

# Public Document Pack

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## **OVERVIEW AND SCRUTINY PANEL**

**13 JANUARY 2015**

A meeting of the Overview and Scrutiny Panel will be held at **7.00 pm on Tuesday, 13 January 2015** in the Council Chamber, Council Offices, Cecil Street, Margate, Kent.

### **Membership:**

Councillor Gideon (Chairman); Councillors: Campbell (Vice-Chairman), Driver, Dwyer, Fenner, Gibson, I Gregory, K Gregory, Hornus, Huxley, Matterface, Moore, Poole, D Saunders, M Tomlinson and Worrow

## **A G E N D A**

**Item**  
**No**

**Subject**

1. **APOLOGIES FOR ABSENCE**

2. **DECLARATIONS OF INTEREST**

To receive any declarations of interest. Members are advised to consider the advice contained within the Declaration of Interest form attached at the back of this agenda. If a Member declares an interest, they should complete that form and hand it to the officer clerking the meeting and then take the prescribed course of action.

3. **MINUTES OF PREVIOUS MEETING** (Pages 1 - 4)

To approve the Minutes of the Overview and Scrutiny Panel meeting held on 21 October 2014.

4. **MINUTES OF EXTRAORDINARY MEETING** (Pages 5 - 6)

To approve the Minutes of the Extraordinary Overview and Scrutiny Panel meeting held on 27 November 2014.

5. **CALL IN: CABINET DECISION OF 11 DECEMBER 2014: MANSTON AIRPORT** (Pages 7 - 20)

6. **LEADER'S UPDATES - EXECUTIVE UPDATES ON PROGRESS ON KEY PROJECTS**

The Leader of the Council will give the Panel an update on key corporate projects.

7. **PROPOSED TDC GRANT ALLOCATIONS AND MONITORING PROTOCOL - OSP RECOMMENDATION TO CABINET**

Report to Follow

Item  
No

Subject

8. **THANET PARKING POLICY 2015-2020** (Pages 21 - 54)
9. **REJECTED PETITION - CCTV IN ALBION GARDENS** (Pages 55 - 56)
10. **REVIEW OF OSP WORK PROGRAMME 2014/15** (Pages 57 - 62)
11. **FORWARD PLAN AND EXEMPT CABINET REPORT LIST - 20 JANUARY 2015 - 1 AUGUST 2015** (Pages 63 - 74)

**Declaration of Interests Form**

## OVERVIEW AND SCRUTINY PANEL

**Minutes of the meeting held on 21 October 2014 at 7.00 pm in Council Chamber, Council Offices, Cecil Street, Margate, Kent.**

**Present:** Councillor Gideon (Chairman); Councillors Campbell, Bruce, Fenner, I Gregory, Huxley, King, Matterface, Moore, Poole, M Tomlinson and Worrow

**In Attendance:** Councillors D Green, Harrison and Johnston

### **427. APOLOGIES FOR ABSENCE**

Apologies were received from the following Members:  
Councillor Dwyer;  
Councillor Driver, substituted by Councillor King;  
Councillor D. Saunders, substituted by Councillor Bruce.

### **428. DECLARATIONS OF INTEREST**

There were no declarations of interest.

### **429. MINUTES OF PREVIOUS SCHEDULED MEETING**

Councillor Campbell proposed, Councillor M. Tomlinson seconded and Members agreed the minutes of the meeting held on 19 August 2014.

### **430. MINUTES OF THE EXTRAORDINARY MEETING**

Councillor Campbell proposed, Councillor M. Tomlinson seconded and Members agreed the minutes of the extraordinary meeting held on 25 September 2014.

### **431. MINUTES OF THE EXTRAORDINARY MEETING**

Councillor Poole proposed, Councillor Campbell seconded and Members instructed the Monitoring Officer to report back to the Overview & Scrutiny Panel the full costs of Councillor Driver's High Court Injunction.

Councillor Campbell proposed, Councillor M. Tomlinson seconded and Members agreed the minutes of the extraordinary meeting held on 15 October 2014, whose copy is attached to these minutes.

### **432. OSP POST-CABINET DECISION SCRUTINY - VATTENFALL COMMUNITY FUNDING PROJECT**

Councillor Gideon, Chairman of the Panel introduced the item for debate. She said that the issue was for debate after Cabinet had already made the decision and was not intended to delay implementation. The purpose of debating the issue was for the Panel to establish if there are lessons to be learnt and not seek to change the particular Cabinet decision.

There appeared to be some concern amongst some of the stakeholders about the decision made by Cabinet to reallocate the Vattenfall Community project funds without being considered by the multi-agency committee that had been set up to develop the original project proposal.

Some Members were concerned that this fund had not been ring-fenced to ensure that it was going to be used for the original purpose. They requested that they be provided with contact details of the Vattenfall official engaged in discussions before the changes to the projects to be funded were made. Mr Seed agreed to provide the contact details.

Councillor Harrison, Cabinet Member for Operational Services said that the Vattenfall Community Project Fund had not been utilised since 2009 and Cabinet had to make a decision expeditiously in order to ensure the grant money was used locally and not due for repayment. He said the two projects that were allocated the grant were community projects which included a children's playground which was well used and valued by the community.

Mark Seed, Director of Operational Services advised the meeting that the Council had received formal objection from the Kent Wildlife Trust regarding the original proposed Boardwalk Project. He said that the Trust had suggested that the Council funded a different project. Mr Seed also reported that the Parish Council did not have a unified position on the proposed Boardwalk project.

Mr Seed said that during the period in question, there were a number of major projects that were underway which included the construction of the Margate flood defence scheme. As a result the Engineering team did not have the capacity to revisit the Vattenfall Community Project proposal to come up with new proposals that could be considered by the multi-agency group.

Members of the Panel suggested that before Cabinet made a final decision on the matter, officers should have engaged the original inter-agency project committee in a consultative discussion and advised that committee of the changes to the proposed community project. They observed that there was no protocol in the Constitution to govern the process to managing applications for grant funding as well as monitor the implementation of grant funded community projects.

Councillor Campbell proposed, Councillor Bruce seconded and Members agreed that the Overview & Scrutiny Panel recommends to Cabinet that a protocol for the allocation and monitoring of non-ring-fenced grants and gifts be developed and presented to the Overview & Scrutiny Panel within the next three months.

#### **433. ADOPTION OF ASSET MANAGEMENT STRATEGY**

Edwina Crowley, Head of Economic Development & Asset Management led discussion on the item and said that the document provided an approach for managing Council assets and a corporate process that highlights the decision path for the disposal of Council assets.

Some Members said that this proposed strategy was clearer than the one it is intended to replace and commended the officers for the work done in producing the document.

Councillor Campbell proposed, Councillor Huxley seconded and Members agreed to recommend to Cabinet for approval; the Corporate Property Asset Management Strategy 2014 – 2019.

#### **434. REJECTED PETITION - SAVE MANSTON AIRPORT**

Mr Glenn Back, Democratic Services and Scrutiny Manager introduced the item and advised the meeting that the petition was not successfully lodged because the prayer was missing on some of the signed pages to the petition document and that an e-petition similar to the hand delivered one had been received by Council but had not been sent through the Council's host website e-petition facility.

Members noted the report.

**435. REJECTED PETITION - YELLOW LINES IN APPROACH ROAD**

Mr Back introduced the item and advised the meeting that the petition was not successfully lodged because it did not have the required minimum number of signatories.

Members noted the report.

**436. REVIEW OF OVERVIEW & SCRUTINY PANEL WORK PROGRAMME 2014/15**

Councillor Campbell, Chairman of the Community Safety Partnership Working Party gave a brief verbal update of the work that has been undertaken by the sub-group to date.

There was an update indicating that the QEQM Hospital A&E Review Task & Finish Group has not been able to hold the planned series of meetings to take evidence from health professionals and other stakeholders regarding the performance of the A&E Services at QEQM Hospital. The Chairman of the Panel noted that there was little more that the Council could do to persuade external agencies to agree to take part in health scrutiny because the panel did not have statutory powers relating to health scrutiny. The sub-group had received only one confirmation, from the Thanet Clinical Commissioning Group (Thanet CCG), who had agreed to take part in the discussion.

The Panel Chairman also advised the meeting that an agreement had been reached regarding the role of scrutiny in the work activities of the Peer Review Improvement Board. Councillor Campbell proposed, Councillor Matterface seconded and Members agreed to add to the terms of reference of the Corporate Performance Review Working Party the following:

To review the Council's progress against the Peer Review Improvement Plan.

Councillor King, Chairman of the TDC Artefacts Management Review Task & Finish Group said that the work of the sub-group was faced with a number of challenges. He commended the work done to date by volunteers working on the documentation of artefacts at the Margate Museum and suggested that Council review the funding of this documentation project with a view to allocating adequate funding for the successful completion of the documentation exercise. Members also suggested that the terms of reference of the sub-group could be widened to include recommending approaches to attract funding for the documentation project of artefacts at the Margate Museum.

The report was noted.

**437. FORWARD PLAN AND EXEMPT CABINET REPORT LIST - 16 OCTOBER 2014 TO 2 APRIL 2015**

Members noted the report.

Meeting concluded: 8.30 pm

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## OVERVIEW AND SCRUTINY PANEL

**Minutes of the meeting held on 27 November 2014 at 7.00 pm in Council Chamber, Council Offices, Cecil Street, Margate, Kent.**

**Present:** Councillor Gideon (Chairman); Councillors Campbell, Cohen, Driver, Dwyer, Fenner, I Gregory, K Gregory, Huxley, Matterface, Moore, Poole, D Saunders, M Saunders, M Tomlinson and Worrow

**In Attendance:** Councillors Nicholson and King

### **438. APOLOGIES FOR ABSENCE**

Apologies were received from the following Members:  
Councillor Gibson, substituted by Councillor Cohen;  
Councillor Hornus, substituted by Councillor M. Saunders.

### **439. DECLARATIONS OF INTEREST**

Councillors Campbell, Cohen and K. Gregory noted that they had offered advice on the drafting of the proposed Thanet Local Plan as members of the Local Plan Cabinet Advisory Group.

### **440. DRAFT THANET LOCAL PLAN TO 2031 PREFERRED OPTIONS**

Councillor Gideon, Chairman of the Overview and Scrutiny Panel said that the drafting of the proposed Thanet Local Plan was a product of cross party working through the Local Plan Cabinet Advisory Group and significant time was spent working on the document leading up to the identification of the preferred options for Thanet.

The Chairman set-out the main purpose of the meeting as giving the Panel members the opportunity to ask and comment on the approach used in defining the proposed draft Plan, timetable and consultation process.

Ismail Mohammed, Interim Strategic Planning Manager led discussion with a power-point presentation. He said that community engagement at this early stage of drafting the proposed Local Plan was good practice as it afforded the local communities and stakeholders an early opportunity to articulate their views, and a process that was considered important by the Inspector. This informal consultation was not a statutory requirement in respect of the Planning regulations but was important all the same. Mr Mohammed said that the document was produced according to the statutory requirements and that the strategic objectives had to reflect the Council's corporate priorities and that the Local Plan objectives had to meet the objectively assessed needs of the district.

The outcome of the "Issues and options" consultation, the communities response was that future housing development should be fairly distributed around Thanet and not be concentrated in one part of the district. The Plan should promote local economic development, create jobs and engender sustainable prosperity for Thanet whilst protecting strategic locations for the area that included the natural, built and historic environment.

The Plan will consider Manston Airport as an "Opportunity Site". For which the Council will, in due course, prepare a separate Area Action Plan Development Plan Document.

The Plan aims to improve transport infrastructure to meet the increasing growth and development of the local economy; promote public transport, walking and cycling and reduce travel time.

Mr Mohammed said that the informal public consultation would need to be started in January 2015, leading up to the pre-submission document being considered by Cabinet and Council in time for formal public consultation from September 2015. He said that it was important to provide evidence to the Inspector at the Plan examination stage that Council had consulted local residents and neighbouring districts. The Inspector would have to determine the soundness of the Plan.

As part of the consultation, Council was planning to hold six road shows, engage young people; that included holding a 6<sup>th</sup> formers Conference or meeting each college. Email notifications and social media would be used to engage the public.

Councillor Nicholson, Deputy Leader and Cabinet Member for Housing & Planning Services thanked officers for the work done to produce the draft Plan. He said that it was important for the Council to move expeditiously through the informal and formal consultation stages in order to get the Local Plan in place by the set deadline. He hoped that the Plan could be adopted earlier than the stated target of 2017.

Some members of the Panel were concerned about the length of the consultation period. They suggested that the informal consultation period be set at three months and not six weeks. They indicated that the document was voluminous and therefore the public needed more time to study it. Other members suggested that a summary of the draft Plan document with definitions of some of the key terms used, be produced to go alongside the main document in order to for the public to understand better the proposed Plan. Madeline Homer advised the meeting that because of the upcoming elections in May 2015 and related Purdah period, increasing the consultation period may delay the timetable for producing and adopting the Local Plan.

Mr Mohammed acknowledged that the Council approved Local Plan was out of date as it adopted in June 2006 and all planning applications that are submitted to the Council would have to be determined considering the National Planning Policy Framework and other local policies that can still be applied. He said that officers will prepare an easy read leaflet to go with the main Plan document. Members suggested that a glossary with definitions of main terms used in the document be produced to provide greater clarity for the public.

Mr Mohammed said that a Cabinet Advisory Group or Working Group could be set up by Cabinet to draft the Manston Airport Area Action Plan. The Thanet Local Plan is the main reference point for the Area Action Plan and as such will be have to be adopted by Council and once approved by Secretary of State. The work on formulating the Manston Airport Area Action Plan could commence immediately, and can run concurrently with the Local Plan.

Members noted the reported.

Meeting concluded: 7.55 pm



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## CALL-IN OF CABINET DECISION – MANSTON AIRPORT

To: **Overview and Scrutiny Panel – 13 January 2015**

By: **Democratic Services and Scrutiny Manager**

Classification: **Unrestricted**

Ward: **Margate Central**

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**Summary:** **This report sets out the reasons for call in of the Cabinet decision by five Members of the Overview and Scrutiny Panel.**

### **For Decision**

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#### **1.0 Introduction and Background**

1.1 Five Members of the Overview and Scrutiny Panel, from more than one political Group (Cllrs Campbell, I Gregory, K Gregory, D Saunders and M Tomlinson) have requested the Democratic Services and Scrutiny Manager to call in the Cabinet decision, made 11 December 2014, regarding Manston Airport.

1.2 The Cabinet decision was as follows:

“1. That no further action be taken at the present time on a CPO of Manston Airport, on the basis that the Council has not identified any suitable expressions of interest that fulfil the requirements of the Council for a CPO indemnity partner and that it does not have the financial resources to pursue a CPO in its own right;

2. That subject to obtaining written consent from Party A; relevant information is sent to the Minister of State for Transport for consideration.”

1.3 The Chairman of the Overview and Scrutiny Panel has, on behalf of the Panel, invited Councillor Johnston, Leader of the Council and Paul Cook, Director of Corporate & Regulatory Services & Deputy 151 Officer, to attend and give evidence at the meeting.

#### **2.0 Reasons for Call In**

2.1 The reasons for the call-in given by the four of the five Members of the Overview and Scrutiny Panel (Cllrs I Gregory, K Gregory, D Saunders and M Tomlinson) are that:

The report before Cabinet did not contain sufficient details as to the process involved and evidence in reaching some of the conclusions made. As a result of this the Members feel that it is essential to understand the detail behind the due diligence process and the basis for determining its appropriateness

2.2 The remaining Member of the five Members of the Overview and Scrutiny Panel (Cllr Campbell) has given the following reason for calling in the decision:

“To test that the appropriate procedures and processes were followed in reaching the decision.”

- 2.3 The report to Cabinet on 11 December 2014, together with the annex to the report, is attached at Annexes 1 and 2.

### **3.0 Call In procedure**

- 3.1 Under the call-in procedure as outlined in the Overview and Scrutiny Procedure Rule 15.0:

3.1.1 If, having considered the decision of Cabinet, the Panel is still concerned about it, it may refer it back to Cabinet for reconsideration, setting out in writing the nature of its concerns or refer the matter to full Council;

3.1.2 If referred to Cabinet, Cabinet shall then reconsider within a further 15 working days from the date of this meeting, amending the decision or not, before adopting a final decision;

3.1.3 If the Panel does not refer the matter back to Cabinet, the decision shall take effect on the date of this meeting.

- 3.2 The Overview and Scrutiny Procedure Rule 15.0 also provides for a referral of the decision by the Panel to full Council. If that is the case, Council should meet within 15 working days of referral and if it objects to the decision, it will refer it back to Cabinet, together with its views on the decision. Cabinet would then have to convene to reconsider within 15 working days of the Council meeting.

### **4.0 Corporate Implications**

#### **4.1 Financial**

- 4.1.1 The financial implications of the Cabinet decision are as outlined in the Cabinet report attached.

#### **4.2 Legal**

- 4.2.1 The legal implications of the cabinet decision are as outlined in the Cabinet report attached.

- 4.2.2 The procedure for calling in Cabinet decisions is as prescribed by Overview & Scrutiny Procedure Rule 15.0.

#### **4.3 Corporate**

- 4.3.1 The corporate implications of the Cabinet decision are as outlined in the Cabinet report attached.

#### **4.4 Equity and Equalities**

- 4.4.1 The equity and equalities implications of the Cabinet decision are as outlined in the Cabinet report attached.

### **5.0 Recommendations**

- 5.1 The Panel is invited to decide whether it wishes to:

a) Take no further action

b) Refer the issue back to Cabinet or Council.

## **6.0 Decision Making Process**

6.1 As the decision is an Executive one, if the Panel does decide to refer the decision, it should be to Cabinet. It would then be necessary to organise an extraordinary Cabinet meeting to discuss the matter.

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

### **Annex List**

Annex 1	
Annex 2	

### **Background Papers**

Title	Details of where to access copy
None	N/A

### **Corporate Consultation Undertaken**

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

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**MANSTON AIRPORT EXPLORATION OF CPO INDEMNITY PARTNER**

To: **Cabinet, 11<sup>th</sup> December 2014**

Main Portfolio Area: **All**

By: **Leader of the Council**

Classification: **Unrestricted**

Ward: **All wards**

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**Summary:** **To update Cabinet on the outcome of a soft-market testing exercise undertaken to identify a CPO indemnity partner for Manston Airport.**

**For Decision**

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**1.0 INTRODUCTION**

- 1.1 Cabinet resolved on 31<sup>st</sup> July 2014 to carry out a soft-market testing exercise to identify a CPO Indemnity Partner – a third party who could cover the costs of compulsory purchase of the Manston Airport site. A progress report was received by Cabinet on 16<sup>th</sup> October 2014.
- 1.2 The purpose of this report is to inform Cabinet on the results of the soft-market testing. It does not address the wider options around the future of site, which will be considered separately as part of the Council's Local Plan process.

**2.0 PROCUREMENT PROCESS FOR A CPO INDEMNITY PARTNER**

- 2.1 Expressions of interest were invited for a CPO indemnity partner. Counterparties expressing an initial interest were invited to respond to a questionnaire, composed of:
- Organisational and contact information
  - Project questions
  - Financial questions
- 2.2 The independent viability report produced by Falcon Consultancy was also made available to respondents.
- 2.3 Four counterparties requested a questionnaire; two submitted returns. (Parties A and B). Some discretion was shown over the 31<sup>st</sup> August 2014 deadline for questionnaire submissions. This allowed additional time for any party seeking to express an interest.
- 2.4 Both respondents submitting questionnaires were offered a meeting to discuss their responses more fully.
- 2.5 A meeting took place with Party A's principals on 18<sup>th</sup> September 2014 to discuss their responses. The meeting was attended by Cabinet members, Group Leaders

and the Council's statutory officers. Following the meeting, Party A was asked to respond to a written set of questions by 24<sup>th</sup> September 2014. This Party A did in a letter of 25<sup>th</sup> September 2014. Following the response, further clarification was sought from them on some issues. A further meeting attended by Cabinet members, Group Leaders and the Council's statutory officers took place on 29<sup>th</sup> October 2014. Discussions took place subsequently with Party A's solicitors and there followed various further meetings and correspondence with Party A.

- 2.6 The Council has entered into a confidentiality agreement with Party A. The Council is therefore prevented from disclosing the information provided by Party A for consideration.
- 2.7 Party B did not take up the offer of a meeting. Party B was sent the same written questions as Party A. No response has been received from Party B. It is therefore considered that Party B has conclusively not identified an interest in being the Council's indemnity partner.

### **3.0 RELEVANT CONSIDERATIONS**

- 3.1 The objective of seeking an indemnity partner is to ensure that - if the Council determines to pursue a CPO - a viable airport comes into sustainable long-term operation as quickly as is reasonably possible without any residual cost to the Council.
- 3.2 A majority interest in the site was acquired by new owners in September 2014. The new owners state they intend to bring forward regeneration proposals for the site. The new owners have a business record that includes the Discovery Park Enterprise Zone.
- 3.3 The new ownership of the site and any proposals put forward would make it much more challenging to demonstrate an overwhelming case for compulsory purchase. This compares to the situation before September 2014 when the then outright owner had announced no specific proposals following the airport closure. Given the now increased challenge of securing a CPO, it is essential that the Council establishes thoroughly on objective grounds the financial status of any prospective partner. The assessment must have due regard to the potential scale of the project, and the need to demonstrate that resources are available to complete it.
- 3.4 Any viable indemnity partner needs to demonstrate the resources to acquire by private treaty well before the stage of seeking a CPO.
- 3.5 There are numerous local authority examples of stalled developments or developments where the partner proves not to have the financial capacity to complete the agreement. This experience in other local authorities emphasises the need to ensure a prospective indemnity partner has the resources in place to acquire the site and complete the development. Once the land transfers to the indemnity partner any redress for delay or non-completion could prove difficult to pursue. The main purpose of the CPO is for the authority to achieve a viable development, so the status of the indemnity partner to deliver the development in its entirety is highly relevant.
- 3.6 Counsel's advice is that the Council would need to underwrite any CPO acquisition to demonstrate to the Secretary of State the likelihood of completion. The availability of funds to the prospective indemnity partner is therefore a key factor.
- 3.7 The Council does not have the resources to proceed with any CPO and the subsequent development in the event the indemnity partner could not raise

investment resources. The Council's Capital Programme agreed 13<sup>th</sup> November 2014 is fully committed and already assumes prudential borrowing of £3.645m 2015-16 to 2018-19. The Council would have to borrow to fund acquisition of the airport and its subsequent development in the event an indemnity partner did not prove capable of proceeding. Assuming £20m of borrowing this would result in a revenue capital financing charge of £1.8m. The basic minimum costs (business rates; air traffic; fire and security) of operating the airport are estimated at £2m a year. These revenue costs would prove an unbearable burden for the Council's General Fund.

#### **4.0 DUE DILIGENCE METHOD**

- 4.1 Financial information was requested from Party A. Information was analysed in accordance with the Due Diligence Protocol attached at Annex 1.
- 4.2 Checks have been made with other local authorities that have recently sought and successfully identified CPO indemnity partners. Counsel's opinion has also been obtained on the CPO process and the validation of a prospective indemnity partner. The approach taken by Thanet is entirely consistent with both good practice and the process adopted by other local authorities.
- 4.3 In the event that the counterparty is able to fulfil the due diligence requirements, it would demonstrate a viable interest. Conversely if it cannot, no viable expression of interest is demonstrated. The information required is summarised in the table below.

<b><u>Financial information</u></b>
Last 3 years financial accounts
Auditor contact details
Financial Plan
Evidence of funds required to complete the project.
<b><u>Financial Ability</u></b>
Does the entity have the resources to fulfil its obligations through the contract?
Does the entity issue annual accounts?
Does the entity have a long track record, how many years has it been established?
Does the entity have a stable structure and good governance around financial decision making?

#### **5.0 PARTY A**

- 5.1 Party A is an established organisation incorporated outside the European Union. It is an investment limited liability company. Its adopted strategy is to pursue opportunistic and value-add asset purchases and operational opportunities on behalf of a diversified set of investors ranging from institutions to individuals. It does not of itself have a record of successful airport operation; some team members have experience with other organisations of airport operation and airport financing.
- 5.2 Party A proposes to approach the CPO acquisition a stage at a time. This would be inconsistent with the requirements of Circular 6/2004, sections 20 and 21.

'The timing of the availability of the funding is also likely to be a relevant factor. It would only be in exceptional (and fully justified) circumstances that it might be reasonable to acquire land where there was little prospect of implementing the scheme for a number of years. Even more importantly, the confirming Minister would expect to be reassured that it was anticipated that adequate funding would be available to enable the authority to complete the

compulsory acquisition within the statutory period following confirmation of the order. He may also look for evidence that sufficient resources could be made available immediately to cope with any acquisition resulting from a blight notice.'

## **6.0 ACCOUNTING AND INVESTOR INFORMATION**

- 6.1 The information provided by Party A does not demonstrate that it has the appropriate financial status or has committed investors:
  - 6.1.1 to enable it - if required - to acquire the site by private treaty prior to a CPO process being commenced
  - 6.1.2 to fund the preparation of a robust case for CPO acquisition
  - 6.1.3 to meet the expected compensation costs
  - 6.1.4 to develop the airport and operate it viably in the long-term
- 6.2 The use of Party A as an indemnity partner on the basis of the financial information provided would therefore constitute a high risk option given the objective set out in 3.1 above and legal advice secured by the Council.

## **7.0 BUSINESS PLAN**

- 7.1 The Business Plan provided by Party A is a short term (5-year) business plan and the scope is insufficient in the light of the objective set out in 3.1. The plan does not provide for the CPO compensation cost, and this could be substantial. The business assumptions appear to be optimistic as regards revenues and the known costs of operation.
- 7.2 The viability report issued with the soft marketing questionnaire states that 'The success of Manston revival must be proved through a 20-year business plan with financial projections based on the assumption that the trigger will be realised'. A 20-year plan has been requested from Party A but this was not provided. A 20 year business plan is required for a project of this scale to demonstrate long-term viability, and that the proposed operation is sustainable in the long term. Unless these requirements can be clearly demonstrated there is no prospect of achieving a CPO.
- 7.3 The use of such an indemnity partner would therefore constitute a high risk option given the objective set out in 3.1 above and legal advice secured by the Council..

## **8.0 INDEMNITY**

- 8.1 The approach suggested by Party A is that funds would be transferred in tranches to a UK account managed by UK solicitors. The Council could then incur CPO costs to the value of funds in the account. The Council would not be obliged to proceed with further work until new funds were paid into the account by Party A.
- 8.2 The Council is not seeking a CPO on a speculative basis and would not wish to put itself in a position whereby full achievement and vesting of the site would depend on the partner's ability to generate investment in the project.
- 8.3 The use of such an indemnity partner would therefore constitute a high risk option given the objective set out in 3.1 above and legal advice secured by the Council..



## **9.0 CORPORATE IMPLICATIONS**

### **9.1 Financial and VAT**

- 9.1.1 Set out in the main report

### **9.2 Legal**

- 9.2.1 This report has outlined the process undertaken following the decision of Cabinet on 31<sup>st</sup> July 2014 to seek expressions of interest.
- 9.2.2 It has also set out how we have considered the information provided by those interested parties and a thorough consideration of that information and the assurances provided by it.
- 9.2.3 The conclusions made by the Council's Section 151 Officer are that the information provided does not provide assurances which would satisfy him that a valid expression has been put forward and he is therefore unable to recommend moving ahead with this proposal.
- 9.2.4 Although the issues here are emotive Members should exercise extreme caution before seeking to move forward with any proposal which is at odds with advice from its officers particularly where there are likely to be significant risks which would affect the Council at a fundamental level.
- 9.2.5 The Council has secured further legal advice as summarised in 9.2.6 to 9.2.9 below on the financial assessment necessary to support the choice of an indemnity partner.
- 9.2.6 The Council need to be satisfied in promoting the CPO that it is able to meet the tests of Circular 06/2004 on the likelihood of the project going ahead. The Secretary of State will not confirm a CPO unless he is satisfied that there is a likelihood of the project going ahead.
- 9.2.7 If a scheme is not financially viable the S151 Officer would be expected to certify (e.g. in a witness statement) that he was satisfied that the project was viable and that the local authority would meet any funding shortfall if the partner investment was not forthcoming.
- 9.2.8 CPO is a last resort. It is necessary to make direct contact with the owners of the land with a view to determining whether a negotiated sale is possible.
- 9.2.9 The approach taken to determine whether the prospective indemnity partner is suitable before embarking on any CPO appears correct.

### **9.3 Corporate**

- 9.3.1 An operational airport is consistent with the Council's economic development objectives. The decision taken here would not affect the status of the site as an Airport within the Local Plan and a separate process is followed in that regard.

#### 9.4 Equity and Equalities

- 9.4.1 There is no issue arising from the report and recommendations which adversely affects any specific category of Equality group.

#### 10.0 Recommendation

- 10.1 That no further action be taken at the present time on a CPO of Manston Airport, on the basis that the Council has not identified any suitable expressions of interest that fulfil the requirements of the Council for a CPO indemnity partner and that it does not have the financial resources to pursue a CPO in its own right.

Contact Officer:	Paul Cook Director of Corporate Resources and S.151 Officer
Reporting to:	Madeline Homer, Acting Chief Executive

#### Annex List

Annex 1	Due Diligence Protocol
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#### Background Papers

Title	Details of where to access copy
None	

#### Corporate Consultation Undertaken

Finance	Paul Cook, Director of Corporate Resources and S.151 Officer
Legal	Steven Boyle, Legal Services Manager and Monitoring Officer



# Due Diligence Protocol

Thanet District Council

## 1.0 Introduction

### 1.1. What is Due Diligence?

- 1.1.1. Due diligence is firmly established as an element of corporate good governance and is an investigation of a business or person prior to signing a contract.
- 1.1.2. For the Council this contract can take a variety of forms, examples of these are a contract to provide services, an agreement in relation to a grant, a lease agreement or a joint venture/development partner agreement.
- 1.1.3. Why do it?
- 1.1.4. Both the Bribery Act 2010 and Money Laundering Regulations 2007 contain sections pertaining to the use of due diligence when establishing relationships with third parties.
- 1.1.5. In essence due diligence is undertaken to:
  - (a) Identify the entity and verify the entity's identity on the basis of documents, data or information obtained from a reliable and independent source;
  - (b) Establish the ability of the entity to deliver the contract
- 1.1.6. Due diligence is implemented to cut down on unpleasant surprises and reduces the chance that business practices of a service provider or grant recipient reflect poorly on the Council.
- 1.1.7. Due diligence will not provide a yes or no answer as to if the authority should use/partner with an entity. However, performing these types of investigation results in informed decision making through the use of enhanced information gathered during the process.
- 1.1.8. Decision makers can then analyse information and deliberate regarding costs, benefits and risks prior to entering into contracts.

## 2.0 What are the steps involved?

- 2.1. As due diligence is such an important part of the contract process, planning is essential as it may take some time to gather the appropriate information, consult experts, analyse the information and provide answers to questions.
- 2.2. Staff resource should also be considered, for example particular legal advice maybe required.
- 2.3. **STEP 1 – Planning**
  - 2.3.1. The steps of due diligence should be planned so that work can be completed before the contract discussions are too far advanced. For contract partners that present concerns it may be useful to consult with legal and finance colleagues to establish the best form of due diligence.
  - 2.3.2. The level of due diligence is likely to vary considerably from contract to contract depending upon the risk to the authority of the contract being entered into.
  - 2.3.3. Therefore planning is a key stage to ensure that all questions are answered and concerns alleviated, prior to contract award.
- 2.4. **STEP 2 – Gather Information**
  - 2.4.1. The first major step is to gather the information required in order to perform due diligence. The planning stage should of assisted in assessing the information that is likely to be required, but at the very least the information that should be gathered can be split into four categories:

#### 2.4.2. Basic Information

- Name of organisation and directors/officers
- Registered address
- CVs of principals
- Contact details
- Group Structure (chart) showing how the contracting company fits into the overall corporate structure
- Company registration number and date of registration (where appropriate)
- VAT number
- Project outline
- Evidence the proposed project would not represent an excessive increase in the overall scale of the organisation's activities.
- Relevant experience of similar projects

#### 2.4.3. Financial information

- Last 3 years financial accounts
- Auditor contact details
- Financial Plan
- Evidence of funds required to complete the project.

#### 2.4.4. Web searches

- External credit rating
- Credit reference (taken by TDC)
- General search on company performance
- Press/media

#### 2.4.5. Government policy

- Compliance with money laundering regulations

### 2.5. **STEP 3 – Analyse the Information gathered**

2.5.1. Analysis of the information gathered is essential in order make an informed decision regarding contract award.

2.5.2. Key questions that should be considered are:

#### 2.5.3. Corporate image

- Has there been any negative publicity in the media around the company and how has the company dealt with and resolved these issues?
- Are there any pending legal cases against the entity?
- Is the entity only looking for a marketing opportunity by partnering with the Council?
- Is the entity looking only for procurement opportunities or money from the Council?
- Is the entity willing to engage in a transparent manner, with for example due regard to the Freedom Of Information Act?
- Is the entity willing to accept limitations around publicity of its relationship with the Council so that the Council is not perceived as endorsing the entity?

#### 2.5.4. Social Responsibility

- Is the entity involved primarily in activities that the Council do not wish to align with, i.e. tobacco, firearms.
- Does the entity openly discriminate against race, sex or religion?
- Are there any concerns with the entity around corporate social responsibility?

- Is there any history regarding child or forced labour?
- Does the entity endorse standard Health & Safety requirements for workers?

#### 2.5.5. Environmental Responsibility

- Does the entity assess the environmental impact of the project to be delivered?
- How does the entity monitor and set targets for improved environmental performance?
- Are there sufficient contingency plans to deal with emergencies relating to the contract?

#### 2.5.6. Financial Ability

- Does the entity have the resources to fulfil its obligations through the contract?
- Does the entity issue annual accounts?
- Does the entity have a long track record, how many years has it been established?
- Does the entity have a stable structure and good governance around financial decision making?

#### 2.5.7. Policy Compatibility

- Does the entity comply with all statutory regulations?
- Is it subject to any investigations by government, i.e. HMRC.
- Would entering into the contract cause the Council any issues with regards to its own constitution?

### 2.6. **STEP 4 – Further Specific and supplementary enquiries**

2.6.1. Further supplementary enquires may be required to answer the concerns or questions raised, however the level of these enquiries is likely to be dependent on:

- The scale of the proposed project or contract
- Responses to the initial enquires made

2.6.2. If the financial commitment is at a low level then enquires made will be restricted. The nature of the project and the level of risk are also considerations.

2.6.3. The planning stage of the due diligence process will allow you to assess the required level of further enquiries.

2.6.4. It is essential that a specific time limit is set for entities to respond, so that the awarding of the contract is not unduly delayed.

### 2.7. **STEP 5 – Decision making**

2.7.1. Once a comprehensive picture is built up of the entity concerned, an informed decision making process can occur using the information obtained.

2.7.2. An entity that has struggled to provide information or answer some of the key questions is likely to be unsuccessful in winning the contract.

2.7.3. When it comes to decision making, a final decision must be reached in a timely manner and in conjunction with advice received from other departments such as legal and finance.

## 3.0 **Conclusion**

3.1. Due diligence assists in the detection and treatment of risk in relation to a contract award.

3.2. The process can be lengthy, but ultimately leads to the reputational protection of the Council and its finances, as well as the protection and reputation of the decision makers.

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## Thanet District Parking Policy 2015-2020

To: **Overview and Scrutiny – 13<sup>th</sup> January 2015**

Main Portfolio Area: **Operational Services**

By: **Director of Operational Services**

Classification: **Unrestricted**

Ward: **All wards**

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**Summary:** **That the Thanet District Council's Parking Policy outlining a strategic framework to support the management of safe parking and supporting economic regeneration is adopted by Cabinet.**

### **For Decision**

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#### **1.0 Introduction and Background**

- 1.1 Thanet District Council applied to the Secretary of State in 1999, for permission to carry out activities and use powers prescribed under the Road Traffic Act 1991. The Act allowed local authorities to carry out enforcement activity rather than police and regulate their own parking orders.
- 1.2 Further regulation followed and in 2004, The Traffic Management Act 2004 provided a legal framework for local authorities to operate under, in particular parts 6 and 7. Parking Attendants were renamed Civil Enforcement Officers, and were given the authorisation to use wider powers and guidance as to their conduct.
- 1.3 The Traffic Management Act 2004 also prescribes how a local authority should manage its parking service, including management of parking regulations, production of an annual report and differential penalty charges for certain offences.
- 1.4 Parking is an issue of significant concern for local residents. In a survey carried out in 2010, residents told the police that parking issues are 2<sup>nd</sup> most concerning issue in Thanet after anti-social behaviour.
- 1.5 Nearly 30% of Thanet households do not own a car, which is one of the highest rates in Kent. However, over 430,000 domestic tourist trips take place each year, with 16% of all tourist expenditure being spent on transport, including parking.
- 1.6 A parking consultation was held during the summer of 2013. When asked for their top priority when choosing where to park, the top three responses were that 51% thought that the current charges are reasonable, 35% wanted to park close to where they are going and 26% find it hard to locate a parking space. When asked what the council should focus on the top priority was the free flow of traffic, and 68% of people said that the surplus income raised from parking should be used to improve the service provided.

#### **2.0 Aims of the Parking Policy**

- 2.1 The draft Parking Policy aims to introduce an annual process of analysis and review setting priorities for the following year.

2.2 To make sure that parking management and the setting of fees and charges is fair and that they are related to supply and demand, encouraging use of parking spaces and incentivising people to come into town centres, and in addition:

- Support the economic viability of town centres and regeneration initiatives that form part of this.
- Provide a clear policy for enforcement which will allow the council to deal with parking issues fairly and consistently, ensuring an efficient and effective enforcement function.
- Seek to ensure that the provision, location and safety of public car parks are of a good quality.
- Provide a consistent and clear approach for different types of parking permits.
- Seek to ensure a clear approach towards parking for disabled persons including dealing with fraud of the blue badge scheme.
- Consider parking's contribution to environmental agendas.
- Ensure that the parking policy is consistent with the council's corporate plan and other key agendas.
- Ensure that the council meets its statutory obligations.

### **3.0 Key Policy Issues**

- 3.1 To help set a pricing structure on-street that will increase the turnover of spaces and tackle congestion by encouraging motorists to park off-street.
- 3.2 To help set off-street parking charges taking into consideration usage, with a range of fees and charges reflecting supply and demand across the district.
- 3.3 To ensure that a fair and consistent approach is used when enforcing parking restrictions and that it is timely and effective with regards to persistent and repeat complaints of parking issues.
- 3.4 Introduce any additional parking restrictions if they are necessary on the grounds of safety to residents and visitors, annually, and seek to ensure that the council's overall Traffic Regulation Order is regulated.
- 3.5 To look at ways in which coach parking facilities could be improved across the district with existing sites and new locations.
- 3.6 To assess alternative ways of using off street car parks to increase income.
- 3.7 To look at ways of improving the signage to car parks and informing drivers of alternative car parks.
- 3.8 Explore further digital solutions that could be used to make the service more cost effective and efficient.
- 3.9 Look at alternative means to increase shopping visits to the all of the towns.



#### **4.0 Implementation of Policy**

- 4.1 To amend the fees and charges through full council, and when agreed, advertise and amend both the on and off-street parking places orders accordingly within the legislation.
- 4.2 To review any existing or additional parking restrictions or schemes and place them before the Joint Transportation Board, including full consultation as set out in Section 1 of the Road Traffic Act 1984, and then to implement within the criteria set out by that Act.
- 4.3 To ensure that a fairer, consistent and more transparent approach is taken with all enforcement as set out by Part 6 of The Traffic Management Act 2004.
- 4.4 Use new technology wherever possible and seek out new solutions to improve the parking service.
- 4.5 To explore alternative methods that could be used to help increase the number of shoppers to support town centre regeneration.

#### **5.0 Corporate Implications**

##### **5.1 Financial**

- 5.1.1 On-street parking and waiting restrictions are funded, managed and enforced by Thanet District Council using the decriminalisation budget.
- 5.1.2 Off-street parking is funded by Thanet District Council and any changes to the Parking Order or restrictions would have to be met within the parking budgets or by the council.

##### **5.2 Legal**

- 5.2.1 There are no specific legal implications arising from the draft Parking Policy, although the operation of parking orders and their enforcements operates within a highly regulated framework, both within acts of parliament and operational requirements.

##### **5.3 Corporate**

- 5.3.1 The Parking Policy provides the framework for effective parking management, which primarily supports the council's strategic objectives as outlined in the corporate plan.

##### **5.4 Equity and Equalities**

- 5.4.1 Parking orders and provision take into account the needs of disabled drivers, and this is reflected in the Parking Policy

#### **6.0 Recommendation**

- 6.1 That the Overview and Scrutiny Panel review the draft Thanet District Council Parking Policy 2015-2020 and make recommendations to be considered by Cabinet.

Contact Officer:	Robin Chantrill-Smith, Civil Enforcement Manager x7472
Reporting to:	Gavin Waite, Head of Operational Services x7840

#### **Annex List**

Annex 1	Parking Policy 2015-2020
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### **Corporate Consultation Undertaken**

Finance	Matthew Sanham, Finance Manager x 7227
Legal	Steven Boyle, Interim Legal Services Manager & Monitoring Officer x7906

# Thanet District Council

## Parking Policy 2015-2020

Draft 1.02



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1.	<b>Introduction</b>
	<p>Thanet District Parking Policy provides the framework for effective parking management, which primarily supports the council's strategic objectives as outlined in the corporate plan and links in with the Thanet Transport Strategy, Local Plan, Regeneration Strategy and the Destination Management Plan. It is important that we have a consistent approach across the whole of the district which is not the case at the moment.</p> <p>Parking is an issue of significant concern for local residents. Councillors and members of the public often raise concerns about resident parking, inconsistency, obstructions and parking contraventions. Issues are often inextricably linked and the remit of this parking policy is broad, acknowledging the complex and challenging connections between parking and environmental, economic and regeneration issues.</p> <p>Today's level of car ownership is extremely problematic for town centres. Unrestricted parking will lead to congestion, obstructions, pollution and spaces being occupied by the wrong users at inappropriate times. It is important to remember that in reality there is no such thing as free parking someone, somewhere is paying for it to be provided, serviced and maintained. If parking is free or cheap, people may stay longer, reducing parking availability, and thereby deterring other shoppers from visiting that town centre.</p> <p>Evidence shows that drivers place a higher priority on parking availability than on parking price, although price is an important tool, both ensuring availability and in reducing the amount of 'searching' traffic. Searching traffic creates congestion as well as pollution and benefits nobody.</p> <p>Many people fear that making changes to the way parking is managed will adversely affect the town's economy. There is little evidence of such a relationship one way or the other. However, the limited evidence which does exist suggest that it is an area's broader retail, commercial, leisure or tourism offer which is the primary factor affecting a town's competitiveness, not the provision of parking. So, if a town has a good retail offer, it will continue to attract customers, despite having poor parking facilities, in contrast, a town with very good parking facilities, but a limited retail offer, will struggle to attract customers. However, all things being equal, parking will clearly have an effect.</p> <p>Town centre tariffs should be set to encourage shoppers and deter all-day parkers where demand exceeds supply. Keeping traffic moving and parking spaces turning over is essential for the economy, so effective parking restrictions and enforcement is an essential ingredient of the policy. Regulating parking is essential to keep traffic flowing, pedestrians and motorists safe, roads clear for emergency services and business deliveries, and ensuring people can park near their homes or local shops. There should be a mixture of both longer and short term parking to satisfy the drivers' need.</p> <p>Management of parking can have a positive impact by enabling more productive use of spaces making towns more attractive to visitors, thereby improving their economic viability.</p>

	<p>In particular this policy aims to:</p> <ul style="list-style-type: none"> <li>• Ensure the safety of all roads users by restricting parking in inappropriate locations.</li> <li>• Be fair in setting fees and charges that are related to supply and demand, encouraging use of parking spaces and incentivising people to come into town centres and other attractions, and have a consistent approach across the district.</li> <li>• Support the viability of Thanet's economy and regeneration initiatives that form part of this.</li> <li>• Provide a clear policy for enforcement which will allow the council to deal with parking issues fairly and consistently, ensuring an efficient and effective enforcement function.</li> <li>• Ensure the appropriate control of residents' parking, especially where this is affected by other parking demands.</li> <li>• Seek to ensure that the provision, location and safety of public car parks are of a good quality</li> <li>• Provide a consistent and clear approach for different types of parking permits.</li> <li>• Seek to ensure a clear approach towards parking for disabled persons including dealing with misuse of the blue badge scheme.</li> <li>• Consider parking's contribution to environmental agendas.</li> <li>• Ensure that the policies and services are transparent and provided consistently throughout the district.</li> <li>• Ensure that the council meets its statutory obligations.</li> </ul>
<b>2.</b>	<b>Influencing factors for parking in Thanet</b>
	<p>Thanet is a great place to live, work and visit, surrounded by what are amongst the best beaches in England. Whilst it is a relatively small area, there is a lot on offer. Each of the three main towns has its own unique identity: Ramsgate with its stunning Royal Harbour and historic buildings; Margate with its sweeping sands and creative culture centring around the Turner Contemporary; and Broadstairs with its picturesque beach and strong cultural heritage as demonstrated by the internationally renowned Folk Week and the town's celebrated links to Dickens.</p> <p>But it is not just the main towns that make Thanet an attractive place to be. The historic villages of the central island such as Minster and St Nicholas at Wade and the variety of coastal communities such as those at Birchington, Westgate and Cliffsend all have their own unique charm.</p> <p>We do recognise that not everything is as good as it could be. Like many</p>

coastal areas, parts of Thanet have struggled to cope with the decline of the tourism sector in the 1970s and the social conditions which have resulted in the location of vulnerable families in Thanet, particularly in Cliftonville and Margate. Consequently parts of Thanet are suffering from high unemployment, fear of crime and poor health.

Thanet's population is currently 132,300 having risen steadily from 126,702, as measured in the 2001 census. Thanet has the second highest population density of Kent districts, second only to Dartford.

**Table 1**

Car Ownership Levels	Thanet	
	value	%
All categories: Car or van availability	59,513	100.0
No cars or vans in household	17,710	29.8
1 car or van in household	26,323	44.2
2 cars or vans in household	12,043	20.2
3 cars or vans in household	2,541	4.3
4 or more cars or vans in household	896	1.5

Source: Census 2011

The proportion of older people in the community is increasing. 21.9% of Thanet residents are 65 and over (2011 census) compared to 18.72% across Kent.

This rate is expected to rise to a total of 28% by 2026.

These residents are more likely to be dependent on public or community transport to access services, especially health care.

The total number of journeys that individual people make has increased very little over the last 50 years. However, more of these journeys are now made by car, with 55.8% of work journeys in Thanet (2011 census) now being by car.

**Table 2**

Method of Travel to Work	Thanet	
	value	%
All categories: Method of travel to work	94,452	100.0
Work mainly at or from home	2,940	3.1
Underground, metro, light rail, tram	102	0.0
Train	2,168	2.4
Bus, minibus or coach	3,502	3.7
Taxi	364	0.4
Motorcycle, scooter or moped	575	0.6
Driving a car or van	33,109	35.1
Passenger in a car or van	3,793	4.0



Bicycle	1,395	1.5
On foot	6,890	7.3
Other method of travel to work	362	0.4
Not in employment	39,252	41.6

In 2010 local police and council officers conducted a blackberry engagement survey on 6,600 local residents. 57% of all people surveyed identified issues that they felt the police and council should address, while 43% felt they had no issues. Of the 57%, parking was highlighted as the second highest area of concern for residents. (Table 3)

**Table 3**

<b>Issues Police and Council should address</b>	
Anti-social behaviour	17%
Parking	9%
Speeding	8%
Litter and Fly tipping	5%
Environmental issues, e.g. fouling, littering	4%
'Other' issues	4%
Damage and Graffiti	3%
Crime	3%
Vehicle related nuisance	3%
Police attendance	1%

It is estimated that around 524,000 overnight tourism trips were made to Thanet in 2011. Of these trips, domestic visitors made 83% of trips (433,000) and overseas visitors made 17% of trips (91,000). Compared to 2009, the volume of domestic overnight trips was unchanged, and the volume of inbound overnight trips increased by 3%.

Thanet attracted 2.6 million day trips, up 3 per cent compared with 2009 and day trip expenditure increased by 5 per cent rising from £82,311 million in 2009 to £86.204 million in 2011. The total value of tourism activity in Thanet in 2011 is estimated to have been around £230 million, which is up 6% compared to 2009 and supports 5,477 jobs.

Although Thanet has benefited from reduced journey times from London with High Speed rail services many of its visitors travel by car. Thanet has a large number of tourists as visiting friends and family and these visitors are also more likely to travel by car.

Of the 152,756 visitors to Turner Contemporary Summer 2014 exhibition 57% of their visitors traveled by car. Of the complaints that Turner Contemporary receives 42% are about parking. (Taken from Turner Contemporary Summer 2014 Exist Survey).

The newly opened Dreamland car park was nearly full during the summer period of 2014 this was without the Park being opened for business.

<b>3.</b>	<b>Parking Provision in Thanet</b>
<b>3.1</b>	<b>Introduction</b>

	<p>This parking policy sets out a comprehensive approach to managing on street and off street parking, provision, control and enforcement. This is in line with legislation and guidance from the Government in the form of the Acts shown in section 8:</p>
3.2	<p><b>Car Parking Provision</b></p> <p>Overall parking provision (On Street and Off Street)  There are 2,046 streets in the District, comprising of approximately 400 miles of highway (52 miles of which is yellow lined). There are also:</p> <ul style="list-style-type: none"> <li>• 623 on-street pay and display bays serviced by 62 pay and display machines;</li> <li>• 6 residents parking schemes with shared limited parking providing 778 spaces;</li> <li>• 26 surface car parks (5 of which are free) serviced by 33 pay and display machines providing 2,818 spaces;</li> <li>• 2 multi-storey car parks (MSCPs) serviced by 9 pay and display machines providing a total of 829 spaces;</li> <li>• 283 time limited parking areas across the district.</li> </ul> <p>The distribution of bays is not consistent across the district, some locations have only free parking, some have time limited parking, some have pay and display and some areas have a mixture of both. The council should look at making where ever possible the time limited bays into pay and display or shared use bays with a residents parking scheme. This will help with enforcement and give residents more available parking.</p>
3.3	<p><b>Disability Provision</b></p> <p>This is a national arrangement of parking concessions for people with mobility issues who travel as drivers or passengers. The scheme allows badge holders to park close to their destination but the national concessions apply to on-street parking only.</p> <p>A large number of disabled people rely on their own vehicles as their principle mode of transport. Their journeys are often dependant on how close they can park to their destination. It is therefore imperative that parking facilities are provided for disabled persons which are located close to shops, residential and business areas as well as other key public sites e.g. beaches, sea fronts and tourist attractions.</p> <p>Disabled blue badge holders are allowed to park free of charge and without any time constraints in all TDC run off street and on street pay and display areas. Blue badge holders are also allowed to park without time limits in all of the resident's bays and time limited bays. In line with the stipulations of the blue badge guidance badge holders are also allowed to park for 3 hours on single or double yellow lines.</p> <p>The Council has numerous on-street parking bays designated for use by disabled drivers across all of Thanet's towns. Locations such as Albert Terrace in Margate, Albion Street and Victoria Parade in Broadstairs, and Harbour Street and Marine Esplanade in Ramsgate provide parking in close proximity to the sea fronts and town centres.</p>

	<p>27 of our 33 car parks have disabled bays located at convenient and accessible areas of the car park and blue badge holders can use these bays free of charge for an unlimited period.</p> <p>Some councils across the country allow disabled blue badge holders to park within the disabled bays for a maximum period of 3 hours only with no return for 1 hour and within the normal parking bays at the normal charge.</p> <p>Disabled bays in residential streets can be applied for where parking is causing serious access problems to the property. See our web site for information on how to apply for a bay.</p>
3.4	<p><b>Motorcycle Provision</b></p> <p>Motorcycle bays are located in some of our off street car parks and we are currently exploring the option of adding extra bays to all of our off street car parks. Users are able to use the allocated bays off street bays where available or any other parking bay if not.</p> <p>Motorcycles can be parked free of charge in off street car parks but when using on street areas motorcycle users need to purchase pay and display tickets. The council should charge for motorcycles parking both on and off street to make it more consistent across the district.</p>
3.5	<p><b>Coach Provision</b></p> <p>Coach parking is located in the following areas –</p> <ul style="list-style-type: none"> <li>• Vere Road car park Broadstairs 11 spaces (re-opening in 2015).</li> <li>• Joss Bay Car Park Broadstairs 20 spaces.</li> <li>• Palm Bay Coach Park Margate 12 spaces.</li> <li>• Dreamland Car Park Margate 20 spaces.</li> <li>• Lido Car Park Margate 7 spaces. (Private – not owned by TDC and the future of this site is unknown due to potential development).</li> <li>• Minnis Bay Birchington 10 spaces</li> <li>• Ramsgate Port 30 spaces (informal car parking that is required to be pre-booked by operator. Offer dependent on any possible redevelopment of the Port).</li> </ul> <p>Working with the tourism department is very important in getting information out to all the different coach companies, groups and societies about the parking that is available across the district.</p> <p>Bays are marked out in specific car parks. Demand can vary hugely during the summer months and with the reduction of spaces at Vere Road car park providing facilities in one location to deal with the peak demand is not feasible.</p> <p>Coaches can park on the highway but this is often inconvenient and irritating for the residents. For revisiting coach drivers they tend to be aware of where they might be able to park, for new drivers to the area they are less likely to</p>

	<p>want to park on the highway.</p> <p>A ban on coach parking is already in place along the eastern and western esplanades in Broadstairs every day between the hours of 6am and 6pm. The council will assess other areas that could benefit from this type of ban but this has to be managed and is not always a practical solution. Signage is important and where possible signs will be placed on the highway directing coaches to locations that are suitable for larger vehicles to park.</p> <p>Providing a coach only car park can be costly not only in the construction of the car park but with the on-going costs of the operation. However, there are examples of resorts and town centres who are trying to encourage visitors travelling by coaches by investing in quality coach parking.</p> <p>Subject to funding the council will explore ways to improve its existing facilities at Palm Bay or look at alternative locations like Barnes Car Park before investing in new locations for coach parking. Facilities at existing sites could include upgrading access roads, rest rooms and security.</p>
3.6	<p><b>HGV Provision</b></p> <p>HGV parking is located at Ramsgate Port where 50 spaces are available. Retention of the parking is subject to future developments at the Port, but the Parking Plan is not currently planning to provide alternative sites.</p>
3.7	<p><b>Multi-Story Car Parks</b></p> <p>TDC operate 2 multi storey car parks:</p> <ul style="list-style-type: none"> <li>• Mill Lane Margate - 384 Spaces + 17 Disabled + 4 Parent and Child Bays</li> <li>• Leopold Street Ramsgate - 394 Spaces + 22 DISABLED+ 2 Parent and Child Bays</li> <li>• Mill Lane is currently open 7 days a week from 07:00 to 19:00 hours and barriers close the car park to minimise anti-social behaviour during low usage times.</li> <li>• Leopold Street is open 7 days a week 24 hours a day on the ground floor, however the upper floors are closed during the night to minimise anti-social behaviour and vandalism. To increase the number of bays available overnight the disabled bays become dual use bays between the hours of 18.00 to 09.00 hours every day.</li> </ul>
3.8	<p><b>Electric Vehicle Charging Points</b></p> <p>The Council supports improvements to vehicle technology and emission reduction and will actively pursue possibly options in the future. For example we are now supporting electric vehicle charging bays at two town centre car parks: 2 in Leopold Street car park Ramsgate and 2 in Mill Lane car park Margate. The electric charging is free but the occupation of the space is charged as per the tariff with a maximum stay of 3 hours within the charging bay.</p>

	If demand of the current charging points increases then the council will look at increasing the number of charging points within the district's car parks with external funding if available.												
4.	<b>Current Performance</b>												
4.1	<b>Income</b>  Income from the off street parking goes back into the general council fund and provides a significant contribution to the front line services that the council provides. Revenue from parking also supports in house services like CCTV and the minor works team.  Income from the on street parking is used to run the service and any surplus from on street parking is ring fenced for further on street investment.  The council will also look at alternative ways of using its off street car parks and additional ways of increasing income from the car parks for example by holding events, leasing parts of the car park out to private enterprise for car washing or advertising etc.												
4.2	<b>Usage</b>  Parking transaction data for our car parks is collated from the different payment hardware systems each month. This allows us to see the amount of vehicles that are using our car parks every day of the week, time of day and the duration of their stay. The following table provided annual usage figures for the last three years: <table><tr><td>Year</td><td>On-Street</td><td>Off-Street</td></tr><tr><td>2011-2012</td><td>619,767</td><td>741,348</td></tr><tr><td>2012-2013</td><td>436,692</td><td>634,709</td></tr><tr><td>2013-2014</td><td>497,614</td><td>509,036</td></tr></table>	Year	On-Street	Off-Street	2011-2012	619,767	741,348	2012-2013	436,692	634,709	2013-2014	497,614	509,036
Year	On-Street	Off-Street											
2011-2012	619,767	741,348											
2012-2013	436,692	634,709											
2013-2014	497,614	509,036											
4.3	<b>Off Street Parking</b>  Currently there are 33 off street car parks which are made up of free and pay and display bays with a total of 4,270 parking spaces. The popularity of these car parks varies depending on location. Full details can be found on our website using the following link:  <a href="http://thanet.gov.uk/your-services/parking/parking-charges/fees-and-charges-car-parks/">http://thanet.gov.uk/your-services/parking/parking-charges/fees-and-charges-car-parks/</a>  The management of off-street car parks is regulated through the Thanet District Council Off-Street Parking Places Order 2003 as amended in 2010 and 2011. For any fundamental changes to the way off-street car parks are managed, the order would need to be amended or revised. The council annually review the order and assess the viability of any additional off street parking sites.  Parking charges are reviewed annually. The level of charges for off-street parking should encourage and incentivise their use over on-street bays which in turn, will help to reduce congestion and improve turnover of visitors to an												

	<p>area.</p> <p>Parking charges are currently collected in three ways. The primary method used is ticket machine allowing payment by cash only. An alternative payment method is one which allows payment by debit/credit card via a mobile phone. A variety of season discs can also be purchased in advance which allows parking within selected car parks.</p> <p>The security of users is clearly important if drivers are to be encouraged to use off-street car parks. People need to feel secure when entering or leaving a car park on foot and confident that their vehicle is parked in a safe place. In addition the requirements of appropriate legislation, for example the Disability Discrimination Act, needed to be met, by ensuring all car parks have adequate disabled bays and access. Some of the council's car parks have CCTV and all have regular enforcement by the council's officers.</p> <p>Signage is important and the council will look at ways of improving the signage to the car parks across the district and informing drivers of the locations of its other car parks.</p> <p>It has been highlighted in the Beach Management Plan that Motorhome parking should be explored particularly around the coast and is a possible income stream, clearly this does come with a need to provide services. But the levels of services do vary.</p> <p>New pay and display parking locations will be investigated across the district on land already owned by the council as this would raise revenue to help support the much needed front line services that the council provides.</p> <p>Consideration will be given to the disposal of car parks. This needs to be clearly thought through as it could have an effect on the parking behaviour for a wider area. Section 12 includes sites currently under consideration for disposal.</p>
4.4	<p><b>On-Street Parking</b></p> <p>Thanet Council have an agency agreement with Kent County Council to administer and enforce parking restrictions and on-street parking on their behalf.</p> <p>The availability of parking space, especially on-street around the district is limited and there will be an increasing pressure as car ownership grows. It is therefore essential to manage the various parking demands across the district, providing a balanced parking offer of short stay (on-street), long stay (off street) and free parking.</p> <p>Currently there are 631 on-street pay and display areas available across the district: Full details can be found on our website using the following link:</p> <p><a href="http://thanet.gov.uk/your-services/parking/parking-charges/fees-and-charges-os/">http://thanet.gov.uk/your-services/parking/parking-charges/fees-and-charges-os/</a></p> <p>Charges for pay and display are higher than off-street charges to ensure that the limited spaces are used by those who need them most and to encourage a higher turnover of spaces. In addition charges can help to reduce cruising by drivers trying to find available spaces. It is clear that the Council's policy is to encourage people to park in long stay car parks to ease congestion.</p>



	<p>The current on-street pay and display charges and time allowed are varied to reflect local circumstances in terms of local parking demand and turnover of spaces. Parking charges are currently collected in two ways by pay and display and via mobile phone.</p> <p>There are six residents' schemes across the district, two in Margate, one in Birchington, one in Ramsgate and two in Broadstairs. The schemes are set up to allow residents that have a valid permit to be able to use the time limited or pay and display bays within selected streets with no restrictions.</p> <p>The council should investigate looking at further residents' schemes across the district for more consistency as there are areas across the district such as the old town Margate, Westbrook, Westgate and areas of Ramsgate and Broadstairs that suffer with a high demand of long term parking without any restrictions at all. Time limited bays across the district could also be made more effective by changing them to pay and display bays or shared residents' bays which would encourage a better turnover of vehicles.</p> <p>A ban on caravan/ camper van parking is already in place along the eastern and western esplanades in Broadstairs every day between the hours of 6am and 6pm. The council will look at other areas that could benefit from this type of ban but this has to be managed and is not always a practical solution as it just displaces vehicles to another location. It has been highlighted in the Beach Management Plan that Motorhome parking should be explored particularly around the coast and is a possible income stream, clearly this does come with a need to provide services. But the levels of services do vary. Signage is important and where possible signs will be placed on the highway directing them to locations that are more suitable for this type of vehicle.</p> <p>Anti-social parking across the district such as pavement parking is a problem at some locations. However if this parking was to be taken away with no solution then residents will find it even more difficult to find somewhere to park. In future the council will work with residents to find a possible solution in problem areas that it is made aware off.</p> <p>Park and ride is an alternative solution however unlike most towns that have a scheme Thanet is unique by having four town areas that have a greater visitor demand during the summer months only. Most schemes offer drivers an easier way to leave their vehicle at an out of town location and then use a quick service to travel in to town without delays. Thanet does not have a central point that could be used for all towns that would give drivers the same opportunity.</p> <p>A large amount of investment would be required for such a scheme not only for the land but for the on-going operating costs. It may be possible with partners to look at a scheme for the summer period only covering the towns that get traffic congestion.</p>
4.5	<p><b>Types of Permits</b></p> <p>Off street permits are available to park within our off street car parks ranging from parking within all of our car parks to a few selected car parks. Resident's permits allow users to be able to park within the time limited or selected pay and display bays with no limit.</p> <p>Full details of all permits can be found on our website using the following link:</p>

	<a href="http://thanet.gov.uk/your-services/parking/season-parking-permits/car-park-permits/">http://thanet.gov.uk/your-services/parking/season-parking-permits/car-park-permits/</a>
4.6	<p><b>Cashless parking</b></p> <p>Thanet Council offers 'cashless' parking in its on and off street parking bays. This convenient system allows motorists to pay for parking easily using a mobile phone and also includes options to extend the parking time up to the maximum stay.</p> <p>The first time you use the 'cashless' system you will need to register your vehicle and payment card details. You will also need the location number that is located on signs on or near the pay and display machine.</p> <p>Full details of cashless parking can be found on our website using the following link:</p> <p><a href="http://thanet.gov.uk/your-services/parking/pay-to-park-by-phone/pay-by-phone/">http://thanet.gov.uk/your-services/parking/pay-to-park-by-phone/pay-by-phone/</a></p>
4.7	<p><b>Pay and Display</b></p> <p>Pay and display machines have been the main parking payment system in Thanet for 30 plus years until 2011 when the option of cashless parking system was first introduced.</p> <p>All of our charges start off with an initial 1 hour charge (off street) or a 10 minute charge (on-street) and then linear charges up to the maximum stay, which gives users the specific time they have purchased.</p>
4.8	<p><b>Tariff Reviews</b></p> <p>Parking tariffs are reviewed annually to ensure our revenue keeps pace with our costs. When setting levels we also look at those of our neighbouring town centres and other comparable towns to help us get the right balance to ensure both a quality service and buoyant economy can be maintained.</p> <p>Over the last two years we have been able to maintain the tariffs at the same level even though the costs to maintain those car parks increased.</p> <p>When looking at neighbouring towns we also looked at stand-alone retail developments such as Westwood Cross where parking is free to the customer because the cost is absorbed within the rents paid by the businesses operating there and very often reflected in the price the customer pays for their goods.</p> <p>Full details of our parking charges can be found on our website using the following link:</p> <p><a href="http://thanet.gov.uk/your-services/parking/parking-charges/fees-and-charges-car-parks/">http://thanet.gov.uk/your-services/parking/parking-charges/fees-and-charges-car-parks/</a></p>
5.	<b>Consultation Feedback</b>
5.1	<p><b>Conclusion</b></p> <p>A public consultation was held in 2013 involving more than 700 local people,</p>



	<p>business and visitors.</p> <p>This consultation was not just about parking charges, it also sought our customers' views on car parks, the signage in place, the number of spaces available and where people actually wanted to park.</p> <p>Feedback revealed that car parking charges were the biggest priority for people when deciding where to park and where to shop, with the availability of parking and the range of shops on offer.</p> <p>When asked for their top priority when choosing where to park, the top three responses were that charges are reasonable (51%), it is close to where they are going (35%) and that it is easy to find a parking space (26%).</p> <p>Top priorities for people when choosing where to shop were free parking (45%), the availability of parking (33%) and the overall range of shops available (22%).</p> <p>When asked what they would like the council to focus on, the top priority for most respondents (37%) was the free flow of traffic – ensuring all restrictions are monitored to help with the free flow of traffic and to ease congestion.</p> <p>In terms of the income raised, most people (68%) felt that surplus income raised from parking charges should be used to improve the parking service, (62%) would like income to be used to improve roads and road safety.</p> <p>Following the consultation the proposals below from Cabinet and fully agreed by full council in March 2014 have taken place:-</p> <ul style="list-style-type: none"> <li>• Almost all of the car parking charges have been frozen for 2014/15 and 2015/16.</li> <li>• Free Saturday parking schemes have continued.</li> <li>• Changed all off street car park charges to a linear system</li> <li>• Reduced the charging period on street from 7pm to 6pm.</li> <li>• Closing of Mill Lane multi-storey and the partial closure of Leopold Street multi-storey car parks from 7pm to 7am every day.</li> <li>• Bought the hourly on street charge at Lawn Road, Broadstairs in line with the other on street charges.</li> </ul> <p>In addition, the scheme in Albion Road car park in Birchington has continued, but with a 10p charge for the first 30 minutes of parking to prevent the anti-social use of the existing free ticket scheme.</p>
<b>6.</b>	<b>Partnership Working</b>
<b>6.1</b>	<p><b>Parking Liaison Group</b></p> <p>This internal group is set up to help consider all involved departments and takes their needs into account. This group is made up of members from the following departments and areas, waste and recycling, tourism, planning, economic development, Kent county council highways team. The group works together in developing schemes, helping with planning and transportation issues and taking the service forward.</p>

6.2	<p><b>Kent District Engineers</b></p> <p>Members meet quarterly and endeavour to improve new restriction processes for the highways to engage with the Department of Transport on law and signing processes.</p>
6.3	<p><b>South East Parking Managers and Operation Group</b></p> <p>In an endeavour to improve operations and service across the south east, parking managers and operational staff meet 3 times a year. They work together so that there is consistency of process as well as clarity and transparency for users across the district involved. Councils will work together to help set policy and operational guidelines. This approach will result in greater public understanding of and confidence in the enforcement processes across the districts.</p>
6.4	<p><b>British Parking Association</b></p> <p>Are the largest professional association in Europe and are considered the recognised authority on parking. They represent, promote and influence the best interests of the parking and traffic management professions throughout the UK and Europe. The BPA holds regional and national meetings at which all members are welcome.</p>
6.5	<p><b>Traffic Penalty Tribunal</b></p> <p>The Traffic Penalty Tribunal is the final stage of appeal for motorists or vehicle owners against a penalty issued by a council in England (outside London) and Wales.</p> <p>The Traffic Penalty Tribunal decides appeals against parking and bus lane penalties issued by Civil Enforcement Authorities in England (outside London) and Wales and against moving traffic penalties issued by Civil Enforcement Authorities in Wales.</p>
6.6	<p><b>Emergency Services</b></p> <p>Thanet Council along with Kent County Council meet with all emergency services and other bodies to discuss traffic related problems that have been suggested by members of the public, councillors, traders, visitors, emergency services and other bodies when any new restrictions or schemes are in their early stages of planning.</p>
6.7	<p><b>Kent County Council</b></p> <p>Kent County Council is the highway authority for the district. TDC work in partnership with KCC on all parking related matters.</p>
7.	<p><b>Charging Policy</b></p>

7.1	<p><b>Short Stay Car Parks</b></p> <p>We have a small number of short stay car parks within the district which allows users to have access to car parks located near to the town centres. The car parks have a maximum stay of 3 hours at a higher charge than the longer stay car parks which allows a higher turnover of vehicles than longer stay car parks. Giving visitors and residents the opportunity to park close to the amenities for a short period of time. It is important that we keep prices within these car parks consistent across the district.</p>
7.2	<p><b>Long Stay Car Parks</b></p> <p>The majority of our off street car parks are long stay, some being close to the town centres and others being further afield. The charge within the car park depends on its proximity to amenities. Car parks located near beaches, town centres and attractions are higher than those car parks that are further away. This gives visitors, residents and workers the opportunity to park for long periods of time at a fair rate. It is important that we keep prices within these car parks consistent across the district and that we take usage of these car parks into consideration when setting the charges.</p>
7.3	<p><b>Seasonal Charging</b></p> <p>Higher charges are set in some car parks during the summer months with some long stay and seasonal car parks located near the beach and attractions. These long stay car parks are then adjusted back to cheaper charges during the winter months. A few car parks are open all year round but are only charged during the summer months.</p>
7.4	<p><b>Charging Periods</b></p> <p>On street charging periods are between the hours of 9am and 6pm every day including bank holidays.</p> <p>Off street charging periods are between the hours of 7am and 10pm every day including bank holidays.</p> <p>The council can waive charges at certain times of the year for events which can help the economy. However, this could have a negative effect by having a reduction in the turnover of vehicles.</p> <p>Charging on a Sunday is enforced both on and off street to encourage shoppers and deter all-day parkers. Keeping traffic moving and parking spaces turning over is essential for the economy.</p>
7.5	<p><b>Waivers and Dispensations</b></p> <p>A waiver authorises a vehicle to be able to temporarily park in an agreed location in contravention of a Traffic Regulation Order. It does not grant exemption from any other traffic order.</p>

	<p>An application form has to be completed, and is assessed by the parking officer before it can be issued.</p> <p>There is a weekly charge for this waiver and is mainly purchased by building companies doing work on properties where parking is impractical.</p> <p>A dispensation authorises a vehicle to be able to temporarily park in contravention of a Traffic Regulation Order. It does not grant exemption from any other traffic order. The dispensation allows parking on a single or double yellow line (not pay and display, loading/taxi bays, bus clearways or kerb markings). The permit allows a maximum stay of 2 hours in a street with no return for 24 hours.</p> <p>An application form has to be completed, and is assessed by the parking officer before it can be issued.</p> <p>The dispensation is not for use as a residential parking permit near their home or place of work. It can only be used when the vehicle is being used for commercial or business purposes other than at home or work. There is an annual charge for businesses and the NHS and free of charge for charities.</p>
7.6	<p><b>Suspension Of Parking Bays</b></p> <p>Suspension of parking bays can be applied through parking services by anyone that is holding an event or may want to use a parking bay for a particular reason such as placing a skip or to park a removal vehicle etc.</p> <p>The council is permitted to temporarily suspend parking places including residents and other permit bays. The suspension does not permanently remove the legal status of the parking place. The effect of the suspension is to remove it from use during the prescribed suspension period.</p>
7.7	<p><b>Permits and Season Discs</b></p> <p>Parking permits are available for residents that live in a road that is within a zone. The permit will cover time limited parking bays and some pay and display areas depending on the location of the zone. All other restrictions apply. Residents and businesses can purchase a permit but must supply proof of residency and vehicle ownership which ties them to the property or business within a zone.</p> <p>Permits can be purchased on an annual basis and are pro-rata quarterly over the year. Refunds can also be made when the permit is returned on any full unexpired months.</p> <p>Season discs are available for parking in all of the off street council car parks. A disc can be purchased on an annual, six month or monthly basis.</p> <p>Full details on the types of discs that are available can be found on the web site on the following link:</p> <p><a href="http://thanet.gov.uk/your-services/parking/">http://thanet.gov.uk/your-services/parking/</a></p>

8.	<b>Legislation</b>
8.1	<p data-bbox="432 264 655 293"><b>Individual Laws</b></p> <p data-bbox="432 331 1046 360"><b>Road Traffic Regulation Act 1984 (RTRA 84)</b></p> <p data-bbox="432 394 1441 663">The RTRA 84 enables authorities to make Traffic Regulation Orders (TROs) to restrict, regulate and control traffic including parking, both on and off street. Section 122 of the act places a duty on local authorities to exercise their functions under the Act so as to secure the expeditious, convenient and safe movement of traffic, so far as practicable having regard to matters such as amenity and need for access to premises. The Act also requires local authorities to keep account of income and expenditure from on-street parking places and the collection of additional parking charges.</p> <p data-bbox="432 696 927 725"><b>The Road Traffic Act 1991 (RTA 91)</b></p> <p data-bbox="432 759 1441 893">The RTA 91 brought in the Decriminalisation of Parking Offences which made a number of changes to traffic law and enabled local authorities to take responsibility in respect of parking offences and enforcement. The act allowed local authorities to carry out enforcement rather than the Police.</p> <p data-bbox="432 927 1398 1028">Thanet District Council applied to the Secretary of State for permission for powers provided to Local Authorities under the Road Traffic Act 1991 in 1999. Thanet was designated a Special Parking Area in 2000.</p> <p data-bbox="432 1061 1310 1090"><b>The Traffic Signs Regulations and General Directions Act 2002</b></p> <p data-bbox="432 1124 1394 1189">This legislation set out how lines and signs should appear on the highway and could only be amended by approval of The Secretary of State.</p> <p data-bbox="432 1223 935 1252"><b>Traffic Management Act (TMA) 2004</b></p> <p data-bbox="432 1285 1414 1386">The TMA 04 has been set out in seven parts with the different parts coming into force at different times. It sets out additional powers and requirements for Local Authorities regarding Parking and Enforcement.</p> <p data-bbox="432 1420 1433 1588">Part 6 came into force from 31st March 2008 and increased the scope for local authorities to enforce traffic contraventions and replaces Part II and Schedule 3 of the Road Traffic Act 1991. It includes powers to tackle double parking and parking at dropped footways as well as the enforcement of bus lanes by cameras.</p> <p data-bbox="432 1621 1425 1722">It also advises that local authorities should publish parking policies, information about parking provision, parking restrictions shown on web sites as well as other financial and statistical information.</p> <p data-bbox="432 1756 1422 1856">This also included differential penalty charges, for example a higher penalty for parking on a double yellow line and a lower charge for over staying in a pay and display bay.</p> <p data-bbox="432 1890 1433 1955">Part 7 amends duties in the Road Traffic Regulation Act 1984 regarding how surplus income from parking management can be spent.</p> <p data-bbox="432 1989 1390 2054">All of the above legislation is done under an agency agreement with Kent County Council who are the highway authority.</p>

<b>9.</b>	<b>Enforcement and Assisting Traffic Flow</b>
9.1	<p><b>What we enforce</b></p> <p>To ensure professional and adequate enforcement takes place, an average of 8 Civil Enforcement Officers (CEOs) are deployed per day. The hours of enforcement are primarily between 9.00am to 5.15pm when most restrictions are in force. However, enforcement during the evenings/nights and early mornings are also undertaken to ensure a comprehensive service is provided. CEOs use up to date technology to issue Penalty Charge Notices (PCNs) and record photographic images of contraventions.</p> <p>We receive many requests for enforcement at specific locations in the District from residents and businesses. CEO's are then tasked with patrolling the area. We are pleased to be able to provide this service and endeavour to respond to requests as quickly as possible, normally within an hour. If there is an on-going problem, the feasibility of more regular enforcement will be investigated.</p> <p>There is a list on our website:</p> <p><a href="http://thanet.gov.uk/your-services/parking/">http://thanet.gov.uk/your-services/parking/</a></p> <p>This shows which parking contraventions are enforced by Thanet District Councils Civil Enforcement Officers and which are enforced by the Police. We also carry out joint patrols with the Police in areas where there is either a large volume of illegal parking or where there are several traffic offences being committed. Partnership working of this nature has proved successful at large events where there are a large number of vehicles descending on a particular area quickly.</p> <p>Patrolling areas include: Town Centre's, Sea front locations, and residential areas. Vehicle's parking on school safety restrictions are a particular problem in the area and compromises the safety of children and so the enforcement team has a designated CEO to enforce the safety restrictions at schools. There are also some occasions where CEO's are deployed to specific locations to assist with traffic management, usually when there is a large event in the area.</p> <p>By law, all challenges to Penalty Charge Notices must be made in writing, which can be by e-mail using an online form, or by sending a letter in the post. Payment of a PCN constitutes acceptance of liability.</p> <p>There are a number of stages to the challenge process, including an informal appeal, a formal appeal and an appeal to a traffic penalty tribunal.</p> <p>Persistent Offenders are a particular problem for parking enforcement as some drivers repeatedly and willfully disregard parking regulations. A key issue with persistent offenders is that they are often unregistered vehicles, vehicles with non-UK license plates and vehicles with duplicate registration plates. However, every effort is made to combat this issue including sharing information with other agencies and targeting hotspot areas of Thanet where they are likely to contravene the regulations.</p> <p>Abandoned vehicles are an environmental nuisance and a hazard wherever</p>

	<p>they have been dumped. They also impact on the resident's quality of life and their perception of crime levels in the local area.</p> <p>Thanet District Council is responsible for the investigation and removal of abandoned vehicles. Every year Thanet District Council investigates hundreds of reports of abandoned vehicles. Some of these turn out to be abandoned and are removed, stored and then destroyed.</p>
9.2	<p><b>Working with police</b></p> <p>Thanet District Council work with the police to help the local community events. Civil Enforcement Officers work in partnership with Kent Police on joint operations to ensure parking compliance in particular problem areas where illegal parking occurs alongside other traffic offences.</p>
9.3	<p><b>Parking Offences</b></p> <p>A full list of contraventions that can be enforced by the council and police can be found on our website at:</p> <p><a href="http://thanet.gov.uk/your-services/parking/">http://thanet.gov.uk/your-services/parking/</a></p>
9.4	<p><b>Using technology</b></p> <p>Exploration of digital solutions to support parking services will become an on-going action within the service to continue delivering a more cost effective and efficient service for the public. These will include:</p> <ul style="list-style-type: none"> <li>• New smartphone handhelds</li> <li>• Virtual permits</li> <li>• Residents visitors permits purchased on line</li> <li>• Mobile CCTV/ ANPR camera technology for enforcement</li> <li>• Extending our online permits system to online renewals</li> </ul>
9.5	<p><b>Traffic Flow</b></p> <p>The structured use of car parking controls is an essential tool in helping to balance competing demands for road space, restraining non-essential traffic, and in encouraging a shift towards more sustainable modes of travel. The enforcement of on and off-street parking regulations and restrictions are a key element of parking management.</p> <p>The established benefits of providing parking enforcement are to:</p> <ul style="list-style-type: none"> <li>• To improve the safety of road users;</li> <li>• To assist the free flow of traffic and reduce traffic congestion, especially for emergency services;</li> <li>• To assist and improve bus movement;</li> <li>• To ensure effective loading/unloading for local businesses;</li> <li>• To provide a turnover of available parking spaces in areas of high demand;</li> <li>• Increase protection of disabled spaces, bus stops, loading bays, taxi ranks and residents parking areas;</li> </ul>



	<ul style="list-style-type: none"> <li>• To promote and enhance the health of the local economy.</li> </ul> <p>It is acknowledged that parking enforcement is controversial and sensitive but is also widely recognised that without enforcement of parking regulations, these restrictions would be abused and as a consequence the following would occur:</p> <ul style="list-style-type: none"> <li>• Injury to road users;</li> <li>• Congestion and obstructions;</li> <li>• Lack of parking for shoppers / visitors;</li> <li>• Abuse of disabled spaces, bus stops and taxi ranks;</li> <li>• Nuisance parking creating anti-social behaviour;</li> <li>• Gridlock and traffic jams.</li> </ul> <p>Civil Enforcement Officers enforce parking restrictions in two ways-</p> <ol style="list-style-type: none"> <li>1. Issuing a Penalty Charge notice (PCN) <p>There are two levels of penalty charge, with the level of charge dependent on the seriousness of the contravention.</p> <p>Higher Level – for more serious offences i.e. parking on double yellow lines. This offence carries a £70 charge.</p> <p>Lower level – for less serious offences i.e. overstaying time. This offence carries a £50 charge.</p> </li> <li>2. If the driver of the vehicle is located then they are asked to move on from their current location and the CEO will attempt to educate the driver on why the restrictions are in place and the problems that parking on the restrictions can cause. This practice is in line with the Traffic Management Act and ensures fair and consistent enforcement.</li> </ol> <p>There is a 50% discount if payment of a PCN is received by the council within 14 days.</p> <p>PCN's are generally issued and affixed to the windscreens of the vehicle. If a driver returns to the vehicle the PCN can be handed to the driver by the CEO.</p> <p>However, in some circumstances it is no longer necessary for a Penalty Charge Notice to be placed on the vehicle or handed to the driver in order for it to be properly served. If the Civil Enforcement Officer was unable to serve the Penalty Charge Notice for the following reasons the Penalty Charge Notice can be sent by post:</p> <ul style="list-style-type: none"> <li>• Prevention of Issue - If the Civil Enforcement Officer has been prevented by force, threats of force, obstruction or violence, from serving the Penalty Charge Notice either by affixing it to the vehicle or by giving it to the person who appears to be in charge of the vehicle</li> <li>• Drive away - If the Civil Enforcement Officer had started to issue the Penalty Charge Notice but did not have enough time to finish or serve it before the vehicle was driven away</li> </ul> <p>A postal Penalty Charge Notice (Regulation 10 PCN) will be sent to the registered keeper/owner of the vehicle within 14 days of the contravention taking place.</p>
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<b>10.</b>	<b>How to introduce new parking schemes</b>
10.1	<p><b>The role of the Joint Transportation Board</b></p> <p>The board meets three times a year and is made up of Council Members from KCC and TDC. Items are brought to the meeting by officers and members from KCC and TDC in relation to transportation matters. The meeting allows members discuss any proposals and give input and suggestions.</p>
10.2	<p><b>New Pay and Display parking bays</b></p> <p>New schemes will be introduced to help residents and businesses to be able to get a turnaround of visitors using the bays close by. Parking services will explore a number of sites around the district for pay and display parking schemes.</p> <p>Council Officers shall design a scheme before consulting with residents, members and businesses affected by the proposals. Consultation will be in the form of a letter, questionnaire, leaflet and plan detailing the boundaries of the proposed scheme and the restrictions that will be implemented within that boundary.</p>
10.3	<p><b>Residents' schemes</b></p> <p>The purpose of a residents' parking scheme is to provide a priority for residents where on-street parking is a necessity and where non-residential parking is sufficient for residents to experience substantial problems parking in the vicinity of their homes. They are not normally used to control localised residential parking demand only.</p> <p>The aim of a scheme is to balance the needs of residents, their visitors and support businesses whilst keeping traffic moving.</p> <p>New schemes arise where more than 40% of the households of a given area of at least 1000 households request a residents' parking zone in any 12 month period. A survey of the households of that area shall be carried out subject to agreed priorities. Exceptions may be considered where the Joint Transportation Board agrees that a residents' parking scheme is both appropriate and desirable for any area not meeting the normal criteria.</p> <p>Requests for amendments to an existing residents' parking scheme should be supported by a petition consisting of signatures from more than 60% of properties in any road. This will give a clear indication of sufficient support from others in the vicinity before a survey is undertaken.</p> <p>The extent of a possible residents' parking zone will be determined by officers in consultation with local and County members and ratified by the Joint Transportation Board at their next meeting.</p> <p>At least 50% of properties in a road must have no off-street parking facility to be considered for inclusion within a scheme. Furthermore, a survey of existing parking arrangements must indicate that at least 75% of available</p>

	<p>kerbside space is regularly used for parking during the normal working day. The amount of residents' priority parking provided will be dependent on the parking volume in each road. Should 100% of available space be used for parking, the maximum amount of residents' priority parking will be 75%.</p> <p>The hours selected for parking control will have regard to the availability of the Council's Enforcement team and the level of parking demand throughout the week. Limited waiting and timed restrictions will be used where appropriate, particularly when close to retail areas.</p> <p>Whilst every attempt will be made to maximise the available parking space, parking restrictions will remain or be imposed where it is considered that parking would cause a danger or significant obstruction to other road users.</p> <p>Council Officers shall design a scheme before consulting with residents, members and businesses affected by the proposals. Consultation will be in the form of a letter, questionnaire, leaflet and plan detailing the boundaries of the proposed scheme and the restrictions that will be implemented within that boundary.</p>
10.4	<p><b>New restrictions (Yellow Lines, Loading Bays, Bans)</b></p> <p>Traffic Regulation Orders (TROs) provides a legal framework of measures which manage the movement and parking of vehicles on the highway. TROs for parking controls are usually used for prohibition purposes i.e. no waiting/loading or management purposes. TROs control parking both in terms of time (e.g. no waiting at any time) and by use (residents parking, bus stops, pay and display etc.) These controls can be simple such as double yellow lines at a junction, through to more complex schemes across a wider area.</p> <p>Restrictions and controls are implemented at locations such as junctions or where parking would cause safety or congestion problems. The restrictions also ensure that emergency vehicles and bus stops are free from obstruction and delays. Inconsiderate or illegal parking may cause a delay to emergency service vehicles responding to calls or impact on their ability to deal with an incident due to access problems. The council will work with the emergency services to ensure that inconsiderate or illegal parking does not create obstructions.</p> <p>The Council receives many requests for TROs and reviews them on a regular basis with Kent County Council and the emergency services. Each request is investigated under a set criteria and those that meet the highest priority are placed before the Joint Transportation Board. Members will then decide whether to make the order as proposed, amend it or abandoned it. However, the priority ranking system does not include residents parking (see section 10.3.)</p> <p>The Council will undertake the appropriate measures to deal with parking based upon clear criteria. Whilst it should be clear that residents cannot always expect to be able to park directly outside their property it is reasonable that they should be able to park within a reasonable distance. Parking schemes can also contribute to local environmental and community agendas.</p> <p>Council Officers will consult with residents, members and businesses affected by the proposals. Consultation will be in the form of an advert within the local</p>

	<p>free newspaper, by on street notices, copies of the proposals on deposit at the local libraries and on our website.</p> <p>As TROs develop out of specific requests or from changing traffic circumstances a list of possible schemes is not included in the Policy.</p>
10.5	<p><b>Disabled persons parking bay</b></p> <p>In residential areas the Council provides designated on-street parking bays for use by drivers with mobility impairments.</p> <p>New disabled bays can be applied for by a resident of a street to the parking services. There is a set criteria and if the application meets them then a bay, is marked out as an interim bay directly outside or as close to the applicants residential premises as possible (where the road layout permits) to enable easier access to the property. These spaces are not allocated for a specific user and can be used by any vehicle displaying a valid Blue Badge.</p> <p>After the interim bay has been in for a period of time a report will then be taken to JTB before going out to public consultation to make a TRO which enables the bay to be enforceable.</p>
11.	<b>Related work streams:</b>
11.1	<p><b>KCC Transportation Strategy</b></p> <p>This policy will work alongside the Transportation Strategy which covers all transport related matters. To provide an efficient transport system, delivering the transport infrastructure required to support existing communities and new development across the district.</p> <p>This would include the development of park and ride facilities, but no specific proposals are being made in the Policy at present until the completion of the current review of the Transportation Strategy by KCC in association with TDC.</p>
11.2	<p><b>Local Plan</b></p> <p>If setting local parking standards for residential and non-residential development, local planning authorities should take into account:</p> <ul style="list-style-type: none"> <li>• the accessibility of the development;</li> <li>• the type, mix and use of development;</li> <li>• the availability of and opportunities for public transport;</li> <li>• local car ownership levels; and</li> <li>• an overall need to reduce the use of high-emission vehicles.</li> </ul> <p>Local authorities should seek to improve the quality of parking in town centres so that it is convenient, safe and secure, including appropriate provision for drivers with different needs and a range of vehicles. They should set appropriate parking charges that are affordable and do not undermine the vitality of town centres. Parking enforcement should be proportionate.</p>
11.3	<b>Environmental Health</b>

	<p>Air pollution and quality is an issue at key junctions around the district which include The Square in Birchington, High Street St Lawrence and the junction of Hereson Road with Boundary Road Ramsgate.</p> <p>Unlawful and indiscriminate on-street parking exacerbates the traffic flow constraints and resulting air quality problems in the Air Quality Management Areas by obstructing the highway and causing congestion. Parking services are working with the Environmental Health section and KCC to help improve air quality where possible.</p> <p>Through partnership working with the Environmental Health and KCC 4 electric charging points have been installed within the two multi-storey car parks.</p>
<b>12.</b>	<b>Looking forward</b>
12.1	<p><b>Future Parking Control Proposals</b></p> <p>It is necessary for this policy to provide consistency across the district and to support future developments to ensure that we always have adequate space to meet demands.</p> <p>We will take forward proposals for providing further off and on-street paid for parking in areas that are currently unrestricted in accordance with the consultation approach set out in section 10. This could be in the way of pay and display bays, residential parking schemes or a mixture of both, and will aim to manage demand to the benefit of local residents and businesses.</p> <p>The Parking Service will work with Regeneration, Tourism, Planning and KCC to ensure we have an infrastructure in place to deal with displacement where it is necessary to reduce parking spaces.</p>
12.2	<p><b>Coach Parking</b></p> <p>Visitors coming to Thanet by coach are a vital part of the visitor economy. Parking services are investigating enhancements to existing facilities or alternative locations for coach parking across the district with other interested stakeholders, including visiting coach companies, local tourism businesses including language school providers.</p> <p>The number of coaches that currently visit Thanet cannot be measured exactly, but feedback from local people, local businesses and operators indicate that there are not enough spaces in the district currently to cope with the demand at peak times. This demand is currently greater in Broadstairs and Margate due to nature of visits to the area, but the approach will be to develop and improve facilities across Thanet to support the Decimation Management Plan aims.</p>
12.3	<p><b>Car Park Asset Disposal</b></p> <p>At present Harold Road in Margate is under consideration due to the very low levels of usage (despite the free Saturday parking) and regular anti-social behaviour. Alternative on-street parking is available to service businesses in Northdown Road.</p>

12.4	<p><b>Service Development</b></p> <p>The following areas are under consideration by the parking service to improve information to members of the public and increase shopping parking as part of supporting of local businesses:</p> <p><b>Car Park Signage</b> Working with KCC on improving car park signage on the approaches to Thanet and within town centres, and introduce improved signage within car parks to allow redirection to less used sites. Variable message signing is currently not seen to be cost effective due to the very high cost of introducing this across the 5 main towns.</p> <p><b>Shopping Car Parking</b> It is proposed to consider alternative means to increase shopping visits during 2015 through consideration of the following alternatives:</p> <ul style="list-style-type: none"> <li>• Reduced charges for parking between 9am and 11am or 3pm and 5pm Monday to Friday or reduced charges between 10am and 3pm Monday-Friday</li> <li>• Shoppers car park in each town with a cheap rate for up to 3 hours and then normal charging for more than 3 hours</li> <li>• Reduced parking permit charges for residents in under used car parks between 4pm and 10am Monday to Friday and all weekend.</li> </ul>
13.	<p><b>Review</b></p>
	<p><b>Monitoring and reviewing</b></p> <p>Monitoring and reviewing Thanet District Parking Policy annually is key to ensuring that it is keeping in line with the local plan, the corporate plan and any relevant national change in policy.</p> <p>Elements of the policy that shall be considered when reviewing include the following:</p> <ul style="list-style-type: none"> <li>• Existing and predicted levels of demand for both on and off street parking</li> <li>• Accuracy and quality of existing signs and plates</li> <li>• Nature and extent of restrictions for both on and off street parking</li> <li>• Availability and pricing for both on and off street parking for residents and visitors, deliveries and coach parking</li> <li>• Levels of compliance to the policy</li> <li>• Level of fear of crime, environmental and economic issues, statutory guidance and effective practice</li> </ul> <p>There is a range of evidence to be considered during a review such as consultation and statistical data.</p> <p>The performance data is built from income sources such as business permits,</p>

	<p>bay suspension, pay and display and PNC's, which is then compared with the previous year and the targets set for the current year. This information is invaluable due to its ability to highlight the detail of the parking demand, for example the length of time people stay, and the most popular areas to park; therefore highlighting the trends or issues (more coach/green car spaces needed etc.) that allow for the emerging policy options.</p>
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01843 577165



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## REJECTED PETITION – CCTV IN ALBION GARDENS

To: **Overview and Scrutiny Panel – 13 January 2015**

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

Classification: **Unrestricted**

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**Summary:** **To outline a petition that has been rejected by the Monitoring Officer.**

### **For Information**

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#### **1.0 Introduction and Background**

- 1.1 When the Petitions Scheme was reviewed in light of the Localism Act 2011, a new clause was introduced to require the Council's Monitoring Officer to report to the Council's Overview and Scrutiny Panel when a petition was rejected.

#### **2.0 The Current Situation**

- 2.1 The Council received a request for an petition on the 13 September 2014 from a member of the public:

“We the undersigned petition the council to Install CCTV in the Albion Gardens to protect the heritage garden, holocaust memorial, rose beds, and war memorial.”

- 2.2 The petition was then placed on the Council's website for the public to sign, the petition was available to sign between 15 September 2014 and 29 October 2014, as requested by the petitioner. The petitioner was then advised on the 30 October that, as the petition had only been signed by 4 people, the petition had not reached the minimum threshold of 25 signatories in order to become a valid petition in accordance with the Council's petition scheme, therefore the petition was referred to the Parking department to be treated as a piece of correspondence.

#### **3.0 Corporate Implications**

##### **3.1 Financial and VAT**

- 3.1.1 None

##### **3.2 Legal**

- 3.2.1 None

### 3.3 Corporate

- 3.3.1 The Council must abide by its constitution, of which the petition scheme is an integral part. The constitution requires the Overview & Scrutiny Panel to be advised if the Monitoring Officer rejects a petition.

### 3.4 Equity and Equalities

- 3.4.1 None

### 4.0 Recommendation

- 4.1 This report is for information only.

Contact Officer:	Steven Boyle, Interim Legal Services Manager and Monitoring Officer
Reporting to:	Madeline Homer, Interim Chief Executive

### Annex List

None	N/A
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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

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## **REVIEW OF OVERVIEW AND SCRUTINY PANEL WORK PROGRAMME FOR 2014/15**

To: **Overview and Scrutiny Panel – 13 January 2015**

Main Portfolio Area: **All Portfolios**

By: **Democratic Services & Scrutiny Manager**

Classification: **Unrestricted**

Ward: **All**

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Summary: **This report reviews the Overview and Scrutiny Panel work programme for 2014/15.**

### **For Decision**

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#### **1.0 Introduction and Background**

- 1.1 This report allows Members to review the Overview and Scrutiny Panel work programme agreed at the Annual Panel meeting on 21 October 2014.
- 1.2 The new and reconstituted working parties/task & finish groups were tasked with various assignments as defined by their respective terms of reference. It is hoped that the sub-groups would be reporting regularly at Panel meetings through this agenda item, any progress achieved to date.
- 1.3 Cabinet agreed that the Corporate Performance Review Working Party could consider the corporate performance reports before the report goes to Cabinet. The next such report will be going to Cabinet on 20 January 2015 and it will not be ready to be placed on the agenda until after 5 January 2015. This means that the sub-group can only meet in the week beginning 12 January, which is the same week as when the Panel meets. The Overview and Scrutiny Panel is being asked to consider delegating the authority to the working party to make recommendations on the corporate performance issues directly to Cabinet.
- 1.4 Advice is sought from Panel Members on how to progress the work of the QEQM Hospital A & E Review sub-group. The work appears to have stalled due to the lack of cooperation by the external agencies to undertake the review. Members may recall that this review project was set up in response to a petition that was referred to the Overview & Scrutiny Panel by full Council on 4 December 2014. The sub-group has met only once and subsequent meetings were going to depend on the cooperation of stakeholders who were invited to give evidence to the scrutiny process.

#### **2.0 Notice of Request for Future Agenda Items**

- 2.1 No notice has been received.

### 3.0 The Work Programme Table

3.1 The table is sub-divided in order to illustrate the suggested nature of the work involved:

- a) **Standing Working Party /Task & Finish Group** – a formal sub-committee which will report its findings back to the Panel for recommendation onto the executive.
- b) **Presentations** – these are presentations to the Panel that will allow the Panel to consider whether any further work should be undertaken and a specific item included in the Panel's work programme.
- c) **Status to be determined** – possible additions to the work programme. The Panel will need to decide whether to undertake work on them, and if so, how that work will be organised.

**Table 1 – OSP Work Programme for 2014/15**

<b>Issue</b>	<b>Composition/ Members</b>	<b>Lead Officer</b>	<b>Comment</b>	<b>Status</b>
<b>Date of Establishment</b> <b>01.10.09</b> Community Safety Partnership Working Party	Cllr Campbell (Chairman) Cllr Cohen Cllr K. Gregory Cllr Huxley Cllr King Cllr W. Scobie Cllr D. Saunders Cllr S. Tomlinson	Martyn Cassell; Jessica Bailey	The sub-group met on 20 November 2014 and received a multi-agency presentation on the 'Impact of drug and alcohol misuse for Thanet residents and criminality' and another from the Chairman of the Thanet CCG on 'The Role of Health Within Community Safety Partnerships.' They also considered a progress update report on the implementation of the current Community Safety Partnership Plan. Another meeting is scheduled for 22 January 2015.	On going
<b>Date of Establishment:</b> <b>28.05.08</b> Corporate Performance Review Working Party	Cllr Gideon (Chairman) Cllr Campbell Cllr I. Gregory Cllr Grove Cllr Matterface Thanet Independent Group (vacant)	Paul Cook Nicola Walker	A meeting will be arranged for mid-January 2015 to consider the corporate performance reports before that report goes to Cabinet on 20 January 2015.	On going
<b>Date of Establishment:</b> <b>29.05.12</b> Electoral Registration Process Review Working Party	Cllr Campbell Cllr Cohen Cllr K. Gregory Cllr Hornus Cllr W. Scobie	Glenn Back; Mark Avis	A meeting needs to be convened to review the implementation of Individual Electoral Registration, receive an update on the 2014 "transitional" canvass and consider key registration issues in the run-up to the May 2015 election	.On going
<b>Date of Establishment:</b> <b>14.01.14</b> QEQM Hospital A & E Task & Finish Group	Cllr Hornus (Chairman) Cllr Campbell Cllr Dwyer Cllr K. Gregory Cllr P. Moore Cllr King Cllr Wright	Penny Button	A way forward is still to be agreed with the Chairman in view of the difficulties faced by the sub-group to get the cooperation of the external agencies to take part in the review.	On going  A meeting needs to be arranged to agree a way forward.

<b>Issue</b>	<b>Composition/ Members</b>	<b>Lead Officer</b>	<b>Comment</b>	<b>Status</b>
<b>Date of Establishment:</b> <b>23.04.13</b> TDC Artefacts Management Review Task & Finish Group	Cllr King (Chairman) Cllr M. Tomlinson Cllr Hornus Cllr Matterface Cllr Dwyer	Edwina Crowley; Kate Wilson	The council has received positive feedback from the Heritage Lottery Fund with regards to the submitted project enquiry form. Officers are presently reviewing the project in light of the HLF comments then proceeding with the TDC external funding protocol.	On going
<b>Date of Establishment</b> <b>27.05.14</b> Members' Planning Protocol Review Task & Finish Group	Cllr K Gregory (Chairman) Cllr Campbell Cllr Cohen Cllr Dwyer Cllr D Saunders	Peter Reilly Simon Thomas	A meeting will be arranged later in the year.	On going
<b>Presentations</b>				
13/14 Presentations by Portfolio Holders and Corporate Services Managers	N/A	All Portfolio Holders and Corporate Services Managers		
<b>Watching Brief Items</b>				
Pleasurama Site Development Review – Executive Decision Implementation	OSP	Mark Seed; Edwina Crowley	The OSP agreed to keep a watching brief on the issue as Cabinet implemented the decision agreed on 20 February 2014	OSP keeping a watching brief on the issue
<b>Status to be determined</b>				
N/A	N/A	N/A	N/A	N/A

### **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 There are no legal issues arising directly from this report.

#### **3.3 Corporate**

3.3.1 The work programme should help to deliver effective scrutiny. An active Scrutiny programme is part of good governance and will, ultimately, underpin the Council's use of resources assessment.

3.3.2 The Working Parties / Task and Finish Groups assist the work of scrutiny as they carry-out an in-depth study of any issue referred to the groups under their terms of reference.

### **3.4 Equalities**

3.4.1 None directly but the Council needs to retain a strong focus and understanding on issues of diversity amongst the local community and ensure service delivery matches these.

### **4.0 Recommendations**

4.1 That the Panel notes the report;

4.2 That the Panel agrees to delegate to the Corporate Performance Review Working Party, the authority to make recommendations on the corporate performance report directly to Cabinet.

### **5.0 Decision Making Process**

5.1 Any decisions on the work programme can be taken by the Panel.

Contact Officer:	Charles Hungwe, Senior Democratic Services Officer, Ext 7186
Reporting To:	Glenn Back, Democratic Services and Scrutiny Manager, Ext: 7187

### **Annex List**

None	N/A
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### **Background Papers**

Title	Details of where to access copy
None	None

### **Corporate Consultation Undertaken**

Finance	n/a
Legal	n/a

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## FORWARD PLAN AND EXEMPT CABINET REPORT LIST

To: **Overview and Scrutiny Panel – 20 January 2015**

Main Portfolio Area: **All**

By: **Democratic Services and Scrutiny Manager**

Classification: **Unrestricted**

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**Summary:** To update Panel Members on the revised Forward Plan and Exempt Cabinet Report List (hereby referred to as the Forward Plan) of key decisions and allow the Panel to consider whether it wishes to be consulted upon any of the items

### For Decision

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#### **1.0 Introduction and Background**

- 1.1 The law requires that the Council regularly publish a Forward Plan of Key Decisions. Thanet's Forward Plan and Exempt Cabinet Report List is updated monthly and published on the Council's internet site [www.thanet.gov.uk](http://www.thanet.gov.uk).
- 1.2 The aim of the Forward Plan is to allow the general public and Council Members to see what decisions are coming up over the next few months and how they will be handled i.e. whether a decision will be taken by Cabinet or Council, and whether there will be input from Overview & Scrutiny during the process.
- 1.3 Overview & Scrutiny receives an updated copy of the Forward Plan at each Panel meeting. The Panel can identify any item on the Forward Plan to be added to the Overview and Scrutiny work programme in order to be scrutinised further. A copy of the latest version of the Forward Plan is attached at Annex 1 to the report.
- 1.4 Members may wish to note that the new The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 requires that the Council gives 28 clear days' notice of any key decision or of any reports which the Cabinet intends to consider in private session.

#### **2.0 Corporate Implications**

##### **2.1 Financial**

- 2.1.1 None

##### **2.2 Legal**

- 2.2.1 None

##### **2.3 Corporate**

- 2.3.1 None

## **2.4 Equalities**

2.4.1 None.

## **3.0 Recommendation**

3.1 Members' instructions are invited.

Contact Officer:	Glenn Back, Democratic Services & Scrutiny Manager, Ext.7187
Reporting to:	Paul Cook, Interim Director of Corporate Resources & s151 officer, Ext 7617

## **Annex List**

Annex 1	Forward Plan and Exempt Cabinet Report List
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## **Background Papers**

Title	Details of where to access copy
None	n/a

## **Corporate Consultation Undertaken**

Finance	Not applicable
Legal	Not applicable



## FORWARD PLAN AND EXEMPT CABINET REPORT LIST

### 11 DECEMBER 2014 TO 1 AUGUST 2015

The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 requires the Council to give 28 clear days' notice of any key decision or of any reports which the Cabinet intends to consider in private session.

#### Key decisions

A key decision is an executive decision (taken by Cabinet or by officers on Cabinet's behalf) that is likely:

- a) To result in the Council spending or saving significantly against the Council's budget; or
- b) To be significant in terms of the effect on communities living or working in the district, in an area comprising two or more wards. However, decisions that impact on communities living or working in one ward will be treated as "key" if the impact is likely to be very significant

To help clarify what should be included as a key decision in this document, Thanet District Council has set the following thresholds:

Type of Decision	Threshold	Key Decision?
(a) Decisions involving expenditure within relevant budget approved by Council.	None.	No, unless significant effect on communities (i.e. it affects two or more wards or has a major impact within one ward)
(b) Decisions involving expenditure in excess of relevant budget approved by Council.	Any excess which exceeds the FPR virement rules.	Yes, if above threshold. If at or below threshold, a key decision if significant effect on communities (as above).
(c) Decisions on cash flow, investments and borrowings.	None.	No, unless significant effect on communities (as above).
(d) Decisions to make savings.	None.	No, unless significant effect on communities (as above).

If an executive decision does not fall into any of the above categories, it is included as non-key. Thanet District Council also includes in its published Forward Plan decisions affecting Policy Framework and Budget Setting. Other Council decisions may also be included if they have a significant impact on communities. In such cases, the decision type will be denoted as "other".

### Reports to be considered in private session

The second last column of the Plan indicates where a report is likely to contain exempt information and result in the public and press being asked to leave the meeting for the consideration of the whole or part of the item.

If you wish to make any representations relating to a proposal to hold part of a meeting in private due to the potential disclosure of exempt information, please contact Nicholas Hughes, Democratic Services Manager, PO Box 9, Cecil Street, Margate, Kent CT9 1XZ, [Nicholas.hughes@thanet.gov.uk](mailto:Nicholas.hughes@thanet.gov.uk), telephone number 01843 577208, at least 14 calendar days before the date of that meeting.

At least 5 clear (working) days before the meeting, the Council will publish on its website a notice giving details of representations received about why the meeting should be open to the public and a statement of its response.

The Plan represents a snapshot of decisions in the system as at the date of publication. It is updated 28 clear days before each meeting of Cabinet. The Plan is available for inspection at all reasonable hours free of charge at Thanet Gateway Plus, Cecil Street, Margate, Kent CT9 1RE.

### Availability of documents

Subject to any prohibition or restriction on their disclosure, copies of, or extracts from, any document listed in the Plan will be available from Thanet Gateway Plus, Cecil Street, Margate, Kent CT 9 1RE. Other documents relevant to those matters may be submitted to the decision makers; if that is the case, details of the documents as they become available can be requested by telephoning Democratic Services on 01843 577500 or by emailing [committee@thanet.gov.uk](mailto:committee@thanet.gov.uk).

The documents listed in the Plan will be published on the Council's website at least five clear (working) days before the decision date. Other documents will be published at the same time or as soon as they become available.

The Cabinet comprises the following Members who have responsibility for the portfolio areas shown:

Councillor Iris Johnston

Councillor Richard Nicholson

Councillor David Green

Councillor Mike Harrison

Councillor Elizabeth Green

Councillor Rick Everitt

Leader of the Council and Cabinet Member for Community Services

Deputy Leader of the Council and Cabinet Member for Housing and Planning Services

Cabinet Member for Strategic Economic Development Services

Cabinet Member for Operational Services

Cabinet Member for Business and Corporate Resources

Cabinet Member for Financial Services and Estates

## 11 December 2014 to 1 August 2015

Decision to be Considered	What the Decision will mean	1. Decision Path/ 2. Lead Officer	Lead Cabinet Member	For Decision by (in case of O & S, consultation date)	Decision Type	Details of any information likely to be considered in private under Schedule 12A of the Local Government Act 1972	Documents submitted to the Decision Maker
Manston Airport	Report will consider the Council's position on the Airport	1.Cabinet  2.Madeline Homer, Acting Chief Executive and Director of Community Services Tel: 01843 577123	Councillor Mrs Iris Johnston, Leader of the Council and Cabinet Member for Community Services	Thursday, 16 Oct 14  Thursday, 11 Dec 14	Key		Report to Cabinet

Decision to be Considered	What the Decision will mean	1. Decision Path/ 2. Lead Officer	Lead Cabinet Member	For Decision by (in case of O & S, consultation date)	Decision Type	Details of any information likely to be considered in private under Schedule 12A of the Local Government Act 1972	Documents submitted to the Decision Maker
Thanet Local Plan 2011-2031 Preferred Options	To undertake stakeholder and community consultation on the emerging Thanet Local Plan 2011 - 2031	1.Cabinet 2.Ismail Mohammed, Strategic Planning Manager	Councillor Richard Nicholson, Deputy Leader and Cabinet Member for Housing & Planning Services	Thursday, 11 Dec 14	Other		Report to Cabinet
Detailed budget 2015-2016 and Medium Term Financial Plan	Set the detailed budget 2015-2016 and Medium Term Financial Plan	1.Cabinet  Council 2.Paul Cook, Interim Director of Corporate Resources and S.151 Officer	Councillor Rick Everitt, Cabinet Member for Financial Services and Estates	Tuesday, 20 Jan 15  Thursday, 5 Feb 15	Budget setting		Cabinet Report
To report on the mid-year treasury management review	Will detail treasury management performance for the first half of 2014/15	1.Governance and Audit Committee  Cabinet  Council 2.Paul Cook, Interim Director of Corporate Resources and S.151 Officer	Councillor Rick Everitt, Cabinet Member for Financial Services and Estates	Wednesday, 10 Dec 14  Tuesday, 20 Jan 15  Thursday, 26 Feb 15	Non-Key		

Decision to be Considered	What the Decision will mean	1. Decision Path/ 2. Lead Officer	Lead Cabinet Member	For Decision by (in case of O & S, consultation date)	Decision Type	Details of any information likely to be considered in private under Schedule 12A of the Local Government Act 1972	Documents submitted to the Decision Maker
Treasury Management Strategy 2015-2016	Set the Treasury Management Strategy 2015-2016	1.Governance and Audit Committee  Cabinet  Council 2.Paul Cook, Interim Director of Corporate Resources and S.151 Officer	Councillor Rick Everitt, Cabinet Member for Financial Services and Estates	Wednesday, 10 Dec 14  Tuesday, 20 Jan 15  Thursday, 5 Feb 15	Non-Key		Cabinet report
Budget Monitoring	Update on Quarter 3, 2014/15; October to December 2014	1.Cabinet 2.Paul Cook, Interim Director of Corporate Resources and S.151 Officer	Councillor Rick Everitt, Cabinet Member for Financial Services and Estates	Tuesday, 20 Jan 15	Non-Key		Report to Cabinet
Corporate Performance Report October - November 2014	Cabinet to note the performance of the council to date	1.Cabinet 2.Nicola Walker, Technical Finance Manager Tel: 01843 577236	Councillor Elizabeth Green, Cabinet Member for Business and Corporate Resources	Tuesday, 20 Jan 15	Non-Key		Cabinet report

Decision to be Considered	What the Decision will mean	1. Decision Path/ 2. Lead Officer	Lead Cabinet Member	For Decision by (in case of O & S, consultation date)	Decision Type	Details of any information likely to be considered in private under Schedule 12A of the Local Government Act 1972	Documents submitted to the Decision Maker
Designation of Ethelbert Road and Athestan Road, Cliftonville. Officers to prepare, consult and undertake the formal designation of an Article 4 Direction	To implement the Council's aim to initiate the process of designating the area of Cliftonville conservation areas to ensure that the architecture and quality of housing in these areas is protected for generations to come	1.Cabinet 2.Jacob Amuli, Conservation Area Officer	Councillor Richard Nicholson, Deputy Leader and Cabinet Member for Housing & Planning Services	Tuesday, 20 Jan 15	Policy Framework		Cabinet report Results of questionnaires Final appraisal document
Asset Disposals	Surplus assets to be disposed to gain capital receipt and reduce financial liabilities	1.Cabinet 2.Edwina Crowley, Head of Economic Development and Asset Management	Councillor Rick Everitt, Cabinet Member for Financial Services and Estates	Tuesday, 20 Jan 15	Key		
To adopt revised Housing Assistance Policy	That the council has a clear policy on providing housing assistance (grants and loans subject to funding)	1.Overview and Scrutiny Panel  Cabinet 2.Tanya Wenham, Head of Housing Services	Councillor Richard Nicholson, Deputy Leader and Cabinet Member for Housing & Planning Services	Tuesday, 19 Aug 14  Tuesday, 20 Jan 15	Non-Key		Copy of the draft policy



Decision to be Considered	What the Decision will mean	1. Decision Path/ 2. Lead Officer	Lead Cabinet Member	For Decision by (in case of O & S, consultation date)	Decision Type	Details of any information likely to be considered in private under Schedule 12A of the Local Government Act 1972	Documents submitted to the Decision Maker
Thanet Parking Policy 2015-16	TDC Parking Policy	1. Overview and Scrutiny Panel  Cabinet 2. Mark Seed, Director of Operational Services Tel: 01843 577742	Councillor Mike J Harrison, Cabinet Member for Operational Services	Tuesday, 13 Jan 15  Tuesday, 20 Jan 15	Non-Key		
Sports and Active Recreational Strategy	The strategy will look at the key determinants of keeping the Thanet population healthy and active and set a direction of travel for all relevant agencies and organisations to follow	1. Cabinet 2. Martyn Cassell, Community Safety and Leisure Manager	Councillor Mrs Iris Johnston, Leader of the Council and Cabinet Member for Community Services	Tuesday, 20 Jan 15	Other		Cabinet Report and copy of Strategy
To agree Waste Regulations TEEP (Technically, Environmentally and Economically Practicable test) report	That Thanet District Council will be legally compliant with new waste regulations 2011 (TEEP test). The Regulations require all local authorities to have considered the methods of recycling collections and provide evidence that methods used ensure high quality material delivery to re-processors. Assessment report being undertaken by consultant engaged collectively by Canterbury, Dover, Shepway and Thanet.	1. Cabinet 2. Mark Seed, Director of Operational Services Tel: 01843 577742	Councillor Mike J Harrison, Cabinet Member for Operational Services	Tuesday, 20 Jan 15	Key		Covering report and copy of assessment

Decision to be Considered	What the Decision will mean	1. Decision Path/ 2. Lead Officer	Lead Cabinet Member	For Decision by (in case of O & S, consultation date)	Decision Type	Details of any information likely to be considered in private under Schedule 12A of the Local Government Act 1972	Documents submitted to the Decision Maker
To agree to adopt new tenancy conditions for council tenancies	To ensure that the council can fulfil its commitment to implement flexible tenancies.	1.Cabinet 2.Tanya Wenham, Head of Housing Services	Councillor Richard Nicholson, Deputy Leader and Cabinet Member for Housing & Planning Services	Tuesday, 20 Jan 15	Non-Key		Cabinet Report
Council Tax 2015-2016	To set the Council Tax 2015-2016	1.Council 2.Paul Cook, Interim Director of Corporate Resources and S.151 Officer	Councillor Rick Everitt, Cabinet Member for Financial Services and Estates	Thursday, 26 Feb 15	Other		Council report
Corporate Performance Report December 2014 - January 2015	Cabinet to note the performance of the council to date	1.Cabinet 2.Nicola Walker, Technical Finance Manager Tel: 01843 577236	Councillor Elizabeth Green, Cabinet Member for Business and Corporate Resources	Thursday, 2 Apr 15	Non-Key		Cabinet report

Decision to be Considered	What the Decision will mean	1. Decision Path/ 2. Lead Officer	Lead Cabinet Member	For Decision by (in case of O & S, consultation date)	Decision Type	Details of any information likely to be considered in private under Schedule 12A of the Local Government Act 1972	Documents submitted to the Decision Maker
EK Homeless Strategy 2015-2019	An adopted East Kent Strategy, which will cover Thanet and fulfil the statutory requirement to have a homeless strategy (Homeless Act 2002)	1. Overview and Scrutiny Panel  Cabinet  Council 2. Ashley Stacey, Strategic Housing Officer	Councillor Richard Nicholson, Deputy Leader and Cabinet Member for Housing & Planning Services	Tuesday, 10 Mar 15  Thursday, 2 Apr 15  Thursday, 23 Apr 15	Policy Framework		Draft Homeless Strategy 2014-2019 for consultation Final Homeless Strategy 2014-2019 for adoption
Broadstairs and St Peter's Neighbourhood Development Plan	Broadstairs and St Peter's Town Council to prepare a Neighbourhood Development Plan for Broadstairs and St Peter's	1. Cabinet 2. Ismail Mohammed, Strategic Planning Manager	Councillor Richard Nicholson, Deputy Leader and Cabinet Member for Housing & Planning Services	Before Saturday, 1 Aug 15	Non-Key		Report to Cabinet
Ramsgate Neighbourhood Development Plan	Ramsgate Town Council to prepare a Neighbourhood Development Plan for Ramsgate	1. Cabinet 2. Ismail Mohammed, Strategic Planning Manager	Councillor Richard Nicholson, Deputy Leader and Cabinet Member for Housing & Planning Services	Before Saturday, 1 Aug 15	Non-Key		Report to Cabinet

Decision to be Considered	What the Decision will mean	1. Decision Path/ 2. Lead Officer	Lead Cabinet Member	For Decision by (in case of O & S, consultation date)	Decision Type	Details of any information likely to be considered in private under Schedule 12A of the Local Government Act 1972	Documents submitted to the Decision Maker
Ramsgate Neighbourhood Development Plan	Ramsgate Town Council to prepare a Neighbourhood Development Plan for Ramsgate	1.Cabinet 2.Ismail Mohammed, Strategic Planning Manager	Councillor Richard Nicholson, Deputy Leader and Cabinet Member for Housing & Planning Services	Before Saturday, 1 Aug 15	Non-Key		Report to Cabinet

## 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 .....

DISCLOSABLE PECUNIARY INTEREST ☐

SIGNIFICANT INTEREST ☐

GIFTS, BENEFITS AND HOSPITALITY ☐

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

.....  
.....  
.....

NAME (PRINT): .....

SIGNATURE: .....

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