

# Public Document Pack



Date: **14 November 2016**  
Ask For: **Emily Kennedy**  
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## LICENSING BOARD

22 NOVEMBER 2016

A meeting of the Licensing Board will be held at **10.00 am on Tuesday, 22 November 2016** in the Council Chamber, Council Offices, Cecil Street, Margate, Kent.

### Membership:

Councillor L Potts (Chairman); Councillors: Dellar (Vice-Chairman), K Coleman-Cooke, Crow-Brown, Curran, Falcon, Matterface, Rogers, Tomlinson, J Fairbrass, Savage, M Saunders, Connor, R Potts and Howes

## 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 - 2)

To approve the Minutes of the Licensing Board meeting held on 26 July 2016, copy attached.

4. **LICENSING SUB-COMMITTEE MINUTES**

To approve the minutes of the Licensing Sub-Committee meetings held on 26 July 2016, 11 August 2016, 24 August 2016, 30 August 2016, 18 October 2016 and 8 November 2016, copies attached.

4a **MINUTES OF LICENSING SUB-COMMITTEE 26/07/2016** (Pages 3 - 4)

4b **MINUTES OF LICENSING SUB-COMMITTEE 11/08/2016** (Pages 5 - 6)

4c **MINUTES OF LICENSING SUB-COMMITTEE 24/08/2016** (Pages 7 - 8)

4d **MINUTES OF LICENSING SUB-COMMITTEE 30/08/2016** (Pages 9 - 10)

4e **MINUTES OF LICENSING SUB-COMMITTEE 18/10/2016** (Pages 11 - 12)

4f **MINUTES OF LICENSING SUB-COMMITTEE 08/11/2016** (Pages 13 - 14)

Item  
No

Subject

5. **REPORT ON PROSECUTIONS, APPEALS, LICENSING UPDATE** (Pages 15 - 16)
6. **EXCLUSION OF PUBLIC AND PRESS** (Pages 17 - 20)
7. **APPLICATION FOR GRANT OF LICENCE TO DRIVE PRIVATE HIRE VEHICLES**  
(Pages 21 - 24)
8. **APPLICATION FOR GRANT OF LICENCE TO DRIVE PRIVATE HIRE VEHICLES**  
(Pages 25 - 26)

**Declaration of Interests Form**

# Public Document Pack Agenda Item 3

## LICENSING BOARD

Minutes of the meeting held on 26 July 2016 at 10.00 am in Council Chamber, Council Offices, Cecil Street, Margate, Kent.

**Present:** Councillor Linda Potts (Chairman); Councillors Dellar, K Coleman-Cooke, Crow-Brown, Curran, Falcon, Matterface, Rogers, Tomlinson, J Fairbrass, Savage, M Saunders and Connor

**In Attendance:** Councillor L. Fairbrass

**345. APOLOGIES FOR ABSENCE**

Apologies were received from Councillor R. Potts.

**346. DECLARATIONS OF INTEREST**

There were no declarations of interest.

**347. MINUTES OF PREVIOUS MEETING**

Councillor Rogers, proposed, Councillor Tomlinson seconded and Members agreed the minutes of the Licensing Board meeting held on 5 January 2016.

**348. LICENSING SUB-COMMITTEE MINUTES**

**349. MINUTES OF LICENSING SUB-COMMITTEE 10/02/2016**

Councillor Crow-Brown proposed, Councillor Matterface seconded and Members agreed the minutes of the Licensing Sub-Committee meeting held on 10 February 2016.

**350. MINUTES OF LICENSING SUB-COMMITTEE 10/03/2016**

Councillor Matterface proposed, Councillor Rogers seconded and Members agreed the minutes of the Licensing Sub-Committee meeting held on 10 March 2016.

**351. MINUTES OF LICENSING SUB-COMMITTEE 12/07/2016**

Councillor Crow-Brown proposed, Councillor Matterface seconded and Members agreed the minutes of the Licensing Sub-Committee meeting on 12 July 2016.

**352. REPORT ON PROSECUTIONS, APPEALS, LICENSING UPDATE**

The Regulatory Services Manager presented the report.

The report was NOTED.

**353. EXCLUSION OF PUBLIC AND PRESS**

That the public and press be excluded from the meeting on agenda item 7 as it contains exempt information as defined in Paragraph 1 and 7 of Schedule 12A of the Local Government Act 1972 (as amended).

**354. APPLICATION FOR GRANT OF LICENCE TO DRIVE PRIVATE HIRE VEHICLES**

The Licensing Officer introduced the report to consider a licence to drive Private Hire Vehicles and provided Members with a copy of the application.

The applicant addressed the Licensing Board.

Members addressed questions to the applicant.

The Regulatory Services Manager asked questions of the applicant.

Councillor Tomlinson proposed, Councillor Matterface seconded and Members AGREED the following:

“To grant a licence for a full year”.

Meeting concluded : 10.30am

# Public Document Pack Agenda Item 4a

## LICENSING SUB COMMITTEE

Minutes of the meeting held on 26 July 2016 at 10.30 am in Council Chamber, Council Offices, Cecil Street, Margate, Kent.

**Present:** Councillors Crow-Brown, Curran and Tomlinson

**In Attendance:** Councillors L. Fairbrass and Matterface

**498. ELECTION OF CHAIRMAN**

Councillor Crow-Brown proposed, Councillor Curran seconded and it was agreed that Councillor Tomlinson be the Chairman.

**499. APOLOGIES FOR ABSENCE**

There were no apologies for absence.

**500. DECLARATIONS OF INTEREST**

There were no declarations of interest.

**501. APPLICATION FOR PREMISES LICENCE - ROKKA, 64 HARBOUR PARADE, RAMSGATE**

This item was withdrawn.

**502. APPLICATION FOR TEMPORARY ACTIVITIES - TEMPORARY EVENT NOTICE**

Also present:

Officers: Mr Philip Bensted – Regulatory Services Manager  
Ms Dawn Cole – Senior Legal Officer  
PC Dennett – Kent Police  
Mrs Penny Button – Head of Safer Neighbourhoods

Applicant: Ms Kaz Peet

The Regulatory Services Manager outlined the report to the Licensing Sub-Committee in respect of the application for a Temporary Events Notice at Ramsgate Main Sands.

PC Dennett addressed the Licensing Sub-Committee.

The applicant addressed the Sub-Committee.

The Sub-Committee asked questions of the applicant.

PC Dennett asked a question of the applicant.

The Licensing Sub-Committee AGREED the following:

“To grant the application, having taken into consideration the promotion of the four licensing objectives.”

**503. APPLICATION FOR TEMPORARY ACTIVITIES - TEMPORARY EVENT NOTICE**

This item was withdrawn.

**504. APPLICATION FOR TEMPORARY ACTIVITIES: TEMPORARY EVENT NOTICE**

Also present:

Officers: Mr Philip Bensted – Regulatory Services Manager  
Ms Dawn Cole – Senior Legal Officer  
PC Dennett – Kent Police  
Mrs Penny Button – Head of Safer Neighbourhoods

Applicant: Mr Dodds

The Regulatory Services Manager outlined the report to the Licensing Sub-Committee in respect of the application for a Temporary Events Notice at Waterfront, 88 Harbour Parade, Ramsgate.

PC Dennett addressed the Licensing Sub-Committee.

The applicant addressed the Licensing Sub-Committee.

The applicant asked a question of PC Dennett.

The Sub-Committee asked a question of PC Dennett.

The Licensing Sub-Committee AGREED the following:

“Having considered the licensing objectives, the application is refused on the basis of concerns about public disorder and public safety.”

**505. APPLICATION FOR TEMPORARY ACTIVITIES: TEMPORARY EVENT NOTICE**

This item was withdrawn.

Meeting concluded : 12.45pm

# Public Document Pack Agenda Item 4b

## LICENSING SUB COMMITTEE

Minutes of the meeting held on 11 August 2016 at 10.00 am in Council Chamber, Council Offices, Cecil Street, Margate, Kent.

**Present:** Councillors Falcon, L Potts and M Saunders

**506. ELECTION OF CHAIRMAN**

Councillor M. Saunders proposed, Councillor Falcon seconded and it was agreed that Councillor L. Potts be the Chairman.

**507. APOLOGIES FOR ABSENCE**

There were no apologies for absence.

**508. DECLARATIONS OF INTEREST**

There were no declarations of interest.

**509. APPLICATION FOR TEMPORARY ACTIVITIES: TEMPORARY EVENT NOTICE**

Also present:

Officers: Mr Bensted – Regulatory Services Manager  
Mr Evans – Assistant Litigation Solicitor  
PC Dennett – Kent Police

Applicant: Mr Chilcott

Applicant's representative: Mr Fawcett

The Regulatory Services Manager outlined the report to the Licensing Sub-Committee in respect of the application for a Temporary Events Notice at Sundowners, Albert Terrace, Margate.

PC Dennett addressed the Sub-Committee.

Mr Fawcett asked a question of PC Dennett.

Mr Fawcett and Mr Chilcott addressed the Sub-Committee.

Mr Bensted asked questions of Mr Fawcett and Mr Chilcott.

PC Dennett asked questions of Mr Fawcett and Mr Chilcott.

Members asked questions of Mr Fawcett and Mr Chilcott.

Further to this discussion, the Licensing Sub-Committee AGREED the following:

“Having heard from the Licensing Officer, the applicant and the objector, we do not see how the applicant can control the area of the proposed TEN.

We note there is no fencing. We do not consider that the applicant can control the numbers to 499 and it cannot be properly supervised. We have major concerns about the site.

We have decided to refuse the application as it undermines at least three of the licensing objectives: the prevention of crime and disorder, public nuisance and the protection of children from harm.”

Meeting concluded : 10.55am



# Public Document Pack Agenda Item 4c

## LICENSING SUB COMMITTEE

Minutes of the meeting held on 24 August 2016 at 10.00 am in Council Chamber, Council Offices, Cecil Street, Margate, Kent.

**Present:** Councillors K Coleman-Cooke, Tomlinson and Dellar

### 510. ELECTION OF CHAIRMAN

Councillor Coleman-Cooke proposed, Councillor Dellar seconded and it was agreed that Councillor Tomlinson be the Chairman.

### 511. APOLOGIES FOR ABSENCE

There were no apologies for absence.

### 512. DECLARATIONS OF INTEREST

There were no declarations of interest.

### 513. APPLICATION FOR TEMPORARY ACTIVITIES: TEMPORARY EVENT NOTICE

Also present:

Officers: Mr Bensted – Regulatory Services Manager  
Mr Evans – Assistant Litigation Solicitor

Applicant: Mrs Florides

Applicant's representative: Mr Dillon

The Regulatory Services Manager outlined the report to the Licensing Sub-Committee in respect of the application for a Temporary Events Notice at Clique, 58-60 Harbour Parade, Ramsgate.

The applicant's representative addressed the Licensing Sub-Committee.

The Licensing Sub-Committee asked a question of the Regulatory Services Manager.

The Licensing Sub-Committee AGREED the following:

“Having heard from the Licensing Officer and applicant, and having considered the licensing objective of public nuisance, and although we have noted there are planning concerns, we have decided on option 3.3: ‘Grant the application with the conditions attached to the premises licence’, and note the undertaking to take steps to turn the music down from 3am to 4am.”

Meeting concluded: 10.55 am

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# Public Document Pack Agenda Item 4d

## LICENSING SUB COMMITTEE

Minutes of the meeting held on 30 August 2016 at 10.00 am in Council Chamber, Council Offices, Cecil Street, Margate, Kent.

**Present:** Councillors Rogers, M Saunders and Tomlinson

### 514. ELECTION OF CHAIRMAN

Councillor M. Saunders proposed, Councillor Rogers seconded and it was agreed that Councillor Tomlinson be the Chairman.

### 515. APOLOGIES FOR ABSENCE

There were no apologies for absence.

### 516. DECLARATIONS OF INTEREST

There were no declarations of interest.

### 517. APPLICATION FOR VARIATION OF PREMISES LICENCE

Also present:

Officers: Mr Bensted – Regulatory Services Manager  
Mr Evans – Assistant Litigation Solicitor  
Ms Berry – Environmental Health Officer

Applicant: Mrs Florides

Applicant's representative: Mr Dillon

The Regulatory Services Manager outlined the report to the Licensing Sub-Committee in respect of the application for variation of Premises Licence at Clique, 58-60 Harbour Parade, Ramsgate. He also made a representation on behalf of Planning Services.

The Environmental Health Officer addressed the Sub-Committee.

The applicant's representative asked a question of the Environmental Health Officer.

The applicant's representative addressed the Licensing Sub-Committee.

The Regulatory Services Manager asked a question of the applicant's representative.

Further to this discussion, the Licensing Sub-Committee AGREED the following:

“To refuse the application to vary the Premises Licence.

Having heard from the Licensing Officer, a representative from Environmental Health, the applicant's representative and applicant, there are concerns about public nuisance as the music/noise can be heard by residents in flats above the premises. It has been noted that Planning Services object to the application. It is noted that the planning application for change of use has not been received by the council and in our view, the planning application should be dealt with before consideration is given to an application to vary the Premises Licence.

We do not think the applicant has demonstrated any special circumstances to justify a departure from this policy in the face of representations from the local authority.”

Meeting concluded : 10.55am

# Public Document Pack Agenda Item 4e

## LICENSING SUB COMMITTEE

Minutes of the meeting held on 18 October 2016 at 10.30 am in Council Chamber, Council Offices, Cecil Street, Margate, Kent.

**Present:** Councillors Rogers, Savage and Dellar

### 518. ELECTION OF CHAIRMAN

It was agreed that Councillor Rogers be the Chairman.

### 519. APOLOGIES FOR ABSENCE

There were no apologies for absence.

### 520. DECLARATIONS OF INTEREST

Councillor Savage declared an interest in agenda items 4 and 5 (Minute Nos. 521 and 522 refer) and did not take part in the proceedings of the meeting.

### 521. APPLICATION FOR TEMPORARY ACTIVITIES: TEMPORARY EVENT NOTICE

Also present:

Officers: Mr Bensted – Regulatory Services Manager  
Ms Cole – Senior Legal Officer  
Sgt Ross – Kent Police

Applicant: Mr Panteli

The Regulatory Services Manager outlined the report to the Licensing Sub-Committee in respect of the application for a Temporary Events Notice at Rokka, Harbour Parade, Ramsgate.

Sgt Ross addressed the Sub-Committee.

The Sub-Committee asked a question of the Regulatory Services Manager.

The applicant addressed the Sub-Committee.

The applicant asked a question of Sgt Ross.

The Licensing Sub-Committee AGREED:

“Having considered what has been said by the applicant, Mr Bensted and Kent Police and having considered the Licensing objectives, we have decided on option 3.3, to “Grant the application with the conditions attached to the premises licence.”

### 522. APPLICATION FOR TEMPORARY ACTIVITIES: TEMPORARY EVENT NOTICE

Also present:

Officers: Mr Bensted – Regulatory Services Manager  
Ms Cole – Senior Legal Officer

Sgt Ross – Kent Police

Applicant: Mr Panteli

The Regulatory Services Manager outlined the report to the Licensing Sub-Committee in respect of the application for a Temporary Events Notice at Rokka, Harbour Parade, Ramsgate.

Sgt Ross addressed the Sub-Committee.

The Sub-Committee asked a question of the Regulatory Services Manager.

The applicant addressed the Sub-Committee.

The applicant asked a question of Sgt Ross.

The Licensing Sub-Committee AGREED:

“Having considered what has been said by the applicant, Mr Bensted and Kent Police and having considered the Licensing objectives, we have decided on option 3.3, to “Grant the application with the conditions attached to the premises licence.”

Meeting concluded : 11.10am

# Public Document Pack Agenda Item 4f

## LICENSING SUB COMMITTEE

Minutes of the meeting held on 8 November 2016 at 10.00 am in Council Chamber, Council Offices, Cecil Street, Margate, Kent.

**Present:** Councillors Matterface, Tomlinson and Howes

**523. ELECTION OF CHAIRMAN**

Councillor Tomlinson proposed, Councillor Howes seconded and it was agreed that Councillor Matterface be the Chairman.

**524. APOLOGIES FOR ABSENCE**

There were no apologies for absence.

**525. DECLARATIONS OF INTEREST**

There were no declarations of interest.

**526. APPLICATION FOR TEMPORARY ACTIVITIES: TEMPORARY EVENT NOTICE**

Also present:

Officers: Mr Bensted – Regulatory Services Manager  
Ms Cole – Senior Legal Officer  
PC Dennett – Kent Police

Applicant: Mr Bayles

The Regulatory Services Manager outlined the report to the Licensing Sub-Committee in respect of the application for a Temporary Events Notice at Sundowners, Albert Terrace, Margate.

PC Dennett addressed the Sub-Committee.

The applicant asked a question of PC Dennett.

The Sub-Committee asked a question of PC Dennett.

The applicant addressed the Sub-Committee.

The Sub-Committee asked a question of the applicant.

The Licensing Sub-Committee AGREED:

“Having considered what has been said by the applicant, Mr Brown, Mr Bensted and Kent Police and having considered the Licensing objectives, we have decided on option 3.3, to “Grant the application with the conditions attached to the premises licence.”

**527. APPLICATION FOR PREMISES LICENCE - 5-7 WEST CLIFF ROAD, RAMSGATE**

The item was withdrawn.

**528. APPLICATION FOR TEMPORARY ACTIVITIES: TEMPORARY EVENT NOTICE**

Also present:

Officers: Mr Bensted – Regulatory Services Manager  
Ms Cole – Senior Legal Officer  
PC Dennett – Kent Police

Applicant: Mr Panteli

The Regulatory Services Manager outlined the report to the Licensing Sub-Committee in respect of the application for a Temporary Events Notice at Rokka, Harbour Parade, Ramsgate.

PC Dennett addressed the Sub-Committee.

The applicant asked a question of PC Dennett.

The Sub-Committee asked a question of the applicant.

The applicant addressed the Sub-Committee.

The Licensing Sub-Committee AGREED:

“Having considered what has been said by the applicant, Mr Brown, Mr Bensted and Kent Police and having considered the Licensing objectives, we have decided on option 3.3, to “Grant the application with the conditions attached to the premises licence.”

Meeting concluded : 11am



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## REPORT ON PROSECUTIONS, APPEALS, LICENSING UP-DATE

To: Licensing Board – 22<sup>nd</sup> November 2016

By: Regulatory Services Manager

Classification : Unrestricted

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**Summary This report sets out details of a Licensing up-date since the last Board on 26<sup>th</sup> July 2016**

**For information**

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- a) On the 3<sup>rd</sup> August last a Ramsgate kebab shop proprietor was convicted of unauthorised licensable activities (trading beyond 11 p.m) at Folkestone Magistrates Court. He was fined £200, and ordered to pay £150 TDC costs.

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**EXCLUSION OF PUBLIC AND PRESS**

**Licensing Board – 22/11/2016**

Report Author                      **Committee Services Manager**

Status                                **For Decision**

Classification:                      **Unrestricted**

Key Decision                        **No**

**Executive Summary:**

This report is necessary in order to exclude the press and public from the meeting for consideration of items 6 and 7. It will weigh the public interest factors for disclosure against the public interest factors for exemption and explain why the exemption factors take priority.

The report will also state the which paragraph of Part 1 of Schedule 12A of the Local Government Act 1972 (as amended) the author is using in order to exclude the press and public from the meeting.

**Recommendation(s):**

That the public and press be excluded from the meeting for agenda items 7 and 8 as they contain exempt information as defined in Paragraphs 1 and 7 of Part 1 of Schedule 12A of the Local Government Act 1972 (as amended).

**CORPORATE IMPLICATIONS**

<b>Financial and Value for Money</b>	There are no direct financial implications.
<b>Legal</b>	As per Part 1 of Schedule 12A and Part VA of the Local Government Act 1972 (as amended).
<b>Corporate</b>	Thanet District Council will endeavour to keep the number of exempt reports it produces to a minimum in order to promote transparency.
<b>Equalities Act 2010 &amp; Public Sector Equality Duty</b>	<p>Members are reminded of the requirement, under the Public Sector Equality Duty (section 149 of the Equality Act 2010) to have due regard to the aims of the Duty at the time the decision is taken. The aims of the Duty are: (i) eliminate unlawful discrimination, harassment, victimisation and other conduct prohibited by the Act, (ii) advance equality of opportunity between people who share a protected characteristic and people who do not share it, and (iii) foster good relations between people who share a protected characteristic and people who do not share it.</p> <p>Protected characteristics: age, gender, disability, race, sexual orientation, gender reassignment, religion or belief and pregnancy &amp; maternity. Only aim (i) of the Duty applies to Marriage &amp; civil partnership.</p>

	Please indicate which aim is relevant to the report.	
	Eliminate unlawful discrimination, harassment, victimisation and other conduct prohibited by the Act,	
	Advance equality of opportunity between people who share a protected characteristic and people who do not share it	
	Foster good relations between people who share a protected characteristic and people who do not share it.	
	There are no specific equity and equality considerations that need to be addressed in this report.	

<b>CORPORATE PRIORITIES (tick those relevant)✓</b>	
A clean and welcoming Environment	
Promoting inward investment and job creation	
Supporting neighbourhoods	

<b>CORPORATE VALUES (tick those relevant)✓</b>	
Delivering value for money	
Supporting the Workforce	
Promoting open communications	✓

## 1.0 Introduction and Background

- 1.1 Whilst the starting point for all public meetings of the Council is to admit the public and press, they may be excluded from meetings whenever it is likely, in view of the nature of the business to be transacted that confidential or exempt information would be disclosed. Under such circumstances, confidential or exempt information may be excluded from the public agenda. The public and press must be excluded from meetings if confidential information will be considered and disclosed, and such material must be excluded from the public agenda.

### Meaning of confidential information

- 1.2 Confidential information means information given to the Council by a Government Department on terms which forbid its public disclosure or information which cannot be publicly disclosed by Court Order.

### Exempt information – discretion to exclude public

- 1.3 Subject to Article 6 of the Human Rights Act 1998 (right to a fair trial) the public may be excluded from meetings whenever it is likely in view of the nature of the business to be transacted or the nature of the proceedings that “exempt” information would be disclosed.

## 2.0 Exempt information

- 2.1 The full rules are set out in Part 1 of Schedule 12A and Part VA of the Local Government Act 1972 (as Amended).

## 3.0 Reason Why Agenda Item 3 is considered to be “exempt”

- 3.1 The report author has classified Agenda Item 3 as disclosing exempt information under Paragraph 1 – *Information relating to an individual*, of Part 1 of Schedule 12A of the Local Government Act 1972 (as amended) thereby suggesting that the press and public be excluded from the meeting whilst this item is debated.

#### **4.0 Justification/Public Interest Test**

##### **4.1 PUBLIC INTEREST FACTORS FOR DISCLOSURE**

*Factors suggested by the Information Commissioner as being relevant to an assessment of public interest apply to this information. Disclosure would:-*

- 1. Further public understanding of the issues involved;*
- 3. Promote accountability and transparency by the Council for the decisions it takes;*

##### **PUBLIC INTEREST FACTORS FOR EXEMPTION**

*Considerations which may weigh against a decision to disclose information include:*

- 1. Good local government depends on good decision-making and this needs to be based on the best advice available and a full consideration of all the options without fear of premature disclosure;*
- 2. Advice should be broad based and there may be a deterrent effect on external experts or stakeholders who might be reluctant to provide advice because it might be disclosed;*
- 3. The impartiality of the officers might be undermined if advice was routinely made public as there is a risk that officials could come under political pressure not to challenge ideas in the formulation of policy, thus leading to poorer decision making;*
- 4. Members and officers also need to be able to conduct rigorous and candid risk assessments of their policies and programmes including considerations of the pros and cons without there being premature disclosure which might close off better options;*
- 6. Some aspects of Legal advice to Members may need to be taken in private as disclosure of such information would prejudice the position of Council in the event of Court proceedings taking place thereafter;*
- 7. Local Councils are obliged to adhere to legislation that include the Data Protection Act, 1998; where appropriate and failure to do so may result in litigation against Council by an aggrieved party thereby putting at risk the general public interest to protect the public purse.*

#### **5.0 Not Excluding the Press and Public**

- 5.1** There will be occasions when the meeting may decline to exclude the press and public from the meeting. If that occurs it does not simply mean that those members of the press and public who are present are allowed to stay for the discussion of the item(s). Declining to exclude the press and public would also mean that the press and public are allowed access to the actual report contained within the confidential part of the agenda (what Democratic Services refer to as the “pink pages”).
- 5.2** Members may wish to note that if a committee member is of the view that it is possible that the recommendation in this report may not be approved at the meeting, they should let Democratic Services know (as soon as they have read the agenda papers before the meeting); in order that spare copies are made available ready to be distributed, if necessary, at the meeting.

5.3 If the referred item is not exempted, Democratic Services would also make arrangements for the report to be retrospectively published on the Council's website.

## 6.0 Decision Making Process

6.1 If the press and public are to be excluded for the agenda item; this Committee must exercise its power to agree the recommendation.

Contact Officer:	Nicholas Hughes, Committee Services Manager
Reporting to:	Tim Howes, Director of Corporate Governance

## Annex List

None	
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## Background Papers

Title	Details of where to access copy
None	

## Corporate Consultation

Legal	<i>Timothy Howes, Director of Corporate Governance &amp; Monitoring Officer</i>
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By virtue of paragraph(s) 1 of Part 1 of Schedule 12A of the Local Government Act 1972.

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By virtue of paragraph(s) 1, 7 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

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## 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 £25 or more. You **must**, at the commencement of the meeting or when the interest becomes apparent, disclose the existence and nature of the gift, benefit or hospitality, the identity of the donor and how the business under consideration relates to that person or body. However you can stay in the meeting unless it constitutes a significant interest, in which case it should be declared as outlined above.

### **What if I am unsure?**

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

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

**MEETING** .....

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

**DISCRETIONARY PECUNIARY INTEREST**

**SIGNIFICANT INTEREST**

**GIFTS, BENEFITS AND HOSPITALITY**

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

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

**NAME (PRINT):** .....

**SIGNATURE:** .....

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