given a full first name and surname, so therefore it is not possible to add them together to determine a “total” number persons signing the petition.
- 2.3 This petition ran from 15 May 2014 to 26 June 2014, which thus ends 9 working days prior to this meeting. Part 1.1 of the Council’s petitions scheme (as referred to at Council Procedure Rule 12.1 and included at Part 5 of the constitution – Codes and Protocols) states that:

“if a petition has 1,000 or more signatures and does not request that an officer gives evidence to the Overview and Scrutiny Panel meeting it must be submitted at least 25 working days in advance of a Council meeting in order for it to be considered at that meeting”

- 2.4 Thus, in constitutional terms, the petition is technically too late to be presented to this meeting. However, the Chairman has suggested Council may wish to suspend that rule in view of the large amount of public interest in the subject of the petition and the timescales involved.
- 2.5 Suspension of procedure rules is possible under Council Procedure Rule 29.1 by motion (i.e. if a majority of Members present agree to it), providing that at least one half of the whole number of Members of the Council are present at the meeting. Suspension can only be for the duration of the meeting.
- 2.6 Mr Oscar Maynard has nominated Mr Keith Churcher to present the petition to Council at this meeting. Subject to suspension of the procedure rule referred to above, he will have up to five minutes in which to speak.
- 2.7 The making of compulsory purchase orders is an Executive function. That being the case, the petitions scheme provides that the petition can be referred by Council to Cabinet with or without debate. If the petition is referred to Cabinet without debate at Council, the person presenting the petition would be able to re-present it at the subsequent Cabinet meeting at which it is considered.
- 2.8 The petitions scheme also provides that where the issue is one on which the Executive is required to take the decision, the Council can (*if it decides to debate the petition*) make recommendations to inform that decision.

3.0 Options

- 3.1 Council may or may not wish to suspend the rule in the petitions scheme requiring at least 25 working days' notice for presenting a petition with at least 1,000 signatures to a meeting of Council.
- 3.2 If Council does suspend that rule, it may:
- 3.2.1 debate the petition and then refer to the petition to Cabinet with or without recommendations to inform Cabinet's decision;
- 3.2.1 refer the petition to Cabinet without debate.

4.0 Corporate Implications

4.1 Financial

- 4.1.1 The financial implications of any decision will be considered in any Cabinet report.

4.2 Legal

- 4.2.1 Under the terms of the Council's Petitions Scheme, a petition with at least 1,000 signatures can be referred to Cabinet with or without debate. If Council refers the petition to Cabinet without debate, the person presenting the petition at this meeting can re-present it at the meeting of Cabinet at which the petition is considered. If Council debates the petition it can make recommendations to inform the decision of Cabinet.

4.3 Corporate

- 4.3.1 None specific

4.4 Equity and Equalities

- 4.4.1 None specific

5.0 Recommendation

- 5.1 THAT Council decides whether to suspend, for the duration of this item, the rule in the Petitions Scheme that requires a petition with 1,000 or more signatures to be submitted at least 25 working days in advance of a Council meeting, in order for it to be presented to a meeting;
- 5.2 THAT if Council does waive the relevant rule in the Petitions Scheme, Council decides whether to:
- 5.2.1 debate the petition and refer it to Cabinet with or without recommendations;
- 5.2.1 refer the petition to Cabinet without debate.
- 5.3 If Council does not suspend the rule in the petitions scheme referred to above, it will not be able to debate the petition or refer it to Cabinet, and the petition would be presented to the next ordinary meeting of Council.

6.0 Decision Making Process

- 6.1 It is for Council to decide whether or not to waive the procedure rule relating to the number of days' notice to be given of a petition with at least 1,000 signatures and, if so, whether or not to debate the petition before referring it to Cabinet.

Contact Officer:	Madeline Homer, Director of Community Services, Ext. 7123
Reporting to:	Dr Sue McGonigal, Chief Executive, Ext 7002

Annex List

None	
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Corporate Consultation Undertaken

Finance	Paul Cook, Interim Director of Corporate Resources
Legal	Steven Boyle, Interim Legal Services Manager and Monitoring Officer

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NOTICE OF MOTION – MOVING TO A COMMITTEE SYSTEM

To: **Council – 10 July 2014**

By: **Interim Director of Corporate Services and Deputy S.151 Officer**

Classification: **Unrestricted**

Ward: **All Wards**

Summary: **To consider a Notice of Motion submitted in relation to moving from a Cabinet system of governance to a Committee System.**

For Decision

1.0 Introduction and Background

- 1.1. The following motion has been received from Councillor Driver in accordance with Council Procedure Rule No. 16:

“Council agrees that a report be prepared which examines the advantages and disadvantages of moving from the Cabinet system of governance to a Committee system and which also sets out the legal and organisational processes involved in making such a change. Council agrees that this report be placed on the agenda for discussion at the next meeting of the Council.”

2.0 Options

- 2.1 Council can agree to debate the motion;
- 2.2 Council can agree not to debate the motion, in which case the motion will fall.

3.0 Corporate Implications

3.1 Financial

- 3.1.1 None arising directly from this report, although it is expected that preparing the report requested above would consume a significant amount of officer time. Furthermore, any change in governance arrangements could have significant financial implications, because it would require the development of a new constitution, and might generate more frequent meetings requiring additional officer support.

3.2 Legal

- 3.2.1 Council Procedure Rule 16.3 states that the Member whose name appears first on the notice will move the motion during his or her speech and call for a seconder. If seconded, a Member from the controlling political group will be entitled to a reply, after which the motion shall stand referred without further discussion to the Cabinet or appropriate committee for determination or report unless the Council decides to debate the motion in accordance with Rule 19 (*rules of debate*)

3.2.2 However, as only Council can adopt the motion on notice, the motion will fall if the Council does not agree to debate it.

3.2.3 By virtue of Part 1A to the Local Government Act (LGA) 2000 (as introduced by the Localism Act 2011) Councils can opt to have a committee system (with or without a scrutiny committee) in place of an executive system, providing that (where applicable) they still carry out statutory scrutiny functions relating to health, flood risk management, crime and disorder and in relation to other partners. They can also make proposals to the Secretary of State to make regulations to prescribe alternative governance arrangements.

3.2.4 In order to change from one executive model to another or from an executive to committee model, a council must, under Section 9KC LGA 2000: pass a resolution to change; make publicly available documentation setting out the new arrangements; and publish a notice in at least one local newspaper stating the date and main features of change. A council cannot pass a further resolution to change until five years have elapsed, unless the latter resolution is approved in a referendum.

3.2.5 The time when a council ceases to operate the former governance arrangements and commences operating new arrangements is (in the case where the move is neither from nor to a mayoral executive), the annual meeting of council following the resolution to change.

3.2.6 A council must hold a referendum on a change in governance arrangements in the following circumstances: if it resolves to do so; if its existing arrangements had been subject to a referendum; if it receives a valid petition from 5% of its registered electors to do so, or if the Secretary of State has directed by regulations or by order that it should do so.

3.3 Corporate

3.3.1 Council Procedure Rule 16 provides the opportunity for Councillors to give advance notice of motions to be put to Council.

3.4 Equity and Equalities

3.4.1 None arising at this stage.

4.0 Recommendation

4.1 Council is invited to consider whether to debate the motion.

5.0 Decision Making Process

5.1 It is for Council to decide whether or not to debate the motion, and if it does so, whether or not to agree the motion.

Contact Officer:	Glenn Back, Democratic Services and Scrutiny Manager, ext 7187
Reporting to:	Paul Cook, Interim Director of Corporate Resources and Deputy S.151 Officer, ext 7617

Annex List

None	
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Background Papers

Title	Details of where to access copy
None	

Corporate Consultation Undertaken

Finance	Paul Cook, Interim Director of Corporate Services
Legal	Steven Boyle, Interim Legal Services Manager and Monitoring Officer

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NOTICE OF MOTION – MANSTON AIRPORT

To: **Council – 10 July 2014**

By: **Interim Director of Corporate Services and Deputy S.151 Officer**

Classification: **Unrestricted**

Ward: **All Wards**

Summary: **To consider a Notice of Motion submitted in relation to the recent closure of Manston as a regional airport**

For Decision

1.0 Introduction and Background

1.1. The following motion has been received from Councillor Johnston in accordance with Council Procedure Rule No. 16:

"Council affirms its considerable disappointment at the recent closure of Manston as a regional airport. We recognise the public support for its continuation as an airport and endorse the steps taken to date towards that objective. Council urges all available options to that end be explored, including a detailed examination of the legal and financial implications of a Compulsory Purchase Order before a final decision is reached."

2.0 Options

- 2.1 To debate the motion (then refer to Cabinet for determination or report)
- 2.2 Not to debate the motion and refer to Cabinet for determination or report

3.0 Corporate Implications

3.1 Financial

3.1.1 The financial implications of any proposal would be fully examined before any decision is made.

3.2 Legal

3.2.1 Council Procedure Rule 16.3 states that the Member whose name appears first on the notice will move the motion during his or her speech and call for a seconder. If seconded, a Member from the controlling political group will be entitled to a reply, after which the motion shall stand referred without further discussion to the Cabinet or appropriate committee for determination or report unless the Council decides to debate the motion in accordance with Rule 19 (*rules of debate*)

3.2.2 Council Procedure Rule 16.4 (a) (iii) states that where a motion on notice would, if adopted, constitute the exercise of an executive function, that motion must be referred to Cabinet (or relevant Cabinet portfolio holder as appropriate) for decision.

3.3 Corporate

3.3.1 Council Procedure Rule 16 provides the opportunity for Councillors to give advance notice of motions to be put to Council.

3.4 Equity and Equalities

3.4.1 None arising at this stage.

4.0 Recommendation

4.1 Council is invited to refer the motion on notice to Cabinet for determination or report or to debate the motion and then refer to Cabinet for determination and report.

5.0 Decision Making Process

5.1 In accordance with Council Procedure Rule 16, unless Council agrees otherwise, this motion will be referred to Cabinet or appropriate Committee without discussion. Council can, however, agree to debate the matter.

Contact Officer:	Glenn Back, Democratic Services and Scrutiny Manager, ext 7187
Reporting to:	Paul Cook, Interim Director of Corporate Resources and Deputy S.151 Officer

Annex List

None	
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Background Papers

Title	Details of where to access copy
None	

Corporate Consultation Undertaken

Finance	Paul Cook, Interim Director of Corporate Resources
Legal	Steven Boyle, Interim Legal Services Manager and Monitoring Officer

LEADER'S REPORT TO COUNCIL

To: **Council – 10 July 2014**

By: **Democratic Services & Scrutiny Manager**

Classification: **Unrestricted**

Summary: **To receive a report from the Leader in accordance with Council Procedure Rule 2.2**

For Information

1.0 Introduction and Background

1.1 Council Procedure Rule 2.2 provides that:

The Leader of the Council may make an oral report, not exceeding ten minutes, on key issues arising since the last meeting of Council.

The Leaders of any other Political Group may comment on the Leader's Report. The comments of the Leaders of the other Political Groups shall be limited each to five minutes. The other Group Leaders will comment in an order determined by the number of Councillors within those Political Groups, with the largest Group commenting first, and so on.

The Leader has a right of reply to each Group Leader limited to two minutes, in hierarchical order, to any comments made on his/her report.

The Leader of the Council and the Leader of any other Political Group may appoint substitutes to speak on their behalf.

No motions may be moved nor resolutions passed under this item.

2.0 Corporate Implications

2.1 Financial and VAT

2.1.1 Any implications will be covered in the Leader's Report.

2.2 Legal

2.2.1 Any implications will be covered in the Leader's Report.

2.3 Corporate

2.3.1 Any implications will be covered in the Leader's Report.

2.4 Equity and Equalities

2.4.1 Any implications will be covered in the Leader's Report.

3.0 Recommendation

3.1 This report is for information only.

4.0 Decision Making Process

4.1 This report is for information only.

Contact Officer:	Glenn Back, Democratic Services and Scrutiny Manager, Ext 7187
Reporting to:	Paul Cook, Interim Director of Corporate Resources

Annex List

None	
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Background Papers

Title	Details of where to access copy
None	

Corporate Consultation Undertaken

Finance	N/A
Legal	N/A

RESPONSIBILITY FOR FUNCTIONS – EXECUTIVE DELEGATIONS

To: **Council – 10 July 2014**

By: **Democratic Services and Scrutiny Manager**

Classification: **Unrestricted**

Wards affected: **N/A**

Summary: **This report allows the Leader to inform Council of amendments to the Executive portfolios.**

For Information

1.0 Introduction and Background

- 1.1 The Leader provides notification of the number and names of Councillors who together with the Leader and Deputy Leader will comprise the Cabinet for the ensuing Council year together with the details of the portfolio responsibilities allocated to each of them at the Annual Meeting of Council. This was done at the Annual Meeting of Council on 15 May 2014.
- 1.2 The Leader can make changes to the number and names and the portfolio responsibilities throughout the Council year as she sees fit. Any changes should be reported to Council for information only.

2.0 Current Situation

- 2.1 The Leader has informed Democratic Services of changes to the portfolio responsibilities.
- 2.2 Details of the amendments to Cabinet portfolios and functions covered as shown by track changes for the remainder of the 2014/15 municipal year are attached at Annex 1 to this report.
- 2.3 The consequential changes to Executive delegations to Cabinet Members as a result of the changes to Cabinet portfolios and functions are detailed at Annex 2 to the report.

3.0 Corporate Implications

3.1 Financial

- 3.1.1 There are no Financial Implications arising directly from this report.

3.2 Legal

- 3.2.1 The Leader determines the portfolios and scheme of delegations

3.3 Corporate

3.3.1 Cabinet and shadow portfolios are generally aligned in a way which mirrors themes (or combinations of themes) within the Council's Corporate Plan, to aid in the delivery of that Plan.

3.4 Equity and Equalities

3.4.1 None.

4.0 Recommendation

4.1 This report is for information only.

5.0 Decision Making Process

5.1 The Leader determines the portfolios and scheme of delegations.

Contact Officer:	Glenn Back, Democratic Services Manager, Ext 7187
Reporting to:	Paul Cook, Interim Director of Corporate Resources

Annexes

Annex 1	TDC Portfolio Holders and Functions Covered
Annex 2	Executive Delegations

Background Papers

Title	Details of where to access copy
None	

Corporate Consultation Undertaken

Finance	N/A
Legal	

Portfolio Holder	Name of Portfolio	Functions Covered
<p>Councillor Johnston Leader of the Council</p> <p><i>Shadow Cabinet Member: Councillor Wells</i></p>	Community Services	Community Safety, Margate Task Force, Events, Community Development (including Town Teams), Cultural Development, Indoor and Outdoor Leisure, Safeguarding Children, Sport, Youth, Tourism, Your Leisure Kent Ltd, Land Charges, Licensing, Environmental Health, including integrated Pollution Control, Street Nameplates, Statutory Nuisance, Food Safety and External Health and Safety, Health and Wellbeing Board, <u>East Kent Regeneration Board, Thanet Regeneration Board, Business Engagement, Kent and Medway Economic Partnership</u>
<p>Councillor D Green</p> <p><i>Shadow Cabinet Member: Councillor Bayford, Shadow Leader of the Council</i></p>	Strategic Economic Development Services	Economic Development & Regeneration Policy; East Kent Opportunities Ltd; Thanet Regeneration Board, Business Engagement, <u>Town Teams, Strategic Conservation Policy, Media Centre, Kent Innovation Centre and the Health and Wellbeing Board</u>
<p>Councillor Nicholson Deputy Leader of the Council</p> <p><i>Shadow Cabinet Member: Councillor Marson</i></p>	Housing and Planning Services	Housing Intervention, Private Sector Housing, Housing Needs/Homelessness, Housing Strategy, Client-side East Kent Housing, Building Control, Strategic Planning, Planning Applications, Planning Enforcement, Conservation
<p>Councillor Harrison</p> <p><i>Shadow Cabinet Member: Councillor Moores</i></p>	Operational Services	Port of Ramsgate, Ramsgate Royal Harbour Marina, Broadstairs and Margate Harbours, Cemeteries and Crematorium, Emergency Planning, Coastal Engineering, Grounds Maintenance, Parks and Open Spaces Management Playgrounds, Public Toilets, Street Cleaning, Recycling and Waste, Off Street Parking, On Street Parking, Street Scene Enforcement, Temporary Road Closure Orders, Thanet Coast Project, Water Safety and Beach Services, Foreshore, Allotments, CCTV
<p>Councillor Everitt</p> <p><i>Shadow Cabinet Member: Councillor Wise, Shadow Deputy Leader of the Council</i></p>	Financial Services and Estates	Budget Setting, Monitoring and Final Accounts, Treasury Management (Revenue, Capital and HRA), Insurance, Income, Payments, Systems Control and Improvement, Commercial Property, East Kent Audit Partnership, Property Management (including asset disposal, acquisition and asset management), Housing and Council Tax Benefits, Revenues (including Debt Recovery); Media Centre and Kent Innovation Centre

Portfolio Holder	Name of Portfolio	Functions Covered
<p>Councillor E Green <i>Shadow Cabinet Member:</i> <i>Councillor Bruce</i></p>	<p>Business and Corporate Resources</p>	<p>Business Information and Improvement, Information and Communications (including Public Relations, Marketing, Press Relations, Internal Communications, film locations and Records and Data Management), Business Support and Compliance (including Corporate Governance and Business Continuity), Policy and Business Planning (including Performance Management), Business Transformation and Options, Procurements and Contracts, <u>Risk Management</u></p> <p>Customer Services, <u>Customer Access</u>, Human Resources (including internal Health and Safety), IT,</p> <p>Democratic Services including Electoral Management, Member Services and Legal Services</p>

Section 3 - Responsibility for Executive Functions

A. General Delegations to all Portfolio Holders

In addition to acting collectively in the Cabinet, each Cabinet Member will have the general role of providing leadership and guidance in respect of all executive functions within the portfolio area for which he or she is accountable and the promoting and improving of the Council's profile and public perception.

In accordance with the Secretary of State's guidance, Cabinet Members should amongst other things:

- (i) ensure that they have sufficient time to focus on broad strategic issues (para 4.21 of the Guidance); and
- (ii) seek advice from relevant officers before taking a decision within his or her own delegated authority; where appropriate this should include taking legal advice, financial advice and professional officer advice (particularly about contractual matters) as well as consulting the Monitoring Officer where there is a doubt about legal powers (para 4.44 of the Guidance).

Any matter within a Cabinet Member's delegated powers may be referred by him or her to Cabinet for decision.

To regularly review the effectiveness of policies and the performance of services and make recommendations for continuous improvement to the Cabinet.

To oversee the capital and revenue budgets in areas of responsibility to ensure expenditure and income is consistent with the Council's agreed budget.

To liaise and work with other portfolio holders on cross cutting areas of responsibility and make recommendations to Cabinet as appropriate. [Note: Any matter relating to more than one portfolio area must be referred by the portfolio holders to Cabinet for decision.]

To oversee the review of fees and charges and recommend changes in line with the Council's agreed budget strategy.

To make or agree recommendations to Cabinet in relation to new policy areas.

To consider and endorse service plans to ensure compliance with the Corporate Plan.

To be accountable to the Cabinet for the implementation of agreed priorities and final recommendations from the Corporate Plan, Service Plans and reviews and to consider and act on reports received from officers monitoring progress.

To authorise the making of applications for planning permission for proposed development relating to the Member's portfolio area.

To make recommendations to Cabinet on bids for additional funding; expenditure; variations to expenditure and the letting of contracts for works; goods and services, in accordance with the Council's Contract Standing Orders. To support individual projects within the Cabinet Member's portfolio area, provided such expenditure is within the overall project budget and above the prevailing virement threshold.

In any case where a matter is urgent and a decision cannot reasonably await the next meeting of the Cabinet and the relevant portfolio holder does not have a general or specific delegated power, the relevant portfolio holder may nevertheless make a decision on behalf of the Cabinet subject (except in the case of the Leader) to prior consultation with the Leader and subject to the decision being reported to Cabinet as soon as practicable. [Note: in the case of a key decision the Access to Information Procedure Rules must still be complied with.]

B. Portfolio - Leader of the Council

1. As Cabinet Leader

Scope of Portfolio:

To lead and co-ordinate the Cabinet on all major

- Policy developments;
- Projects;
- Community Leadership initiatives.

Specific Delegated Powers:

1. To deal with matters relating to official, courtesy, foreign or general hospitality and related activities of Members within an approved budget;
2. To approve and lead arrangements for external partnerships;
3. To approve the appointment of Council Members to sit on external Partnership Boards related to regeneration and to monitor their performance in accordance with approved guidance;
4. To take any necessary executive decisions in respect of major regeneration projects
5. To nominate a Cabinet Member to act on his or her behalf on a specific project;
6. To recommend to Council and Cabinet (as the case may be) the appointment or nomination of Members to fill vacancies on the Approved Table of Outside Bodies;
7. To exercise any specific delegated power of any Cabinet Member.
8. To represent TDC on the Thanet Health and Wellbeing Board.

B. 2. Strategic Economic Development Services

Scope of Portfolio:

To lead policy development and advise the Cabinet on:

- Regeneration and economic development;
- East Kent Opportunities Ltd;
- Thanet Regeneration Board;
- Strategic Conservation Policy
- Media Centre
- Kent Innovation Centre
- Town Teams

Specific Delegated Powers:

1. To agree such actions as necessary to take full advantage of Assisted Area Status;
2. To foster and develop relationships with inward investors, representatives of the business community;
3. To support initiatives for the promotion of all forms of business and commercial investment in the district;
4. To represent Council on the Thanet Regeneration Board, EKO and EKSDC.

C. Deputy Leader of the Council

To act on behalf of the Leader when he or she is absent or unable to act. To work under the Leader's direction on Cabinet Co-ordination and ensure resolution of any inter portfolio issues.

D. Portfolio – Business and Corporate Resources

Scope of Portfolio:

To lead policy development and advise the Cabinet on:

1. Service improvement and transformation;
2. Communications (including PR, Marketing, Internal Communications and film locations);
3. Customer Access;
4. Information, records and data management and strategy;
5. Procurement and Contracts;
6. Business Support and Compliance (including Corporate Governance);
7. Policy and Business Planning (including Performance Management);
8. IT, Customer Services and HR;
9. Democratic Services;
10. Legal Services;
11. Risk Management

Specific Delegated Powers:

1. EK Services and EKHRP – management and monitoring of performance of shared services within the portfolio;
2. Input into and endorse as appropriate Press and PR initiatives;
3. Oversee the Council's approach to electoral registration;
4. To agree and table to Cabinet a quarterly performance overview.

E. Portfolio - Community Services

Scope of Portfolio

To lead policy development and advise the Cabinet on:

1. Community Safety;
2. Events;
3. Cultural and Community Development;
4. Indoor and Outdoor Leisure and recreation, including theatres;
5. Safeguarding Children;
6. ~~Play Areas~~, Sport and Youth;
7. Tourism;
8. Partnership with Your Leisure Kent Ltd;
9. Land Charges;
10. Licensing;
11. Environmental Health;
12. East Kent Regeneration Board;
13. Thanet Regeneration Board;-
14. Business Engagement
15. Kent and Medway Economic Partnership
- 14.16. Health and Wellbeing Board

Specific Delegated Powers

1. To represent Council on the Community Safety Partnership Executive Board;
2. To be the Council lead Member regarding the delivery of the Community Safety Partnership Action Plan and regular review of the Plan;
3. To represent Council on the Margate Task Force Board at appropriate meetings;
4. To foster and develop relationships with the tourist industry;
5. To be the Lead Member on initiatives that enhance Thanet District as a tourist destination;
6. To provide Member lead on the quarterly and bi-annual progress reviews of the Tourism Destination Management Plan;
7. To represent Council on the Local Government Association (Rural Commission);
8. To represent Council on the Kent Police & Crime Panel;
9. To represent Council on the British Destinations (AGM, Annual Conference and Executive Meetings);
10. To represent Council on the Margate Town Partnership;
11. To represent Council on the Thanet Sports Network;
12. To represent the Council on Your Leisure, Kent Ltd;
13. To represent the Council on Thanet Health and Wellbeing Board.

F. Portfolio - Financial Services and Estates

Scope of Portfolio:

To lead policy development and advise the Cabinet on:

1. Finance including revenue and capital for general fund and HRA budgets preparation and monitoring;
2. Treasury Management;
3. Insurance;
4. Budget Setting Monitoring and Final Accounts;
5. Income, Payments and Systems Control and Improvement
7. East Kent Audit Partnership;
9. Housing and Council Tax Benefits and Revenues (including Debt Recovery);
10. Property Management (including asset disposal, acquisition and asset management);
11. Commercial Property;
12. ~~Estate management;~~
13. ~~Media Centre.~~

Specific Delegated Powers:

1. To approve the write off of debts over £10,000;
2. To receive and to agree a quarterly financial overview on the use of external and Council funding in respect of Council Services;
3. To authorise detailed terms for the acquisition, sale, letting and granting of licences and leases in connection with Council land and property;
4. To authorise the granting of easements, release of covenants, surrenders of leases, assignments or amendments of any terms of approved leases;
5. To oversee the valuation, maintenance, repair and operation of all Council property in accordance with the Asset Management Strategy;
6. To keep under review the Council's land and property requirements through chairing the Asset Management Strategy Group;
7. To approve detailed terms for the acquisition, disposal or management of property and interests therein within the context of the Council's Asset Management Strategy and the current Asset Management Plan;
8. To oversee the valuation, maintenance, repair, operation of all Council Property in accordance with the Asset Management Strategy.

G. Portfolio – Housing and Planning Services

To lead policy development and advise the Cabinet on:

1. Housing Intervention;
2. Private Sector Housing;
3. Housing Needs/Homelessness;
4. Housing Strategy;
5. Client-side East Kent Housing;
6. Building Control;
7. Strategic Planning;
8. Planning Applications;
9. Planning Enforcement;

10. Conservation.

Specific Delegated Powers

1. To approve financial contributions to the development of new affordable housing from the Section 106 reserves;
2. To oversee proposals for new social housing developments delivered through the planning system;
3. To make decisions in respect to waivers in Right to Buy cases;
4. To approve the purchase or sale of additional shares or equity in shared ownership properties;
5. To oversee the arrangements for the management and supervision of all Council owned housing stocks, including repairs, maintenance, improvements, transfers and arrangements for tenant involvement, following appropriate consultation with residents as required by the Housing Acts;
6. To approve the making of demolition and probation orders;
7. To approve the making of CPOs and other measures to deal with empty properties in private ownership;
8. To approve the arrangements regarding appeals in respect of applications for re-housing, the allocation of housing or matters arising from the enforcement of the Council's conditions of tenancy including the termination of probationary tenancies;
9. To oversee and monitor the performance of EK Housing;
10. To represent the Council in sub-regional and regional areas in respect of the development of planning policy;
11. To oversee the development of Planning Policy including the Local Plan.

H. Portfolio – Operational Services

Scope of Portfolio:

To lead policy development and advise the Cabinet on:

1. Street cleaning;
2. Recycling and Waste collection;
3. Grounds Maintenance;
4. Cemeteries and crematoria, parks and open spaces, Playgrounds, grounds and public toilets;
5. Foreshore and coastal management including Harbours;
6. Parking and residual highway matters;
7. Allotments;
8. Emergency Planning;
- ~~9. Kent Innovation Centre;~~
- ~~10. Media Centre;~~
- ~~11. CCTV;~~
- ~~12. Engineering Services;~~
- ~~13. Street Scene Enforcement.~~

Specific Delegated Powers:

1. To approve following public consultation, all parking orders, taxi rank locations, street management schemes and resident parking schemes;
2. To oversee the implementation of any action in respect of temporary road closures authorised by the Town Police Clauses Act 1847;

3. To consider recommendations from Scrutiny and the Joint Transportation Board on traffic management and transportation matters and make recommendations thereon;
4. To oversee annually a business strategy for harbours which at any time come within the Council's control, to ensure the efficient and effective operation and marketing of those harbours.

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CONSTITUTION OF COMMITTEES, POLITICAL BALANCE, APPOINTMENTS TO COMMITTEES, PANELS AND BOARDS

To: **Council – 10 July 2014**

By: **Democratic Services Manager**

Classification: **Unrestricted**

Ward: **Not applicable**

Summary: This report seeks approval to amend the composition of Committees to reflect political balance, and to note any consequent changes in Group nominations to those Committees.

For Decision

1.0 Introduction

1.1 This report informs Council of changes to the political groups and seeks agreement on changes to the political proportionality of the Council and on the allocation of seats on committees to those political Groups.

2.0 Changes to Political Groups

2.1 Councillor Kim Gibson has left the Labour Group and joined the Thanet Independent Group. Councillor John Worrow has left the Thanet Independent Group and joined the Labour Group. Councillor Poole who was not a member of any political Group has joined the Labour Group.

2.2 The following table shows the political balance of the Council both prior to, and following, the change mentioned in paragraph 2.1

Table 1

Group	Prior to changes	After changes
Labour	25	26
Conservative	23	23
Independent Group	3	3
Thanet Independent Group	2	2
UKIP	2	2
Non-groups	1	0

3.0 Political Balance

3.1 It is for Council to decide the number and sizes of committees.

3.2 The Local Government and Housing Act 1989 requires the Council to allocate seats on committees to political groups in accordance with the size of each group on the

Council as a whole and in accordance with the following principles which should be observed as far as is reasonably practicable:

- a) That not all seats on the same committee are allocated to the same political group;
- b) That the majority of the seats on a committee are allocated to a particular political group if the number of persons belonging to that group is a majority of the Council's membership;
- c) That, subject to a) and b) above, that the number of seats on the ordinary committees of a relevant authority which are allocated to each political group bears the same proportion to the total of all the seats on the ordinary committees of that authority as is borne by the number of members of that group to the membership of the authority; and
- d) subject to paragraphs (a) to (c) above, that the number of the seats on the body which are allocated to each political group bears the same proportion to the number of all the seats on that body as is borne by the number of members of that group to the membership of the authority.

3.3 For the purposes of political balance a group is required to have at least two members and to have been formally constituted as a political group.

3.4 After consultation with the Leaders of all of the Political Groups consensus was achieved and the following changes were proposed for achieving proportionality:

That one seat is added to the Overview and Scrutiny Panel and that seat is given to the Labour Group.

3.5 Table 2 below shows the preferred option for changes to the numbers serving on Committees to reflect the change above:

Table 2

Committees	Total	Labour Group	Conservative Group	Thanet Independent Group	UKIP	Independent Group
Current membership						
Planning Committee	15	7	6	1	0	1
Licensing Board	15	7	6	0	1	1
Overview and Scrutiny Panel	15	7	6	1	0	1
Gov. and Audit	9	4	4	1	0	0
General Purposes	10	4	4	0	1	1
B&EA Working Party	7	3	3	0	1	0
Constitutional Review Working Party	4	2	2	0	0	0
Totals	75	34	31	3	3	4

Preferred Option						
Committees	Total	Labour Group	Conservative Group	Thanet Independent Group	UKIP	Independent Group
Planning Committee	15	7	6	1	0	1
Licensing Board	15	7	6	0	1	1
Overview and Scrutiny Panel	16	8	6	1	0	1
Gov. and Audit	9	4	4	1	0	0
General Purposes	10	4	4	0	1	1
B&EA Working Party	7	3	3	0	1	0
Constitutional Review Working Party	4	2	2	0	0	0
Totals	76	35	31	3	3	4

3.6 The overall political balance calculations for table 2 above can be found at Annex 1.

3.7 Recommendation

3.7.1 That Council agrees the following change to achieve political balance:

That one seat is added to the Overview and Scrutiny Panel and that seat is given to the Labour Group.

4.0 Nominations of Members to serve on Committees

- 4.1 Members are reminded that Section 16 of the Local Government and Housing Act 1989 states that where the Council has determined the allocation to different groups of the seats to which the Act applies, it shall be the duty of the authority to give effect to a Group's wishes about who is to be appointed to the seats that they have been allocated.
- 4.2 As a result of the changes recommended at paragraph 3.8 the corresponding amendments to group nominations must also be made.
- 4.3 In addition to the changes necessary as a result of the changes recommended above Democratic Services have also been informed that Councillor Campbell will no longer be a Labour Group nomination to the Planning Committee and will be replaced by Councillor Moore.

4.4 Changes to Group Nominations

- 4.4.1 The Labour group will gain a seat on the Overview and Scrutiny Panel and will need to make a new nomination to that Committee. Councillor Gibson was the Labour Group's nomination to the Overview and Scrutiny Panel and so the Labour group will need to make a new nomination to that Committee. Councillor Worrow was the Thanet Independent Group's representative on the pool of Planning substitutes, the Overview and Scrutiny Panel and the Governance and Audit Committee and so the Thanet Independent Group will need to make new nominations to each of these Committees. Councillor Campbell was a Labour Group Nomination to the Planning Committee and will be replaced by Councillor Moore. This can be summarised in the table below:

Committee / Group	Current Position	New Position
Overview and Scrutiny Panel		
Labour Group	This is an additional seat	New nominee needed
Labour Group	Cllr Gibson	New nominee needed
Thanet Independent Group	Cllr Worrow	New nominee needed
Planning Committee		
Labour Group	Cllr Campbell	Cllr Moore
Pool of Planning Substitutes		
Thanet Independent Group	Cllr Worrow	New nominee needed
Governance and Audit Committee		
Thanet Independent Group	Cllr Worrow	New nominee needed

4.5 Recommendation

- 4.5.1 To note the corresponding group nominations to Committees and Panels for the remainder of 2014/15 (The names of those Councillors so nominated will be presented at the meeting.)

5.0 Chairmen of Committees

5.1 The changes recommended above remove Councillor Worrow as the Thanet Independent Group representative on the Governance and Audit Committee. Unless the Labour group amend their nominations to the Governance and Audit Committee and make Councillor Worrow a member of the Governance and Audit Committee it will be necessary for Council to appoint a new Chairman of the Governance and Audit Committee.

5.1.1 Recommendation

5.1.1 To appoint a new Chairman of the Governance and Audit Committee if necessary.

6.0 Corporate Implications

6.1 Financial

6.1.1 There are no direct financial implications.

6.2 Legal

6.2.1 The composition and allocation of membership of the above bodies has been based on the relevant legislative requirements.

6.3 Corporate

6.3.1 None

6.4 Equalities

6.4.1 Assessing Relevance

6.4.2 There are no specific equity and equality considerations that need to be addressed in this report. Although there are Councillors within the protected groups, the changes being made are as a result of the Local Government and Housing Act 1989.

6.4.3 Equality Impact Analysis

6.4.4 N/A

7.0 Summary of Recommendations

3.7.1 That Council agrees the following changes to achieve political balance: That one seat is added to the Overview and Scrutiny Panel and that seat is given to the Labour Group.

4.5.1 To note the corresponding group nominations to Committees and Panels for the remainder of 2014/15 (The names of those Councillors so nominated will be presented at the meeting.)

5.1.1 To appoint a new Chairman of the Governance and Audit Committee if necessary.

8.0 Decision Making Process

8.1 Council is the decision making body in respect of determining the composition of Committees, etc and also appoints the Chairman of the Governance & Audit Committee.

8.2 Group Leaders determine their nominations to Committees, Panels and Boards.

Contact Officer:	Nicholas Hughes, Committee Services Manager, ext.7208
Reporting to:	Glenn Back, Democratic Services & Scrutiny Manager, ext. 7187

Annex List

Annex 1	Proportionality calculations for main committees covered by Local Government & Housing Act 1989
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Corporate Consultation Undertaken

Finance	N/A
Legal	Steven Boyle, Interim Legal Services Manager

Preferred Option to achieve proportionality

	Members	Labour	Conservative	Thanet Independent Group	UKIP	Independent Group
Overall Council	56	26	23	2	2	3
Groups only	56	26	23	2	2	3
Under s15 LGHA 1989 proportionality applies in full						
	Members	Labour	Conservative	Thanet Independent Group	UKIP	Independent Group
Planning Committee	15	7	6	1	0	1
	100.00%	46.67%	40.00%	6.67%	0.00%	6.67%
Licensing Board	15	7	6	0	1	1
	100.00%	46.67%	40.00%	0.00%	6.67%	6.67%
Overview and Scrutiny Committee	16	8	6	1	0	1
	100.00%	50.00%	37.50%	6.25%	0.00%	6.25%
Governance & Audit	9	4	4	1	0	0
	100.00%	44.44%	44.44%	11.11%	0.00%	0.00%
General Purposes	10	4	4	0	1	1
	100.00%	40.00%	40.00%	0.00%	10.00%	0.00%
BEAWP	7	3	3	0	1	0
	100.00%	42.86%	42.86%	0.00%	14.29%	0.00%
CRWP	4	2	2	0	0	0
	100.00%	50.00%	50.00%	0.00%	0.00%	0.00%
Totals allocated	76	35	31	3	3	4
	100.00%	46.05%	40.79%	3.95%	3.95%	5.26%
Totals entitlement	76	35.29	31.21	2.71	2.71	4.07
Difference from entitlement no.	0	-0.29	-0.21	0.29	0.29	-0.07
Difference from entitlement %		-0.3759	-0.2820	0.3759	0.3759	-0.0940

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REPRESENTATION ON OUTSIDE BODIES

To: **Council Meeting – 10 July 2014**

By: **Democratic Services Manager**

Classification: **Unrestricted**

Wards affected: **N/A**

Summary: This report notifies Council of the dissolution of one of the Outside Bodies on the Executive appointed list of outside bodies.

For Decision

1.0 Introduction

- 1.1 The Council has learned that the LGA Rural Commission has been disbanded. The Council currently has the LGA Rural Commission on its list of Executive appointed outside bodies.
- 1.2 Council now has two categories of outside bodies: those that relate to an Executive function and hence appointments should be made by the Cabinet, and those for which appointments should be made by Council.
- 1.3 It is for Council to decide on those outside bodies it feels relate to an Executive function, but for Cabinet to agree the nominations to them.

2.0 Current Situation

- 2.1 The Council have also been informed that a new LGA special interest group has been formed called the Rural Services Network which is designed to replace the LGA Rural Commission and the Council has been invited to join.
- 2.2 Officers have studied the offer from the Rural Services Network and in consultation with the Cabinet Member have decided not to recommend that the Council join the network. This is because in terms of the Council's current priorities, membership of this group would not help the Council to focus on the current issues faced by Thanet. In addition there would be a need to identify £495 to join. The offer from the Rural Services Network does classify authorities and lists them as predominantly or significantly rural. TDC are classified as a Council not in a predominantly or significantly rural classification but a member of the former Rural Commission. Therefore with the current budget constraints and other urban issues TDC faces membership is not deemed a priority at the current time.

3.0 Corporate Implications

3.1 Financial

- 3.1.1 There are no direct financial implications.

3.2 Legal

3.2.1 None

3.3 Corporate

3.3.1 The Council appoints representatives to outside bodies in order to express the views of the Council to those bodies on the work they undertake, and to feed back to the Council issues emerging from those bodies that relate to Council activities.

3.4 Equity and Equalities

3.4.1 There are no specific equity and equality considerations that need to be addressed in this report.

4.0 Recommendation

4.1 That Council amends the list of Executive appointed outside bodies to remove the LGA Rural Commission.

5.0 Decision Making Process

5.1 It is the function of Council to appoint representatives to outside bodies unless the appointment is an executive function or has been delegated by the Council.

Contact Officer:	Glenn Back, Democratic Services Manager, ext.7187
Reporting to:	Paul Cook, Interim Director of Corporate Resources

Annex List

None	
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Background Papers

Title	Details of where to access copy
None	N/A

Corporate Consultation Undertaken

Finance	N/A
Legal	Steven Boyle, Interim Legal Services Manager and Monitoring Officer

MEMBERS' ALLOWANCES SCHEME 2014/15

To: **Council – 10 July 2014**

Main Portfolio Area: **Corporate and Regulatory Services**

By: **Democratic Services Manager**

Classification: **Unrestricted**

Summary: This report gives Members the feedback from the East Kent Joint Independent Remuneration Panel (EKJIRP) on the amendments to the 2014/15 Members' Allowances scheme.

For Decision

1.0 Introduction and Background

1.1 The Council is required to have regard to the recommendations of the EKJIRP in making a scheme of allowances. Amendments to 2014/15 Members Allowances Scheme were agreed by Council subject to approval by the EKJIRP at its meeting on the 15 May 2014.

2.0 East Kent Joint Independent Remuneration Panel Review of 2014/15 Members' Allowances Scheme

2.1 Following approval at Annual Council on 15 July 2014, the amended 2014/15 Members' Allowances scheme was reviewed by the EKJIRP at its meeting on 13 June 2014. The EKJIRP approved all of the changes to it.

2.2 As the Council is legally required to do, the scheme will be advertised in a local newspaper shortly.

3.0 Corporate Implications

3.1 Financial and VAT

3.1.1 As shown at the last meeting of Council there will be no direct financial implications as a result of the changes to mileage claims, as they have been developed on a cost-neutral basis.

3.2 Legal

3.2.1 The Council is required to have regard to the recommendations of EKJIRP in making a scheme of allowances.

3.3 Corporate

3.3.1 The level of allowances may be seen as both impacting on the public's perception of the Council and a factor in making public services as a Councillor attractive to a broad range of potential candidates.

3.4 Equalities

3.4.1 Assessing Relevance

3.4.2 There are no direct equalities implications to this report as although there are Councillors from the protected groups, the allowances scheme applies to all Councillors equally.

3.4.3 Although it does not directly relate to protected groups, the draft scheme contains the ability to pay a dependent carers allowance to Councillors. This contributes to aims 1 and 2 of the Equality Act as it removes barriers to Councillors standing who have relatives that may be in need of dependent care.

3.4.4 Equality Impact Assessment

3.4.5 N/A

4.0 Recommendation(s)

4.1 To note the comments of the East Kent Joint Independent Remuneration Panel on the amended 2014/15 Members' Allowances Scheme as adopted at Annual Council on 15 July 2014.

5.0 Decision Making Process

5.1 It is for Council to agree the Members' Allowances Scheme; however Council must have regard to the views of EKJIRP when making a scheme.

Contact Officer:	Glenn Back, Democratic Services Manager
Reporting to:	Paul Cook, Interim Director of Corporate Resources,

Annex List

None	
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Background Papers

Title	Details of where to access copy
None	

Corporate Consultation Undertaken

Finance	Matthew Sanham, Finance Manager
Legal	Steven Boyle, Interim Legal Services Manager and Monitoring Officer

REPORT ON PEER REVIEW

To: **COUNCIL 10TH JULY 2014**

By: **Director of Community Services**

Classification: **Open**

Ward: **N/A**

Summary: To agree the process for implementing the Peer Review

For Decision

1.0 Background

- 1.1 The Peer Review under the aegis of the Local Government Association reported on 29th April 2014. A copy of the Report is attached at Annex 1.
- 1.2 The Council is now asked to consider taking forward the Peer Review recommendations through its normal governance structure, potentially augmented by the establishment of an Improvement Board
- 1.3 By implementing the Peer Review recommendations, the Council will be able to demonstrate continuing improvement in its services and governance.
- 1.4 The Corporate Performance Review Working Party have already considered the Peer Review at their 8th of May meeting and determined:
 - 1.4.1 That the executive seek to prioritise the Corporate Plan and make it clear where key priorities lie in light of the Peer Review Report and what actions will be taken to implement those priorities;
 - 1.4.2 That documentation that was prepared for the staff restructure be made available to Members in order for Members to understand the rationale for the restructure
 - 1.4.3 That a report be brought back to the Corporate Performance Review Working Party detailing the shape and terms of reference of the Improvement Board and the proposed membership;
 - 1.4.4 That the report back provides an analysis on what impact the proposed changes to the corporate priorities would have on the Council budget that key issues facing the Council had been identified
- 1.5 Recommendation 1.4.1 will be considered by the Cabinet in taking forward the Peer Review.
- 1.6 Recommendation 1.4.2 has already been addressed and the information made available to all members.
- 1.7 Recommendation 1.4.3 is the subject of this report that is being considered both by Corporate Performance Review Working Party and the Council.

1.8 Recommendation 1.4.4 will be addressed in preparing the 2015-16 budget and updating the Medium term Financial Strategy

2.0 Improvement Board.

2.1 The establishment of an Improvement Board with some independent membership is recommended by the Local Government Association and has proved a successful vehicle in other similar local authorities. It is intended the Board should be established by end of July 2014.

2.2 The standard terms of reference provided by the LGA will be considered by the Corporate Performance Review Working Party with a view to determining a final draft for approval by the Improvement Board.

2.3 It is proposed in the case of Thanet that the membership be as follows:

- *Improvement Board Chair – Senior Manager from another local authority
- Leader of Thanet District Council
- Deputy Leader of Thanet District Council
- Leader of the main opposition group, Thanet District Council
- Leader of the largest group of Independents
- Independent Chair of the Thanet DC Standards Committee
- Thanet DC Chief Executive
- Thanet DC Monitoring Officer
- *Three Peer Councillors

2.4 The Independent places * will be drawn from the original Peer Review Team or suitable LGA nominations to be determined by the Thanet Group Leaders and the Independent Groups representative.

2.5 One of the first actions of the Improvement Board will to be to approve a detailed action plan. A summary of the detailed list of actions recommended by the Peer Review is attached at Annex 2.

3.0 Corporate Implications

3.1 Financial and Risk

Some LGA funding may be available for the Improvement process. Any net cost will be contained within existing budgets.

3.2 Legal

3.2.1 Having had recommendations provided through the peer review challenge it would be appropriate for the Council to implement the recommendations

3.3 Corporate

3.3.1 Prompt response to the Peer review will enhance the Council's corporate reputation.

3.4 Equity and Equalities

3.4.1 The equalities issues raised by the Peer Review will be addressed by the Improvement Board.

4.0 Recommendations

4.1 That the Council approve the appointment of an Improvement Board on the terms set out in this report

5.0 Decision Making Process

Contact Officer:	Paul Cook Interim Director of Corporate Resources
Reporting to:	Madeline Homer, Director of Community Services

Annex List

Annex 1	Report of Local Government Association
Annex 2	List of Actions

Background Papers

Title	Details of where to access copy
N/A	

Corporate Consultation Undertaken

Legal	Steven Boyle, Interim Legal Services Manager and Monitoring Officer
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Sue McGonigal
Chief Executive
Thanet District Council
Cecil Street
Margate
Kent, CT9 1XZ

28th April 2014

Dear Sue

Thanet District Council – Corporate Peer Challenge

On behalf of the peer team, I would like to say what a pleasure and privilege it was to be invited into Thanet District Council to deliver the recent corporate peer challenge as part of the LGA offer to support sector led improvement. We commend the council for its willingness to invite an external team to provide feedback.

Peer challenges are delivered by experienced elected member and officer peers. The make-up of the peer team reflected your requirements and the focus of the peer challenge. Peers were selected on the basis of their relevant experience and expertise and agreed with you. The peers who delivered the peer challenge at Thanet were:

- Andrew Muter – Chief Executive, Newark & Sherwood District Council
- Cllr Helen Holland (Labour) – Leader of Labour Group, Bristol City Council
- Cllr Terry Hone (Conservative) – Deputy Leader and Finance Portfolio Holder, North Hertfordshire District Council/Deputy Executive Member for Resources & Transformation, Hertfordshire County Council
- Graham Cook – Deputy Chief Executive, Reigate & Banstead Borough Council
- Matt Nicholls – LGA Head of News and Internal Communications
- Peter Rentell – Programme Manager, LGA (peer challenge manager)
- Thomas Coales – LGA Public Affairs Manager (Shadow role)

Scope and focus of the peer challenge

You asked the peer team to consider:

- External consideration to your Economic Development strategy to test if aspirations for the area are realistic, deliverable and partners are committed to working with TDC;
- Views on your proposed Customer Service strategy;
- Challenge around Communications and Reputation

In addition the peer team considered the ability and capacity of the council to deliver its future ambitions by briefly looking at:

- Understanding of the local context and priority setting
- Financial planning and viability
- Political and managerial leadership, governance and decision-making
- Organisational capacity to deliver your priorities

The peer challenge process

It is important to stress that this was not an inspection. Peer challenges are improvement-focussed and tailored to meet individual council's needs. They are designed to complement and add value to a council's own performance and improvement focus. The peer team used their experience and knowledge of local government to reflect on the information and views shared by the people they met, the things they saw and the material they read.

The peer team prepared for the peer challenge by reviewing a range of documents and information in order to ensure they were familiar with the council and the challenges it is facing.

This letter provides a summary of the peer team's findings. It builds on the feedback presentation provided by the peer team at the end of their on-site visit (11th to 13th March 2014). In presenting feedback to you, they have done so as fellow local government officers and members, not professional consultants or inspectors. By its nature, the peer challenge is a snapshot in time. We appreciate that some of the feedback may be about things you are already addressing and progressing. LGA would be pleased to be involved with any further support to facilitate this issue.

We also hope the feedback provided will help stimulate further debate and thinking about the transformational change programme for Thanet and how it might develop and evolve.

Summary of feedback: overall observations and messages

The key messages from the peer team were:

- The council's reputation is of critical importance
- Clarify what you want to achieve and how you are going to do it and then put the appropriate resources in place – a rationalised set of priorities will drive the MTFP
- Work to improve trust, respect and visibility
- Develop and then implement your understanding of appropriate member and officer roles in a strong organisation
- Clear messages – well communicated
- Use LGA support as appropriate

You openly shared with us your recognition that Thanet District Council has suffered in terms of its reputation, largely as a consequence of the behaviour of some past and present politicians. The review team carefully considered the leadership, governance and reputational issues which you need to address. Rebuilding your reputation is the most important challenge you face.

We began by looking at your corporate priorities which are set out in your corporate plan. We welcome the clarity which this and other plans display. You have followed through strongly on some priorities such as the development of your Destination Management Plan and the development of the Margate Task Force.

However, you run the risk that your strategic plan is “all things to all people” and more work is required to prioritise within your plans and be clear about the few top priorities which need to be achieved. We heard a number of top priorities being described in our conversations with different people. Without a clearer focus, you will leave some things to chance and will not galvanise the efforts of your staff and your partners. Once you have clarified your top priorities, you need to think about how the organisation will need to change in the future in order to deliver them. We emphasised the need to communicate your top priorities clearly, consistently and repeatedly.

With regard to your financial position we found that you have a robust medium term strategy and that you can have confidence in the way your finances are managed. You are aware of and are dealing appropriately with some significant financial risks, notwithstanding some public perceptions which view those risks in the context of the wider reputation of the council. We think there is some further work you could do to rationalise your asset base to generate capital receipts and additional revenue. We think you could also review fees and charges to help with future budget challenges.

We looked at the capacity and resources you have in the council and were impressed by the frontline staff and middle managers we met. We think you have something very special in your committed workforce. They share your passion for Thanet and its natural and heritage assets. However, you have some challenges. You have rightly separated

the S151 role from the Head of Paid Service role and you plan to appoint another director. Your ambitious agenda will be supported by strengthening the top team in this way. You have other critical vacancies to fill and a restructure to complete and this work needs to move on with pace. Beyond these measures, we recommend that you consider ways in which you might be able to empower and delegate more decisions to staff and whether you need to add to your workforce development strategy. Above all, take time to communicate and celebrate the council's achievements, this is important to the staff who make things happen.

Your economic development strategy is clear and coherent. Culture, arts, tourism and heritage is important to you and your economy and you have recognised and acted on this. You have effectively engaged with important sub-regional partnerships so you can influence future investment but some of your local partners would appreciate stronger engagement, better communication and greater clarity about major infrastructure projects, such as Manston airport and the proposed railway station. You need to ensure that your senior officer and political engagement across these local and sub-regional partnerships is strong and consistent. Most importantly, if economic development is a top priority for you, resources (both staffing and financial) will need to be re-aligned behind it.

You asked us to look at customer services and we agree that your recognition of the need to develop a customer service strategy is an important step forward. You are working with East Kent Services (EKS) who are led by an impressive top team. You need to drive this integrated approach to customer services forward with pace and develop the essential analysis of demand, channels and performance. This will help to address low levels of resident satisfaction with the council. Don't forget that some of your pro-active work on the ground, like the MTF Street Week, helps to improve customer service, sends out a very positive image of the Council, and helps to manage demand.

Some concern was expressed about whether councils can function effectively under 'No Overall Control' (a 'hung' council where no political party has overall control). They can and do in many parts of the country. You need to develop ways in which political leaders and political groups work together formally and informally. This does not imply that you will agree on everything but careful preparation, communication and consultation can often help to navigate through difficult decisions. Building trust and relationships is the key, and senior officers play a key role in this, supporting politicians so that their leadership and their administration can be effective. The LGA has just published a report on this which you may find helpful:

http://www.local.gov.uk/web/guest/publications/-/journal_content/56/10180/6045035/PUBLICATION

You need to develop your understanding about the way in which leading politicians and senior managers can work effectively together. We sensed some confusion about political roles and a lack of clarity about the boundaries between political and

managerial responsibilities. We endorse your commitment to undertake some development work on this.

Your decision to invite us to carry out a Corporate Peer Challenge was set in the context of the reputation of the council. Instances of corruption in the near and far past have shaped your reputation and the continuing behaviours of politicians have only reinforced the negative impressions which people have of the council. You feel, and we agree, that there has been *some* evidence of improvement in behaviours and relationships between politicians in recent months. Sustained and rapid improvement in this area is critically important. Every councillor we spoke to demonstrated that they care about the area. Although there are differences about how the area should develop in future, this is the proper stuff of political debate and decision-making.

However, you have not addressed some behaviours which we described as 'toxic'. We found examples of antagonism, hostility, homophobia and discourtesy in the way that some councillors behave. There is an unwillingness to respect the confidentiality of some aspects of council business which are appropriately confidential. Many unfounded allegations have been made against senior officers who, whilst being held to account, are also owed a duty of care by the council. This behaviour must be tackled if you are going to improve community confidence in the council. We recommend that the advice of the Local Government Association is sought, particularly in respect of the most extreme behaviours and we also recommend that there should be mandatory training for members on equalities.

We heard some views that implied that the Council's reputational difficulties were entirely the result of the behaviour of a small number of councillors. Whilst we agree that some of those behaviours are extremely corrosive, we witnessed the poor behaviours of many other councillors during our visit. Barracking, bullying and talking over others are behaviours which also damage the council's reputation. There are things that all councillors can and should do to set an example and improve the reputation of the council including listening respectfully to the contributions of others, avoiding the use of personal insults and involvement in councillor training and development. A change in behaviour will help to change your reputation.

An improved reputation built on new standards of behaviour is the most important challenge you face.

As a review team we recognise the enormous reputational challenges that Thanet faces. We saw that you have many strengths in the council in which you should take pride and which could take centre stage if your reputation improved. We hope that our recommendations will help you to make a positive and lasting change and rebuild the confidence of your residents in the Council.

The key elements the corporate peer challenge looked at were:

1. Leadership and Governance

The political and managerial leadership of Thanet District Council (TDC) has had a number of daunting challenges since the current administration took control in 2011, operating as a minority administration, against a backdrop of serious reputational issues, legacy of those issues and on-going inappropriate member behaviours and culture undermining their desire for progress. Despite this we found many officers and members who were fully committed to moving TDC forward with a shared aspiration to improve the area and positively engage with the community.

Some councillors recognise that recent improvements in political behaviours and relationships have been important for the council and need to be built upon. Whilst this can seem difficult in a no overall control (NOC) council there are many other similar authorities who have made significant steps to improve provided the political values behind decisions are clear. Councils should be politically led organisations and politics should help guide officers. In some cases, the absence of visible political difference can accentuate the role of local ward-based issues which promote a more parochial view. The council's political leadership needs to assert itself on the direction of the council to avert the default position becoming an exclusive focus on local wards. Understanding and managing the 'big picture' is an essential part of the council's political function.

A recent management restructure has separated the responsibility for the council's financial affairs from those of the chief executive. This role will come under a new director of corporate resources, who will also oversee legal services and the post of monitoring officer. The previous decision to combine the S151 role and Head of Paid Service wasn't working and the peer team fully endorse the approach you have taken to separate these roles. Your statutory officers at the top of the organisation play an important role and their ability to provide strong advice and challenge where a political course of action might be unlawful or fiscally reckless is an important assurance for the public and for the council itself. Your senior team need to be free to "speak truth unto power".

TDC have a track record of shared service delivery across East Kent through a shared service arrangement East Kent Services (EKS) comprising collaboration with two other councils. This has delivered significant savings to date and is an impressive arrangement with further opportunities for future savings through potential packaging of other services. The key issue is the current appetite for further shared service work across organisations and this will need strong political and managerial leadership to influence future opportunities to share services as one of the three partners. There are also opportunities to pursue shared service arrangements with other local authorities building on the experience and knowledge within TDC. Despite the significant staff reductions at Kent County Council they still see TDC as their key priority from an

economic development perspective and have a strong desire, supported by their Leader, to invest in regeneration of the District.

We heard some very positive feedback about the use of Cabinet Advisory Groups (CAGs) and would encourage their further development as a good tool for encouraging cross-party working and developing consensus around some policy areas. There appears good scope for using CAGs as a way of developing scrutiny, steering more towards policy development and allowing members to own political input, and moving away from post-decision scrutiny which often seems designed to foster and exacerbate differences. The current model provides a platform and ammunition to negative voices both inside and outside the council and on blog-sites.

Regarding the Overview and Scrutiny (O&S) meeting the team observed a detailed presentation by the Chief Executive of East Kent Hospitals was followed by some antagonistic questioning, assertions by some members that the presentation had deliberately withheld some information and by another threatening FOI. We were unclear about the value that TDC and members got from this agenda item. Other agenda items included further reports on some high profile contentious issues which, when debated, gave further opportunities for grandstanding and aggressive challenging of officers.

The Overview and Scrutiny committee find it impossible to use O&S to help to move things forward whilst some members see those meetings as a political platform to exemplify “us and them” attitude, - Thanet against the rest of Kent, political opponents against each other and members against officers. Although CAGs may assist as described above, it is difficult for members and officers to see a way forward until the work on new standards of behaviour is embedded, in conjunction with a collective agreement of values and behaviours across all political parties, to put the future of Thanet at the heart of political decision-making.

In view of the reputational legacy there is a need to create consistent positive perceptions of the work of the council and its partners and to celebrate success. There are a number of good examples of successful outcomes which do not appear to have been celebrated e.g. excellent feedback on the work on promoting the District for film locations.

Improved clarity about priorities, roles and responsibilities for officers and members can build trust with other agencies leading to improved outcomes, better governance, increased visibility resulting in greater understanding and respect. This should create a virtuous circle that will show residents, local media, business and other stakeholders that they can have confidence in the council and the administration.

We saw signs to demonstrate that clear leadership can happen in Thanet as a NOC council, however, Senior Management Team (SMT) and cabinet need to develop a stronger collaborative approach with clearly defined roles in leading both the organisation and the place. We observed a lack of collective responsibility across political groups and group cohesion is essential in working together, despite political

colour, for the benefit of the council, the community and the place. Early group participation in the decision making process appeared to be inconsistent across the different political parties and is vitally important to your future success. Regular well attended political party group meetings should be the opportunity for development of party policies and priorities.

We recognise that there remains distrust between officers and some members. This is damaging to both staff and the organisation. In our view your staff should not have to work in the environment some current member behaviour is putting them in. These issues are having a serious destabilising effect of the working of the council.

Members need to be realistic in their demands and SMT firm in delivering messages about what they can and cannot do. There is an urgent need to develop an understanding between members and officers in order to define mutual expectations and stick rigidly to them. Each side needs to understand and acknowledge what they expect from one another including defining what constitutes acceptable and unacceptable behaviour. There needs to be clear boundaries to avoid lines between officers and members becoming blurred, so that members focus on policy issues and avoid getting drawn into detail with officers, which in turn will allow officers to be more agile and empowered. Agree what is important, and officers will be able to support the leadership of the council in delivering their priorities and at the same time this will give officers the courage to sometimes say 'no', otherwise current practices will continue to drain capacity from the organisation. Regardless of how divergent their views may be the leaders of the various political groups must sit down together with statutory officers to talk openly about the issues that matter most to them and the council and build professional and constructive working relationships going forward for the benefit of the council, partners and residents. This will help the council move away from the "dysfunctional" description given to it in the media.

The council has recognised that senior management capacity has been stretched for some time with a chief executive and two executive directors taking on a number of roles which they have struggled to manage. The current restructure will alleviate some of these pressures and this should be done in an expeditious manner. These changes should enable SMT to improve their visibility in leading the organisation across staff and externally with partners

Partners told us of persistent non-response of officers and both staff and partners described insufficient visibility of the chief executive and leader and would welcome more transparency and clarity around priorities. This was, however, described to us in a positive manner i.e. how could they help to spread the burden and get involved at the inception of projects and key decisions.

2. Priority Setting

You have a Corporate Plan in place with agreed priorities for 2012-16. You have followed through strongly on some key priorities such as the development of your

Destination Management Plan and the development of the Margate Task Force and your investment needs are recognised and prioritised by Kent County Council.

The council has prioritised the physical regeneration of the historic built environment with heritage initiative schemes operating in Cliftonville, Margate Old Town and Ramsgate seafront. These have shown considerable success in bringing empty properties back into use across the district. To meet current and future housing challenges the council has adopted a new allocations policy to prioritise people with a local connection and a selective licensing scheme has been introduced to regulate the private sector in Cliftonville. This ensures residents have access to good quality and well managed accommodation, complementing the work of the Margate Task Force.

Development of the Local Plan is currently on track with stage two consultation on preferred options, including identifying sites where development should go, expected soon. A final draft is anticipated late 2014 with adoption in 2015. Support from the Planning Advisory Service at LGA has supported this process and is helping the council to get through the future challenges.

Neither officers nor members were able to articulate a shared set of priorities. At present there appear to be too many priorities and these need to be revisited and refined with a focus on a smaller number of key priorities. The council needs to be as strong about deciding what the non-priorities are as it is about setting priorities. As an example, if Economic Growth and Regeneration is your key priority then clearly articulate that and resource it.

Prioritisation is as much about taking the gold plating off services as it is about stopping services, or it can be about introducing /increasing charges for non-core services, or delivering services via community resources. If non-priority or lower priority areas cannot be identified, everything ends up as equally important and therefore nothing is protected or promoted. This underpins an earlier observation about where the politics are in terms of driving council priorities in a NOC authority.

In order to deliver agreed priorities you need to harness the energy and resource offered by local partners and stakeholders in order to deliver more than TDC alone can achieve. Good examples of how this has already been achieved are with the Margate Task Force and your Destination Management Plan. In addition, capitalise on the enthusiasm and goodwill of your staff, recognising their role in delivering key priorities.

Once you have reviewed and refined your priorities you need to plan for what type of council you need to be in the medium term (3-5 years). In conjunction with the development of a future operating model the council will need to be assured it has the right skills to undertake and deliver this. Commissioning skills might be needed to spread best practice across other areas of the organisation. When the future operating model for the council is agreed there will need to be a 'skill gap' analysis undertaken to identify relevant gaps which will almost certainly be in areas such as contract management, demand forecasting and general commercial acumen. You will need to determine whether you have internal talent to fulfil these roles or whether recruitment is

required. All of this can only be achieved by more effective communication (internal and external).

3. Financial Planning and Viability

The Medium Term Financial Plan (MTFP) is robust and the council has achieved a clean bill of health with its accounts with an unqualified opinion from its external auditors. There is less dependency on reserves in setting the revenue budget and there is a tried and tested Treasury Management Strategy. Planned efficiency savings have been delivered to date and these achievements have been made despite falling grant support from central government over the period. This is all underpinned by a sound approach to risk management.

The issues around the Transeuropa debt have been very important for the council with the need to fund the sum of £3.3m to cover the bad debt. This was covered from reserves whilst still ensuring sufficient reserves remain to meet on-going needs and plans. The key impact is the on-going loss of revenue from not having a ferry operator. While the council hopes to attract a new operator, budget plans have had to reflect growth of £850k per annum to offset the loss of business.

There are also significant opportunities with the large asset base. It was clear that there needs to be some rationalisation of the capital programme or significant asset sales/borrowing to fund future capital projects. We acknowledge your current approach to a single lead on all asset issues (land and property) to generate further savings and the potential identification of surplus assets to generate capital receipts and community ownership. However, this will involve making tough and courageous political decisions going forward.

Whilst the MTFP looks relatively sound at present, there will be huge pressures on local government finances through austerity measures, an ageing population and demands from Thanet residents for help in difficult circumstances. This will necessitate the council developing strategies for options for further efficiency savings in future which could be around income generation/asset rationalisation/agile working. EKS is a cost effective shared service arrangement with opportunities for further savings subject to influencing other collaborating councils. We think you could also review fees and charges to help with future budget challenges, backed up by market evidence where available. Whatever new priorities you decide upon you need to ensure you have identified funding to deliver them.

Finally, it will be important to resolve at pace all outstanding financial risks and legal challenges in connection with projects such as the Pleasurama development and the live animals export issue.

4. Capacity and Resources

Despite the significant challenges and changes in the council over the past few years the resilience, commitment and loyalty of council staff we met was amazing. Staff at

both the frontline, and middle managers, appear to be realistic, honest and have a 'can do' attitude. Staff offered a number of creative solutions to us in discussion that the council would do well to harness through a formal mechanism. We evidenced considerable talent across the organisation.

A significant asset is the community and 'The Place' which has rich diversity and aligned to this is the land and assets (many heritage buildings) which can both assist in informing the Growth agenda and contribute to the transformation agenda e.g. develop a more cohesive approach in the operation of the council's assets. Both members and officers alike expressed a universal passion for the Place.

There is a strong tradition of partnership working in Thanet. Examples include funding from the Environment Agency to build Margate flood defences and working in partnership with the Dreamland trust to redevelop the former Dreamland site as a heritage theme park. The Margate Task Force (MTF) is a multi-agency co-located team with a shared budget to set up to transform and regenerate two deprived wards with well documented complex social problems, and the team has reduced crime and significantly improved joint 'street level' engagement, generating improved and more responsive service delivery in line with the needs of the local community. MTF is an exemplar scheme and can be rolled out across a wider area with transferable skills and outcomes that could be utilised on other projects.

There are many other good examples of effective partnering such as EKS shared service arrangement, Operation Cleansweep and Turner Contemporary which has exceeded expectations in terms of attendance figures and has had a knock on effect to local small to medium sized enterprises in catering and retail. All of these successes should be celebrated by the council and partners and with the local and national media to demonstrate the good things about Thanet DC and generate more 'good news' stories.

The new restructure needs to be driven through at a greater pace in order to build capacity and provide more effective, visible leadership across the council and strategic partners. Current vacancies need to be filled with the right calibre of staff, particularly critically important roles such as Head of Economic Development to support the Growth agenda and build closer links with Kent CC. Like many other smaller authorities there is often difficulty in attracting the right calibre of staff as you are within commuting distance to London which can result in candidates being attracted by higher remuneration with a London Allowance. The council needs to consider alternative and more innovative methods to attract and retain staff and should play heavily on the Place i.e. a lovely place to live with all the natural built environment and heritage. The peer team acknowledge the exercise undertaken by the council in recent years to market test remuneration packages and would recommend continuous monitoring of this data, particularly with a forthcoming recruitment drive, to ensure you employ the right people.

We noted limited strategic capacity across the organisation coupled with limited project and programme management capacity and these will need to be addressed. There was some concern expressed by staff and partners around recruitment and retention,

succession planning, personal development, recognition and communication. A workforce development strategy must be driven from SMT with directors ensuring there is a strong culture of workforce planning and development with agreed values and behaviours. We suggest you need an updated workforce development strategy to support a top down culture which provides greater consistency and in turn will help to strengthen future organisational resilience.

The governance and project management of any future transformation programme will need to be clear and robust. The council will need to ensure the arrangements are put into place to enable the linkages, sequencing and inter-dependencies between the various projects and activity to be clear. Robust monitoring and accountability will need to be a key feature of your programme governance to ensure the contribution to the budget strategy. As an example, such an approach will be required for the linkage of asset rationalisation, agile working, digital inclusion and customer access. This must be underpinned by a robust corporate IT and telecommunications function, we heard from many staff that there were deficiencies in the systems and technology and we would recommend a high level review is undertaken to ensure it is fit for purpose in order to deliver future requirements.

Some staff commented on the low level of delegation and empowerment, citing decisions getting 'stuck at the top' of the organisation for considerable periods of time and contributing to delays. We were unable to spend time finding out about the extent to which some of these perceptions were accurate. So we strongly recommend SMT review this issue to see if this is the case and take necessary corrective action to ensure decisions are made at the right level in the council based on risk and complexity. This would also serve to obtain greater buy-in from staff if they feel more empowered and are seen to be contributing through their own personal objectives to the agreed corporate priorities.

5. Economic Development Strategy

Your economic development strategy is clear and coherent and you have recognised the importance of culture, arts, tourism and heritage to your economy and acted on this. We found that you have effectively engaged with important sub-regional partnerships so you can influence future investment although some of your local partners would appreciate stronger engagement and better communication. In particular, you have demonstrated a good partnership approach to effectively engage in the County and at LEP level with strong leadership by your chief executive.

Going forward you need to ensure that your senior officer and political engagement across these local and sub-regional partnerships is strong and consistent. Most importantly, if economic development is a top priority for you, resources (both staffing and financial) will need to be re-aligned behind it to achieve your ambitious plans.

Some stakeholders we spoke to feel that the council often appear to back away from supporting contentious issues e.g. Manston Airport, HS1 rail links and Thanet Parkway Station, so clear and direct leadership and decision-making around these projects is

essential. We also picked up from a number of people the issue of Margate versus Ramsgate which appears to be getting in the way of a clear strategic direction for the area. Conversely there was very positive feedback on the impact of Westwood Cross shopping centre which was drawing people in from across Kent.

Your senior political and managerial leaders play an important role in influencing investment in the economy. You can ensure, through your current restructure, the proper support so that there is greater visibility and availability of senior leaders to meet with partners. Many of your partners are willing supporters of your economic aims and have resources (people and finance) to help you achieve your objectives. You cannot do this all on your own and it will require a focus on improved communications and dialogue with key partners.

You need to implement your plans to re-align resources behind your Economic Development Strategy and ensure better connections with your Planning service to support your economic aims.

6. Customer Service Strategy

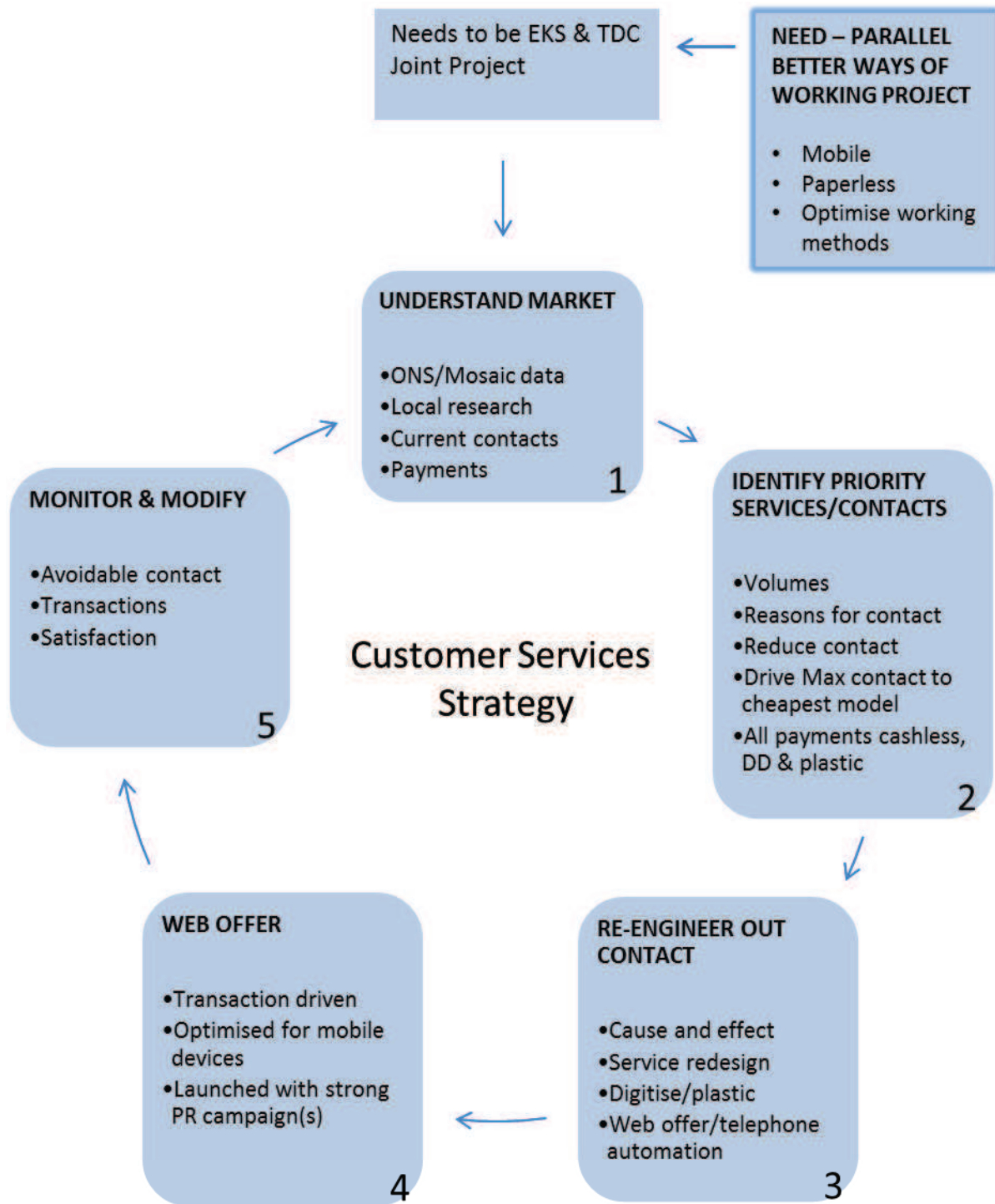
You asked us to look at customer services and we agree that your recognition of the need to develop a customer service strategy is an important step forward. You are working with East Kent Services (EKS) who are an impressive delivery partner. The development of a strong strategy offers the opportunity to both improve services and reduce costs.

We found a number of examples of how the council is engaging with customers and the local community, such as MTF “Street Week” and your use of Twitter.

We had the opportunity to review the emerging draft customer service strategy developed by EKS. While the production of this strategy is a step forward we would want to see a combined TDC/EKS strategy which addresses the full range of customer facing services. We would recommend that such a strategy is developed in parallel with a second strategy which looks at how you can improve working methods. This would include digitising all relevant information (we noted a preponderance of paper files on site), a digital post-room and the redesign of working methods including workflow management. The digitisation of information will also support your customer strategy, allowing you to avoid some contacts by publishing all relevant information to the web.

You should optimise the web site for the performance of transactions (*report it, apply for it, pay for it etc.*), with strong encouragement to residents and customers to use the web (through both PCs and hand held devices) as the first point of contact. This should be supported by a review of your charging policies which should emphasise simple payment menus and channel payments to direct debit or credit/debit card.

The diagram over captures the key elements of this approach:



In developing your approach you need to work with EKS to analyse current customer data to identify both types of contacts and the channel currently used. This will provide a baseline for planning a shift to web based transactions supplemented by telephony (automated where possible). You will need to analyse the resources currently used to service this contact to identify opportunities for service improvement and cost savings.

You should supplement this local data by the use of analytical data such as MOSAIC to gain an understanding of your community's preferences when contacting the council. This will allow you to segment the community by both demographics and geography and allow you to target your access channels and any campaigns you launch.

Experience in other local authorities has shown that by "working with the grain" you can drive up the use of cost effective channels, while satisfying residents/customers because you are making it easy for them to use the channel they prefer.

The emphasis on digital channels should not ignore that part of your community which requires face to face support. You have a strong offering through the Gateway model and you should work with partners to ensure this is as effective as possible. Again experience elsewhere has shown that residents who have been seen as always requiring face to face support can be encouraged to use web services (particularly those based on touch screen technology) - if supported initially by skilled staff.

The work identified above will allow you to prepare a strategy which includes baseline data, targets for change and savings/investment levels. To deliver this will require a strong approach to programme and project management and support from both the political and managerial leadership to see through the changes.

7. Communications and Reputation

The council now has a PR and Publicity officer in post for the first time in three years and feedback from officers and members about this role were positive. The PR and Publicity manager now attends SMT and meets every Friday with the Leader and cabinet member. This is widely believed to have had a positive impact and started the process of adopting a more strategic approach.

The council has put measures in place to improve relationships with the media and has made efforts to build better links, though there is a view that the paper could give more credit for this improvement. Conversely, relations at officer and member levels with the local media have been poor due to negative reporting, believing it has a hostile agenda. Overall the council's PR operation is seen as being stronger after a long period of disruption caused by staff shortages. The cabinet has received media training and the PR and Publicity manager gives feedback following all interviews.

Staff have a real sense of pride in the area with around 90 percent living locally and the Tourism team have done a considerable amount of work to promote the area, in particular attracting visitors to Margate.

The local press believe that 70 percent of the council's PR output is good and the council and the Gazette are open to the idea of joint campaigns which promote the interests of Thanet. In addition, the council's use of Twitter is widely viewed as effective with two-way conversations taking place with residents, and the fact that you are asking residents what they think is positive.

There is a widespread belief within the council that its poor reputation is a direct result of a hostile local media, historical local attitudes, confrontational bloggers and the conduct of some members. Whilst these issues may contribute to reputational problems evidence nationally suggests the single largest contributor to people being unhappy with a council is their personal experience and negative media coverage can reinforce this opinion. Regardless the council must agree a solution to the impact of toxic member behaviour when it arises.

Members, on occasion, have gone straight to the media giving unhelpful comments which don't reflect the corporate position. Members and officers need to agree corporate messages in conjunction with the PR and Publicity team and stick to them in a unified manner. In addition, the behaviour of members at council meetings is seen as having an adverse impact on the council's reputation and the Gazette has on occasions not sent reporters to meetings as it results in members playing to the gallery and behaving in an unprofessional manner.

The council need to build improved working relationships at all levels with the media to avoid them setting the agenda and take a more proactive campaigning approach to good news stories, positioning itself as the champion of its residents' concerns. This will require the council to learn lessons from previous bad news stories, for example changes to waste and recycling collections where leaflets were distributed to residents with incorrect information, and some residents not having a bin collection for a month. This generated sustained negative coverage in the local media and through social media channels and a subsequent drop of 17 percent in resident satisfaction. This wasn't helped by the fact the council employed an external agency to manage the communications process with residents, which with hindsight was believed to be a mistake.

Street cleansing and waste and recycling services are the biggest priorities for your residents. Satisfaction with these services has fallen in the last year, dramatically so in the case of waste and recycling. As national evidence shows satisfaction with these services is a key driver of reputation, we recommend you initiate high visibility campaigns to demonstrate the council's commitment to keeping the streets clean to providing an excellent overall service.

In terms of current structure we note that the PR and Publicity team have been separated from the rest of the communications team and report directly to the chief executive. Whilst there is a rationale for this approach we think you should continue to review this to see if reporting lines can be further improved and LGA would be happy to provide support to this work. We note that a lot of the council's marketing functions e.g. tourism, are not part of the corporate communications function and so related work, such as driving inward investment, is being done in separate departments. Also, the Visit Thanet website has no clear council branding so it's unclear to visitors who is trying to attract them to the area.

We note that the chief executive and leader no longer have regular meetings with Thanet MPs, and these have in the past proved difficult due to the differing political perspectives. We believe the council should aim to restore dialogue and regular meetings with the two MPs, at a senior officer level as a minimum, if it is not possible to do this at the political level.

Some other suggestions are as follows:

- Review your social media activity and consider devolving some responsibility to different service areas;
- Refresh member media protocol enforced by the leader and cabinet member;
- Urgently put in place a proactive grid of positive stories which can be communicated through various channels (press release, web, social media);
- Work with LGA Communications team to examine specific issues with regional news media and improve working relationships;
- Introduce staff engagement/internal communications strategy with clear objectives measured in a new staff survey; also set a challenging target of improving resident satisfaction to provide some measurable direction to reputation related activity;
- Explore costs associated with direct communications to residents through the local newspaper delivered to every home in the district

Suggestions for consideration

Based on what we saw, heard and read we suggest you consider the following key actions. These are things we think will help you to deliver your future ambitions and plans:

- Continue to use LGA support around specific member/officer training to include mentoring, communications, reputation and equalities;
- Implement some 'quick wins' to maintain momentum from the challenge, for example staff engagement events involving the chief executive and the leader to listen to their views and share information;
- Develop constructive relationships between officers and members and SMT – Leaders of the organisation need to display respect for each other and demonstrate that values are being upheld throughout the organisation;
- Focused support for members – consider further tailored training and development programmes that result in a more effective ruling administration, committee chairs and opposition;
- Develop a shared narrative with agreed priorities, communicate it and deliver it

Next steps

You will undoubtedly wish to reflect on these findings and suggestions made with your senior managerial and political leadership before determining how the council wishes to take things forward. As part of the peer challenge process, there is an offer of continued

activity to support this which you can access through the LGA Principal Adviser, Heather Wills.

In the meantime we are keen to continue the relationship we have formed with you and colleagues through the peer challenge to date. Heather Wills, Principal Adviser (South East Region) is the main contact between your authority and the Local Government Association. Heather can be contacted via email at heather.wills@local.gov.uk or by Telephone (07770 701188) and can provide access to further support.

All connected with the peer challenge would like to wish you every success going forward. Many thanks to you and your colleagues for inviting the peer challenge and to everyone involved for their participation. In particular, please pass on our thanks to Sophie Chadwick and her team for their sterling support in organising the challenge and the onsite visit.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Peter Rentell', written in a cursive style.

Peter Rentell
Programme Manager, Local Government Support Team
Local Government Association

On behalf of the peer challenge team

PEER REVIEW ACTIONS

Customer Service
Drive forward the integrated approach to customer services with pace: develop a combined TDC/EKS strategy addressing the full range of customer facing services, including baseline data, targets for change and savings/ investment levels
Develop a parallel strategy to improve working methods, e.g. digitisation, workflow management
Develop essential analysis of demand, channels and performance
Optimise the website for transactions
Review charging policies in support of customer service strategy
Reputation
Address ‘toxic’ behaviours – antagonism, hostility, homophobia, discourtesy, barracking, bullying, talking over others – councillors should set an example
Unwillingness to respect the confidentiality of some aspects of council business
Duty of care to officers subject to unfounded allegations
Seek collective agreement of values and behaviours across all political parties, to put the future of Thanet at the heart of political decision-making
Mandatory training for members on equalities
Councillors should engage with councillor training and development- consider further tailored training and development programmes that result in a more effective ruling administration, committee chairs and opposition
Communication
Develop a shared narrative with agreed priorities, communicate and deliver it (communicate top priorities clearly, consistently, repeatedly)
Members and officers to agree corporate messages in conjunction with PR/Publicity and stick to them: refresh member media protocol, enforced by leader and cabinet member
Communicate and celebrate the council’s achievements – urgently put in place a proactive grid of positive stories
Build improved working relationships at all levels with the media: work with LGA Communications team to examine specific issues with regional news media and improve working relationships
Introduce a staff engagement/ internal communications strategy: SMT to increase their visibility in leading the organisation across staff and externally with partners
Set a challenging target of improving resident satisfaction
Explore costs associated with direct communications through the local newspaper delivered to every home in the district
Initiate a high level campaigns to demonstrate TDC’s commitment to keeping streets clean

Review social media activity, consider devolving some responsibility to different service areas
Review reporting lines of the PR/Publicity team and links to related work e.g. department-based marketing and Visit Thanet website
Member/Officer Relations
Develop and implement your understanding of appropriate member and officer roles in a strong organisation:
SMT and Cabinet need a stronger collaborative approach
confusion about political roles and a lack of clarity about the boundaries between political and managerial responsibilities – members should focus on policy issues, avoid getting drawn into detail, enabling officers to be more agile and empowered
senior team need to be free to ‘speak truth unto power’
Members should be realistic in their demands and SMT firm in delivering messages about what can/can’t be done
Prioritisation
Clarify: <ul style="list-style-type: none"> ○ what you want to achieve – what are the top priorities? ○ how you are going to do it
Realign resources (staffing and financial) behind your priorities- eg economic development (if it is your top priority)
Understand and manage the ‘big picture’ (as against an exclusive focus on local wards)
Plan for what type of council you need to be in the medium term. Conduct a skills analysis to identify and address any gaps
Political working/relationships
Develop ways in which political leaders and political groups can work together formally and informally – careful preparation, communication and consultation can often help navigate through difficult decisions
Regular well attended group meetings should be the opportunity for the development of party policies and priorities (inconsistent across the parties)
Further develop Cabinet Advisory Groups as a tool for encouraging cross-party working and developing consensus around some policy areas
Use CAGs to develop scrutiny, steering more to policy development, less post-decision scrutiny
Aim to restore regular dialogue with the two MPs at a senior officer level as a minimum
Partnership working

Ensure strong and consistent senior officer and political engagement across local and sub-regional partnerships
Develop stronger engagement, better communication and greater clarity about the council's position on major (contentious) infrastructure projects with local partners
Harness energy and resource offered by local partners and stakeholders to deliver more than TDC can do alone
Capacity
Complete senior staffing restructure – this work needs to move on at pace. [Limited strategic capacity: review post restructure?]
Fill vacancies with the right calibre of staff- consider alternative and more innovative methods to attract and retain staff. Cautious monitoring of remuneration packages
Consider whether to add to workforce development strategy- recruitment and retention, succession planning, personal development, recognition, communication
Limited project and programme capacity; governance and project management of any future transformation programme to ensure join-up across workstreams
SMT review of levels of delegation and empowerment and action if necessary to ensure appropriate
Address deficiencies in corporate IT and telecommunications, plus high level review to test if fit for future requirements
Ensure better connections between Planning and Economic Development
Efficiency
More work to be done to rationalise asset base to generate capital receipts and additional revenue
Review fees and charges to help with future budget challenges
Further shared service work across organisations need strong political and managerial leadership
Develop further options for efficiency savings – eg income generation, agile working
Resolve at pace all outstanding financial risks and legal challenges (eg Pleasurama, animal exports)

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REPORT BACK TO COUNCIL – MOTION ON NOTICE- DESIGNATION OF CONSERVATION AREAS, CLIFTONVILLE

To: **Council – 10 July 2014**

By: **Director of Community Services**

Classification: **Unrestricted**

Ward: **Cliftonville West**

Summary: **To inform Council of the decision of Cabinet following Council's referral of the motion on notice relating to the designation of conservation areas in Cliftonville**

For Information

1.0 Introduction and Background

1.1 On 27 February 2014, Council received a motion on notice, proposed by Councillor Marson and seconded by Councillor Wise, as follows:

“THAT Council calls upon the Cabinet immediately to initiate the process of designating the area of Cliftonville highlighted in the accompanying plan, and listed below, as a conservation area to ensure that the architecture and quality of housing in these areas is protected for generations to come:

- Northdown Road
- Eastern Esplanade area
- Ethelbert Road-Athelstan Road area
- Edgar Road-Sweyn Road area
- Grotto Gardens-Clifton Place area
- Norfolk Road-Warwick Road-Surrey Road area
- Streets adjoining the above”

1.2 Following debate, Council resolved:

“THAT Council calls upon the Cabinet to consult on the process of designating further conservation areas in Cliftonville, with reference to the appraisals undertaken by the Council to ensure that the architecture and quality of housing in these areas is protected for generations to come.”

2.0 The Current Situation

2.1 Cabinet considered the motion on 19 June 2014 and AGREED a timetable as follows:

- (a) A report is taken to Cabinet on 31st July 2014 seeking guidance on which defined area should be proposed for designation and seeking leave to go out to

consultation. The report will also summarise the findings of the recent Academy of Urbanism Diagnostic visit;

(b) After public consultation, the matter is brought back to Cabinet on 13th November 2014 setting out the results of the public consultation and seeking a recommendation to Council;

(c) The matter is taken to Council on 18th November 2014 for decision as to whether to designate an area of conservation.

3.0 Corporate Implications

3.1 Financial and VAT

3.1.1 As stated in the report to Cabinet

3.2 Legal

3.2.1 As stated in the report to Cabinet

3.3 Corporate

3.3.1 As stated in the report to Cabinet

3.4 Equity and Equalities

3.4.1 As stated in the report to Cabinet

4.0 Recommendation

4.1 This report is for Council to receive and note.

5.0 Decision Making Process

5.1 Cabinet's decision is being reported to Council for information.

Contact Officer:	Madeline Homer, Director of Community Services, Ext 7123
Reporting to:	Sue McGonigal, Chief Executive and S.151 Officer, Ext 7002

Annex List

None	
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Background Papers

Title	Details of where to access copy
None	

Corporate Consultation Undertaken

Finance	N/A
Legal	N/A

URGENT DECISION – PROCUREMENT OF SUITABLE THIRD PARTY TO OPERATE THE AMUSEMENT PARK, DREAMLAND

To: **Council – 10 July 2014**

By: **Democratic Services & Scrutiny Manager**

Classification: **Unrestricted**

Wards: **All**

Summary: To inform Council of an urgent decision, not subject to call-in, taken by Cabinet on 1 May 2014

For Information

1.0 Introduction and Background

1.1. In accordance with Overview and Scrutiny Procedure Rule 15 (L), any urgent decision, not subject to call-in, shall be reported to the next available meeting of Council, together with the reasons for urgency.

2.0 The Current Situation

2.1 On 1 May 2014, Cabinet resolved to approve the procurement of a suitable third party to operate the amusement park in line with the process detailed in the Cabinet report (*attached as Annex 1*).

2.3 Pursuant to Rule 15(L) of the Overview & Scrutiny Procedure Rules, the Chairman of Council gave her consent that the making of decision was urgent and could not reasonably be deferred for the following reasons:

Given the timescales for the procurement and award of a public concession contract and the need to have a competent operator in place in time for the planned opening of the Dreamland Amusement Park in April 2015. The decision should be excluded from “Call-In” as the delay caused by the Call-In process could potentially delay the commencement of the procurement exercise by at least one cycle thus placing at risk the timely award of a concession contract in time for the planned opening of the Park.

As the potential delay associated with Call-In could prevent the timely award of a concession contract to a suitably qualified Park Operator in time for the planned opening of the Dreamland Amusement Park in 2015, it can reasonably be said that the delay likely to be caused by Call-In would seriously prejudice the Council’s interests and the public interest.

2.5 The published decision notice is attached at Annex 2.

3.0 Corporate Implications

3.1 Financial and VAT

3.1.1 As detailed in the report supporting the decision, Annex 1

3.2 Legal

3.2.1 As detailed in the report supporting the decision, Annex 1

3.3 Corporate

3.3.1 As detailed in the report supporting the decision, Annex 1

3.4 Equity and Equalities

3.4.1 As detailed in the report supporting the decision, Annex 1

4.0 Recommendation

4.1 That this report be received and noted.

5.0 Decision Making Process

5.1 The decision was taken by the Cabinet on 1 May 2014 and the Chairman of Council has given her written consent to it being treated as a matter of urgency, in accordance with Rule 15 (L) of the Overview and Scrutiny Procedure Rules.

Contact Officer:	Glenn Back, Democratic Services & Scrutiny Manager, ext 7187
Reporting to:	Paul Cook, Interim Director of Corporate Resources and Deputy S.151 Officer, ext 7617

Annex List

Annex 1	Cabinet Report supporting the urgent decision
Annex 2	Record of urgent decision by Cabinet

Background Papers

Title	Details of where to access copy
None	

Corporate Consultation Undertaken

Finance	n/a
Legal	n/a

DREAMLAND

To: **Cabinet – 1 May 2014**

Main Portfolio Area: **Economic Development and Regeneration**

By: **Madeline Homer, Director of Community Services**

Classification: **Unrestricted**

Ward: **Margate Central**

Summary: The Council holds the freehold interest of the Dreamland Site, part of which will be operated as an amusement park. Council is now in a position to tender this part of the estate and this paper is to seek approval to procure a suitable third party to operate the amusement park.

For decision

1.0 Introduction and Background

- 1.1 The Council is the freeholder of the Dreamland site, finally acquired after a public inquiry and lengthy court proceedings which followed the making of the compulsory purchase order (CPO).
- 1.2 One of the purposes of the CPO is to enable the delivery of an amusement park of a heritage nature.
- 1.3 The Council is not able to operate the amusement park itself. The operation of such a park requires specialist technical expertise and therefore the Council is seeking to provide this leisure facility through a third party not-for-profit organisation which will operate the park on a commercial basis with a commitment to re-invest in the park.

2.0 The Current Situation

- 2.0 The Council has investigated the options with regard to the appropriate technical expertise that would be required to operate a high quality amusement park and (having also obtained legal advice) has concluded that the best way forward is to procure a service concession contract.
- 2.1 As a result of a new European Union Directive which will shortly come into force and the requirements of the law relating to State Aid, a competitive procurement exercise will be necessary. The Council will therefore be conducting a fair, transparent and non-discriminatory tendering process.
- 2.2 The terms and conditions of the contract for the operation of the amusement park and any land demised to the operator to enable them to perform their functions will be carefully drafted and subject to statutory processes, to ensure that the Council's interests are protected.
- 2.3 The advertisement for the procurement will state that the Council is seeking a not-for-profit organisation to deliver a heritage amusement park on the site so it needs to be an organisation which understands partnership; the uniqueness of a heritage site and

a company ethos that is committed to contributing to Thanet's regeneration with the vision to re-invest into the site; but equally respects and fully recognises that this is a business which needs to be run on a commercial basis. The Council will expect the organisation to produce a business plan which will need to include (but not exclusively) financial forecasts (including rents and maintenance); predicted cash flow (including footfall); staffing levels; a risk strategy, organisational structure and leadership; a funding strategy; an events programme; a marketing strategy (including branding for the overall site); and information on future development and investment etc.

- 2.3 The grant of a lease to the operator of the amusement park was approved in principle by Cabinet on 29 April 2010. In order to ensure sufficient return on any investment in the park, it is likely that the successful operator will require the demise of an area of land for a period longer than 7 years. The disposal of the land in question will therefore be subject to a 21-day consultation period which will commence on 2 May 2014. At this stage, it is not possible to determine what would be an appropriate length for the lease term, and this will need to be identified as part of the business plan. However, the expectation is that it will be at least 25 years.
- 2.4 The Council will ensure that all the bids are looked at as a whole package. Each one will be considered on its merits to ensure that the chosen operator provides the best deal for the Council.
- 2.5 The consultation will also be in accordance with the duties contained within section 3 of the Local Government Act 1999.

3.0 Next Steps

- 3.1 The Council will place an advertisement in early May 2014, to begin the process of delivering a high quality amusement park open to the public in April 2015.

4.0 Corporate Implications

- 4.1 The delivery of the amusement park will contribute directly to the Corporate Plan, priorities 1, 3, 8 and 9.

5.1 Financial and VAT

- 5.1.1 The site has been opted to tax, which reduces the Council's VAT liability; however, all leases and licences regarding the site require further detailed VAT advice to ensure VAT compliance.

5.2 Legal

- 5.2.1 With effect from 17 April 2014, the award of service concession contracts will be governed by a new European Union procurement directive. Prior to the coming into force of the Directive, it was generally considered that public procurement rules did not apply to service concessions.

5.3 Corporate

- 5.3.1 To continue the process of re-opening the Dreamland site to members of the public contributes directly to the Corporate Plan, in particular to priorities 1, 3, 8 and 9.

5.4 Equity and Equalities

5.4.1 The operator will have to demonstrate as part of the pre-qualifying process that they can contribute to the Council's commitment to enhance equity and equality within Thanet. An Equality Impact Assessment will be carried out by Council in conjunction with the operator to ensure that there is compliance with the public sector Equality duty at the commencement of the contract and periodically throughout the term.

6.0 Recommendation

6.1 Cabinet is requested to approve the procurement of a suitable third party to operate the amusement park in line with the process detailed in the report.

7.0 Decision Making Process

7.1 This is a key decision to be made by Cabinet.

Contact Officer:	Edwina Crowley, Head of Economic Development and Asset Management
Reporting to:	Madeline Homer, Director of Community Services

Annex List

Annex 1	Estate plan showing approximate area of land to be offered as part of the concession contract.
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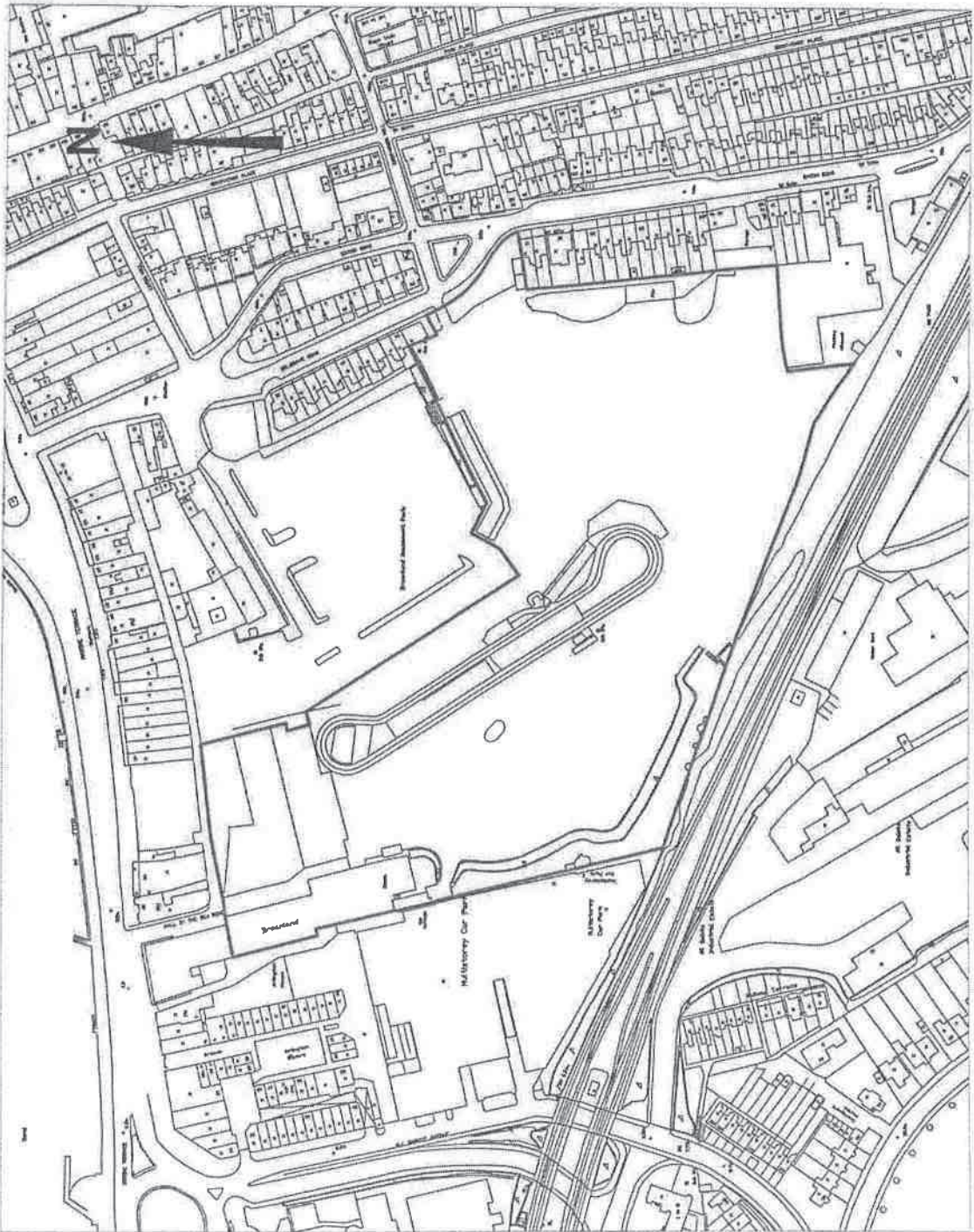
Background Papers

Title	Details of where to access copy
None	N/A

Corporate Consultation Undertaken

Finance	Sarah Martin, Financial Services Manager
Legal	Peter Reilly, Litigation Solicitor

Dreamland - Indicative Disposal Plan Location Plan



Legend

— Indicative lease area for disposal

Organisation	Thanet District Council
Department	Estates
Comments	
Scale	1:5000
Date	9 April 2014

Ref:	Called in	Yes/No
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THE THANET DISTRICT COUNCIL

RECORD OF DECISION OF CABINET

Name of Cabinet Member: Councillor Rick Everitt

Relevant Portfolio: Financial Services

Date of Decision: Thursday, 01 May 2014

Subject: Dreamland

Key Decision Yes In Forward Plan No

Brief summary of matter:

The council holds the freehold interest of the Dreamland Site, part of which will be operated as an amusement park. Council acquired the site after a public inquiry and lengthy court proceedings, which followed the making of the compulsory purchase order. One of the purposes of the CPO is to enable the delivery of an amusement park of a heritage nature and the Council is not able to operate the park itself. It is now in a position to tender this part of the estate and the Cabinet paper sought approval to procure a suitable third party to operate the amusement park.

Decision made:

Cabinet approved the procurement of a suitable third party to operate the amusement park in line with the process detailed in the Cabinet report.

Reasons for decision:

Noting that the Council does not have the skills to run an amusement park the decision was given to ensure an appropriately qualified third party can take the strategy forward and deliver the regeneration outcomes required.

Alternatives considered and why rejected:

The Council could set up a legal entity to in part run the amusement park but it is considered that the council does not have the required skill set to do this and is therefore not in the public interest to proceed along this route.

Details of any conflict of interest declared by any executive Member who has been consulted and of any dispensation granted by the Standards Committee:

None

Author of Officer report:

Edwina Crowley, Head of Economic Development, Community Services

Background papers

Rule 15(l) OSPR - Dreamland Service Concession Contract Cabinet 1 May 2014
Council Chairman's Call-In Exemption Consent - Dreamland
Cabinet Paper - Dreamland Disposal Process
Annex 1

Statement if decision is an urgent one and therefore not subject to call-in:

Given the timescales for the procurement and award of a public concession contract and the need to have a competent operator in place in time for the planned opening of the Dreamland Amusement Park in April 2015, it is proposed that the decision should be excluded from 'Call-In' as the delay caused by the Call-In process could potentially delay the commencement of the procurement exercise by at least one cycle thus placing at risk the timely award of a concession contract in time for the planned opening of the Park.

As the potential delay associated with Call-In could prevent the timely award of a concession contract to a suitably qualified Park Operator in time for the for the planned opening of the Dreamland Amusement Park in April 2015, it can reasonably be said that the delay likely to be caused by Call-In would seriously prejudice the Council's interests and the public interest.

Last date for call in:

N/A

CALL-IN AND URGENCY – ANNUAL REPORT

To: **Council – 10 July 2014**

By: **Democratic Services and Scrutiny Manager**

Classification: **Unrestricted**

Ward: **N/A**

Summary: **To note the urgent decisions, not subject to call-in, taken during the 2013/14 municipal year**

For Information

1.0 Introduction and Background

1.1. Overview and Scrutiny Procedure Rule 15 (M) states that, “the operation of the provisions relating to call-in and urgency shall be monitored annually, and a report submitted to Council with proposals for review if necessary”.

2.0 The Current Situation

2.1 During 2013/14 Municipal Year, five executive decisions were processed as urgent, in accordance with Overview and Scrutiny Procedure Rule 15 (L). Those decisions are detailed at Annex 1.

3.0 Corporate Implications

3.1 Financial and VAT

3.1.1 As detailed in the respective reports to Council (dates shown at Annex 1).

3.2 Legal

3.2.1 Overview and Scrutiny Procedure Rule 15(M) requires the operation of the provisions relating to call-in and urgency to be monitored annually, with a report being submitted to Council with proposals for review if necessary.

3.3 Corporate

3.3.1 As stated in the respective reports on urgent decisions to Council (dates shown at Annex 1)

3.4 Equity and Equalities

3.4.1 None specific

4.0 Recommendation

4.1 This report is for Council to receive and note.

5.0 Decision Making Process

- 5.1 Given that five executive decisions were processed as urgent not subject to call-in during the 2013/14 municipal year and that all decisions complied with the relevant constitutional requirements, officers consider that this does not give rise to a need to review the operation of the call-in and urgency provisions. However, it is for Council to decide whether any such review is deemed necessary.

Contact Officer:	Glenn Back, Democratic Services and Scrutiny Manager, ext 7187
Reporting to:	Paul Cook, Interim Director of Corporate Resources and Deputy S.151 Officer, ext 7617

Annex List

Annex 1	Schedule of urgent decisions, not subject to call-in, taken during the municipal year, 2013/14
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Background Papers

Title	Details of where to access copy
None	

Corporate Consultation Undertaken

Finance	n/a
Legal	Steven Boyle, Interim Legal Services Manager and Monitoring Officer

SCHEDULE OF URGENT DECISIONS, NOT SUBJECT TO CALL-IN, TAKEN DURING 2013-14

Subject	Date of decision	Decision-maker	Type of decision	Reasons for urgency	When reported to Council
Local Plan Consultation Document	29 May 2013	Cabinet	Key (In Forward Plan)	<ol style="list-style-type: none"> 1. A call-in by the Overview and Scrutiny Panel would potentially engender a six-week delay which would seriously compromise adherence to the Local Plan adoption timetable; 2. The Overview & Scrutiny Panel would, in fact, be a mandatory consultee at a later stage in the Local Plan adoption process 	11 July 2013
Transfer of land at The Centre, Newington	20 June 2013	Cabinet	Non-key	<ol style="list-style-type: none"> 1. A definitive decision was required by 28 June 2013; otherwise the construction programme would have been delayed; 2. The timescales for completing the development would have been at risk; 3. The funding Orbit received from the Homes and Communities Agency could have been affected. 	3 October 2013
General Vesting Declaration in relation to the Dreamland Site	1 August 2013	Cabinet	Yes (In Forward Plan)	The delay likely to be caused by the call-in process would have seriously prejudiced the Council's interests and the public interests, as the date by which the Council could enter the site as owner and commence the delivery of the Heritage Amusement Park would have been delayed.	3 October 2013

Subject	Date of decision	Decision-maker	Type of decision	Reasons for urgency	When reported to Council
Purchase of land at 131-141 King Street, Ramsgate	6 February 2013	Councillor Everitt, Cabinet Member for Financial Services and Estates	Non-key	The delay likely to be caused by the call-in process would seriously prejudice the Council's interest and the public interest, as the potential delay associated with call-in would prevent the Council from bidding at auction to acquire land suitable for housing development in its own right and which, if acquired by the Council, would open up for development an adjoining Council-owned site.	27 February 2014
Procurement of a suitable third party to operate the amusement park, Dreamland	1 May 2014	Cabinet	Non-Key	<p>Given the timescales for the procurement and award of a public concession contract and the need to have a competent operator in place in time for the planned opening of the Dreamland Amusement Park in April 2015. The decision should be excluded from "Call-In" as the delay caused by the Call-In process could potentially delay the commencement of the procurement exercise by at least one cycle thus placing at risk the timely award of a concession contract in time for the planned opening of the Park.</p> <p>As the potential delay associated with Call-In could prevent the timely award of a concession contract to a suitably qualified Park Operator in time for the planned opening of the Dreamland Amusement Park in 2015, it can reasonably be said that the delay likely to be caused by Call-In would seriously prejudice the Council's interests and the public interest.</p>	10 July 2014

APPOINTMENT OF HEAD OF PAID SERVICE

To: **Council – 10 July 2014**

By: **Steven Boyle, Interim Legal Services Manager and Monitoring Officer**

Classification: **Unrestricted**

Ward: **All**

Summary: To request Council to appoint the Director of Community Services as the council's Head of Paid Service pending the return to work of the Chief Executive and to also acquire the relevant delegations in the meantime.

For Decision

1.0 Introduction and Background

- 1.1 Under Section 4 of the Local Government & Housing Act 1989 (as amended), the Council has a legal duty to appoint one of its officer as Head of Paid Service.
- 1.2 The Chief Executive is the council's Head of Paid Service at the present time but is currently absent and operationally is not able to confirm a return date.
- 1.3 The Council has not formally designated a deputy Head of Paid Service.
- 1.4 There are many functions and responsibilities which belong to the Chief Executive and Head of Paid Service alone which are required to be carried out by the Council in relation to day to day operational matters.

2.0 The Current Situation

- 2.1 On Thursday 05 June 2014, the Chief Executive (and Head of Paid Service) was signed off work.
- 2.2 The Chief Executive had made informal arrangements during her tenure for the Director of Community Services, Madeline Homer to cover for her during short periods of leave or other absence.
- 2.3 The Council does not currently have any designation of an officer as Deputy Chief Executive
- 2.4 There are specific delegations allocated to the Chief Executive and Head of Paid Service for which currently there are no formal arrangements in place to cover.
- 2.5 Given that there is no certain return date for the Chief Executive it is important for the continued operation of the Council and its day to day function that formal arrangements are made to comply with the legal duty.

3.0 Options

- 3.1 The Council approves the appointment of the Director of Community Services as Head of Paid Service whilst the Chief Executive is operationally absent from work. This would also include the transfer of all delegated functions of the Head of Paid Service and Chief Executive once again whilst the Chief Executive is operationally absent from work.
- 3.2 The Council appoint another Officer of the Council as Head of Paid Service -this option is not recommended as it will lead to delay in putting in place suitable arrangements; or
- 3.3 The Council does not appoint a Head of Paid Service. This is not a tenable option as it would leave the Council without an officer able to fulfil the role and discharge the required delegations.

4.0 Corporate Implications

4.1 Financial and VAT

- 4.1.1 It is possible that there may be an additional payment to cover the period for assuming this role to the officer concerned.

4.2 Legal

- 4.2.1 There is a duty placed on every Local Authority under section 4 of the Local Government & Housing Act 1989 to designate one of its officer's as head of paid service.
- 4.2.2 There are a number of delegated functions which are the sole responsibility of the Chief Executive and Head of Paid Service which cannot be performed by any other officer as the Council has not appointed any formal Deputy Chief Executive and Head of Paid Service and given the absence of the Chief Executive at present this presents operational difficulties for the Council.
- 4.2.3 Failing to make an appointment could present difficulties in decision making within the organisations and leave the Council open to challenge.

4.3 Corporate

- 4.3.1 The recommendation within this report will
 - ensure that the council deploys its resources to fulfil the functions of the Council.
 - mitigate risks relating to the absence from work of the Chief Executive.

4.4 Equity and Equalities

- 4.4.1 The council has and will comply with its relevant policies and procedures.

5.0 Recommendation(s)

- 5.1 The Council approve the appointment of Director of Community Services as Head of Paid Service with immediate effect. This appointment will include the transfer of all

delegations of the Chief Executive and Head of Paid Service whilst the Chief Executive is operationally absent from work.

7.0 Decision Making Process

7.1 Within the constitution:

- (a) The full Council will appoint the Head of Paid Service.
- (b) The full Council may only make or approve the appointment of the Head of Paid Service where no well-founded objection has been made by any member of the Cabinet.

Contact Officer:	Steven Boyle – Interim Legal Services Manager & Monitoring Officer
Reporting to:	Paul Cook – Interim Director of Corporate & Regulatory Services

Corporate Consultation Undertaken

Finance	<i>Paul Cook – Interim Director of Corporate & Regulatory Services</i>
Legal	<i>Steven Boyle – Interim Legal Services Manager & Monitoring Officer</i>

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APPOINTMENT OF ELECTORAL REGISTRATION OFFICER AND RETURNING OFFICER FOR DISTRICT, PARISH AND COMMUNITY COUNCIL ELECTIONS

To: **Council – 10 July 2014**

By: **Democratic Services and Scrutiny Manager**

Classification: **Unrestricted**

Ward: **All wards**

Summary: This report asks Council to appoint to the roles of Electoral Registration Officer, Deputy Electoral Registration Officer and Returning Officer for District, Parish and Community Council Elections.

For Decision

1.0 Introduction and Background

1.1 On 14 July 2011, Council agreed the following:

That the Chief Executive and Chief Finance Officer, Dr. Sue McGonigal, be appointed Electoral Registration Officer and Returning Officer for Thanet District Council.

1.2 Although the Returning Officer has appointed Deputy Returning Officers in the past, those appointments have always been specific to one election and expire at the completion of that election. The Council therefore currently has no designated Deputy Returning Officer. Council must designate an Electoral Registration Officer. Only Council can designate a Deputy Electoral Registration Officer, something which has not been done in the past.

1.3 Members will be aware that Dr. Sue McGonigal is currently not able to work, so there is no-one currently available to carry out the functions of the above roles, or to appoint a Deputy Returning Officer for a future election.

1.4 It is very important that the Council has:

- A duly appointed Returning Officer if an election needs to take place. Some elections have to be completed over a very tight timescale, meaning that the appointment of a Returning Officer cannot wait until the October meeting of Council.
- A duly appointed Electoral Registration Officer, if anyone challenged the inclusion of, or omission of someone from, the published register. Again, strict statutory timetables apply to such processes.

1.5 Part 7 of the Council's constitution lists the "proper officer" functions, and designates the Democratic Services Manager to act as both Returning Officer and Electoral Registration Officer in the absence of the proper officer holding those roles. However, such designations are intended to be used in the very short term. Given the availability of this Council meeting, officers consider it appropriate to ensure that posts are designated for these roles where a post-holder is currently available. By designating it in the way

proposed below, should Dr. Sue McGonigal return to work, she would automatically become Returning Officer and Electoral Registration Officer again at that time. The designation of Deputy Electoral Registration Officer below would remain until such time as Council alters it.

2.0 Legal requirements

2.1 The appointment of the Electoral Registration Officer is prescribed in Section 8 of the Representation of the People Act 1983. In England, the council of every district and London borough is required to appoint an officer of the council to be Electoral Registration Officer

2.2 Similarly, in England, every district council is required to appoint an officer of the council to be the Returning Officer for the election of district councillors and for the election of councillors of any parishes within the district. Whoever is appointed as Returning Officer automatically becomes responsible for the conduct of other elections, and whoever is appointed as Electoral Registration Officer becomes responsible for the conduct of some elections (most notably, Parliamentary elections as Acting Returning Officer) ¹.

3.0 Duties of roles

3.1 The Returning Officer is the person who has the overall responsibility for the conduct of elections. The Returning Officer is responsible for:

- the nomination process for candidates and political parties
- provision and notification of polling stations
- appointment of Presiding Officers and polling clerks
- appropriate administration and security of polling stations
- preparation of all ballot papers
- the actual count and declaration of results
- issue, receipt and counting of postal ballot papers
- all candidates' election expenses returns
- presentation of final accounts and,
- reclaiming of expenditure from external bodies as prescribed.

3.2 It must be emphasised that these duties of the Returning Officer are separate from his/her duties as a local government officer. The Returning Officer is personally liable for the conduct of the election, and only Council can designate an alternative Returning Officer to discharge these functions.

3.3 A Returning Officer is able to designate a Deputy Returning Officer with full powers or powers limited to specific purposes relating to an individual election. Such a designation does not remove personal liability from the Returning Officer appointed by Council.

3.4 The Electoral Registration Officer is an official appointed by the Council to prepare and maintain the Register of Electors. If there were a legal challenge to any act of including, or refusing to include, somebody within the register of electors, it is the Electoral Registration Officer that would convene and conduct the hearing required by statute.

3.5 Council can appoint a Deputy Electoral Registration Officer who could carry out the duties of the Electoral Registration Officer in his/her absence.

¹ Section 28(1)(b) Representation of the People Act 1983. The Returning Officer for Parliamentary elections within the Thanet North and Thanet South constituencies is the High Sheriff of Kent.

4.0 Corporate Implications

4.1 Financial and VAT

4.1.1 There are no immediate financial implications arising from this report

4.2 Legal

4.2.1 Under the Representation of the People Acts, it is essential for the Council to have a designated Electoral Registration Officer and Returning Officer available to carry out the functions set out above. The Council may appoint a deputy Electoral Registration Officer.

4.3 Corporate

4.3.1 The efficient conduct of the electoral registration process and elections is one of the highest-profile functions that the Council undertakes. Any challenge to these processes could result in adverse publicity and legal sanction against the Returning Officer personally and the Council.

4.3.2 It is therefore essential that Council designates an officer to cover the roles of Electoral Registration Officer and Returning Officer.

4.4 Equity and Equalities

4.4.1 There are no immediate equity or equalities implications arising from this report. However, amongst the roles undertaken by the Electoral Registration Officer and Returning Officer are those of ensuring that equalities issues are addressed in the running of electoral registration and elections (e.g. access to Polling Stations).

5.0 Recommendations

5.1 THAT the Head of Paid Service be appointed Electoral Registration Officer.

5.2 THAT the Democratic Services and Scrutiny Manager be appointed Deputy Electoral Registration Officer.

5.3 THAT the Head of Paid Service be appointed Returning Officer.

6.0 Decision Making Process

6.1 Only Council can designate the Electoral Registration Officer, Deputy Electoral Registration Officer and Returning Officer. The Returning Officer can appoint a Deputy Returning Officer.

Contact Officer:	Glenn Back, Democratic Services and Scrutiny Manager, ext 7187
Reporting to:	Paul Cook, Interim Director of Corporate Services, ext 7617

Annex List

<i>None</i>	
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Background Papers

Title	Details of where to access copy
<i>None</i>	

Corporate Consultation Undertaken

Finance	N/A
Legal	Steven Boyle, Interim Legal Services Manager

APPOINTMENT OF THE INTERIM DIRECTOR OF CORPORATE RESOURCES AND S151 OFFICER.

To: **Council – 10 July 2014**

By: **Director of Community Services on behalf of the Chief Executive**

Classification: **Unrestricted**

Ward: **All**

Summary: To request Council to appoint Mr Paul Cook as the council's interim Director of Corporate Resources and S151 Officer pending the recruitment to this position of a permanent employee.

For Decision

1.0 Introduction and Background

- 1.1 At a meeting of Council on the 27th February 2014, the new corporate structure including the re-designation of the two statutory posts of Section 151 officer (Chief Financial Officer) and Monitoring Officer was agreed.
- 1.2 It was agreed within the new structure to move the designation of Section 151 Officer (Chief Financial Officer) to the newly created post of Director of Corporate Resource.
- 1.3 It was also agreed to move the designation of Monitoring Officer to the existing post of Legal Services Manager to create a new post of Legal Services Manager and Monitoring Officer.
- 1.4 The Council's constitution, Part 4, under Officer Employment Procedure Rules, requires that a Committee or Sub-Committee of the Council appoint chief officers and deputy chief officers. That Committee or Sub-Committee must include at least one member of the Cabinet. Also that, an offer of employment as a chief officer or deputy chief officer shall only be made where no well-founded objection from any member of the Cabinet has been received.
- 1.5 At a meeting of the General Purposes Committee on 8 May 2014, the committee agreed that: "The Chief Executives appoints Paul Cook as deputy Section 151 Officer and the appointment of Paul Cook as Section 151 Officer be agreed at the next meeting of Council".

2.0 The Current Situation

- 2.1. Recruitment to the permanent position of Director of Corporate Resources and Section 151 Officer is underway with applications being received.
- 2.2. The Head of Financial Services and Deputy Section 151 Officer tendered her resignation and left the employment of the Council on the 25th April 2014.

- 2.3. To mitigate any risk to the council pending the appointment of a replacement Head of Financial Services and Deputy Section 151 Officer and a permanent Director of Corporate Resources and Section 151 Officer, the Council have recruited an interim Director of Corporate Resources.
- 2.4. The interim Director of Corporate Resources was selected following a tender process inviting three national recruitment agencies specialising in the placement of Senior Executives to the public sector to source and present appropriate candidates. Of these three agencies, two were able to supply candidates and three candidates were offered an interview. Two candidates attended for an interview and Paul Cook was selected as the most qualified and suitable candidate.
- 2.5. Paul cook is an experienced interim who has held roles at Director and Chief Executive level within local government environments. He is CIPFA qualified and has held a number of Section 151 roles in district councils, whilst also taking responsibility for the wider commercial remit. In his permanent career, Paul started at Daventry District Council as Director of Resources, acting as Section 151 Officer and was later promoted to Chief Executive. He has held accountability across all major local government services, including children, adults, housing and central professional functions and his experience includes major transformation projects and delivering complex service change in major organisations.
- 2.6. Attached at **Annex 1** is the job description for the post of Director of Corporate Resources and S151 Officer. This outlines the duties of the Officer concerned and the qualifications, skills and experience required.

3.0 The Proposals

- 3.1 Paul Cook is appointed as interim Section 151 Officer and Director of Corporate Resources with immediate effect and until the successful appointment of a permanent Director of Corporate Resources is made.

4.0 Options

- 4.1 In relation to the appointment of Paul Cook as interim Section 151 Officer and Director of Corporate Resources, the options are:
 - 4.1.1 The Council approve the appointment of Paul Cook as interim Section 151 Officer and Director of Corporate Resources as set out in this report.
 - 4.1.2 The Council do not approve the appointment of Paul Cook as interim Section 151 Officer and Director of Corporate Resources. In the event that this option is pursued Section 151 responsibility will remain with the Chief Executive until such time as another appointment is made as there is a requirement to appoint one of the officers of the Council to this role.

5.0 Corporate Implications

5.1 Financial and VAT

- 5.1.1 The proposed appointment of Paul Cook as Interim Section 151 Officer and Director of Corporate Resources will be contained within existing budgets.

5.2 Legal

5.2.1 The Council is required by the Local Government Acts to employ suitably qualified individuals as Head of Paid Service, Section 151 Officer (Chief Financial Officer) and Monitoring Officer. The proposed appointment complies with those requirements. Given the current position it would be advisable to appoint to this role pending permanent recruitment to help provide a robust management structure.

5.3 Corporate

5.3.1 The Council has and will comply with its relevant policies and procedures.

5.4 Equity and Equalities

5.4.1 The Council has and will comply with its relevant policies and procedures.

6.0 Recommendation

6.1 Paul Cook is appointed as interim Section 151 Officer and Director of Corporate Resources with immediate effect and until the successful appointment of a permanent Director of Corporate Resources is made.

7.0 Decision Making Process

7.1 Responsibility for the appointment of Chief Officers lies with the General Purposes Committee or a Sub-Committee or indeed with Council. General Purposes Committee felt it was an important appointment and should be made by Council.

Contact Officer:	
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Annex List

Annex 1	Job Description for the post of Director of Corporate Resources and S151
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Corporate Consultation Undertaken

Finance	Matthew Sanham – Finance Manager
Legal	Steven Boyle – Interim Legal Services Manager & Monitoring Officer

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Job Description

POST DETAILS			
Division/Department	Corporate Resources		
Organisation	TDC	Location	Cecil St
Job title	Director of Corporate Resources (and s151 Officer)		
Reports to (job title)	Chief Executive		
Grade	TG- Q	Politically Restricted Post	Yes
DBS (CRB) Requirement <i>Tick ✓ as appropriate</i>	Standard: Yes x No <input type="checkbox"/>		Enhanced: Yes <input type="checkbox"/> No <input type="checkbox"/>

JOB PURPOSE
<i>Explain in one or two sentences the principal reason why the job exists</i>
<p>To direct and oversee the provision of financial and corporate support services to the Council, ensuring strong governance, effective customer engagement and the proper application of the Council's constitution.</p> <p>Act as the Council's Section 151 Officer, as required under the Local Government Act 1972.</p>

PRINCIPAL ACCOUNTABILITIES
<i>Include the most significant responsibilities of the job which have a clear end result. Normally there will be between six and ten accountabilities. See guidance notes for assistance with writing accountability statements.</i>
<ul style="list-style-type: none"> • Strategic Finance – advise Members and management on the financial outlook and lead Members and management across the organisation to develop strategies and plans that maximise value for money and minimise the need to raise local taxes, which enable the organisation to continue to make progress towards its aims and objectives. • Corporate & Financial Management – ensure the proper administration and stewardship of the Council's financial affairs as required under the Local Govt Act 1972; overseeing the provision of effective financial systems and processes by the Financial Services section, to meet the needs of the accounting standards and the Council's decision making processes, whilst taking into account the need to minimise the impact on staff resource requirements. • Technical and transactional finance – ensure arrangements exist to ensure the provision of financial services that robustly manage the financial transactions of the Council, and their proper reporting through statutory and management accounts, so that the Council's financial position is properly understood so that no opportunities are lost, or risks missed. • Direct the Council's approach to strategic procurement and the arrangements for its purchase-order processing, to ensure the council uses its contracts to best effect, in the most cost effective manner. • Direct the Council's business redesign and service review processes, taking a pro-active and future focussed approach, ensuring all targets and risks are managed. • Governance and Risk Management – oversee the Council's arrangements to ensure the highest standards of governance are upheld across the organisation at all times; and to ensure that arrangements are in place to identify and quantify the Council's risk and opportunities, and that

all significant risks are appropriately mitigated, and opportunities maximised.

- Direct the Council's Business Continuity Planning process, ensuring that the Plan is regularly reviewed and up to date, and tested to a sufficient level to offer an assurance that the Council is adequately prepared to deal with an event that disrupts business continuity.
- Actively contribute to the Council's emergency planning procedures, as appropriate.
- Legal Services – ensure the Council has access to professional legal advice and support to meet the needs of its services and projects, to support effective decision making and minimise the risk of legal challenge from third parties. Ensure that information relating to relevant national and European legislation is disseminated to staff, managers and members, as appropriate, inputting to the development of policies and implementation plans as required.
- Ensure that there are rigorous business planning and performance management processes in place to articulate the aims of the Council and ensure their delivery and that these foster a culture of continuous improvement and facilitate the delivery of value for money.
- Direct and oversee the Council's customer services approach, to ensure the development and adoption of common standards to enable a consistency of service delivery; ensure that measures are in place to change the culture to improve the customer experience and to better communicate service standards to manage customer expectations.
- Oversee the development and implementation of communications and public engagement strategies and plans to support the delivery of the Council's vision, aims, priorities and work programmes. Ensure these strategies are informed by robust and credible research and insight and that the necessary information technology and communications infrastructure is in place, or planned for.
- Provide the Council with communication and marketing services, to generate a positive interaction with the public, increase the public's awareness of the Council's services and improve public perception and satisfaction levels.
- Direct the corporate, democratic and electoral support services that ensure the smooth running of the Council's business by having policies, strategies and plans approved at the appropriate level, to meet the Council's governance and constitutional needs. Providing administrative and clerking support to meetings at the correct level for the type of meeting, setting standards for record-keeping where evidence that delegations have been properly exercised is required to maintain confidence in the decision making processes.
- Contribute to the Council's asset management strategies; ensuring that all acquisitions and disposal decisions are made based on a clear business case that considers both financial and social returns on investment. Ensure that decisions have a clear commercial or social benefit and are taken with a whole-life cost approach.
- Put in place appropriate approval and consultation mechanisms to facilitate wide reaching support for the Council's asset plans.
- Monitor the Council's commercial negotiations, relating to the acquisition or disposal of assets, including through the use of development agreements and joint venture partnerships; ensuring best value is secured for the council (from both a financial and social benefit perspective)
- Lead on the Council's ICT strategy, and the delivery of ICT support and infrastructure that meets the needs of the Council's services.
- Work with the Management Team to develop and deliver organisation development that promotes a culture of continuous improvement and the strongest standards of staff, Member and performance management. Ensure that this is adopted and embedded within the Directorate, and regularly review performance to ensure the delivery of improving value for money.
- Oversee the Member engagement process, including ensuring the operation of the Council's Standards procedure and Codes of Conduct.
- Put in place appropriate arrangements to undertake client-side responsibilities for services provided by shared services, or a third party.

REQUIRED ATTRIBUTES

Include the essential attributes that the job-holder must have in order to perform the role competently and successfully

Knowledge

- Comprehensive knowledge of the current financial and political landscape for local government
- An understanding of local government and political processes
- Knowledge of financial management processes at both a strategic

	<p>and technical level, able to develop medium term financial plans for a large multi-service organisation.</p> <ul style="list-style-type: none"> • Knowledge of the shared service and partnership landscape within local government, and an awareness of the complex governance arrangements that typically feature in multi-agency partnerships. • An appreciation of the economic, social and environmental issues facing areas of deprivation. • Able to form qualitative arguments that consider return on social investment against commercial/financial returns • Knowledge of business continuity and emergency planning arrangements.
<p>Skills</p>	<ul style="list-style-type: none"> • A visionary leader able to think creatively about how the Council can develop and grow, securing real public involvement in the way we do business, and ensuring our corporate governance and assurance processes are fit for purpose. • A proven change-agent, setting a first class example to staff by proactively seeking out and delivering continual improvement and dynamically implementing it. • Advanced interpersonal skills, comfortable in presenting to large groups and able to represent the council on outside bodies and promote good external relations and a positive image. • A credible leader, able to make a convincing argument and win hearts and minds to achieve a successful resolution to areas of dispute. • Adept at listening to others in order to take on board different views. • Able to lead, manage and encourage proactive activity, supporting the council throughout major change projects. • Committed to community engagement and high standards of customer service, ensuring the local community are informed and consulted on for appropriate service delivery issues and proposed changes. • Effective commercial negotiator, able to lead negotiations with third parties for the best outcome for the Council. • An effective delegator, able to develop staff through empowering them to act within agreed delegations. • To possess high levels of commercial acumen and employ that focus in the successful resolution of complex problems.
<p>Experience</p>	<ul style="list-style-type: none"> • Demonstrable experience of operation at a senior management position in a large public sector or equivalent complex organization, able to quickly establish and maintain credibility with stakeholders: Members, senior managers, employees and partners. • Experience of leading large or complex projects (ideally large change projects) • Experience of providing strategic financial advice and designing financial support services in a large multi-service organization with devolved budgets. • Experience in the development and application of council constitution would be desirable. • Proven experience of effectively building, developing and leading teams to success. • A track record of challenging traditional thinking in a persuasive and positive manner, leading innovative design and delivery of services. • Experience of leading on the development of strategic business plans, and putting in place effective monitoring to ensure successful delivery in a complex and dynamic environment. • Experience of contract and relationship management, either with private sector providers, joint venture partners or shared services.
<p>Qualifications</p>	<ul style="list-style-type: none"> • Chartered membership of professional accountancy body (CCAB) is essential.. • Management qualification or evidence of extended personal

	development desirable.
JOB DIMENSIONS <i>Include key statistics relating to the job</i>	
Annual budgetary amounts <i>State if impact is direct or indirect</i>	<p>Oversee the arrangements for preparing and monitoring against all of the Council's budgets: General Fund budget – gross circa £75m HRA balances c £10m General Fund capital programme £14.4m HRA capital programme £5.9m.</p> <p>Act as Treasurer, with overarching responsibility for the Council's treasury management activity: average investments £30m in 12/13 average borrowing in 12/13 £26m</p> <p>Direct responsibility for departmental budget</p>
Number of staff reporting to the job holder <i>Specify direct and indirect reports</i>	<p>Direct 6 Indirect approx. 85</p>
Any other relevant statistics	

NATURE OF CONTACTS <i>Include key contacts and the nature of the communications</i>	
Internal	<p>Staff at all levels across the organisation, including SMT on a wide range of topics, including giving instruction and advice to staff outside of the department.</p> <p>Members – District, County and Parish – providing advice and working with Members on policy and strategy development</p> <p>Regular contact with the portfolio holders that cover the department's work</p> <p>Attend Cabinet, Council and various Committee meetings</p> <p>Hold Portfolio Holder meetings</p> <p>Attend and be primary officer lead at Governance and Audit Committee</p> <p>Attend Corporate Performance Review Working Party</p> <p>Lead on the Asset Management Working Group (Officer and Member attended)</p>
External	<p>Manage relationships with internal and external audit; and liaise on specific finance related matters</p> <p>Manage relationships with EK Shared Services, EK HR and EK Housing</p> <p>Attend Kent Finance Officers Association (sharing attendance with the deputy S151 Officer)</p> <p>Regular contact with other S151 Officers across Kent</p> <p>Engagement with other contractors and service providers as and when required.</p> <p>Negotiation on commercial property deals with a range of external agents for the buying, selling and leasing of assets, and the drafting of development agreements.</p>

WORKING ENVIRONMENT CONTEXT <i>Complete this section if the job involves physical effort and/or strain or if the job-holder is required to work in unfavourable environmental conditions. This section does not apply to most roles in a normal day-to-day office environment.</i>	

ORGANISATION CHART

Include an organisation chart which shows the immediate superior, peers and jobs reporting to this position. The organisation chart can be inserted below or provided as an attachment.

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JOB DESCRIPTION SIGN-OFF

Completed by	<i>Sue McGonigal Chief Executive</i>	<i>1/8/13</i>
Reviewed/Agreed by	<i>Next Level Manager Job Title</i>	<i>Date</i>
Dimensions Reviewed/Agreed by	<i>Job Title e.g. Finance Manager or as appropriate</i>	<i>Date</i>
Job Holder Reviewed/Agreed by	<i>Job Title</i>	<i>Date</i>

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APPOINTMENT OF THE INTERIM MONITORING OFFICER.

To: **Council – 10 July 2014**

By: The Director of Community Services on behalf of the Chief Executive

Classification: **Unrestricted**

Ward: **All**

Summary: To request Council to appoint Mr Steven Boyle as the Council's interim Monitoring Officer pending the recruitment to this position of a permanent employee.

For Decision

1. Introduction and Background

- 1.1 At a meeting of Council on the 27th February 2014, the new corporate structure including the re-designation of the two statutory posts of Section 151 officer (Chief Financial Officer) and Monitoring Officer was agreed.
- 1.2 It was agreed within the new structure to move the designation of Section 151 Officer (Chief Financial Officer) to the newly created post of Director of Corporate Resource.
- 1.3 It was also agreed to move the designation of Monitoring Officer to the existing post of Legal Services Manager to create a new post of Legal Services Manager and Monitoring Officer.
- 1.4 Under Section 5 of the Local Government & Housing Act 1989 (as amended), the Council has a legal duty to appoint a Monitoring Officer (MO).
- 1.5 The Council's constitution, Part 4, under Officer Employment Procedure Rules, requires that a Committee or Sub-Committee of the Council appoint chief officers and deputy chief officers. That Committee or Sub-Committee must include at least one member of the Cabinet. Also that, an offer of employment as a chief officer or deputy chief officer shall only be made where no well-founded objection from any member of the Cabinet has been received.
- 1.6 At a meeting of the General Purposes Committee on 8 May 2014, the committee agreed that: "Steve Boyle is appointed as the Interim Monitoring Officer with immediate effect until either a permanent Legal Services Manager is appointed or the next meeting of Council."

2. The Current Situation

- 2.1. Following the redundancy of the Corporate and Regulatory Services Manager on the 1st May 2014, the council did not have an MO.
- 2.2. Recruitment to the permanent position of Legal Services Manager and Monitoring Officer is underway with applications being received.

- 2.3. Steven Boyle is currently contracted as interim Legal Services Manager and has been performing this role since September 2013. Steven was selected following a tender process inviting three specialist legal services employment agencies to provide candidates. Three candidates were interviewed and Steven Boyle was selected as the most qualified and suitable candidate. Over the last 9 months Steven has become familiar with the way the Council operates and has become familiar with the structure and Constitution.
- 2.4. Steven is a very experienced Legal Services Manager and Monitoring Officer having worked for Brentwood Borough Council on a permanent basis for twenty five years. During this employment he held a number of roles, progressing through the organisation to become the Head of Legal and Governance and MO in 2011. In this role he performed the regulatory function required of the MO and had responsibility for the council's governance, legal, procurement, electoral and democratic services. He is qualified as an Associate of the Institute of Legal Executives.
- 2.5. Attached at **Annex 1** is the job description for the post of Legal Services Manager and Monitoring Officer. This outlines the duties of the Officer concerned and the qualifications, skills and experience required.
- 2.6. Since the General Purposes Committee meeting on the 8th May 2014, Steven Boyle has been fulfilling the role of Monitoring Officer on an interim basis.

3. The Proposals

- 3.1. Steven Boyle is appointed as interim Monitoring Officer with immediate effect to provide some stability to the Council at the present time until the successful appointment of a permanent Legal Services Manager is made following the current recruitment exercise.

4. Options

- 4.1. Council approves the appointment of Steven Boyle as interim MO as set out in this report.
- 4.2. Council appoints another Officer of the Council as MO - this is not recommended and will lead to delay in putting in place suitable arrangements; or
- 4.3. Council does not appoint an MO. This is not a tenable option as it would leave the Council in breach of its statutory duty to appoint such an officer.

5. Corporate Implications

5.1. Financial and VAT

- 5.1.1. The proposed appointment of Steven Boyle as Interim MO will be contained within existing budgets.

5.2. Legal

- 5.2.1. The Council is required by the Local Government Acts to employ suitably qualified individuals as Head of Paid Service, Section 151 Officer (Chief Financial Officer) and Monitoring Officer. The proposed appointment complies with those requirements. Given the current position it would be advisable to appoint to this role pending permanent recruitment to help provide a robust management structure.

5.3. Corporate

5.3.1. The council has and will comply with its relevant policies and procedures.

5.4. Equity and Equalities

5.4.1. The council has and will comply with its relevant policies and procedures.

6.0 Recommendation

6.1 Steven Boyle is appointed as interim MO with immediate effect and until the successful appointment of a permanent Legal Services Manager is made.

7.0 Decision Making Process

7.1 Responsibility for the appointment of Chief Officers lies with the General Purposes Committee or a Sub-Committee or indeed with Council. General Purposes Committee felt it was an important appointment and should be made by Council.

Contact Officer:	
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Annex List

Annex 1	Job Description for the Legal Services Manager and Monitoring Officer
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Corporate Consultation Undertaken

Finance	Paul Cook – Interim Director of Corporate Resources & Deputy Section 151 Officer
Legal	Steven Boyle – Interim Legal Services Manager & Monitoring Officer

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Job Description

POST DETAILS			
Division/Department	Finance & Corporate Services		
Organisation	TDC	Location	Cecil Street
Job title	Legal Services Manager & Monitoring Officer		
Reports to (job title)	Director of Corporate Resources		
Grade	TG-N	Politically Restricted Post	Yes
DBS (CRB) Requirement <i>Tick ✓ as appropriate</i>	Standard: Yes	Enhanced: Yes <input type="checkbox"/> No <input type="checkbox"/>	

JOB PURPOSE
<i>Explain in one or two sentences the principal reason why the job exists</i>
<p>To manage and provide a responsive, cost effective and professional Legal Service providing quality legal services to the Council, East Kent Services; and other shared service providers as required.</p> <p>Ensure that the relevant policy and framework documents are up to date and promulgated across the Council and provide high quality legal and procedural advice is provided at all stages of the Council’s decision making and ensure that a strong corporate governance culture is achieved with decision making by members meeting the highest standards of ethical and corporate governance.</p> <p>Discharge the statutory duties of the Monitoring Officer for Thanet District Council so as to ensure the Council fulfils its lawful obligations, statutory duties and performs its functions and activities in accordance with the law as described in the Monitoring officer Protocol (attached).</p> <p>To act as the Council’s Data Protection Officer (data controller)</p> <p>This post has been designated as a politically restricted post; and will sit as a member of the Strategic Management Team. (SMT)</p>

PRINCIPAL ACCOUNTABILITIES
<i>Include the most significant responsibilities of the job which have a clear end result. Normally there will be between six and ten accountabilities. See guidance notes for assistance with writing accountability statements.</i>
<ul style="list-style-type: none"> Lead and manage the Legal Services team to contribute to the achievement of the Council’s Corporate Plan Objectives and secure continuous improvement in the delivery of the Legal Service. Undertake service delivery planning, risk management and performance management to ensure an efficient and effective provision of high quality legal services to the Council, elected Members, Officers and key deliver partner such as

East Kent Services and East Kent Housing, in accordance with Corporate requirements.

- Lead on the development of the annual Legal Services Budget and prudently manage budget allocations in accordance with the Financial Procedure Rules with a view to delivering the service within the available budget and achieving any agreed efficiency savings
- Ensure the provision of robust and timely legal advice across the range of the District Council's activities, to elected Members, Officers and key delivery partners in accordance with legislation and best practice.
- Develop the capacity and capabilities of the Legal Service Team to deliver the optimal mix of commissioning of legal services from in-house and external sources
- Procure external legal advice including specialist legal services and Counsel's opinion and/or representation in consultation with the relevant client officer and within the financial constraints of any approved budget for the procurement of such services.
- Ensure the provision of expert high quality legal advice and guidance on Planning Law and Practice to Council Officers and Members; including at Planning Committee; and for advocacy purposes at planning inquiries.
- Put in place arrangements for the preparation, issue and serving of planning and listed building enforcement notices including stop notices and for the negotiation and agreement of planning agreements with developers in accordance with instruction of the Planning Manager or Planning Committee; and to provide advice on the grant or refusal of Certificates of Lawful Development
- Appear at informal hearings or public inquiries or at other tribunals of a statutory nature.
- Ensure the development and use of appropriate case management reporting systems to measure and report on the performance of the Service against relevant Service Level Agreements and Local Performance Indicators
- Obtain and then maintain appropriate accreditation for the Legal Service.
- Negotiate, agree and keep under review Service Level Agreements and local performance indicators with Planning, Environmental Health, Estates, East Kent Services and East Kent Housing.
- Implement any medium or high priority recommendations in an Audit Report relating to the Legal Service in accordance with the time scales set out in any related Action Plan.
- Manage and develop relationships with both public and private sector organisations to promote closer working and the development of potential shared service initiatives.
- Through SMT to support the Council's strategic response to ensuring that it meets current and future requirements to publish data on its activities and be proactive in developing systems to achieve the optimisation of transparency in relation to the Council's activities and that the information provided is robust, accurate and resilient.
- Manage and develop the broader governance agenda, ensuring that the Code of Corporate Governance remain updated and widely disseminated across the council's officers and Members; and put in place arrangements to monitor adherence to the Code, and to prepare the Annual Governance Statement for inclusion in the Council's accounts.
- To ensure that arrangements are in place and regularly updated, for the actions of the Council in fulfilment of its duties and responsibilities, to be fully compliant with legislation, regulatory requirements, case law and best practice.
- Make arrangements for the Council to be advised in respect of all Data Protection Act, Freedom of Information Act 2000 and Environmental Information Regulations 2004 matters including the handling of all Subject Access Requests and ensuring that the

Council meets its statutory obligations under the DPA 1998.

- To review annually the corporate retention schedules in relation to deeds and documents under the control of Legal Services and to make arrangements to ensure that such deeds documents are archived and/or destroyed in accordance with those schedules

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REQUIRED ATTRIBUTES

Include the essential attributes that the job-holder must have in order to perform the role competently and successfully

<p>Knowledge</p>	<ul style="list-style-type: none"> • Able to demonstrate high level of personal and professional knowledge and awareness of legal issues affecting local authorities, having used CPD to keep up to date with developments in both the private and public sector. • Knowledge of local government law matters, specifically including Town and Country Planning law. • Good understanding of Governance best practice and CIPFA/Solace Code of Corporate Governance • Comprehensive knowledge of the current political landscape for local government and a thorough understanding of local government and political processes • Knowledge of democratic processes in local government is desirable. • Knowledge of the shared service and partnership landscape within local government, and an awareness of the complex governance arrangements that typically feature in multi-agency partnerships. • Knowledge of strategic business planning and performance management methods.
<p>Skills</p>	<ul style="list-style-type: none"> • Committed to the ethos of continual professional development, able to use new learnings in the application of council business. • Able to promote collaborative, yet effective, ways of working with stakeholders to form a consensus on the way forward. • Able to think creatively about how the Council can improve its relationships with the public, championing the need to undertake transactions in an open and transparent way. • Able to look across the council at the decision making processes to ensure our corporate governance and assurance processes are fit for purpose. • Advanced interpersonal skills, acts with tact and decorum, able to represent the council on outside bodies and promote good external relations and a positive image. • Enhanced political sensitivity. • Possesses integrity and sincerity, able to make a convincing argument and win hearts and minds to achieve a successful resolution to areas of dispute. • Adept at listening to others in order to take on board different views. • An effective delegator, able to lead, manage and encourage proactive activity to develop staff through empowering them to

	act within agreed delegations; managing and motivating staff to excel.
Experience	<ul style="list-style-type: none"> • Experience of providing legal services in a district council at senior level within local authority environment. • Experience of managing a small team of staff at a senior level. • Experience of working with a time recording and case management software system. • Experience of providing advice on Data Protection Act 1998 matters, policies and procedures. • Experience of working with elected members • A successful track record of in developing and implementing performance management, quality control and other appropriate review processes. • Experience of managing budgets and stewardship of external funding or grant streams which are subject to external monitoring. • Experience in the development and application of council constitution or equivalent governance documentation. • Proven experience of effectively building, developing and leading teams to success.
Qualifications	<ul style="list-style-type: none"> • Professional Legal qualification and evidence of extended personal development essential.
JOB DIMENSIONS	
<i>Include key statistics relating to the job</i>	
Annual budgetary amounts <i>State if impact is direct or indirect</i>	
Number of staff reporting to the job holder <i>Specify direct and indirect reports</i>	2 Direct Approx. 6 indirect
Any other relevant statistics	

NATURE OF CONTACTS	
<i>Include key contacts and the nature of the communications</i>	
Internal	<p>Staff at all levels across the organisation, including SMT on a wide range of topics, including giving instruction and advice to staff outside of the department.</p> <p>Members – District, County and Parish – providing advice and working with Members on specific projects.</p> <p>Regular contact with the portfolio holders that cover the department's work.</p> <p>Attend Cabinet, Council and various Committee meetings</p>
External	<p>Manage relationships with internal and external audit; and liaise on specific governance related matters.</p> <p>Manage relationships with EK Shared Services to ensure that they uphold the Council's standards.</p> <p>Represent the council at county and national forums, as appropriate.</p> <p>Engagement with contractors and service providers as and when required.</p>

WORKING ENVIRONMENT CONTEXT

Complete this section if the job involves physical effort and/or strain or if the job-holder is required to work in unfavourable environmental conditions. This section does not apply to most roles in a normal day-to-day office environment.

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ORGANISATION CHART

Include an organisation chart which shows the immediate superior, peers and jobs reporting to this position. The organisation chart can be inserted below or provided as an attachment.

--

JOB DESCRIPTION SIGN-OFF

Completed by	<i>Line Manager Job Title</i>	<i>Date</i>
Reviewed/Agreed by	<i>Next Level Manager Job Title</i>	<i>Date</i>
Dimensions Reviewed/Agreed by	<i>Job Title e.g. Finance Manager or as appropriate</i>	<i>Date</i>
Job Holder Reviewed/Agreed by	<i>Job Title</i>	<i>Date</i>

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EXCLUSION OF PUBLIC AND PRESS

To: **Council – 10 July 2014**

By: **Interim Legal Services Manager and Monitoring Officer**

Classification: **Unrestricted**

Summary: This report invites Council to consider whether or not to exclude the public and press for consideration of Agenda Item No 23, "Report on the Discharge of Council Functions (Following the Corporate Restructure)", in view of the first three Annexes to the report containing information that is considered exempt under Paragraph 2 of Part 1 of Schedule 12A of the Local Government Act 1972 (as amended)

For Decision

1.0 Current Situation

1.1 Annexes 1 to 3 to the report relating to Agenda Item No. 23 contains information which the report author has identified as being exempt by virtue of Paragraph 2 of Part 1 of Schedule 12A of the Local Government Act 1972 (as amended); that is, information which is likely to reveal the identity of an individual. For that reason, the first three annexes have not been made publicly available.

2.0 Options

2.1 The Council can decide:

2.1.1 not to exclude the press and public on the basis that it can fully consider the item without disclosing any exempt information;

2.1.2 to exclude the press and public on the basis that exempt information is likely to be disclosed;

2.1.3 not to exclude the press and public unless and until it becomes apparent during the debate that it will be necessary to disclose any exempt information.

3.0 Corporate Implication

3.1 Financial

3.1.1 There are no direct financial implications

3.2 Legal

3.2.1 As per Part 1 of Schedule 12A and Part VA of the Local Government Act 1972 (as amended) and the Council's Access to Information and Council Procedure Rules

3.3 Corporate

3.3.1 Thanet District Council will endeavour to keep the number of exempt reports or annexes it produces to a minimum in order to promote transparency

3.4 Equity and Equalities

3.4.1 There are no specific equity and equality considerations that need to be addressed in this report.

4.0 Recommendation

4.1 Council is invited to decide which of the following options to adopt:

4.1.1 THAT the press and public be not excluded on the basis that the item can be fully considered without disclosure exempt information as defined by Paragraph 2 of Part 1 of Schedule 12A of the Local Government Act 1972 (as amended);

4.1.2 THAT the press and public be excluded on the basis that exempt information, as defined by Paragraph 2 of Part 1 of Schedule 12A of the Local Government Act 1972 (as amended) is likely to be disclosed;

4.1.3 THAT the press and public be not excluded unless and until it becomes apparent during consideration of the item that exempt information, as defined by Paragraph 2 of Part 1 of Schedule 12A of the Local Government Act 1972 (as amended) is likely to be disclosed.

5.0 Decision Making Process

5.1 Whether or not to exclude the press is a decision of the Council.

Contact Officer:	Steven Boyle, Interim Legal Services Manager and Monitoring Officer, Ext.7906
Reporting to:	Paul Cook, Interim Director of Corporate Resources, Ext 7617

Corporate Consultation Undertaken

Finance	N/A
Legal	Steven Boyle – Interim Legal Services Manager & Monitoring Officer

REPORT ON THE DISCHARGE OF COUNCIL FUNCTIONS (FOLLOWING THE CORPORATE RESTRUCTURE)

To: **Council – 10 July 2014**

By: Director of Community Services for the Chief Executive

Classification: **Main report and Annex 4 and 5 are Unrestricted
Annex 1, 2 and 3 are Restricted (Restricted by virtue of paragraph 2 of Part 1 of Schedule 12A of the Local Government Act 1972)**

Ward: **N/A**

Summary: This report fulfils the requirement of the Head of Paid Service to report to full Council on the manner in which the discharge of the Council’s functions is co-ordinated, the number and grade of officers required for the discharge of functions and the organisation of officers. This is in accordance with the Council’s Constitution, Part 2, Article 12.

For Information

1.0 Introduction and Background

- 1.1 In accordance with the Council’s Constitution, the Head of Paid Service is required to report to full Council on the manner in which the discharge of the Council’s functions is co-ordinated, the number and grade of officers required for the discharge of functions and the organisation of officers.
- 1.2 In April 2014, the structure of the organisations was changed to meet the ongoing and future needs of the Council and this report provides Council with the detail of the new structure and the rationale for the changes.

2.0 The Current Organisation Structure

2.1 Background

- 2.1.1 The background and imperative to restructure is laid out at section 1 of the restructure consultation document provided at Annex 1.
- 2.1.2 The vision, which identifies the corporate focus for the organisation is laid out at section 2 of the restructure consultation document provided at Annex 1. There are six key deliverables identified within this vision and the changes to the organisation’s structure are all related to the achievement of these.

2.2 Changes to the Structure

- 2.2.1 The changes to the structure are laid out at sections four through to eight of the restructure consultation document provided at Annex 1.

2.2.2 At Annex 3, End of Consultation Document, changes resulting from the final 14 day consultation period are documented. These changes are in addition to those outlined in Annex 1 (sections 4 – 8).

2.3 Consultation

2.3.1 The structure changes were subject to an initial 45 day formal consultation with unions and staff and then a further 14 day formal consultation period.

2.3.2 The additional 14 day consultation period arose due to changes being made to the proposal as a consequence of feedback received during the initial consultation period. A summary of these changes (although they are incorporated into the document at annex 1) is provided in the document 'Restructure changes resulting from consultation feedback' at Annex 2.

2.3.3 The 14 day consultation period also resulted in valuable feedback that influenced the final structure to be implemented. The changes resulting from this consultation are documented at Annex 3.

2.4 New Structure

2.4.1 Attached at Annex 4 is the Senior Management structure detailing the management of the council's functions by Director. There have been some changes to the line management of functions resultant from a review of service priorities and how best to align services so that skills can be flexibly deployed. For example, moving Property Management into Community Services so that it can work more closely with Economic Development.

2.4.2 Attached at Annex 5 are more detailed structure charts detailing the number and grade of officers for each function.

3.0 Corporate Implications

3.1 Financial and VAT

3.1.1 The restructure was undertaken on the premise that an efficiently run organisation would always keep costs to a minimum through setting structures that minimise management costs. As a result of this review, full year savings of £150,000 per annum will be achieved as part of the 2015/16 Budget build. Any savings in 2014/15 will be used to offset severance costs payable as well as providing funds for transitional arrangements

3.2 Legal

3.2.1 The Council is required by the Local Government Acts to employ suitably qualified individuals as Head of Paid Service, Chief Financial Officer and Monitoring Officer. The proposed structure complies with those requirements.

3.2.2 The Council's Constitution provides for the manner in which the discharge of the Council's functions is co-ordinated.

3.3 Corporate

3.3.1 Relevant employment policies have been followed during the course of this restructure.

3.4 Equity and Equalities

3.4.1 There are no implications

Contact Officer:	Director of Community Services
Reporting to:	The Chief Executive

Annex List

Annex 1	Restructure consultation document
Annex 2	Restructure changes resulting from consultation feedback
Annex 3	End of consultation document
Annex 4	Senior management structure
Annex 5	Detailed structure charts

Corporate Consultation Undertaken

Finance	Pal Cook, Interim Director of Corporate Resources and Deputy S151
Legal	Steven Boyle, Interim Legal Services Manager & Monitoring Officer

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Agenda Item 23

Annex 1

By virtue of paragraph(s) 2 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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Agenda Item 23

Annex 2

By virtue of paragraph(s) 2 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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Agenda Item 23

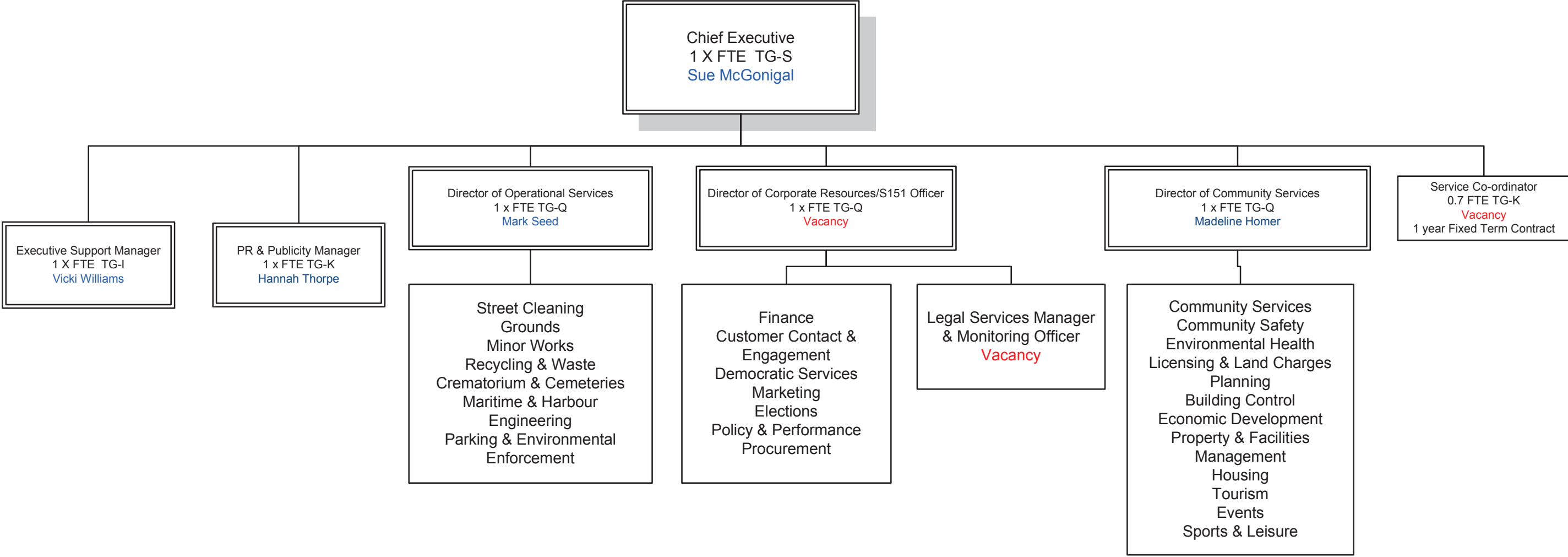
Annex 3

By virtue of paragraph(s) 2 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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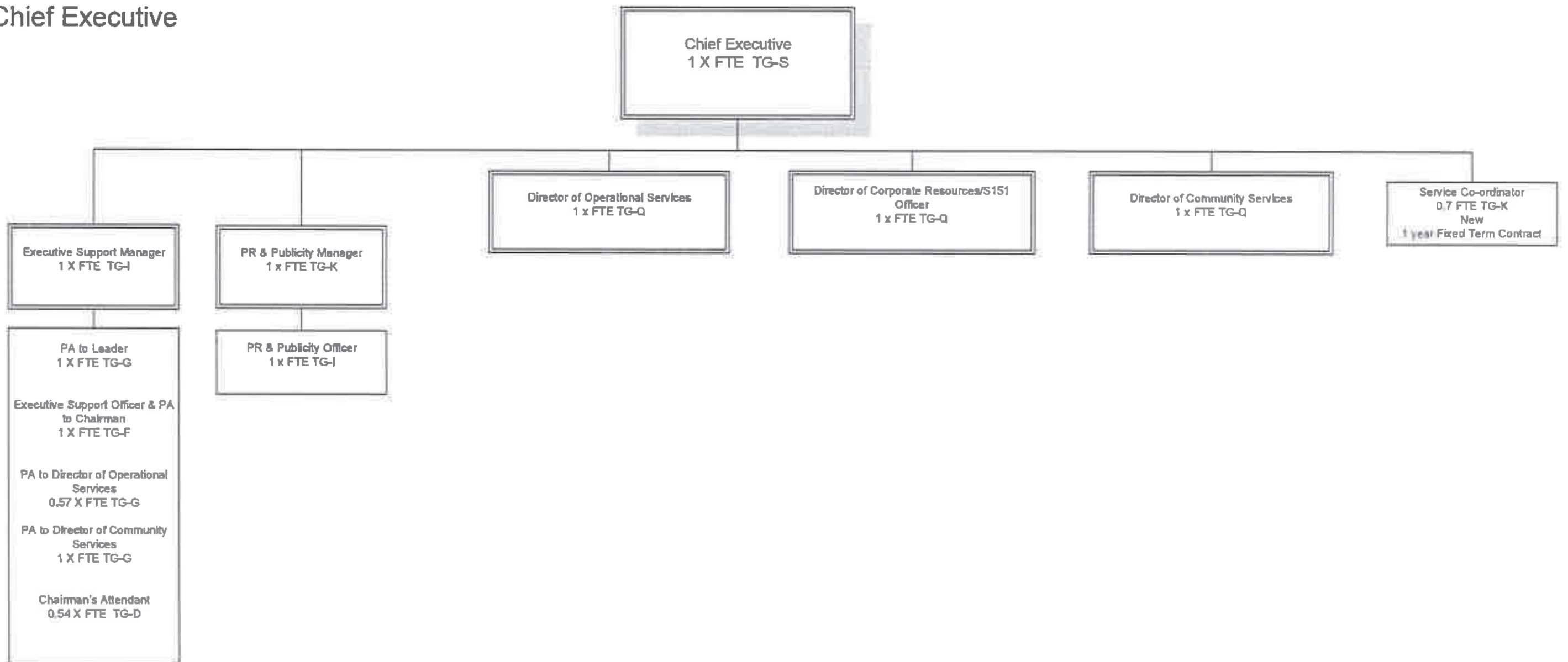
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Annex 4 – Senior Management Structure
01/04/2014

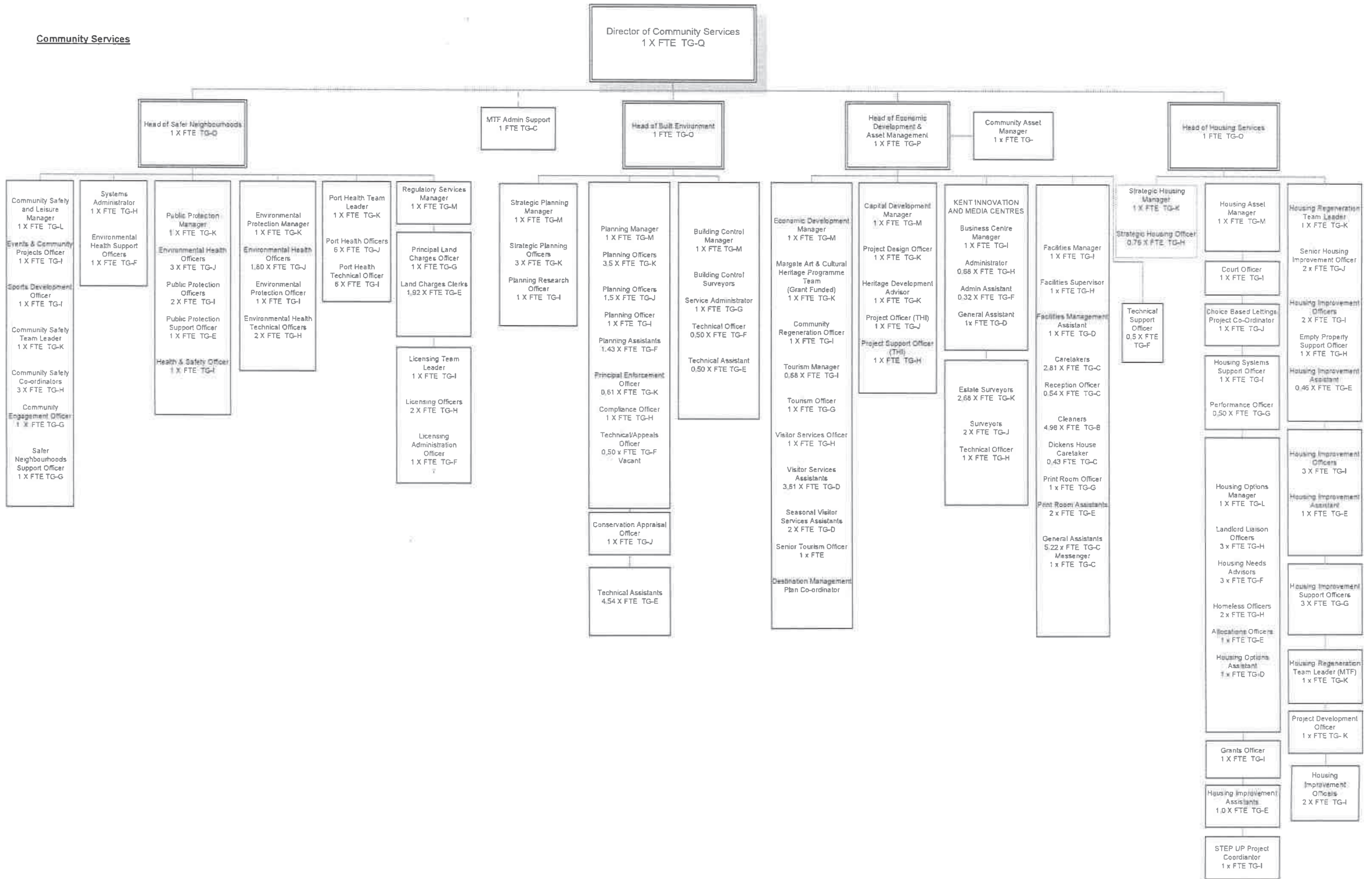


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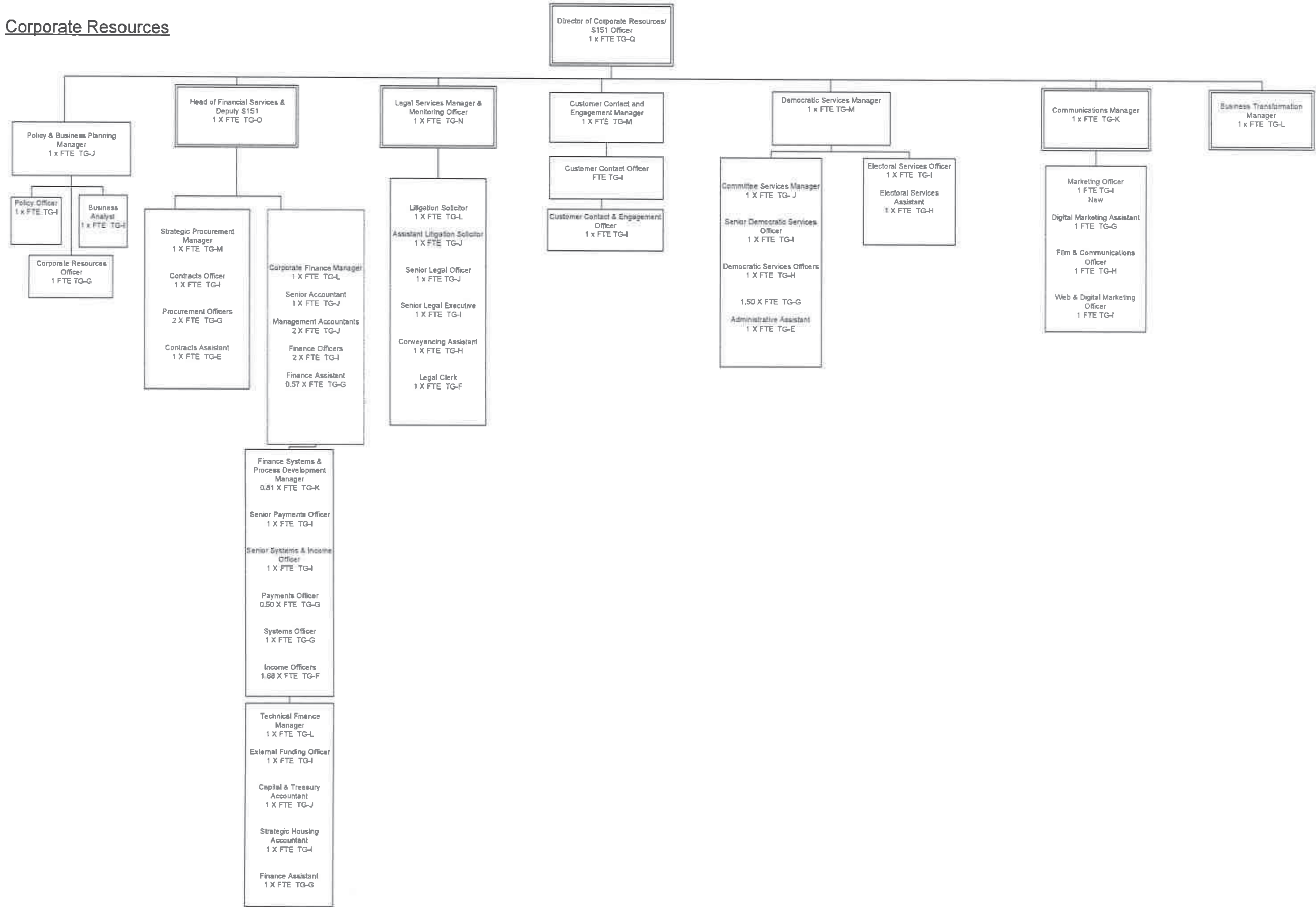
Chief Executive



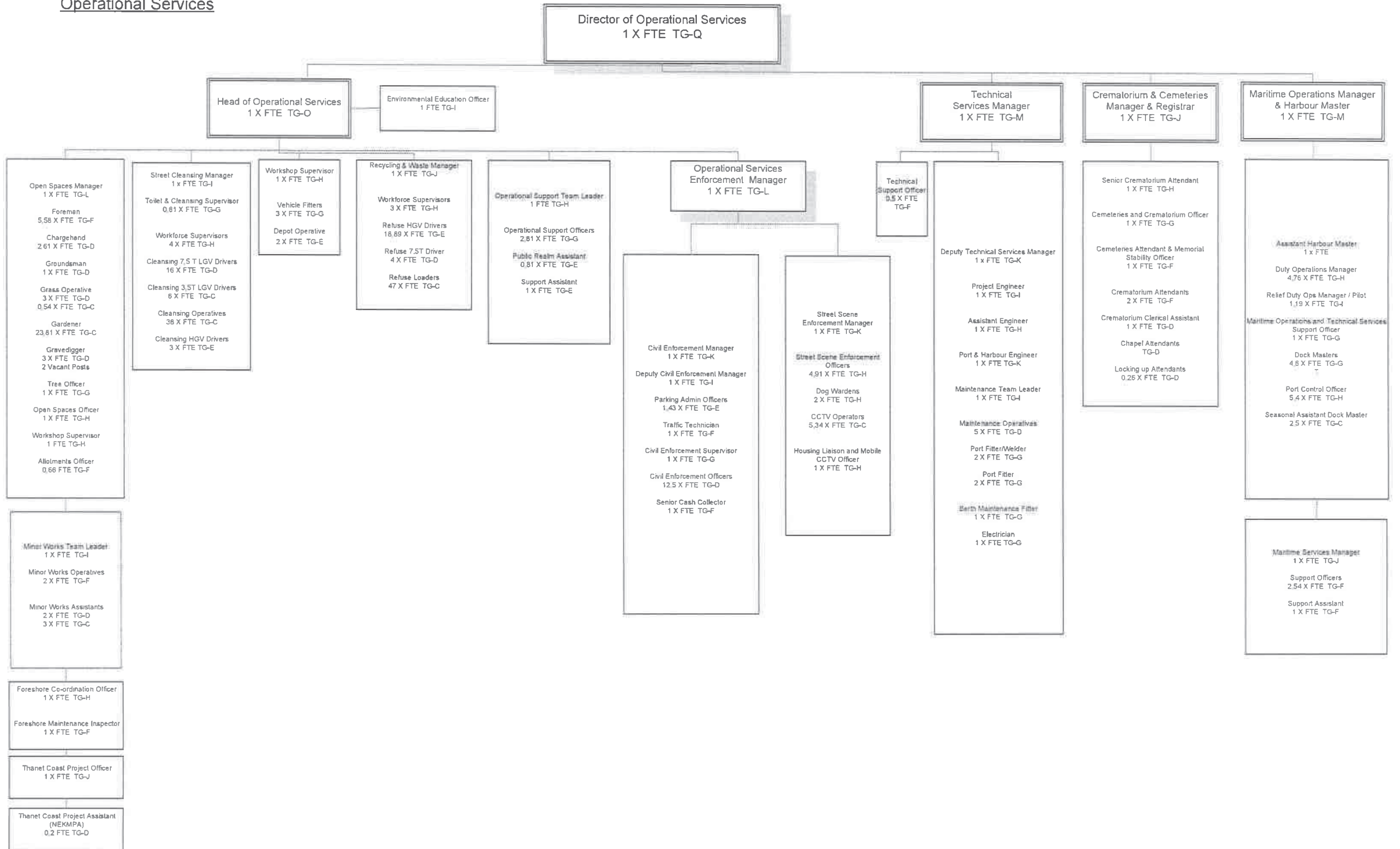
Community Services



Corporate Resources



Operational Services



THANET DISTRICT COUNCIL DECLARATION OF INTEREST FORM

Do I have a Disclosable Pecuniary Interest and if so what action should I take?

Your Disclosable Pecuniary Interests (DPI) are those interests that are, or should be, listed on your Register of Interest Form.

If you are at a meeting and the subject relating to one of your DPIs is to be discussed, in so far as you are aware of the DPI, you **must** declare the existence **and** explain the nature of the DPI during the declarations of interest agenda item, at the commencement of the item under discussion, or when the interest has become apparent

Once you have declared that you have a DPI (unless you have been granted a dispensation by the Standards Committee or the Monitoring Officer, for which you will have applied to the Monitoring Officer prior to the meeting) you **must:-**

1. Not speak or vote on the matter;
2. Withdraw from the meeting room during the consideration of the matter;
3. Not seek to improperly influence the decision on the matter.

Do I have a significant interest and if so what action should I take?

A significant interest is an interest (other than a DPI or an interest in an Authority Function) which:

1. Affects the financial position of yourself and/or an associated person; or Relates to the determination of your application for any approval, consent, licence, permission or registration made by, or on your behalf of, you and/or an associated person;
2. And which, in either case, a member of the public with knowledge of the relevant facts would reasonably regard as being so significant that it is likely to prejudice your judgment of the public interest.

An associated person is defined as:

- A family member or any other person with whom you have a close association, including your spouse, civil partner, or somebody with whom you are living as a husband or wife, or as if you are civil partners; or
- Any person or body who employs or has appointed such persons, any firm in which they are a partner, or any company of which they are directors; or
- Any person or body in whom such persons have a beneficial interest in a class of securities exceeding the nominal value of £25,000;
- Any body of which you are in a position of general control or management and to which you are appointed or nominated by the Authority; or
- any body in respect of which you are in a position of general control or management and which:
 - exercises functions of a public nature; or
 - is directed to charitable purposes; or
 - has as its principal purpose or one of its principal purposes the influence of public opinion or policy (including any political party or trade union)

An Authority Function is defined as: -

- Housing - where you are a tenant of the Council provided that those functions do not relate particularly to your tenancy or lease; or
- Any allowance, payment or indemnity given to members of the Council;
- Any ceremonial honour given to members of the Council
- Setting the Council Tax or a precept under the Local Government Finance Act 1992

If you are at a meeting and you think that you have a significant interest then you **must** declare the existence **and** nature of the significant interest at the commencement of the

matter, or when the interest has become apparent, or the declarations of interest agenda item.

Once you have declared that you have a significant interest (unless you have been granted a dispensation by the Standards Committee or the Monitoring Officer, for which you will have applied to the Monitoring Officer prior to the meeting) you **must**:-

1. Not speak or vote (unless the public have speaking rights, or you are present to make representations, answer questions or to give evidence relating to the business being discussed in which case you can speak only)
2. Withdraw from the meeting during consideration of the matter or immediately after speaking.
3. Not seek to improperly influence the decision.

Gifts, Benefits and Hospitality

Councillors must declare at meetings any gift, benefit or hospitality with an estimated value (or cumulative value if a series of gifts etc.) of £100 or more. You **must**, at the commencement of the meeting or when the interest becomes apparent, disclose the existence and nature of the gift, benefit or hospitality, the identity of the donor and how the business under consideration relates to that person or body. However you can stay in the meeting unless it constitutes a significant interest, in which case it should be declared as outlined above.

What if I am unsure?

If you are in any doubt, Members are strongly advised to seek advice from the Monitoring Officer or the Democratic Services and Scrutiny Manager well in advance of the meeting.

DECLARATION OF DISCLOSABLE PECUNIARY INTERESTS, SIGNIFICANT INTERESTS AND GIFTS, BENEFITS AND HOSPITALITY

MEETING.....

DATE..... **AGENDA ITEM**

DISCRETIONARY PECUNIARY INTEREST

SIGNIFICANT INTEREST

GIFTS, BENEFITS AND HOSPITALITY

THE NATURE OF THE INTEREST, GIFT, BENEFITS OR HOSPITALITY:

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.....
.....

NAME (PRINT):

SIGNATURE:

Please detach and hand this form to the Democratic Services Officer when you are asked to declare any interests.