

MEETING OF THE COUNCIL



Thursday, 6th December, 2012

7.00 pm

**Council Chamber
Thanet District Council
Margate**

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

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Date: 26 November 2012
Ask For: Anona Somasundaram
Direct Dial: (01843) 577046
Email: anona.somasundaram@thanet.gov.uk



You are hereby summoned to attend the meeting of the Thanet District Council to be held in the Council Chamber, Cecil Street, Margate, Kent on Thursday, 6 December 2012 at 7.00 pm for the purpose of transacting the business mentioned below.

A handwritten signature in black ink that reads "G. Bach".

Democratic Services & Scrutiny Manager

To: The Members of Thanet District Council

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

AGENDA

Item
No

Subject

1. **APOLOGIES FOR ABSENCE**

2. **DECLARATIONS OF INTEREST**

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

To approve the Minutes of the meeting of Council held on 20 September 2011, copy attached.

4. **ANNOUNCEMENTS**

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

5. **PETITIONS FROM THE PUBLIC**

To receive petitions from the public in accordance with the Council's petitions scheme, as set out at Council Procedure Rule 12.

5a **DOG BAN ON DUMPTON GAP BEACH** (Pages 5 - 6)

6. **QUESTIONS FROM THE PRESS AND PUBLIC**

To receive questions received from the press or public in accordance with Council Procedure Rule 13.

Item
No

Subject

7. **QUESTIONS FROM MEMBERS OF THE COUNCIL**

To receive questions from Members of the Council in accordance with Council Procedure Rule 14.

8. **MOTIONS ON NOTICE**

To receive any Notices of Motion from Members of Council in accordance with the Council Procedure Rule 16.

8a **RAMSGATE ROYAL SANDS**

9. **LEADER'S REPORT** (Pages 7 - 8)

10. **RESPONSIBILITY FOR FUNCTIONS - EXECUTIVE, CHANGES TO CABINET PORTFOLIOS AND OPERATIONAL ACCOUNTABILITIES** (Pages 9 - 12)

11. **REVIEW OF EAST KENT ARRANGEMENTS** (Pages 13 - 16)

12. **APPOINTMENTS TO COMMITTEES, PANELS AND BOARDS**

Report to follow

13. **COUNCIL TAX BENEFIT LOCALISATION** (Pages 17 - 90)

14. **FEES AND CHARGES FOR 2013/14** (Pages 91 - 118)

15. **DELEGATION OF APPROVAL OF COUNCIL TAX BASE 2013/14** (Pages 119 - 120)

16. **THE DETERMINATION OF THE GAMBLING POLICY STATEMENT FOR THE NEXT THREE YEARS** (Pages 121 - 156)

17. **THE LOCAL AUTHORITIES (EXECUTIVE ARRANGEMENTS) (MEETINGS AND ACCESS TO INFORMATION) (ENGLAND) REGULATIONS 2012** (Pages 157 - 190)

18. **USE OF MOBILE TELEPHONES DURING PUBLIC MEETINGS** (Pages 191 - 200)

19. **APPOINTMENT OF INDEPENDENT PERSONS OF THE STANDARDS COMMITTEE** (Pages 201 - 202)

20. **MEMBERS' ALLOWANCES SCHEME 2012/13 - INDEPENDENT MEMBERS OF THE STANDARDS COMMITTEE / INDEPENDENT PERSON**

Report to follow

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COUNCIL

Minutes of the meeting held on 20 September 2012 at 7.00 pm in Council Chamber, Cecil Street, Margate, Kent.

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

In Attendance: Mr R Hills, Independent Member and Chairman of the Standards Committee

38. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Gibson and Hornus.

39. DECLARATIONS OF INTEREST

There were no declarations of interest.

40. MINUTES OF PREVIOUS MEETING

On the proposal of the Chairman, seconded by the Vice-Chairman, the minutes of the meeting of Council held on 12 July 2012 were approved by Council and signed by the Chairman.

41. ANNOUNCEMENTS

(a) Thanet Against Live Exports

The Chairman read out a statement which he had received from Thanet Against Live Exports, as follows:

“Thanet Against Live Exports wish to extend their gratitude to the Members of Thanet District Council, for the principled opposition that they have demonstrated in regards to live animal exports passing through Port Ramsgate. We are pleased to say that Councillors and Officers have shown willingness to work with us and the RSPCA (*The Royal Society for the Prevention of Cruelty to Animals*) in finding means by which this unwanted trade can be curbed.

“In particular, we commend the Council for highlighting to DEFRA (*the Department for Environment, Food and Rural Affairs*) the complete lack of facilities at Port Ramsgate and the County of Kent for the proper welfare of animals in transit. The predicted emergency arrived on 12 September, when 45 sheep were killed in appalling circumstances. The subsequent temporary cessation of activity at the port, which had been previously called for by the Council, has been proved to be entirely justified, and the Council can be proud of the actions they have taken, as indeed we are proud of our Council.

Reg Bell
Thanet Against Live Exports”

(b) **New date - Cabinet meeting in November 2012**

The Chairman announced that the date of the meeting of Cabinet in November had been moved from Thursday, 15 November 2012 to Thursday, 8 November 2012, as the original date coincided with the date of the elections for the Police & Crime Commissioners.

42. PETITIONS FROM THE PUBLIC

(a) **Petition - Active 4 Life**

It was NOTED that Mrs Doulton, the petition organiser, had withdrawn the petition, as the petitioners felt that the issue had now been resolved.

43. QUESTIONS FROM THE PRESS AND PUBLIC

It was NOTED that no questions had been received from the press or public in accordance with Council Procedure Rule 13.

44. QUESTIONS FROM MEMBERS OF THE COUNCIL

It was NOTED that no questions had been received from Members of the Council in accordance with Council Procedure Rule 14.

45. MOTIONS ON NOTICE

(a) **Recording of Meeting Proceedings**

It was proposed by Councillor Driver and seconded by Councillor King:

“THAT in accordance with its commitment to open governance and transparency, this Council agrees in principle that the proceedings of meetings of the Council and all other properly constituted committees, panels and working groups which are normally open to the public can be recorded and relayed provided that the recording and relaying is not disruptive to the conduct of business.

“Council requests the Overview and Scrutiny Panel to develop procedures and guidance which will enable this principle to be put into practice and that these procedures and guidance are considered by the Constitutional Review Working Group and Standards Committee before being presented to Council for approval.”

In his right of reply, the Leader stated that it was his view that only the Council should publish proceedings of meetings. He referred to the procurement process which was now at an advanced stage for a new recording system for the Council Chamber.

It was proposed by Councillor Driver, seconded by Councillor Campbell:

“THAT the motion on notice be debated”.

Upon being put to the vote, the motion to debate was CARRIED.

In the debate which ensued, some concerns were expressed at the lack of editorial control the Council would have if members of the public were allowed to record or video record the proceedings.

The motion on notice, upon being put to the vote, was declared LOST.

(b) **Animal Welfare Inspections**

It was NOTED that Councillor Driver had withdrawn his motion on notice.

46. LEADER'S REPORT

The Leader of the Council referred to Priority 10 of the Corporate Plan 2012-16: "to influence the work of other agencies to ensure the best outcomes for Thanet".

He cited several examples of partnership working by the Council, including its engagement with community safety partnerships and the police; involvement with the local NHS and recent developments with the Thanet Leisure Force; work with education providers on issues concerning future school places in Thanet; and his own involvement in the East Kent Regeneration Board.

He referred to the recent suspension of the live animal exports trade at the port of Ramsgate as a result of it becoming apparent that lorries or animals were, on several occasions, unfit for further travel and on the grounds of there not being adequate facilities at the port or nearby to care for the animals. He thanked Councillors Fenner and Poole for their help in ensuring that lorries were inspected thoroughly.

The Leader concluded by referring to the circumstances which appeared to underlie the failure to set up a Locality Board for Thanet.

Councillor Bayford, Leader of the Conservative Group, referred to the legal advice which he argued had prevented the previous administration from taking action to stop the animal live export trade. He also stated that he had met personally with a Government Minister regarding the issue and that Laura Sandys MP had spoken during an adjournment debate in the House of Commons.

Councillor Worrow, Leader of the Thanet Independent Group, congratulated Councillor Driver and members of "Thanet Against Live Exports" for campaigning against the live animal export trade.

Councillor King, Leader of the Independent Group, who also congratulated the animal rights lobby, suggested that the Leader of the Council should, in advance of Council meetings, provide copies of his report to the other Group Leaders.

47. REPORTS BACK TO COUNCIL - MOTIONS ON NOTICE(a) **Diversity Champion**

The report was NOTED.

48. REPORTS BACK TO COUNCIL - PETITIONS

The report was NOTED.

(a) **Birchington Roadsweeper**

The Report was NOTED.

(b) **Night time flying - Manston International Airport**

The report was NOTED.

(c) **Free community BMX / Skatepark**

The report was NOTED.

49. APPOINTMENT OF MEMBERS TO THE STANDARDS COMMITTEE

It was proposed by the Chairman, seconded by the Vice-Chairman, and **RESOLVED** that the recommendations as set out at paragraphs 7.1 and 7.2 of the report be adopted, namely:

1. That Council notes the recommendation of the Standards Appointments Working Party and appoints both Mrs Jiggy Bhore and Mrs Joanne Pearman as Independent Members of the Standards Committee for a term starting from the date of this meeting and ending on 21 May 2015;
2. That Council appoints Parish Councillor Way of Monkton Parish Council as the third Parish/Town Councillor representative on the Standards Committee.

50. MEMBERS' ALLOWANCES SCHEME 2012/13 - INDEPENDENT MEMBERS OF THE STANDARDS COMMITTEE / INDEPENDENT PERSON

It was NOTED from the Chairman that this item was being deferred until the next ordinary meeting of Council, to enable consultation to take place with the Group Leaders, and that it was anticipated that any allowances finally agreed would be back-dated to the date of this meeting.

Meeting concluded : 8.26 pm

PETITION TO COUNCIL – DOG BAN ON DUMPTON GAP BEACH

To: **Council – 6 December 2012**

By: **Democratic Services & Scrutiny Manager**

Classification: **Unrestricted**

Summary: **A Petition has been received, requesting a dog ban on Dumpton Gap Beach from 1 May to 30 September, from 1000 hrs to 2000 hrs.**

For Decision

1.0 Introduction and Background

- 1.1 According to the Council's petitions policy, members of the public may present petitions and make verbal statements thereon at ordinary meetings of Council. No petition can be supported by more than one statement, and if a petition contains more than 25 but less than 650 signatures, the Council must refer the petition to Cabinet or appropriate Committee without debate, for report to Council within three ordinary meetings.
- 1.2 In cases where the petition is about something over which Council has no direct control, the Council can, in accordance with Council Procedure Rule 12.3, either refer it on to another body or make representations to that body on behalf of the petitioner.

2.0 Current Situation

- 2.1 A petition has been received from Mrs Natalie Stapley, validly signed by 58 persons.
- 2.2 The petition states:
- “We, the undersigned, request that Thanet District Council imposes a dog ban on Dumpton Gap Beach, from 1 May to 30 September, banning dogs during the hours of 10.00 hrs to 18.00 hrs, in accordance with the Clean Neighbourhoods and Environment Act 2005.
- “Dogs that are not kept under the owners’ control are creating Health and Safety and hygiene issues, which is causing distress and problems to many beach/promenade users.”
- 2.3 Mrs Stapley, the petition originator, has indicated that she wishes to take up the option of addressing Council,
- 2.4 Notice of receipt of this petition has, in accordance with the Council's petitions policy, been published on the Council's website.

3.0 Corporate Implications

3.1 Financial

3.1.1 No financial implications at this stage

3.2 Legal

3.2.1 No legal implications at this stage

3.3 Corporate

3.3.1 None at this stage

3.4 Equity and Equalities

3.4.1 None at this stage, however they will be covered when the petition is discussed at a future meeting of Cabinet.

4.0 Recommendation

4.1 That the petition is referred to Cabinet without debate for report to Council within three ordinary meetings.

5.0 Decision Making Process

5.1 Council is required at this stage to refer the petition to Cabinet or the appropriate Committee for report to Council.

Contact Officer:	Glenn Back, Democratic Services and Scrutiny Manager, extn 7187
Reporting to:	Harvey Patterson, Corporate and Regulatory Services Manager and Monitoring Officer, extn 7005

Background Papers

Title	Details of where to access copy
Petition	Democratic Services Office

Corporate Consultation Undertaken

Finance	Sarah Martin, Financial Services Manager, Ext 7617
Legal	Gary Cordes, Legal Services Manager, Ext 7906

LEADER'S REPORT TO COUNCIL

To: **Council – 6 December 2012**

By: **Democratic Services & Scrutiny Manager**

Classification: **Unrestricted**

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

For Information

1.0 Introduction and Background

- 1.1 Council Procedure Rule 2.2, as revised by Council at its meeting on 12 July 2012, provides that:

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

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

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

The total time (including time slots as mentioned above) will be limited to 31 minutes.

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

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

2.0 Corporate Implications

2.1 Financial and VAT

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

2.2 Legal

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

2.3 Corporate

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

2.4 Equity and Equalities

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

3.0 Recommendation

3.1 This Report is for information only.

4.0 Decision Making Process

4.1 This Report is for information only.

Contact Officer:	Glenn Back, Democratic Services and Scrutiny Manager, Ext 7187
Reporting to:	Harvey Patterson, Corporate & Regulatory Services Manager, Ext 7005

Annex List

None	
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Background Papers

Title	Details of where to access copy
None	

Corporate Consultation Undertaken

Finance	N/A
Legal	N/A

CHANGES TO PORTFOLIO OPERATIONAL ACCOUNTABILITIES

To: **Council – 6 December 2012**

Main Portfolio Area: **Strategic Economic Development Services**

By: **Corporate and Regulatory Services Manager**

Classification: **Unrestricted**

Summary: For Council to note the changes to the Operational Accountabilities of the Cabinet Portfolios.

For Information

1.0 Introduction and Background

1.1 Under the Strong Leader model the Leader can amend the Cabinet Portfolios and the accompanying operational accountabilities at any time. In order to keep Members informed of these changes, Democratic Services report the changes to the next available meeting of Council.

2.0 The Current Situation

2.1 The Leader has changed the Cabinet portfolio operational accountabilities as shown by track changes in Annex 1 to this report. These changes by default also amend the operational accountabilities of the Shadow Cabinet.

2.2 The new operational accountabilities have already taken effect.

3.0 Corporate Implications

3.1 Financial and VAT

3.1.1 None

3.2 Legal

3.2.1 The Strong Leader model allows the Leader to amend the Cabinet Portfolios and the operational accountabilities.

3.3 Corporate

3.3.1 None

3.4 Equity and Equalities

3.4.1 None

4.0 Recommendation

4.1 This report is for information only.

Contact Officer:	Harvey Patterson, Corporate and Regulatory Services Manager
Reporting to:	Philip Hamberger, Director of Corporate Services and Transformation

Annex List

Annex 1	New Cabinet Operational Accountabilities
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Background Papers

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

Corporate Consultation Undertaken

Finance	N/A
Legal	N/A

Agenda Item 10 Annex 1

Portfolio Holder	Name of Portfolio	Operational Accountability
Cllr Clive Hart (Leader of the Council)	Corporate Regulatory and Strategic Economic Development Services	CCTV, Street Scene Enforcement, Land Charges, Licensing, Environmental Health, including integrated Pollution Control, Statutory Nuisance, Food Safety and External Health and Safety Democratic Services including Electoral Management, Member Services and Legal Services Strategic elements of Economic Development & Regeneration
Cllr Iris Johnston	Community Services	Community Safety, Economic Development & regeneration, Margate Task Force, Culture , Events, Community Development, Cultural Development, Housing Intervention, Private Sector Housing, Housing Needs/ Homelessness, Housing Strategy, Client-side East Kent Housing, Indoor and Outdoor Leisure, Safeguarding Children, Play Areas, Sport, Thanet Coast Project , Youth, Building Control, Strategic Planning, Planning Applications, Planning Enforcement, Conservation, Tourism, Thanet Leisure Force, Water Safety and Beach Services
Cllr David Green	Housing and Planning	Housing Intervention, Private Sector Housing, Housing Needs/Homelessness, Housing Strategy, Client-side East Kent Housing, Building Control, Strategic Planning, Planning Applications, Planning Enforcement, Conservation
Cllr Alan Poole (Deputy Leader of the Council)	Commercial-Operational Services	Foreshore, Allotments, Property Management (including asset disposal, acquisition and asset management), Emergency Planning & Business Continuity, Kent Innovation Centre, Media Centre, Port of Ramsgate, Ramsgate Royal Harbour Marina, Broadstairs and Margate Harbours, Cemeteries and Crematorium, Coastal Engineering, Commercial Property, Grounds Maintenance, Parks and Open Spaces Management (including Trees), Playground Maintenance, Public Toilets, Street Cleaning, Waste and Recycling, Street Naming and Numbering , Off Street Parking, On Street Parking including Temporary Road Closure Orders, Thanet Coast Project, Water Safety and Beach Services
Cllr Rick Everitt	Financial Services	Capital, Treasury Management, HRA and Insurance, Budget Setting, Monitoring and Final Accounts, Income, Payments, Systems Control and Improvement, East Kent Audit Partnership
Cllr Michelle Fenner	Business, Corporate and Regulatory Services	Business Information and Improvement, Information and Communications (including Public Relations, Marketing, Press Relations, Internal Communications, Film Locations , Records and Data Management), Business Support and Compliance (including Corporate Governance), Policy and Business Planning (including Performance Management), Procurement and Contracts, Business Transformation and Options East Kent Services Client-Side, East Kent Human Resources Partnership Client-Side, covering: Benefits, Customer Services, Human Resources (including internal Health and Safety), IT, Revenues (including Debt Recovery) CCTV, Street Scene Enforcement, Land Charges, Licensing, Environmental Health, including integrated Pollution Control, Street Nameplates, Statutory Nuisance, Food Safety and External Health and Safety Democratic Services including Electoral Management and Member Services, Legal Services

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REVIEW OF EAST KENT JOINT ARRANGEMENTS

To: **Council – 6 December 2012**

Main Portfolio Area: **Corporate Regulatory and Strategic Economic Development Services**

By: **Harvey Patterson, Corporate & Regulatory Services Manager**

Classification: **Unrestricted**

Ward: **N/A**

Summary: To recommend to Council the dissolution of the East Kent Joint Arrangements Committee and the East Kent Joint Scrutiny Committee with effect from the date of establishment of a replacement joint Committee comprising Thanet District Council, Canterbury City Council and Dover District Council.

For Decision

1.0 Introduction and Background

1.1 The East Kent Joint arrangements Committee (EKJAC) and East Kent Joint Scrutiny Committee (EKJSC) were formed in June 2008 as part of a plan to develop shared working across East Kent with the participation of the Thanet District Council, Canterbury City Council, Dover District Council, Shepway District Council and Kent County Council. These arrangements envisaged that EKJAC would have a strategic role in overseeing the development of business cases for the various shared services work streams and then a management and monitoring role as services became shared. EKJAC subsequently oversaw proposals for sharing revenues and benefits, information technology, customer contact centres, housing management, human resources and waste collection/recycling. In turn, it was initially intended that EKJSC, would review and scrutinise the various business cases and thereafter scrutinise the services that were shared - but without prejudice to the rights and powers of the relevant Scrutiny Committees of each of the participating Councils.

1.2 EKJAC presided over the establishment of the following shared services:-

East Kent Services (EKS)

1.3 This is a joint service hosted by Thanet District Council and managed by the Director of Shared Services. It provides revenues and benefits, information technology and customer contact services to Thanet District Council, Canterbury City Council and Dover District Council. It reports directly to EKJAC and EKJAC has delegated the relevant powers required to deliver its services to the EKS Director of Shared Services.

East Kent Human Resources Partnership (EKHRP)

1.4 EKHRP is a joint service hosted by Dover District Council and managed by the Head of the East Kent Human Resources Partnership originally providing human resources and internal health & safety services to Thanet District Council, Canterbury City Council, Dover District Council and Shepway District Council. However, Shepway withdrew with effect from 31 March 2012. Although Dover District Council remains the host authority, the Human Resource Partnership is closely aligned to EKS as the Head of the East Kent

Human Resources Partnership now reports to the Director of Shared Services and has joined the EKS Management Team.

East Kent Housing (EKH)

- 1.5 EKH is an Arms Length Management (ALMO) providing housing management services to Thanet District Council, Canterbury City Council, Dover District Council and Shepway District Council. Having been established as a company limited by guarantee under the direction of EKJAC, it now has its own independent management arrangements with its board of management comprising independent directors as well as tenants' representatives and elected councillors. The four Councils exercise ownership of the company through an Owner's Committee regulated by an Owners Agreement. However, the Committee has no role in the day to day management of the housing stocks of the four Councils.

Joint Waste

- 1.6 EKJAC has overseen the development of arrangements across East Kent in relation to waste collection and recycling. The four district Councils and KCC have signed up to a five way agreement intended to set the strategic direction for the management of waste and recycling across East Kent which amongst other things committed the district Councils to a single method of collection of waste and recyclables known as the Nominal Operating Model or "NOM". Whilst the aspiration developed by EKJAC was to move towards a single East Kent Waste Collection contract, existing arrangements make this more complex due to differing contract end dates and Thanet operating an in-house service. So far Dover and Shepway have tendered and awarded a joint waste collection contract and Canterbury is in the process of re-tendering its waste collection service. Thanet's position is to maintain a watching brief and benchmark in house service costs against the outsourced costs of the three other Authorities.

2.0 The Need for EKJAC

- 2.1 A review of EKJAC (and EKJSC) was carried out by former district council Chief Executive, Mr Douglas Bradbury, early in 2010 and his report was approved by EKJAC on 19 May 2010. In summary, the amendments to the Term of Reference of EKJAC and EKJSC agreed at that meeting had the intention of strengthening the governance of EKJAC and EKJSC in order to drive through an ambitious shared services programme where it was conceived that the majority of district Council services would be considered for sharing and that any service could be shared if two or more Councils agreed to proceed. However, over the course of the previous 18 months the appetite of the four East Kent District Councils for an ongoing programme of shared services has diminished in favour of a more ad hoc and selective approach. Indeed, Shepway not only took the decision not to participate in the sharing of the various services now carried out by EKS but, as noted above, also decided to withdraw from the EKHRP.
- 2.2 These developments have called into question the continuation of EKJAC in its current form, particularly as each of the East Kent Council's has the right to be represented at meetings of EKJAC and those representatives are legally entitled to speak and vote on all items on the agenda regardless of whether it involves or affects their Council. Although to date this kind of interference has never happened in practice, it could conceivably happen at any time. However, if EKJAC is to be dissolved by the agreement of the five participating Councils, there is a need to develop replacement governance arrangements to take effect no later than the date of dissolution of EKJAC so as to ensure the smooth continuation of the services jointly delivered to TDC, Canterbury City Council and Dover District by EKS and the EKHRP.
- 2.3 Consequently, on 20 June 2012 EKJAC considered an agreed a report containing broadly similar recommendations to those set out in the paragraphs 8.1 to 8.3 below.

3.0 The need for EKJSC

- 3.1 If EKJAC is to be dissolved, consideration also needs to be given to the future of EKJSC. In this regard, as it is considered that the overview and scrutiny of current and future shared service arrangements can be discharged by the statutory scrutiny committees of the participating Councils, it is recommended that EKJSC is also dissolved on the same date as EKJAC.

4.0 Consequences of Dissolution

- 4.1 As mentioned above, there will be need for Thanet District Council, Canterbury City Council and Dover District Council to develop new governance arrangements to ensure the smooth continuation of the services provided to the three Councils by EKS and the EKHRP. In essence, as both Canterbury and Dover have previously rejected delivering the services provided by EKS through a limited company, the preferred solution is to create a new joint committee comprising only of elected representatives of the three Councils. In so doing it is intended that the duties and powers currently delegated to EKJAC and exercised by the Director of Shared Services and Head of the EKHRP should pass smoothly to the new joint committee.

5.0 Other Participating Councils

- 5.1 Canterbury City Council and Dover District Council have passed resolutions in the form set out at paragraph 8 below. Shepway District Council has simply resolved to dissolve EKJAC and Kent County Council is expected to resolve in similar terms to Shepway in the coming weeks.

6.0 Wider East Kent Collaboration

- 6.1 It is important to emphasise that the dissolution of EKJAC should not have any adverse impact on the broader East Kent collaboration arrangements such as the East Kent Forum, the East Kent Leaders and Chief Executives meetings or the East Kent Regeneration Board.

7.0 Cabinet consideration

Cabinet considered this report on 8 November 2012 and made the recommendations set out at paragraph 9.0 below.

8.0 Corporate Implications

8.1 Financial and VAT

- 8.1.1 There are no financial implications arising from the report as there are no external costs associated with the dissolution of EKJAC and EKJSC and the costs of establishing a new joint committee can be met from within existing resources.

8.2 Legal

- 8.2.1 As set out in the report.

8.3 Corporate

- 8.3.1 The dissolution of EKJAC and its replacement by a joint Committee between TDC, Canterbury and Dover will ensure the smooth continuation of the services provided by EKS and the EKHRP including the administration by EKS of Housing and Council Tax Benefit which service directly contributes to Priority 2 of the Thanet Corporate Plan 2012/16 - tackling disadvantage across the district.

8.4 Equalities

- 8.4.1 As this report only proposes revised administrative arrangements to secure the continuation of existing shared services to existing performance standards, it is considered that the Public Sector Equality Duty is not engaged.

9.0 Recommendation(s)

Cabinet recommends to Council:-

- 9.1 That the East Kent Joint Arrangements Committee and the East Kent Joint Scrutiny Committee be dissolved with effect from the date of the establishment of the Committee referred to in paragraph 8.2 below.
- 9.2 That operating arrangements for a Committee relating to functions shared by Canterbury City Council, Dover District Council and Thanet District Council ('the Continuing Councils') be drafted by the respective Heads of Legal and be submitted to the Continuing Councils for approval with scrutiny being undertaken by the scrutiny committees of the Continuing Councils. Kent County Council and Shepway District Council are to be notified of the date of establishment of the new Committee.
- 9.3 That all agreements or arrangements which may need to remain in effect after the dissolution of EKJAC be reviewed by the Heads of Legal of all the Participating councils and they be delegated the power by their respective Councils that if relevant to them they agree the continuation of those matters in such form as they think appropriate.

10.0 Decision Making Process

- 10.1 EKJAC and any successor Joint Committee are Council Joint Committees and therefore full Council is responsible for taking the final decisions on these arrangements. Council will consider the recommendations of Cabinet on 6 December 2012.

Contact Officer:	Harvey Patterson, Corporate & Regulatory Services Manager, ext 7005
Reporting to:	Philip Hamberger, Director of Corporate Services and Transformation, ext 7232

Background Papers

Title	Details of where to access copy
Report to EKJAC – 20 June 2012	<i>Modern.Gov</i>

Corporate Consultation Undertaken

Finance	Sarah Martin, Financial Services Manager
Legal	N/A
Communications	Hannah Thorpe, Acting Corporate Information Manager

COUNCIL TAX BENEFIT LOCALISATION

To: Council – 6th December 2012

Main Portfolio Area: Finance

By: Andrew Stevens, Assistant Director, EK Services and Sarah Martin, Financial Services Manager, TDC

Classification: Unrestricted

Ward: All

Summary: Government is reducing the funding of Council Tax Benefit (CTB) by 10%, and transferring the responsibility for the design of the scheme to local authorities, together with transfer of the financial risks. This has to be implemented in time to set the Council Tax base in January 2013, and to be fully operational by April 2013.

This report seeks final approval for the Thanet DC Council Tax Reduction Scheme (CTRS) taking into account the outcome of the recent consultation exercise

For Decision

1.0 Introduction and Background

- 1.1 Council Tax Benefit (CTB) is a means tested benefit. It is a national scheme, but it is administered by the billing authorities (the district councils in two tier areas). CTB is currently fully funded by the government, who also provide an administration grant. In 2011/12 TDC paid out £15.4m (subject to final audit) in CTB.
- 1.2 The Comprehensive Spending Review of 2010 paved the way for the localised Council Tax scheme and committed to reducing the national expenditure figure by 10%. Since then the Government have announced that they are intending to use projected 2013/14 expenditure to “size” the national pot. Current projections are that expenditure levels (notwithstanding the introduction of local schemes) on CTB would fall in 2013/14 so the size of the reductions needed when deciding on local schemes increases from 10% to around 14% as the national “pot” is likely to shrink.
- 1.3 CTB claimants do not receive the benefit in cash – instead their Council Tax bill is credited with the benefit, so many (those in receipt of 100% benefit) do not pay any element of their Council Tax.
- 1.4 From 31 March 2013, the current national CTB scheme will be replaced by The Council Tax Reduction Scheme (CTRS). The form of this scheme is down to local discretion, subject to a few nationally set criteria; therefore there will be schemes devised by each of the 300+ local authorities.

1.5 The impact of any reduction in government grant, any change to the discounts given to Council Tax payers, or change in the collection rates, will have an impact on precepting authorities pro rata to their share of Council Tax.

1.6 Executive summary of proposals

The proposed scheme that was detailed in the consultation is explained below

- remove empty property discounts (technically, this means giving a 0% discount for 6 months). Currently if a property is unoccupied and unfurnished then the owner does not have to pay Council Tax for a period of up to 6 months.
 - remove second home discounts (currently 10%),
 - reduce CTRS by 5-6% for those of working age – so they will receive a bill for 5-6% of their Council Tax for 2013/14 (this % may vary in the future, depending on the costs of the scheme and this was made clear in the consultation).
 - Discontinue second adult rebate cases for working age claimants (there are only 70 such claims in the TDC area).
- 1.7 We do not intend to change current discounts for single people (single person discount), Council Tax exemptions given when a person dies and the property becomes empty or the exemption given to properties undergoing major renovation works.
- 1.8 Despite a low response to the consultation exercise (more details are provided later in the report) there was clear support for the proposal to keep any reduction in Council Tax benefits as low as possible from all respondent groups.

1.9 Key elements of the changes

The Council Tax for a band D property in Thanet is:

Authority	2012/13 Council Tax £	% ex Towns and Parishes
Kent County Council	1,047.78	71.55
Police	138.68	9.47
Fire and Rescue	67.95	4.64
Thanet District Council	209.97	14.34
Town and Parish Average	27.17	-
Total	1,491.55	100.00

1.10 Thus, over 70% of the impact will be on KCC. In contrast, Thanet, as the billing authority, are responsible for designing, approving and taking all decisions on the new CTRS (after due consultation), even though it will only bear around 14% of the consequences.

- 1.11 Each billing authority has to design and implement its own CTRS scheme (although authorities may work together). There are 300+ billing authorities in the UK, all of whom could be asking their ICT suppliers (there are 3 main suppliers who, between them, provide Council Tax systems for most of the councils) for changes to be developed, tested and implemented in time to set the Council Tax base in January 2013 and be operational by April 2013.
- 1.12 The current CTB scheme does not have any direct financial impact on the council. It is a demand led benefit, where government fully refunds the Council for the benefit it has paid out. In contrast, the CTRS will be a Council Tax **discount based scheme** (like single person discounts). This will reduce the taxbase and therefore the Council Tax collected by TDC for itself and its preceptors. To compensate them for the lost Council Tax, government will provide a grant, but only at 90% of the cost of current CTB, so we have to bear the 10%, or devise a CTRS that delivers the 10% saving. The new CTRS will continue to be demand led, but with a fixed grant from Government – thus transferring the risk of increased caseloads as have been seen over the last few years.
- 1.13 If the costs of the CTRS overrun, it cannot be amended "in year". The overrun costs have to be borne by the LA's in proportion to their share of the Council Tax.
- 1.14 Because the discount will not be 100% for working age claimants, we will have to send Council Tax bills (for a proportion of the Council Tax) to claimants, many of whom are not accustomed to paying Council Tax, having previously received 100% benefit. This has to be reflected in our projection of collection rates.
- 1.15 The government grant is currently calculated as 90% of the "government forecast" 2013/14 benefit expenditure. This is subject to review, but government had been forecasting reductions in unemployment and benefit expenditure, so the "forecast" is below budgeted 2012/13 expenditure. Current trends in claimant numbers do not support the government forecasts.
- 1.16 Authorities therefore have to design a CTRS scheme that makes significant savings against current spend, or bear the grant loss themselves, or some mixture of the two. Councils are also free to use the recent freedoms given to alter specific Council Tax discounts and exemptions to mitigate the impact on benefit recipients.
- 1.17 Government require that any new scheme must protect pensioners who currently receive CTB. They amount to around 45% of the claimant base. That potentially doubles the proportion of savings that have to come from the other claimants.
- 1.18 The new scheme is also expected (but this is not compulsory) to protect the vulnerable (not defined by government) and not to disproportionately disadvantage those in work currently receiving CTB.

2.0 The Current Situation

2.1 Development of the new CTRS Scheme

CTB for Thanet, Dover & Canterbury Councils is managed by EK Services (EKS). This has given the EK partner authorities the opportunity to develop a joint EK CTRS – with shared principles, modelling and methodology. Officers across Kent have also developed a Kent-wide CTRS.

2.2 The major preceptors have agreed that they will underwrite risks to districts if they implement the Kent-wide or similar schemes (including the EK CTRS) that deliver the required 10% savings, protect pensioners and do not disadvantage CTRS claimants in work.

2.3 EKS have undertaken extensive modelling of claimant demographics and collection rates. The EK scheme has been developed to meet the criteria of the Kent wide scheme, but also to mitigate some of the disadvantages.

2.4 The proposed scheme that was detailed in the consultation is explained below

- remove empty property discounts (technically, this means giving a 0% discount for 6 months). Currently if a property is unoccupied and unfurnished then the owner does not have to pay Council Tax for a period of up to 6 months.
- remove second home discounts (currently 10%),
- reduce CTRS by 5-6% for those of working age – so they will receive a bill for 5-6% of their Council Tax for 2013/14 (this % may vary in the future, depending on the costs of the scheme and this was made clear in the consultation). Discontinue second adult rebate cases for working age claimants (there are only 70 such claims in the TDC area).

2.5 Because this proposed scheme meets the criteria of the Kent-wide agreement, the major preceptors (KCC, Police, Fire) will still:

- between them, pay each district council £125k per year for three years for their additional administrative costs. This money will be used to employ additional staff to deal with enquiries from the public, collect the additional Council Tax and undertake visits;
- contribute to additional administrative costs if the number of households claiming CTRS increases by more than 15%. In practice, although this is a welcome proposal, it is unlikely to happen as caseloads have risen by less than this over the last few years;
- underwrite the risk of increased caseloads by bearing any difference in cost between the grant the district council receives and the total amount paid out in CTRS each year; and
- operate this for 3 years.

2.6 The advantages of this scheme were:

- it should achieve most, or all, of the required savings
- it is supported by the preceptors;
- the greater reductions in empty homes discounts reduces the impact on CTRS claimants and discourages empty homes;
- it protects pensioners;
- it protects the districts from increases in claimant numbers;
- the lower Council Tax bills should give a better collection rate. This is considered to be a significant advantage of the EK scheme;
- the Council Tax bills to those on CTRS will be smaller, with more of the costs met by the reduced discounts on empty and second homes. This places less pressure on low income households at a time when their other household bills or incomes are being squeezed. We are currently exploring how we could proactively contact customers who are facing advanced recovery action to help them pay their bills where they haven't done so to date. We would not usually issue summons to people for small balances in any case and this approach will continue in the future.
- the incentives to use empty homes are further increased.

2.7 Details around the scheme rules

The current regulations governing Council Tax Benefit have been abolished from 31.3.13. The local CTRS scheme that is being proposed will aim to replicate the same rules regarding claim start dates, backdating, income disregards and calculation, applicable amounts, non dependant deductions etc. The only difference will be the reduction of 5% to 6% from the weekly entitlement calculated under the existing rules and the discontinuing of "second adult rebate" for working age claimants from 1.4.13. There are only 70 "second adult rebate" claimants in the TDC area who are of working age. As all of the other rules remain the same this report does not include the entire scheme rules, but they will be completed and published well before the 1st April 2013 implementation date.

- 2.8 As it is proposed to remove the empty property exemption then current recipients will only receive this up until the 31st March 2013 regardless of the start date, at which point it will be removed.
- 2.9 There is also a piece of work to be carried out relating to the evidence and information required to support a claim for CTRS. At the moment the Department for Work and Pensions are quite prescriptive over what they expect to see to support a claim for Council Tax Benefit and the external auditors then examine claims on that basis. In the future Council Tax Benefit is being transformed into a "discount" and this means there is complete local discretion over the levels of evidence needed to support a claim. Clearly there is a balance to be found between designing a straightforward claims process to support the vulnerable and protecting taxpayers money.

2.10 Outcome of consultation

The consultation period ran from 23 July 2012 to 17 September 2012 (8 weeks). The following numbers of customers in the Thanet area were written to directly and asked to comment on the proposals:

All working age people receiving Council Tax Benefits	10,000
All second home owners	1421
All known landlords	955
5% sample of the "general population" not included in the above groups. These people have no direct financial interest in the proposal and are not directly affected	2326
Total	14,702

- 2.11 Consultation letters and emails were sent to interest groups such as the Citizens Advice Bureau. Letters were also sent to all Town and Parish Councils. The consultation was publicised in the local and regional press/media and has been available on the council website throughout.
- 2.12 Consultees were asked to respond via a dedicated page on the council website. However, an alternative method of completing a paper form was also available. This was freely available from the Council offices and local libraries. An "information line" was set up from 9am to 5pm throughout the consultation period for those who wanted more information about the proposals. This information line was set up in conjunction with Canterbury and Dover Councils and was manned by temporary staff specifically employed for that purpose. They dealt with over 500 calls during the consultation period.
- 2.13 Overall, a total of 385 responses were received from the 14,702 issued which represents a return rate of 2.6%. Response rates from each of the groups varied with second home owners having a higher return rate of 7.2% and benefit claimants having a return rate of just over 1%. Anecdotal evidence from other local Councils is that many others have had a similarly low response rate. Certainly the response rate was almost identical to that of Canterbury and Dover (all three Councils had a response rate of under 3%). We cannot provide a full analysis of the comparison, however, as many Councils are still out to consultation at the time of writing this report.
- 2.14 Out of the 385 responses received, 335 (87%) responded using the internet and 50 (13%) used a paper form. The full results are included in Appendix I and a summary is given in the next part of the report.
- 2.15 The replies to the consultation were broken down into categories of respondent so that we can identify how, for example, the second home-owners responded to particular questions compared to benefit recipients.
- 2.16 The consultation document asked 5 main questions:
- In summary, to what extent do you agree or disagree with the principle that the overall financial shortfall should be covered from changes to Council Tax discounts and exemptions and benefit reductions?

- To what extent do you agree or disagree that we should aim to keep the benefit reduction as low as possible to protect the vulnerable and people on the lowest incomes?
- We are proposing to introduce shortened claim forms for the new local Council Tax Support scheme to make it easier for people to claim. To what extent do you agree or disagree with this?
- We are planning to introduce more visits and spot checks to make sure people are paying the right amount of Council Tax. To what extent do you agree or disagree with this?
- Overall, to what extent do you agree or disagree with the scheme that is being proposed?

2.17 A summary of the responses has been provided below for reference, with a brief analysis underneath each question. The percentages of “agree” and “disagree” will not add up to 100% as the table below does not include “neither agree or disagree” and “no replies”. Full results from the consultation are included in Appendix I

Q1 In summary, to what extent do you agree or disagree with the principle that the overall financial shortfall should be covered from changes to Council Tax discounts and exemptions and benefit reductions?

	Overall	I do not pay Council Tax	I pay Council Tax but I receive Council Tax benefits	I pay Council Tax but I do not receive any benefits to help with this	I am a Landlord	I am a second home owner
	385	46	89	106	33	102
Agree	43.9%	41.3%	35.9%	73.5%	33.4%	27.4%
Disagree	44.9%	39.2%	52.8%	20.8%	48.5%	66.6%

Overall, respondents were split over whether they agreed or disagreed with the proposed scheme. Landlords and second home owners were less inclined to agree than people receiving benefits. The “general population” group replied differently with over 70% of respondents agreeing with the scheme that has been proposed. This group are those with no direct financial interest in the scheme (ie they are not landlords, not second home owners and do not receive Council Tax Benefit or other exemptions) This needs to be put into context of the overall low numbers of replies.

Q2 To what extent do you agree or disagree that we should aim to keep the benefit reduction as low as possible to protect the vulnerable and people on the lowest incomes?

	Overall	I do not pay Council Tax	I pay Council Tax but I receive Council Tax benefits	I pay Council Tax but I do not receive any benefits to help with this	I am a Landlord	I am a second home owner
	385	46	89	106	33	102
Agree	70.9%	93.4%	89.9%	62.3%	57.6%	61.8%
Disagree	17.6%	0%	6.7%	28.3%	30.3%	21.6%

The majority of respondents in all categories agreed that we should keep the benefit reduction as low as possible to protect the vulnerable and people on the lowest income. The vast majority of benefit recipients themselves supported this proposal. The majority of the general population, landlords and second home owners also supported this principle and their support ranged from 57% to 62% agreeing. All of this needs to be put into context of the overall low numbers of replies.

Q3 We are proposing to introduce shortened claim forms for the new local Council Tax Support scheme to make it easier for people to claim. To what extent do you agree or disagree with this?

	Overall	I do not pay Council Tax	I pay Council Tax but I receive Council Tax benefits	I pay Council Tax but I do not receive any benefits to help with this	I am a Landlord	I am a second home owner
	385	46	89	106	33	102
Agree	60.5%	73.9%	77.5%	59.4%	48.5%	49.1%
Disagree	16.9%	4.4%	9%	24.6%	12.1%	24.5%

Overall 60% of respondents agreed with this proposal. Landlords and second home owners were less inclined to agree but there were a larger number of “neither agree or disagree” within those groups. Officers will take this forward into the new scheme and will review the existing claim form and the evidence requirements needed to support a claim for the new CTRS. All of this needs to be put into context of the overall low numbers of replies.

Q4 We are planning to introduce more visits and spot checks to make sure people are paying the right amount of Council Tax. To what extent do you agree or disagree with this?

	Overall	I do not pay Council Tax	I pay Council Tax but I receive Council Tax benefits	I pay Council Tax but I do not receive any benefits to help with this	I am a Landlord	I am a second home owner
	385	46	89	106	33	102
Agree	77.4%	69.6%	75.3%	87.8%	81.9%	75.5%
Disagree	7.5%	10.9%	6.7%	5.7%	6.1%	9.8%

This question produced the highest proportion of respondents who agreed in the survey. The “general population” group in particular supported this proposal and, generally, seemed most focussed on value for money and detecting fraudulent claims for benefits and discounts. This is something officers will take forward into the new scheme. All of this needs to be put into context of the overall low numbers of replies.

Q5 Overall, to what extent do you agree or disagree with the scheme that is being proposed?

	Overall	I do not pay Council Tax	I pay Council Tax but I receive Council Tax benefits	I pay Council Tax but I do not receive any benefits to help with this	I am a Landlord	I am a second home owner
	385	46	89	106	33	102
Agree	42%	34.8%	33.7%	74.5%	27.3%	26.5%
Disagree	46.5%	50%	47.2%	22.6%	66.6%	66.7%

This “summary question” produced similar results to that of Question 1. The “benefit recipients”, “landlords” and “second home owners” disagreed with the scheme that was being proposed whilst over 70% of the “general population” supported what was being proposed.

Question 6 asked for general comments to be made about the proposed scheme. The full list is contained in Appendix I. The comments varied between people in the different categories. People receiving Council Tax Benefit had strong feelings about their benefits being reduced, landlords had strong feelings

about starting to pay Council Tax for empty properties and second home owners had strong feelings about now paying full Council Tax.

The main objections and comments have been summarised below. A full list of all the comments is included in Appendix I for reference.

2.18 People receiving Council Tax Benefit

The main theme was pointing out that people on benefits are already struggling financially, some are unable to work and further cuts would cause more hardship. There were several comments about the hard-up being penalised yet again by benefit cuts on top of those occurring elsewhere and saying that they would have to sacrifice other current living expenses in order to pay their bills.

2.19 Landlords

A theme coming out from landlords was pointing out that a vacant property often cannot be re-let immediately after a tenant leaves due to redecoration etc and a period of exemption (albeit shorter) should still be given. Another theme was relating to the lower returns on rented property if they were charged full Council Tax between tenants and the subsequent impact this will have on providing good quality accommodation.

2.20 Second home owners

Many second home owners made the point that they are a lesser burden than local residents on services provided such as refuse collection as they occupy the property on a part-time basis. Some also made the point that their second homes are used as holiday lets and bring tourism and extra income to the area and they themselves contribute to the local economy when they are using their second home. Some also mentioned that they would like the right to vote in local elections to give them the same rights as other local residents being charged full Council Tax.

2.21 General population not receiving benefits or discounts

Many comments agreed with the general principle of asking second home owners, benefit claimants and owners of empty properties to pay more Council Tax. They also raised issues around value for money and putting more effort into collecting Council Tax and finding benefit fraudsters and questioned the negative impact on working people on low incomes.

2.22 The Timetable

The planned outline timetable is:

Mid July to mid September – proposed scheme out to consultation

October –Scrutiny

November – Cabinet consider responses from consultation and recommend a local scheme to Council

December – Council approves the new scheme

December / January – set Council Tax base and inform preceptors

December to March – set up systems and processes, test software, notify claimants. Finalise CTRS detailed rules.

February – set budget for 2013/14

April – introduce local scheme

2.23 If the Council does not implement a local scheme in time, then a government determined default scheme would apply, which is likely to be the same as the current Council tax benefit scheme where annual expenditure would be substantially above the Government grant received, and the difference will be borne by the billing and major precepting councils in proportion to their shares of Council Tax. For TDC this cost of approximately £300k would represent our “share”.

3.0 Options

Although there are many minor adjustments to the proposed CTRS that could be considered, there are, in reality, three main options. They are:

- (1) Introduce a CTRS based on the current CTB scheme and accept the 10% reduction in CTB funding from government as a cost to the Council and Council Tax Payers. This is the “default” option.
- (2) Adopt the “East Kent” CTRS as proposed in the consultation.
- (3) Adopt the “Kent” CTRS, which is being consulted upon by the majority of the other Kent districts.

3.1 Evaluation of Options

Option 1 – the default option. The Council is currently facing a range of budget pressures that include reductions in settlements from central government, and the potential impact of the localisation of business rates. These pressures may be borne by a combination of Council Tax payers, through the pressure to increase Council Tax, and through service users where there is pressure to reduce services.

The scope to continue to protect all Council Tax Benefit claimants from the impact of reductions in benefit is therefore limited. In addition, this option will, if adopted, have a major financial impact on the other precepting authorities which, if replicated across Kent, would not be sustainable for those authorities. As a result they would be unwilling to underwrite the risks of increased claimant numbers. That will make the scheme prohibitively expensive. For these reasons this is not the preferred option. As mentioned previously Thanet’s “share” of the financial loss would be approximately £300k.

Option 2 – the East Kent CTRS. This option seeks to balance the pressure across a number of stakeholders.

The reduction in Council Tax benefit is limited to 5 – 6%, so the pressure on benefit recipients is contained, and is proportionate to the pressure on others. The reduction in benefit is also not considered to be so severe as to have a significant impact on collection rates. The option does place additional burdens upon landlords and second home owners – but this has to be weighed against the pressure on claimants and the rest of the community.

The option is also supported by Kent County Council, Police, Fire and Rescue, as it delivers the overall 10% savings. As a result, they have agreed to underwrite the costs arising from any increase in claimant numbers and provide administrative

support if this scheme is adopted. That saves the Council from including an addition provision for contingency and enables the Council to maintain the relatively low impact upon benefit claimants. It is proposed that discussions with KCC to confirm the underwriting position are to be delegated to officers.

Turning to the results of the consultation, although a majority of “directly affected” respondents did not agree with the proposed scheme, there was clear support from all groups for the principle of keeping the benefit reduction as low as possible to protect the vulnerable and people on the lowest incomes.

Once this view is accepted, the implications on second home owners and owners of empty properties are an inevitable consequence, because the resulting funding shortfall needs to be made up by a combination of reductions to benefits and reductions to Council Tax discounts and exemptions.

It is also significant that respondents from the “general population” who have no direct financial interest in the proposed scheme (ie they are not benefit recipients, second home owners or landlords) support the principle of reducing benefit awards and Council Tax discounts and exemptions, and 74% of them agree with the scheme that is being proposed.

For these reasons, this is the recommended option.

Option 3 – the Kent wide scheme. This option includes a reduction in benefit to claimants of 18% compared to the EK option of 6%. However, second homes discount is maintained and empty property relief is reduced to 3 months, rather than curtailed entirely.

The Kent scheme therefore offers a different balance between benefit claimants and other discounts. However, there is a potential risk that collection rates will be lower under the Kent scheme, and the Council is concerned that this scheme may be less sustainable in the long term and impacts greatly on the lowest income members of our community. For these reasons, this is not the preferred option.

4.0 Next Steps

4.1 It is recommended that Council approve Option 2 detailed above.

5.0 Corporate Implications

5.1 Financial and VAT

5.2 Legal

TDC must approve its local CTRS at full Council by 31st January 2013. If it does not do this then it is forced to adopt the “default” scheme for 2013/14 which is basically carrying on the current CTB scheme.

The obvious disadvantage to this is continuing to pay current levels of CTB with only 90% of it being reimbursed. The financial impact is shared by TDC and the major preceptors pro-rate to their share of Council Tax receipts.

In order to meet implementation timetables this report is being considered in advance of the statutory framework being in place which is expected in October/November. The draft regulations are complex and extensive but the DCLG assure local authorities that the final regulations will mirror what it

currently available in draft to help local authorities with the tight deadlines for implementation.

5.3 Corporate

5.4 Equity and Equalities

An initial Equalities Impact Assessment was undertaken when the proposed scheme went out to consultation. This has been reviewed upon receiving the responses.

Under the “general comments” part of the survey questionnaire several comments were made about the “protection” we were offering to vulnerable people. The current Council Tax Benefit regulations make allowances for increased income disregards and additions to “applicable amounts” (the amount the Government says a person or family should be able to live on per week) and we fully intend to carry these protections and income disregards forward into the Thanet CTRS. For example we currently disregard income such as child benefit, child maintenance and disability living allowance in the CTB calculation. The receipt of disability benefits also increases a person’s Council Tax Benefit awarded because of extra amounts given in the “applicable amount”. This is a positive approach which protects families, lone parents and disabled people. We will continue these income disregards on into the new CTRS to extend this protection. All client groups who are of working age will have their Council Tax Support reduced by 5% to 6% next April and this does not impact disproportionately on any particular client group – the approach is the same for everyone

6.0 OSP & Cabinet recommendation(s) to Council

6.1 Members of the Overview & Scrutiny Panel recommended Option 2.

6.2 Members of the Cabinet recommended Option 2

7.0 Officer Recommendations

7.1 That Council adopt the local Council Tax scheme as proposed in the consultation exercise and Option 2 above.

8.0 Decision Making Process

8.1 This is a key decision and has already been consulted with the Overview and Scrutiny Panel and Cabinet.

Future Meeting if applicable:	Date:
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Contact Officer:	Andrew Stevens, Assistant Director, EK Services
Reporting to:	Sarah Martin, Financial Services Manager

Annex List

Annex 1	Full results of consultation including individual comments from members of the public
Annex 2	Equality Impact Assessment

Background Papers

Title	Details of where to access copy
None	N/A

Corporate Consultation Undertaken

Finance	Sarah Martin, Financial Services Manager
Legal	Harvey Patterson, Corporate & Regulatory Services Manager

Local Council Tax Scheme consultation

Thanet District Council

Number of responses: 385

Paper	50	13.0%
Web	335	87.0%

Are you answering this survey as:

	Overall	I do not pay Council Tax	I pay Council Tax but I receive Council Tax benefits	I pay Council Tax but I do not receive any benefits to help with this	I am a Landlord	I am a second home owner	No reply
	385	46	89	106	33	102	9
an individual?	366	46	87	104	25	99	5
	95.1%	100.0%	97.8%	98.1%	75.8%	97.1%	55.6%
or as a representative of a local community group, business or organisation?	10	-	-	2	8	-	-
	2.6%	-	-	1.9%	24.2%	-	-
No reply	9	-	2	-	-	3	4
	2.3%	-	2.2%	-	-	2.9%	44.4%

Please provide the name of the group, business or organisation

I pay Council Tax but I do not receive any benefits to help with this

Group of three pensioners
Thanet Citizens Advice Bureau

I am a Landlord

4t8 Property maintenance
East Kent Housing, Thanet
Elgars
Elgars Chartered Surveyors
Landlord (property)
Michael Yoakley's Charity
R.G.SCOTT FURNITURE MART

Robbie Toys limited

**Which of the following best describes your current situation regarding Council Tax?
Please tick one box only.**

I do not pay Council Tax	46	11.9%
I pay Council Tax but I receive Council Tax benefits	89	23.1%
I pay Council Tax but I do not receive any benefits to help with this	106	27.5%
I am a Landlord	33	8.6%
I am a second home owner	102	26.5%
No reply	9	2.3%

Q1 In summary, to what extent do you agree or disagree with the principle that the overall financial shortfall should be covered from changes to Council Tax discounts and exemptions and benefit reductions?

	Overall	I do not pay Council Tax	I pay Council Tax but I receive Council Tax benefits	I pay Council Tax but I do not receive any benefits to help with this	I am a Landlord	I am a second home owner	No reply
	385	46	89	106	33	102	9
Strongly agree	58	3	10	40	2	3	-
	15.1%	6.5%	11.2%	37.7%	6.1%	2.9%	-
Tend to agree	111	16	22	38	9	25	1
	28.8%	34.8%	24.7%	35.8%	27.3%	24.5%	11.1%
Neither agree nor disagree	25	3	6	6	5	5	-
	6.5%	6.5%	6.7%	5.7%	15.2%	4.9%	-
Tend to disagree	37	1	10	4	4	18	-
	9.6%	2.2%	11.2%	3.8%	12.1%	17.6%	-
Strongly disagree	136	17	37	18	12	50	2
	35.3%	37.0%	41.6%	17.0%	36.4%	49.0%	22.2%
Don't know	10	4	4	-	1	1	-
	2.6%	8.7%	4.5%	-	3.0%	1.0%	-
No reply	8	2	-	-	-	-	6
	2.1%	4.3%	-	-	-	-	66.7%

Q2 To what extent do you agree or disagree that we should aim to keep the benefit reduction as low as possible to protect the vulnerable and people on the lowest incomes?

	Overall	I do not pay Council Tax	I pay Council Tax but I receive Council Tax benefits	I pay Council Tax but I do not receive any benefits to help with this	I am a Landlord	I am a second home owner	No reply
	385	46	89	106	33	102	9
Strongly agree	178	37	69	41	9	21	1
	46.2%	80.4%	77.5%	38.7%	27.3%	20.6%	11.1%
Tend to agree	95	6	11	25	10	42	1
	24.7%	13.0%	12.4%	23.6%	30.3%	41.2%	11.1%
Neither agree nor disagree	29	-	-	10	4	15	-
	7.5%	-	-	9.4%	12.1%	14.7%	-
Tend to disagree	27	-	1	13	1	12	-
	7.0%	-	1.1%	12.3%	3.0%	11.8%	-
Strongly disagree	41	-	5	17	9	10	-
	10.6%	-	5.6%	16.0%	27.3%	9.8%	-
Don't know	6	1	2	-	-	2	1
	1.6%	2.2%	2.2%	-	-	2.0%	11.1%
No reply	9	2	1	-	-	-	6
	2.3%	4.3%	1.1%	-	-	-	66.7%

Q3 We are proposing to introduce shortened claim forms for the new local Council Tax Support scheme to make it easier for people to claim. To what extent do you agree or disagree with this?

	Overall	I do not pay Council Tax	I pay Council Tax but I receive Council Tax benefits	I pay Council Tax but I do not receive any benefits to help with this	I am a Landlord	I am a second home owner	No reply
	385	46	89	106	33	102	9
Strongly agree	129	26	42	31	12	17	1
	33.5%	56.5%	47.2%	29.2%	36.4%	16.7%	11.1%
Tend to agree	104	8	27	32	4	33	-
	27.0%	17.4%	30.3%	30.2%	12.1%	32.4%	-
Neither agree nor disagree	63	7	9	15	10	22	-
	16.4%	15.2%	10.1%	14.2%	30.3%	21.6%	-
Tend to disagree	33	1	5	15	-	12	-
	8.6%	2.2%	5.6%	14.2%	-	11.8%	-
Strongly disagree	32	1	3	11	4	13	-
	8.3%	2.2%	3.4%	10.4%	12.1%	12.7%	-
Don't know	16	2	3	2	3	5	1
	4.2%	4.3%	3.4%	1.9%	9.1%	4.9%	11.1%
No reply	8	1	-	-	-	-	7
	2.1%	2.2%	-	-	-	-	77.8%

Q4 We are planning to introduce more visits and spot checks to make sure people are paying the right amount of Council Tax. To what extent do you agree or disagree with this?

	Overall	I do not pay Council Tax	I pay Council Tax but I receive Council Tax benefits	I pay Council Tax but I do not receive any benefits to help with this	I am a Landlord	I am a second home owner	No reply
	385	46	89	106	33	102	9
Strongly agree	199	21	35	68	22	52	1
	51.7%	45.7%	39.3%	64.2%	66.7%	51.0%	11.1%
Tend to agree	99	11	32	25	5	25	1
	25.7%	23.9%	36.0%	23.6%	15.2%	24.5%	11.1%
Neither agree nor disagree	45	7	14	5	4	15	-
	11.7%	15.2%	15.7%	4.7%	12.1%	14.7%	-
Tend to disagree	15	-	5	4	2	4	-
	3.9%	-	5.6%	3.8%	6.1%	3.9%	-
Strongly disagree	14	5	1	2	-	6	-
	3.6%	10.9%	1.1%	1.9%	-	5.9%	-
Don't know	2	-	2	-	-	-	-
	0.5%	-	2.2%	-	-	-	-
No reply	11	2	-	2	-	-	7
	2.9%	4.3%	-	1.9%	-	-	77.8%

Q5 Overall, to what extent do you agree or disagree with the scheme that is being proposed?

	Overall	I do not pay Council Tax	I pay Council Tax but I receive Council Tax benefits	I pay Council Tax but I do not receive any benefits to help with this	I am a Landlord	I am a second home owner	No reply
	385	46	89	106	33	102	9
Strongly agree	61	4	8	40	2	6	1
	15.8%	8.7%	9.0%	37.7%	6.1%	5.9%	11.1%
Tend to agree	101	12	22	39	7	21	-
	26.2%	26.1%	24.7%	36.8%	21.2%	20.6%	-
Neither agree nor disagree	28	5	11	3	2	7	-
	7.3%	10.9%	12.4%	2.8%	6.1%	6.9%	-
Tend to disagree	57	9	15	8	4	21	-
	14.8%	19.6%	16.9%	7.5%	12.1%	20.6%	-
Strongly disagree	122	14	27	16	18	47	-
	31.7%	30.4%	30.3%	15.1%	54.5%	46.1%	-
Don't know	8	1	6	-	-	-	1
	2.1%	2.2%	6.7%	-	-	-	11.1%
No reply	8	1	-	-	-	-	7
	2.1%	2.2%	-	-	-	-	77.8%

Q6 Have you any general comments that you would like to make about the proposed scheme?

NB – Any comments that identify individuals have been removed. Additionally, no editing or correction of individual comments has taken place.

I do not pay Council Tax

Anything that affects my vulnerability is of concern to me after being homeless for several months the thought of anything that would cause further hardship and perhaps financial difficulties is worrying but I can see the point of empty properties being away to ease any people suffering under these circumstances

How about Thanet council pulls their fingers out of their back sides, bands together with a much larger group of councils and tells the government they're driving this country into the ground and instead of penalizing the little people they should stop letting companies like Vodafone off from 10m tax evasion fees, collect the money from these companies, tax people who earn stupid amounts of money more and leave us little people the hell alone. These changes are pointless and forcing those in need of help to pay more is counterproductive, you have a shortfall to make up for? Get those who earn more than enough to pay for it. People are on these benefits because you lot and the government can't make enough jobs and can't afford to pay tax, so making us pay more is pointless. Get your arses out, force employers to be a lot less picky over who they employ and actually do something to HELP people instead of screw us little people over. And it's ILLEGAL to ask people their sexuality on these forms, get it removed or I will sue

How will it affect me, disabled in higher care component, wife is full time carer, and we have one child 12 years old? I'm 59, my wife 49, our benefits are already cut to the bone, everything we have to do medically and in care costs us more and more. To the point that I or my wife go without food, being disabled in this county costs a fortune, would you rather we all just locked ourselves away or died?

I agree that the younger people who can work but won't should have their council tax capped, but when you are 57 years old like me and unwell and receive ESA and are in the support group it should be considered even if you are well enough to work at 57 it would be hard to find work.

I get Income based JAS will I have to pay out of my income based JSA for the Local Council Tax Scheme?

I have a concern as such in my case; I am a full time carer for my 92 year old mother who lives with me. I receive Carers Allowance and Income Support and any additional outgoings will put more of a burden on our finances. Carers Allowance does have a limited provision for work but that would mean that I would have to provide paid care for my mother while I am at work; providing of course that I can find suitable part-time work at 58.

I have had the misfortune of becoming ill in 2011 and have been receiving employment support allowance. I am doing everything I can to get back into work and contribute my council tax. However I hope to be studying from 2012-2013 so will not receive income except from benefits. I would always be happy to contribute a small amount to the council tax but in proportion to what I receive which is just about manageable.

I purchased a holiday property in Thanet [Broadstairs] as I like the area and felt I would [in some small way] boost the local economy. Removing the 10% discount for "second homes" will make me review my decision of purchasing in Thanet and purchasing elsewhere instead. I wholeheartedly agree with the proposal to remove the "empty property" discount - as all property owners SHOULD pay something to the local authority.

I think it is very unfair. There are people out there who can work but don't, my son has severe disability through no fault of his own, but can't work and there's a big difference. The way things are going my son will have no money to live on. If you starting money short, well stop wasting it. I care for my son 27-7 and save the government lots of money a week, and if this continues to keep going, I shall give up caring for my son and just be a mum, and the government can have the bill, as I know it's stressful, worrying about what's happening next, centre closing, respite close, sold off, paying for care. If I don't give my son a life he hasn't got one. I do hope someone reads this, it's not meant to be ?? just very angry old biddy who really fed up know of fight for what I think is right for my son welfare. It's wrong to have to pay.

I think that people who are claiming additional benefits on second homes and receive Council Tax free for six months, is ridiculous, I can understand if the home is in disrepair, because it means that the building is unliveable and cannot support someone to rent it and reduces the economical and housing growth and reduces this for the whole area. If the building or property is vacant then changes have to be forced to change why it is vacant, if through advertising or local home improvement schemes and if it is a property that was bought to be rented out then it should be made this way. That should be enforced on local landlords or others which gives people out of the area and in the area chances to buy their own properties. This also provides areas of employment growth and support growth for the vulnerable and retired. Or people who can't afford to buy their own home. Yes reductions should be made of working adults as a couple that receive benefits for support of their children and to work. If they are single parents reductions should be less as for them to get employment they need to be able to fund for their children to be looked after so they can go to work. But this should be more forced and implemented so the increase of single parents doesn't increase dramatically and dependence on benefits is increased less. This should be still looked at as a time concept including adults unemployed or working part time. And reasons. The forms to receive benefits should be kept as long as the information needed to give as much factual information on an individuals background and financial circumstances and health situation. In regards to benefits for people who are, have an illness or disability protective medical rights and laws should still respected.

I think the most important things is that the most vulnerable people are protected as much as possible, the people who can afford to pay more, have too, for example people with more than 1 home, the people who can't afford to pay more aren't asked to contribute anything more than what is reasonable.

I think you need to consider each case individually. For example, not all work age recipients of council tax benefit are able to work, so I don't think it's fair to decide that everyone between the ages of - for example - 18 & 60 has to pay their property band regardless of

their circumstances. There are people in genuine need of help & it isn't just the young or pensioners.

i am a have a house private rental I don't work as have 2 disability children how does it affect my rent and council tax as don't have much money as cant afford to pay the full rent on this properly

If a property is not occupied no services are needed therefore what are the reasons for paying Council Tax. Wherever that person is living the Council Tax will already be paid! Do you intend for more than one payment per person even if no services are required?

If I have to pay even 5 to 6 percent council tax I have no idea where I will find the money.

If people who are exempt from tax now are asked to pay tax next year they won't pay. It will cost the council too much to try & get them to pay. This scheme hasn't been thought out very well at all. Although you'll only asking for a pound a week that pound has got to come from somewhere. If we don't get an extra pound benefit on our other state benefits it won't get paid full stop.

If you are proposing the changes then those with 2nd homes and landlords should NOT receive any discount whatsoever.

If you own flat or house you make money by going up the price (like 150,000 to 250,000) but if you are a rent and you earn minimum wage that 25% discount as a single person, it is a big help. You must find who has got more than one flat or house, that adds a lot on earning. Every little helps.

It is not only pensioners that need to be protected. Working families on low incomes are also in a vulnerable position. With child poverty rates already at an all time high we need to be ensuring that more children are not placed in this bracket.

It seems particularly unfair (even discriminatory) to penalise those who have no option but to claim some sort of support. Having worked most of my adult life, I now care for my elderly Father, who also worked all of his adult life. There is no one else to care for him and it is increasingly difficult for me to manage on the shameful amount of benefits allowed to Carers, but the thought of it being reduced is filling me with horror and dread. I have tried desperately to sell my own property and release some capital, but have not been able to, therefore still have to service the shortfall on my mortgage that is not covered by the DWP. I hate being on benefits, I would far rather be back and my rewarding (and fairly well paid) career, but I have no choice, and I would guess this is the same for many in similar positions. I think it would be easier for TDC to find a few corners to cut in their budget, than for me to cut any more corners - in fact I don't have any more to cut.

It's very unfair on people on the lowest Jobseekers Allowance and Employment Support Allowance of £70 per week who can NOT afford any council tax when they have to pay increasingly exorbitant, unfair, rip off gas/electric and water rates charges. Not to mention food, cleaning materials, toiletries, clothes and EVERYTHING else that comes up. I doubt

very much if Councillor xxxxxxxxxx on £31,299 per annum, plus ALL the other TDC/KCC staff could cope with it!

landlords should pay the extra also any person who is renting from a member of their family should pay for it slightly extra as I know for a fact relatives put the rent up to rip the council off then they give it back to their son daughter to spend if they are on benefit the simple answer is anyone renting from a relative should get no help from the council!

On vacant property (due to death of sole owner/resident) why should any council tax is paid at all? None of the council services are being provided to a dead person or empty property.

Overall happy with the proposals but cannot accept any reduction to people who are struggling on benefit. Due to Government changes in pension age this has left more vulnerable people, mainly single women over the age of 55 who have been left to struggle for more years who have less chance of finding employment and using any savings to find shortfalls in their income. The proposal of reducing 5% and 6% from working age claimants could cause more distress to those outlined. More effort should be made to track benefit fraud in the Thanet area and stricter controls for those from out of the area.

People with second homes and empty homes should pay 100% council tax. All other people, retired, sick, unemployed and others should be means tested because there are those in all of these categories that can afford it.

Personally, people who are on Job Seekers Allowance should work they're 16hrs a week to earn some of they're allowance and to take the strain off TDC, this would make more sense than reducing the amount they get, introduce a community payback scheme/working scheme, as a single parent I am unable to go back to work till my children are old enough to go to school.

Taking advantage of the disabled in our society is cruel. A civilised society is judge by how it cares for the most vulnerable members. How does making them beg for money to survive acceptable.

The examples given do not include a person on incapacity benefit/disability living allowance. What are the proposals for someone of working age who cannot work due to ill health? These benefits barely cover the basics for healthy living. How are we supposed to find money for council tax? Even £1 per week (£52 per year) may be beyond some budgets.

This scheme should not be introduced due to people who are on very low incomes and cant work this is a disgrace. my mum is on a very low income and don't get no money for me anymore so she would have to find her council tax which she can not do and she cant work. So I disagree.

This is going two get hard plus the bedroom tax as well

Unfortunately when there are cutbacks from the government, the shortfall has to be found from somewhere. Though I do not pay council tax at the moment, I have previously and will do again when I find work and the proposed methods in recouping the shortfall within local government is harsh for the average, making ends meat, blue collar group that will be hit the hardest. I know what it's like, as I have been in that position previously, of being working

class parents making the minimum and finding that you do not have enough funds to support the family or just scraping by. There is no quick solution but it will hit hard working families who already struggling, the hardest. I do not look forward to the day I am in that position again being a single parent.

I pay Council Tax but I receive Council Tax benefits

1. Second home owners should not get a discount of 10%. This is like giving tax reduction to the already affluent! 2. Some council tax should be charged on empty or unfurnished properties if the situation persists beyond 3 months! 10% after 3 months and 50% after 6 months. 3. Civil Servant pension schemes are out of kilter with private schemes and the global investment market situation of latter years. Why should society outside the Civil Service subsidise this when they are having to suffer high inflation, reducing pay rates and reduced pension benefits despite higher contributions themselves?

All the time folk who rip this and many other councils off, these folk will continue their practices. Vigilance will help to stop these activities. My area is rife with multiple claims, for they know that no one checks. See to it.

As a person living in Thanet for my whole life, and a council/ housing association tenant for over half of that time, I think it is wrong that we should have to pay this money. I am not yet of retirement age but am unable to work due to incapacity. I have my son living with me as he can't afford to get his own place, he is on a moderate wage, not much above the lowest hourly rate and he is penalised for the privilege of living at home. As my son is working I get the second adult rebate, if that is removed we are going to find things for everyday living very difficult. We don't own a car or have SKY TV, we can't afford to decorate our home, get new furniture or carpets, or have any other luxuries, we don't drink or smoke, so our money, the little we get, ALL goes on bills and keeping our heads above water, JUST

As a single parent working and earning minimum wage I appreciate all help I receive to support myself and my daughter. But I also think that people should not expect the council and government to support them. Maybe the council could help reclaim money by more thorough checking of claims. Help those that genuinely need it. Saying that, I cannot afford to pay much more council tax than I do so minimal changes for single parents would be appreciated!

As a vicar in xxxxxxx I live in a vicarage that is not my property, and so I class my property in Broadstairs as being my home. Because of work commitments my home in Broadstairs is used very rarely and so as a Council Taxpayer in Thanet I see the reduction that I receive completely fair as I hardly use the council services in Thanet. I suspect we only put out rubbish for collection six or eight times a year, and definitely never use the household waste site. I believe the classification that I have as being second home owner as being totally inadequate. My property in Broadstairs is not a second home, I could never afford one!

As usual with any government changes, it is only the 'poor' that suffer. In addition, if KCC didn't waste money in other areas including bad investments, better facilities would be available to all. Although there is a much higher population in London, most borough councils in London offer much better facilities than Kent. KCC, especially Thanet district council has the poorest reputation of any borough I have ever lived in.

Claimants on 100% Council Tax reductions should be made exempt similarly as pensioners will be, and not be charged 5%-6% because of the Government shortfall. These are the most vulnerable people on the minimum incomes and many are also disabled or unable to work. The proposed scheme is unfair and will just make their hardships worse. Also the cost of charging and collecting these amounts will outweigh what is actually saved. To counteract this, I believe that the 100% discount given to persons with on-going Structural repairs in properties should cease. Or, it should not be necessary for buildings to receive 100% discounts after the first year. This discount should be dropped after one year of on-going structural repair on each chargeable premises to avoid misuse and avoidance of payment by letting the repairs slowly and continually carry on year after year, or by alternate years of on and off repairs. Keep discounts for the most vulnerable persons only.

Could Pensioners be means tested like the other benefit are after all some of them are really well of and it would not make much of an impact on their lifestyles or their savings and capital. The rest of us on benefits already are means tested and we still have to go through the process every time we sign off or sign back on again

Currently I receive a second adult discount, as my son, who is on benefits, lives at home. This would stop, but I think that TDC has a responsibility to me and others like me to contact me and advise me whether my son should claim council tax benefit in his own right or whether there is any other help available. It was only by accident that I discovered previously that there was any help for people in my position, but I think it should be a duty.

Customer Reference No.: xxxxxxxxxx I wonder if your new Tax Scheme is the result of "Deposit by the Kent County Councils £50m surplus in Casino fashion deposit with the Icelandic Landsbanki" for which the diligent Ratepayer now has to stand straight for. Here in Basel I am a resident Tenant in a rented apartment, therefore my Ramsgate non-occupied property is my only ownership. With 2 to 4 weeks in Ramsgate per year, also for maintenance of property, I consume very little of Kent Council services. As a foreign worker previously and today as pensioner in Switzerland, I can have my residence permit revoked, should I become a social benefit case, resulting in a forced return to homeland. The 100% Thanet Council Tax, with previous 10% and earlier 50% discount, is becoming an increased burden on my budget, having to consider selling up. I also pay 100% Council Tax as a resident of Basel - in virtue being punished by double taxation in trying to manage own sanity, never wanting to fall back on a Social System.

Excellent idea about 100% for second homes and empty properties, about time this happens

Government is, as usual, hitting the poor, out of work and disabled. TDC is right to ensure that those with empty homes and second homes pay their full share.

I agree with all of it apart from reducing the benefit for people who are unemployed as 67.50 is hard enough to live on and eat and pay bills etc. without trying to find some more to payout for the council I would have to go without food.

I agree with some aspects and have concerns with other areas. I feel strongly that pensioners are protected from additional costs, or cuts in benefits - I agree with the proposals to not change what help pensioners receive. I also feel that it seems a good idea to include second homes and empty properties to pay council tax. However I do have concerns regarding benefit cuts for those currently receiving benefits. Housing benefit has already been cut and I feel very worried that more cuts could result in people losing their homes, especially with food and fuel costs rising too.

I am a single lady, 59 years, no husband or children, or dependant family. I had to take early retirement four years ago and I live off a private pension. I would have been able to get my state pension in 2013 when I was 60 but this coalition government changed the pension rules to 65 and now I've got to wait till I'm 65 in 2018, how this damn government expect people like myself to cope along with other people who have lost their jobs and fall into the 599 to 65 age group. I'm afraid words fail me. It's no use saying get another job, it's just impossible at my age 60 plus, companies are not interested, I applied for 400 different posts four years ago, got two responses and I've given up completely as it's a complete waste of time. I worked since 1970, that's 38 years till 2008. I have to live off £738.00 a month (£264 in benefit). Rent £475 a month, Council Tax £39 a month, that leaves me £224 a month to pay my bills, get shopping, buy clothes, etc, it's divided down to £56 a week (£224 divided by 4 = £56) to live off barely covers the cost of food. What the government says you can live off. I'd like to see them live off £738. Ok for MPs on £100,000 plus a year, you have to pay your council tax or else you end up in court or prison. I can't afford to get into that position and it's completely unfair on low income families and single persons like me to put us through this position, are we going to be means tested on this like everything else. If I fall into arrears on my rent at present I'm ok, I'd get evicted as I'm in a private flat, have the council took that into consideration as well how low income families can be made homeless through no fault of their own. How is all this going to effect the services like police, fire, rubbish collections, they all have a cut off the council tax, what's going to happen with them, how's this effecting foreign nationals coming into this area (ie Thanet), what percentage of council tax will they be liable for? This council tax needs to be considered carefully and fairly. It needs to be broken down into different categories ie home owners. Private rented accommodation (landlords should be made to pay a certain amount if they have low income residents). Single persons discount should still be made available. Second home owners pay full council tax and empty properties should pay full council tax. I'm afraid I'm like a lot of the public in the UK fed up to the teeth with this government, all they do is cut cut cut, never mind about the poor that's not their problem. When you worked 38 years, lose your job through no fault of your own I was in my last post for 20 years, this is how you're treated, I've never claimed benefit but I've got no choice. I presume a full and proper consultation will be done throughout the UK on this issue with all the public and not just shared through the government like most issues are! This is completely unfair to all those on pensions like myself and low income.

I am a single parent on a low wage and I pay council tax, I think that people that are claiming dole and benefits should have to pay something towards the council tax, as people think because you have a job that you are better off which you are not as they don't realise that you have to pay rent and council tax and they don't so they are better off than if you are working

I am disabled and on benefits, how would that affect me?

I am on jobseekers allowance and already struggle to pay household bills. If I was asked to pay part of my council tax because of reduced benefits that struggle would be made worse. As for Q4, wouldn't more visits & spot checks just increase costs to the council?

I am single and on a low shrinking income. Until my son who currently lives with me finds work that pays reasonably, losing the second adult rebate will affect me directly as this will then be an additional expense from less income. I am a single person with an adult dependent. This must be the same for many parents of young people out of work and who are ineligible for any help with housing costs whilst boarding at home, and who also may not be in Higher Education or feel that they can ever afford to take that route. Some families I know now have graduate children living back at home. This is fine if all have incomes, but

punitive if not, and unfair as some young people are rehoused if their families already benefit from social housing. More affordable rental accommodation for young single people or couples would help. Back to my point though the removal of the second adult rebate is punitive for the reasons I have described.

I Can not Believe what the Government they are making people on low income suffer even more first it was the Housing Benefit Lowered and now council Tax It really is not fair on People like me who are disabled and spend most days in Pain and suffer from mental health issues and things like this really put a massive Strain on a already Tight budget. I feel the problem is there are too many People milking the system and these people need sorting out so genuine people are not left struggling.

I cannot understand how disabled people on very low incomes will now have to pay towards council tax as you have just made us pay towards rent as well. I have such a low income and you are squeezing said income again and again. Disgraceful !!!!!

I do not know how you will make it work with so little money around and so many people in Thanet hard up

I do not think that cutting council tax benefit for people on low income or benefits will help. As a single mother on benefits I struggle with paying the bills I currently have. To have to pay another bill on top of this would leave me with no money to feed my children! You have already cut my housing benefit to such an extent that I had to move out of the house I was living in to cheaper accommodation and was nearly made homeless in the process. This is yet another unfair tax on the poorest people in our country

I don't know how the government works or how they operate.

I feel that Central government are at fault here and should be concentrating on sorting out the tax loopholes in this country before subjecting the already poorer percent of the population to further financial difficulty & personal hardship. Since the banks self induced recession & contraction of lending holds the whole country to ransom, this slaps of conspiracy, which our government seem to be a party to, otherwise surely they would have intervened and seized the banks assets and legally dealt with those responsible for the fraud. Unemployment is drastic, there so few jobs in many areas, Thanet being one, many people on benefits would like to work, but can't. If the government didn't already side with the very well off, and look closely into how those taxes are recovered I believe that the deficit of the country could be combated, then there would not be added pressure on local authorities to cut benefits, jobs and in turn further damage the local economy, standard of living and general well being of its residents. People who just can't afford any scope in their already stretched benefits maybe unable to pay, it then becomes a vicious cycle and in the long run will cost more in resources to recover any monies owed!!! I have always worked until recently, and believe me if my circumstances were different id be better off not claiming benefits, as it stands, we have no leeway in our benefits, which just cover a meagre existence for 2 adults & 1 child. I feel that pensioners who have vast amounts of savings and non means tested benefits should also be in the running for some contribution as well.

I feel that this is yet another money saving tactic by this government that will only really affect the most vulnerable just like the changes in the benefit system which has already shown that saving money has a greater priority than the welfare of the poor and disabled and is very badly and unfairly administered. I hope that the local councils do not follow suit

and put money before the very poor sick old and disabled which would only add to there stress and misery.

I have concern regarding these changes. I am disabled and receive full council tax benefit because my income is too low to pay. How, when benefits are not going up at the same rate of inflation would I be able to afford even 5-6% of my council tax? In all of your proposals you do not mention disabled people and what these changes will mean to them.

I have to pay some council tax and I can't pay any more if I do I wont be able to feed myself

I realise that with less available money, cuts will need to be made and if this is the case, agree, that for people like myself who receive council tax benefit they should be as low as possible. Both my partner and I work as well as having three children however we are already struggling so I just worry that if cuts are made how this will affect us in the long run as I really can't afford to pay any more than I already am. I am in complete agreement that more regular spot checks should be carried out so then the money that is available can go to the right people.

I think each individual case is different. We only claim council tax benefit because my husband had to leave a full job because of ill health and now only works part time so I don't think people in that sort of situation should be penalised, where as people that own second properties should pay as if you can afford more than one property then you can afford council tax.

I think it is appalling that yet again changes are being made that will affect those of us that are struggling to survive as it is. Stop paying it to dual parents who can't be bothered to work and who are both fit and healthy and to those who are first generation immigrants.

I think it's a good idea to do this to stop people claiming who don't need to and to stop duplicate claims.

I think its a very good idea to make changes so that people who have second or empty homes still pay full council tax as they are still benefiting from all that council tax covers still and although this will mean a 5% decrease in help for myself at least something is being done to still allow us help at all.

I think that the proposal undertakes to reduce the amount of Council/Government money being used in an abusive way by persons managing to run their businesses from council/government funded benefits. Whatever can be done to minimise the impact on these funds without detriment to those really in need of help has my vote every time. You have my permission to publish these notes if, in the councils view, it helps to serve the community.

I would like to know if you could not make up the shortfall in funding by recovering monies owed by past council mistakes, such as what happened about the first Turner Centre fiasco last time I heard you were owed something like £6.6 million? This new tax scheme proposal will impact those on benefits and will not be fair. Perhaps you could also ask the leader of KKC to take a pay cut and the rest of his cronies, get rid of the office of Mayor, reduce the amount of paper you generate in unnecessary forms.

I would like to see all persons that work and do not receive benefits make a contribution to the local tax, and not just the householder or spouse

I would like to see the more valuable properties paying a higher Council Tax so that the hard working very low paid do not have to incur any charge on their council tax, as was proposed by Ian Duncan Smith MP. It might be different of course if the less well off areas were kept in good order like the better off areas i.e. Street cleaning, Removal of rubbish in a more timely manner, etc

If this proposal has to happen, I agree second homes and if they can afford 2 homes they can certainly afford council tax, landlords should not receive discounts for empty property as they can write it off against the tax man. But I believe there should be a second adult discount as this will encourage couples to stay together rather than potentially assisting to break up families as families are getting hit from all sides at the moment. I believe that unemployed people should have full assistance for 1 year but long term unemployed should begin to have assistance reduced after a set amount of time. I also believe care needs to be taken with low earners with children as the employed would end up not working as there would be no point. Plus to be careful of reductions for vulnerable low earning families as this will impact negatively on the children.

If you want to save money stop paying illegal and foreigner benefit.

It all very well asking abled bodied people of working age to more of their council tax, but what about disabled people like me! I shall be 60 by April next year, still technically of working age but unable to work! I survive, believe me it is just survival on Benefits which are now being threatened by the current government austerity measures. I indeed might not have the same amount of money coming in next year what am I going to do if you ask me for this sum of council tax money. As you mention nothing about the disabled it looks as if I'm in for a gloomy future!!

It does not take into account those of us who are under the age of 65 who do not get pension credits and are also on state benefit and disabled.

Life is difficult enough for us on income support with out you costing us more. You should be ashamed of your selves for robbing the poor. Life in Thanet just gets worse.

Money is being spent on the wrong things eg carpet for offices, chief executive high salaries etc. There needs to be more consultation before large sums are spent 'on behalf of' local residents (cf. ' The 1773 Boston Tea Party' and its causes) - in my opinion.

More time to understand and protect the most vulnerable real British people.

My household receives full council tax and housing benefit due to low income. I feel that to remove the Council Tax discounts and exemptions currently provided for second homes, unfurnished properties is the right way to go. I also feel that although it would make my household budget tighter a small reduction in my benefit would be beneficial to the system. A small deduction to all users of the system would not only create revenue for TDC but be easier for people to cope with than larger deductions to the few, as well as being a less complicated system.

Not a helpful one I am afraid, as someone who works hard for very little income (like lot of people) and the cost of inflation my husband and I are struggling like we have never done before and I can only see this getting worse, by getting less help with our Council Charge it will have to come from somewhere, you can't refuse to pay bills that only leaves less heating in the winter and cutting back on food which we already do compared to what we were spending on food. We have already stopped having holidays. Our car is a necessity or we can't work. Our grown up children are also having problems and we try and help them out (I do their washing as they cannot afford a washing machine)We still have one son still at home he is mid 20's he cannot afford his own home and does not contribute much to us and some months nothing at all.

Not Sure about the scheme.

People apply for benefits because of their low income and if you stop that there will be more problems for there financial situations.

q1, absolutely agree in , we propose to remove the Council Tax discounts and exemptions currently provided for second homes, unfurnished properties (unless they are undergoing major structural repair). However not in losing the second adult discount. As for more spot checks, this would mean more staff and wages so surely that is money better spent on giving those of us on the breadline as much financial hep with the council tax as possible. It is hard enough that benefit has been cut, that the bedroom tax is coming into place and now with the risk of potentially having to find more money for the council tax I wonder f it is ever considered how those of us unfortunate enough to be in this situation will keep finding the extra money??

Single person discount should be extended to second homes. Second homes: increase the discount to at least 30% preferably 50%. Empty and unfurnished properties: retain the current 100% tax exemption because nobody will be using the councils services so it is grossly unfair to make a charge.

Some benefits that are given because the person is currently unable to work e.g income support & disability should remain exempt from paying anything. Even asking someone on income support to pay £1 a week will push children further below the poverty line. If I am made to pay then that money will take away from food for my child. It is already very hard to afford healthy food & this will make it even more difficult. Work based benefits eg JSA I agree should pay something.

Some people are trapped in the system, due to situations beyond their control, like debt, finances, sometimes not of their own doing. Single parents, like myself struggle to keep a balance with family /work life whilst struggling to make ends meet. The proposals should be aimed at empty properties and second homes as a priority.

Taking money from the poor is robbery. We live on benefits due to ill health and we don't get much help. Taking your share from us is in my view immoral. The poor get poorer and the rich love it.

Thanet Council and Kent County Council have been wasting money for far too long. Yes, your proposal does not sound unreasonable, but yet again you are trying to save money at the expense of those who are in receipt of some sort of benefits and concessions in the first place making little or no distinction among those people. Why can't you: 1) cut wages and

salaries of your employees – a normal rate of pay in Thanet is a minimum wage, you need to wake up to reality and help our country out. 2) Use skills and experience of unemployed people and those who have fallen on hard time to find employment – all you need to do is organise such people into groups for them to perform certain jobs required by Thanet Council, they would be doing such jobs for free as volunteers to somehow justify the benefit money they receive from the government. Thanet Council must be ashamed of itself not to use the local resources – people.

Thanet Council can and should find other means to support their shortfall in what is a Tory attack on the Labour controlled councils. 1. Discontinue funding for fireworks displays which are contrary to environmental goals. 2. Impose a large movement fee per animal and vehicle at the Port of Shame - Ramsgate, thereby dissuading the practice of moving livestock. 3. Purchase local landmarks such as the Pavilion Ramsgate Harbour and lease it back to the local population who will have a vested interest in it being a paying concern. 4. Take back the Royal Sands site and provide an income based facility for local people

Thanet Council have been a big help to myself regarding council tax benefit, for which I thank you. I did call today to ask about these changes but was told it would not affect me personally as I am officially a pensioner on 6th Jan 2013. (Fills me with horror). I do, however, think working people should pay council tax on unoccupied homes and also their second homes. Sounds harsh, but if they have second homes they should be able to afford the tax. I hope this helps you.

The government said it would support vulnerable people, it worries me that this is just another way of hitting those who can poorly afford it in their pockets. People on benefits or the sick & disabled are financially stretched as it is & most will not be able to afford to spare a penny, so this will discriminate against them even further.

Think its disgusting low income families with children are being targeted. target those with second homes and larger properties who have more income to pay more.it will mean more and more people will get in to debt and have to go bankrupt not good.

This change affects people that r working and on a low income which includes me I would b better off not working and claiming benefits!!!The way council tax is worked out is also wrong as my band is the same as one of a larger family.

Throw this scheme away and try again, if you can't do better than this try employing someone who can.

Whilst I agree with the fact you are going to 'cushion' the impact of these new proposals for the elderly, I am wondering about the financial impact these changes will have on the (detested by the Conservative Government) disabled? one of which I happen to be!

Why do you assume that single adult households are suddenly going to be able to find an extra 25% whilst continuing to provide some council tax payers with a full rebate. This could be the difference between them being able to cope and not being able to cope. Surely everyone should pay something, too many people seem to get away with paying nothing. Why are pensioners fully protected; again, this burden should be shared, not borne solely by

a small group of people. What are you doing to balance the population better to ensure less people require benefit anyway rather than filling the place with claimants.

You are proposing that working age people on Income Support will have to make a contribution to Council Tax. However the amount of Income Support is supposed to be that which the law says they need to live on. It therefore does not make sense to charge any Council Tax for these people, as by definition they have no spare money, only what they need to live on. I strongly urge the council to continue to provide 100% rebate for those on Income Support, whatever their age. On the subject of spot checks, any such checks should be done without disturbing people. It is fine to review your paperwork or to view a property from the outside, but it is not fine to disturb people in their homes.

You need to make your letters easier to understand when informing people of how much c/tax and rent benefits they are being paid, but I do not agree with people getting discounts or benefits for second homes, if they can afford such luxuries then they can afford the council tax

I pay Council Tax but I do not receive any benefits to help with this

1. If one can afford a second home, one can afford to pay full council tax. 2. There should not be exemption for empty property. 3. Major renovation/structural repair work should still receive some support.

All empty properties should pay full tax and no reduction for single occupants.

Am concerned as to the impact of removing empty property exemption completely. It's likely that people who inherit a property will not be able to sell it or let it out within 3 months given the time taken for probate to be granted. In a number of cases, because of their financial situation, there will be difficulty in being able to pay the CT during this period. Consideration should be given to continuing the exemption for a period even if it has to be reduced to, say 3 months.

As a pensioner receiving no benefits I hope this is not going to push my tax up to unmanageable levels. This will only lead to more vulnerable people applying for help.

As pensioners who pay full council tax I believe that those who say they cannot pay are vetted vigorously and visits made to house holds regularly. I find that persons who do little for their community can also be those who expect the most. However I do believe that more staff are necessary to vet the application forms so that those who are vulnerable are dealt with quickly.

Benefits are a luxury to be shared during times of a healthy economy. Financial austerity should therefore be equally shared amongst everyone in a community. I believe this scheme is fair and just for all residents of Thanet, both those who receive benefits and those who do not.

By taxing empty properties and second homes, it should make people pay or sell so there could be more properties available for those who need accommodation. It may smarten up the areas that at present are a disgrace because the properties are empty and neglected. If

you cannot afford to look after your property you should hand it over to those who can and everywhere would look better

Certainly think that people whose houses are empty all or most of the year should pay full council tax.

Changing council tax for holiday homes would send out a dreadful message. We are a seaside economy and should welcome second home owners. For the extremely small benefit (186k pa) this should be scrapped because it's terrible PR for TDC. I also disagree with the proposed abolition of council tax relief for landlords after tenants have left a property. To force landlords to pay money for nothing (after all the property is not occupied!) is firstly fundamentally wrong and secondly will prevent struggling landlords (and believe me there are lots because I am a letting agent) from having any money to do essential repairs to their properties. The quality of rented housing stock will spiral down as a result. Selective licensing is hard enough but this is ridiculous. Contrary to popular belief, landlords are not made of money. I understand TDC need to raise money somehow but slashing the relief totally is a dangerous way to try and achieve it. Maybe there is a sensible compromise? I think it would be sensible to give landlords 3 months to find a decent tenant and have the opportunity to refurbish their properties where necessary. For people doing major refurbishments, or buying a property which has already had some exemption used up, the 6-month cut-off should still stand - this is totally different, and to cut this will only prevent progress and refurbishments, even of private dwellings. Remember we should be trying to encourage buyers to come to Thanet rather than Whitstable or Folkestone!

Disagree with 100% tax on empty properties from day property becomes empty. In the case of death this does not give the benefactors enough time to dispose of the property and deal with probate. The current 6 month period is just about acceptable. There should be exemptions where the property has become vacant due to the death of inhabitant.

Find other ways to ensure that the benefits budget can be maintained. Mors savings for Council Tax payer. Reduce Councillors allowances. Manage the cleansing budget better (bring recruitment back in house). Do not increase Council Tax. Ensure that more empty houses are used and that residents are paying their Council Tax. Reduce the number of Councillors.

Fully agree with the removal of discount for empty properties and second homes. More spot checks is a good idea providing it results in more income than the cost of the additional checks. Re: shorter forms - only if it is cheaper!

Have been a council tax payer all my life. Never hear from any Councillor unless they want my vote. How about a personal visit from one of your officers.

Hopefully this will encourage less people in the area to claim benefits and look for paid work as a proportion of people find excuse to not need to work as it's so easy for them to claim benefits. There are of course exceptions such as the elderly and those who are not well enough to work but in the great scheme of things this is probably a small minority of people who are claiming benefits just because it is so easy for them to do so.

I agree completely with the proposals put fourth in this consultation. Second property owners, in my opinion, should be paying full council tax on each of their properties. If they cannot afford to contribute in this way they should look to sell that property, this could well

help get what is a stagnant property market moving too. Property has been a way for rich people to make themselves richer for far too long. If we have to save money, these are the first people we should look to. I wholeheartedly support this scheme and admire the honourable standpoint taken.

I agree that owners of second homes, and owners of empty properties should pay 100% of the Council Tax

I am amazed to read, that at present, those who have an empty property have a 100% exemption. Also, those with a second home, have a 10% discount. Surely if they can afford a second home then they should pay the full tax.

I believe that it is only right, & fair, that even if someone is on benefit they should have to make a contribution to their Council Tax. For too long people who are in receipt of benefit have the opinion that they should automatically be exempt from paying Council Tax, why? This also applies to free bus travel for those on benefits, which is also unsustainable, but that's for another time!

I believe that people who contribute to the local funds should be helped not the people who doesn't. Perhaps people should be awarded "points" if they are payers, non payers or part-payers. If you are a local business person who deals in property and encourages local business and housing to grow and develop than I believe you should be helped up to certain degree while you in need of that help. I disagree that people who are not working and not contributing should be awarded life-time guarantee help. I know it may sound "far fetched" "Tori rant" but I can assure you it isn't as I am a-political. Thanet council could do something that may have never been done before or at least give it a go- HELP THOSE WHO HELP THE COUNCIL.

I disagree about the council to remove 100% from empty or unfurnished flats and to continue with the 6 months exemption. It also seems to be the poor old landlord who has to come up with the money, some landlords have to work full time to keep body and sole together, the general opinion of landlords is that they sit back and wait for the money to roll in. That me tell you this is not the case. I think this should be raised for the working able people to get out and get a job instead of claiming benefit for this and that, all these unemployed should be encouraged to get a job and to stop pampering to their needs.

I don't see why people who can afford a second home should get a discount and if you can afford to leave a property empty you obviously don't need the money so could afford to pay 100% council tax on it. This also might help reduce the number of empty properties as people may decide to sell up if they have to pay council tax. At present it's the usual story that hard pressed working people are the ones who don't receive any proper help and those that have money and those that can't be bothered to work do.

I feel that if a person is in a fortunate financial position that they can own a second home then they should pay council tax. My question re owners of empty properties is , if a family decide to buy a run down home to renovate and move into , I feel it fair that they have a reduced minimal period for this if it is a genuine case. I do not feel that large companies or businesses that buy properties to renovate should be given this luxury as there are many property developers in Thanet that start renovations and leave them half way, they are an eye sore.

I hope what you propose will not mean I finish up paying more because central government will not fund it.

I receive 25% single occupancy rebate and it is not clear whether this is affected. In my view the 25% rebate could easily be reduced to say 15% without much fuss. Incidentally the rebate acts as a disincentive to provide low cost accommodation - eg have a lodger.

I strongly agree 2nd homes/empty properties should be taxed fully (I was shocked they weren't). Perhaps it would provide impetus to occupy empty dwellings and urge owners to get repairs done quickly. That could improve the area. I assume those benefit claimants losing 5% discount will be picked up through other benefits - just a different source? If so they need info on how to claim.

I think greater priority should be given to reclaim the monies owed to local councils from households that don't pay but should. Could I also suggest an easy-read version of proposals for our learning disability community?

I think housing and council tax benefits granted in compliment to JSA, especially to young people, should not be money for nothing and by getting beneficiaries to do some communities work (eg: clearing fly tipping, dogs pollution, weeding on their street) they will benefit from early start to the day (reducing anti social behaviour) get a positive input on their CV and get a conscience of unsocial behaviours

Ideally, second homes should not be entitled to discounts or exemptions from council tax. If people can afford to buy a second home, they can afford to pay the same level of council tax everybody else is expected to pay - no excuses. Removing Council Tax discounts and exemptions on second homes will lessen the impact on the poorest families who claim council tax benefit when the central government cut comes into effect, so what the local council is proposing is the only away of achieving the fairest outcome possible to the majority of Thanet's local residents.

If discounts and exemptions remain then spot checks will be cost effective. But if they are to be removed there will be less of a need to carry out spot checks and I'd rather see these resources used in the form of a benefit to assist the elderly

If you are looking at ways of saving money why do we have three mayors to cover such a small area? Also why not charge for public toilets. This would help maintain them and keep them in better/cleaner condition.

In light of the government announcement that council tax charge on empty homes can be increased (should the LA wish to) up to 150% for long term empties. I was wondering if it would be possible to assess the viability of introducing a premium for properties empty for two years or more- maybe on a sliding scale to a maximum at five years plus, as you know these properties are a drain on the recourses and can cause distress for the neighbours. I also have a concerns that the standard 100% CT payment may cause owners not to even bother telling the council that no-one lives in the property and this could have an effect on tracing the owner at a later date and TDC could be missing out, not benefiting from the Governments new homes bonus initiative in bringing much needed funding to the Local Authority.

Increase 2nd homes & empty properties 150%

Investment generates growth. Growth is currently at a standstill. To impose these council tax changes will continue to stagnate growth from any investments that could be achievable from the investments that are being put in place with the foreshore improvements and the Turner Centre. Properties are not selling well and a glut of properties may flood the market if they are not able to let instantly because of the new changes. Second homers who are already feeling the pinch with increased fuel will not like a decrease in their allowance which may also create an increase in properties for sale which is not the impression that a struggling sea-side town needs to project. In my opinion (from bitter experience) tenants are the main cause of council tax avoidance and a scheme between council and landlords to liaise would be preferable with well trained and experienced staff to implement the correct procedures would be more helpful. Employing 'snoopers' will aggravate and possibly not be cost effective ,people should want to come and to stay in Thanet not sell up and go which is a situation you may create leaving just scroungers who will stay anywhere it's cheap. It's a downward spiral you risk to take!

It does not seem to me that the proposals will generate anywhere near the sums that you need Stop the inward migration which obviously causes a serious drain on council resources - surely this would be more effective in making savings than trying to teak what would appear to minor matters.

It is only right and fair that those who profit from property, whether it be through an extensive property portfolio or property development and those who are able to afford a second homes should bear the brunt of the shortfall. Feel that there is a strong moral difference between a landlord/property developers' profit margin and Thanet residents' ability to afford to live in their own home and make ends meet. Therefore the general tax payer should not have to contribute to this shortfall via a rise in their council tax as it may push those who are just about making ends meet (and are just above thresholds for benefit help) into poverty and those in receipt of council tax support should be protected as much as possible to prevent compounding their problems. The proposals seem to protect the vulnerable as much as possible while ensuring those with business interests/second home owners who can afford to contribute more, do so.

It is unfair to penalise working families, or second home owners who now only get 10% reduction. These are the people who bring money to the Isle. Those, of working age or in receipt of benefits should have a much greater reduction in benefits and these should be for a fixed time only (unless disabled). People on benefits should be expected to seek work. Collection of Council Tax should be improved with a target of 100% compliance. A reduction in the nil council tax rate to 3 months might be more acceptable. People will think twice about investing in Thanet property with these measures. These are the very people you need here!! Think again!!

It seems that those not prepared to work get all the help!

My main concern is the Council's requirement to police the scheme to ensure that everyone who is required to pay Council Tax does so. If not it is like car insurance where law abiding people's premiums continually rise because of defaulters.

My spouse has responded on their behalf and as contributor to the council tax bill I would like my comments considered also. Feel that those who can afford to have second properties or extensive property portfolios should not benefit from discounts if it is to the

detriment of the vulnerable or the general tax payer. There is a significant difference between enjoying the luxury of a holiday home/reaping the financial benefits of the rental market and a person's ability to afford to live in one's main home - therefore the vulnerable should be protected as much as possible and the general Thanet Council Tax payer should not pick up the shortfall. I would suggest that the Council could go one step further and mirror the measures used by other local authorities with significant empty/derelict property issues. Whereby long term empty properties attract an additional levy on an upward sliding scale depending on the length of time the property is empty i.e 100% in the first year, 110% in second year and so on. This would incentivise those who land bank or leave their properties to blight the area and cause misery to local residents (attracting vermin and antisocial behaviour) to do something about their declining properties that will ultimately stall the regeneration of the area, idle property can also provide much needed family home accommodation. Although leaving properties empty is not illegal the impact on the area and residents is significant as is Thanet's empty property issue. These property owners should be accountable for their actions by means of social compensation and this measure is a fair and just way of doing so. I understand this is current practice in other areas and quite successful. Top loading will also provide the council with a valuable income stream in these difficult times to support and improve local services.

Object to total removal of discount on second homes, since it does not reflect fair share of costs of council services.

Old age pensioners, those on low income and single occupancy homes should be protected from any increases. Otherwise I am in general agreement with the proposal.

Only that an end to exemptions and discounts for second home owners and owners of empty properties is long overdue.

Please look carefully at housing benefit. Many of the claims are fraudulent.

Poor, ill thought out proposals that discriminate against hard working people. The second home owners spend money here. How many will feel that this is the straw that breaks the camels back and sell up? Stupid idea.

Reductions should be in the region of 15 - 25%. Far too much public tax is wasted providing discounts and reliefs. Thanet is renowned for its drug and alcohol issues which are bolstered by too much money being delivered into the wrong hands. Full tax should be payable by all, each sharing the burden equally, this would reduce the wasted funds being channelled into drug and alcohol abuse.

Target the benefit cheats and people who abuse the system Good Luck

Thanet is a low pay high unemployment and also low rent. The Council will be only too aware of its attraction to disincentivised 'outsiders'. So the number of claimants is bound to rise and negate the 'savings' which are in themselves fair enough. You should consider giving executors a 'breathing space' to enable them to sort out an estate and have an opportunity to market the property. 6 months would seem reasonable.

The 100% exemption for empty properties should not be removed, but a time limit could be set, this would discourage landlords keeping empty properties, but not penalize landlords who are looking for new tenants.

The Council Tax needs to rise to enable the Council to provide the services the area needs making all people responsible for this.

The East Kent coast has an extremely high number of unemployed and hence a large portion of claimants. I believe that it is morally incorrect to burden, directly, those who are earners, not claiming benefits. There needs to be transparency on how benefits are funded.

The proposal regarding 2nd homes needs to be thought through carefully as many people are in the position of owning two properties when in the throes of house moving so a short period of grace would be better than an outright ban. Also many landlords have periods of lack of tenants and having to pay council tax on an empty property would cause hardship, but again a period of grace rather than an open ended non payment. I think that on the whole a tightening up on existing rules would benefit the majority of council tax payers and still be fair to those in difficult circumstances.

The reduction of council tax benefits on empty properties surely should have an exemption for the death of the owner as this could put a further burden on the grieving family at a time when things are bad enough

The scheme is inevitable given the national government stopping the handout of taxpayers' money to local authorities, but it will be interesting to see if the rate of non-payment of Council Tax increases and so increasing the cost of enforcement.

This will help to ensure that only those who 'really' need these discounts get them - i.e. the elderly and 'genuine' low income people. We had a difficult period in our lives when our children were small and my husband was made redundant. We appreciated the benefit available to us all those years ago (the papers were horrendous to complete!). There are probably many who claim, that are not maybe genuine. I am pleased my 90year old widowed mum on basic pension only will continue to get benefits

To change to another 'new scheme' will in itself cost more than the council anticipates on saving - spot checks? how many more staff need to be employed and more hours paid for Thanet will end up with the majority of their constituents working for the council - every other firm is cutting down hours and staff ? Perhaps there are spare council staff currently with nothing to do who could take on this new role? The council needs to look to its own structure to save money - but the fat cats of management will not be taking any percentage of the cuts.

To me it seems very well balanced

Totally disagree with the Government's proposal to reduce Council Tax benefits and discounts/exemptions. Also disagree with TDC's proposal to reduce people's council tax benefit entitlement as don't see how they are in a position to pay more, particularly if they currently receive 100 per cent benefit because they are on such a low income. TDC should make representation to the Government that this is a very short sighted way to save money and should be reconsidered to avoid a repeat of the community charge problems.

We are concerned about the possibility that empty properties will no longer qualify for exemption from Council Tax. We believe that there should be some allowance made when landlords change tenants and may then have to clean properties before the next moves in.

For this reason and similarly when a resident dies leaving an estate to be sorted there should be some exemption, maybe about 3months would be a reasonable time.

We are pensioners on a fairly low income and use the property to get a break from working (we assist our children with their business). We do not qualify for pension credit but our income is less than 25K (total as a couple). We feel we are being penalised and if the second home discount is removed for us (as persons renting) this could result in a new tenant being on "benefits" rather than ourselves who are paying in full, thus being detrimental to the council. We also contribute to the local economy by using the local cafes and shops (as it is a holiday home).

Welcomed

When dealing with the most vulnerable ensure appropriate customer service and accessibility

While I agree that people who own second homes should contribute more to council tax (because they are considered more affluent) I disagree that the more vulnerable people who are unemployed, disabled or on low income should be 'penalised'.

Why should these changes be targeted at residents on low income? There are many residents who are unemployed and have no intention or prospect of gaining affordable and liveable employment. It is as a result of taxes paid by people in work that people out of work have a reasonable standard of living. In a way I think targeting residents on low income will only add to the challenges of the unemployed finding work that pays a reasonable and sustainable standard of living. Too many people do not gain financially by being in work. Personally I think there are too many officials in high paid employment who are making decisions that end up causing those on low income or no income more financial hardship. It is the same old story. Too many officials are making other people responsible for their mistakes.

Working people pay too much tax. any reduction in central govt. subsidy should be made up from those who receive discounts but can afford second homes etc. the council should be actively seeking ways reduce the council tax burden on working people and cutting council tax generally.

Yes, I would like to protest against the removal of the six months exemption for people trying to sell an empty property. This is the time when they most need any income that they have whilst trying to sell and a lot of expenses to pay out with estate agents fees and solicitors fees etc. Most properties do sell within this time period and it would be very unfair to take away this exemption.

Yet again this government is penalising Thanet an area of the highest deprivation in Kent and the South East.

I am a Landlord

1. Reduce council tax bill by reducing some of the services currently provided. Eg. ask for volunteers to mow the parks and plant flower beds - they are more likely to take care of

communal areas if they physically make a contribution or, if not physically able, to provide a donation for the purchase of flowers. Get rid of 1/3 of the current garden upkeep and you will also start saving on not having to clear up after vandals. If no one volunteers time or donations, then just let the parks be overgrown. If people really want these facilities, let them take pride and do something about it. Call it adopt a flower project or what ever. If they can't be bothered, then they are probably not using the facilities and there is no need for the council to be spending my tax money on it. Or call it, provide it or lose it, or whatever.

2. Reduce the 12 month free makeover council tax to 6 months. This will encourage builders to get the work done more quickly, and get families into the property. If the work is going to take more than 6 months, then they either need to hire more workmen which will help with employment, or then need to tear down the property and start again. Even house to flat conversions can be done in 6 months if they plan properly.

3. Reduce the 6 month free landlord empty property council tax to 3 months to give them time to find new tenants. The landlords need time to spruce up and repair damage between tenants. If you give some grace period, this will really help the individual landlord like myself (only one property). If I don't get this little bit of help, the expense of the cleaning and repairs between tenants, advertising, vetting, and now council tax etc to get new tenants will be very difficult for me to maintain since I make very little annual profit as it is. I will have to sell the property which means that there will be less rental property in the district. I think a lot of landlords will be in this position and you may be surprise and the quick reduction of rental properties as a result. Is this a good thing?

4. I agree with not changing pensioner council tax relief.

5. I agree to make working age pay £1-2 more each week to help with the bill which is your 5-6%.

6. I believe you should increase in the number of inspections to all council benefit claimants to 100% in the first year which I believe will pay for itself quickly by removing all fraudsters. I believe that this should be taken one step further to say that if an inspection is not allowed, then all benefits will stop from the following year. If they have nothing to hide, then they should allow the inspection. If they have something to hide, then they should not be claiming in the first place. Inspections should then be carried out every 2-3 years on a rotation, plus 100% of all new claimants. I believe that all initial costs for the inspections will be paid for in reduction of benefit claims and should be announced in papers and radio that we are all to expect this. After all, if you get paid for doing a job, the employer wants to ensure that you are doing the work. The council needs to see all benefits in the same way. If you are paying the benefits, then you need to ensure that they are the correct benefits to the correct people. By hiring a large number of inspectors who will also work nights and weekends to cover the times the claimants are available, you will be reducing your unemployment burden as well. Give a bonus of some sort for all frauds uncovered so that the inspectors will not be tempted to accept bribes. Anyone who loses benefits can have 60 days to appeal to a manager of the inspectors for a second inspection. If it is found that they should keep the benefits, then the original inspector will lose the bonus originally received. This will help to prevent the inspectors from reducing benefits in error. Saying all that, I know that the council, who wants to be seen as a good guy, and worried about the next votes, will not have the heart to be tough on fraudsters who always seem to scream the loudest in case it gets in the press - have you noticed? You always target the working class because you know that they will just pay up. You are so worried about being fair to the people on benefits. What about being fair for the worker's for a change. We vote too, you know.

As a Charity we provide almshouses at cheap rents for needy pension age tenants. Having to pay full council tax between tenancies (which thankfully do not occur often) is a cost the Charity can ill afford. Could there be some exemption for charities from the empty property tax?

As a landlord I believe that charging landlords council tax immediately is wrong. You will lose many independent landlords because of it. Landlords should be given the chance to renovate their premises after a tenant leaves. I agree that 6 months might be too long but 2-

3 months grace to renovate and find new tenants would be much fairer and responsible landlords could and would remain, providing accommodation to those that need it. Your present proposals are really draconian and I believe many landlords will sell up and get out of this enterprise.

As a landlord it is sometimes necessary to have a property empty between tenants so the property can be refurbished before it is reoccupied. As council tax covers services which will not be used while the property is empty how can a landlord be charged for it. As it is not always possible for a landlord to find a suitable tenant straight away they should be penalised.

As a landlord who has lowered most of my benefits tenants to your required 30th rate, I now find that when a property is left empty I will be paying about £100 per month for nothing, the police do not deal with my tenants that take drugs, or cause a noise, its all left to me. As a company we now no longer take benefit claimants, as I have 3 existing now behind with rent (Being paid direct, I feel Thanet does an excellent job in very difficult times, but pushing the active supporters away, when you should be looking for cheats and non payers of council tax and benefit cheats, this would make up the shortfall. Hit the cheats harder and stop going for the easy option of those that have stable backgrounds and are more easy to hit. Wishing you all the best, xxxxxx

As a very small Landlord, in between tenancies, it is essential to spend time and money on decorating, often repairing accommodation before one can consider marketing the available flat. Not to allow any time before rates become payable is most unfair.

As an agent for a Landlord who owns a number of properties in Thanet, with most of the tenants receiving Council Tax Benefit (and most currently in arrears) This may well be the "straw that breaks the camel's back" for him. This would result in several families in your area being made homeless if we take the properties back and re-let them only to tenants not in receipt of benefits. This would mean that the Council would almost certainly have a responsibility to house them, no doubt at far greater expense to the Council Tax payer. Therefore these proposals seem ill conceived and short-sighted, causing hardship and distress to local residents affected by the changes.

As East Kent Housing will have to pay council tax on void properties this will have a financial implication on the HRA. It will also mean more work for staff to check and process the individual council tax bills for each void property.

I agree that owners of empty properties should no longer receive exemptions BUT removing this altogether is unfair on landlords as when a tenant leaves there is invariably some work to be undertaken to return the property to a good standard. I would suggest that a one month allowance be given... If landlords have to bear more costs this will result in raising of rents.

I disagree that the empty and unfurnished exemption should be removed. More checks and visits should be enforced to reduce false claims and fraud.

I strongly disagree with paying rates on an empty rented property. Landlords have enough problems with collecting rent etc and keeping property up to a good standard.

I strongly disagree with removing the empty and unfurnished 6 month exemption. I strongly agree with reducing the benefit rates and doing more spot checks to prevent people from claiming the incorrect discounts and benefit fraud.

If a property is empty awaiting sale or tenants full amount council tax should not be paid as TDC services are not being used. I would suggest a 20% charge from immediate vacancy to recoup some funds opposed to the 6 month amnesty.

IF YOU REMOVE THE EMPTY PROPERTY EXEMPTION COMPLETELY IT DISCOURAGES LANDLORDS FROM MAINTAINING THE PROPERTY BETWEEN TENANTS. THREE MONTHS EXEMPTION SHOULD BE AMPLE INSTEAD OF THE SIX MONTHS CURRENTLY AVAILABLE. THIS WOULD HELP KEEP UP THE QUALITY OF HOUSING STOCK RATHER THAN FORCE LANDLORDS TO LET AS SOON AS POSSIBLE.

It appears that once again hardworking individuals are being penalised whereas residents who have never worked are being subsidised. As a landlord who really tries to provide good quality accommodation, the exemption for 6 months allows each property to be improved for new tenants, this reduction in time will end up costing private landlords money and in future property may be sold instead, causing a further shortage.

It is grossly unfair to expect Landlords to pay Council Tax for properties that are empty.

It is very difficult to maintain good tenants and very often they change address quite frequently and it becomes a logistical nightmare to dovetail tenants as they leave with new ones coming in. The landlord should be given the grace period between tenants so they can offer new tenants the home and notice period without being penalised.

Landlords are being unfairly targeted. During this recession this is the last thing that people need.

My only comment relates to this form: I pay council tax and receive no benefit AND I am a landlord I could only complete one response.

Overall OK but I think the empty property discount could be at three months in place of six months.

Re "remove the 100% council tax exemption for empty and unfurnished properties" - AS A landlord I strongly disagree with this blanket attitude. Sometimes when properties become empty the it takes time to advertise, renew carpets and redecorate etc - we need 4/6 weeks before we can relet. To change from 6 months to nil does not make sense!!

Re Rates to be paid on empty properties when tenants move out. In 80% of cases flats are left needing refurbishment, new kitchens and bathrooms, carpets and complete redecoration. If rates are going to be charged for empty properties then it should only be after the necessary work has been carried out and they are put back on the market for reletting. Empty flats are inspected by the council and can be assessed whether they are ready for reletting especially if the need rewiring etc.

Reducing benefits to those that need them most could make their situation worse leading to them becoming a bigger burden on the council or state. eg homelessness. Private Landlords will be less likely to consider/support tenants needing benefits if the risk of rental payments are affected by the loss of benefit. The current concession on council tax for empty property allows landlords time to decorate, improve and modernise their property which is particularly helpful after a long letting or the end of a statutory protected tenancy following the death of the tenant. It can often take 6 months to get all the necessary work organised and completed as there is often no prior warning. These works are not structural but essential if a tenant of good financial standing is to be found, one who can not only pay the rent from employment, but also the council tax as they are not reliant on benefits which is to your long term advantage. Can the definition of major structural repair be widened? Also if no concession is given, has any thought been given to the cost of administering and collecting what may be small amounts where turnarounds at the end of lettings are quick.

Surely self reliance should be encouraged, cuts to benefit to anyone who actually works should be avoided. Whilst the current exemption for unfurnished empty property is overgenerous at 6 months, to withdraw it completely hardly encourages good practise. The council wants well maintained private sector housing the proposal only helps discourage maintenance and repair. In addition the proposal will encourage landlords to take the first available tenant rather than be selective. Allowing an exemption of 2 months would allow time for routine maintenance and tenant selection without causing disruption to outgoing tenants.

The majority of private landlords utilise the time between tenancies to clean, repaint and renew kitchens/bathrooms. This ensures that tenants have high standards of decoration. By removing the exemption, standards will reduce, as landlords will face an additional financial burden. Instead of a 6 month exemption, this should be reduced to 3 months which is adequate to continue providing high quality accommodation for those that are unable to access the housing ladder.

This is another case of we that work hard and are enterprising, and take risks, supporting the "less fortunate". Whilst I accept that there are many genuine cases of hardship, more effort should be put by councils into preventing the many forms of "council tax avoidance" which abound in all UK boroughs. As a second home owner and a landlord who has refurbished some dire, unwanted properties and made a major contribution to Thanet's regeneration, a) on a personal basis I hardly use the services provided by TDC (even waste collection) and b) as a landlord I would be severely punished should I have to pay council tax on a property which was untenanted, even for a short period. I might sell the properties, thereby returning the tenants to become a burden on TDC's resources. I am a decent and generous landlord, who cares for my tenants, the properties and Thanet. These proposals are a kick in the **** to a caring person. Finally, job seekers on benefit should receive council tax assistance in a similar way to student loans - to be repaid when in work. If nothing else, this would be beneficial to the "assets" page of the council's ledger.

To be honest, I never understood how you can justify Council Tax on an empty property, since it pays for services that will not be used AT ALL. So removing the 6 month exemption is REALLY taking liberties.

Will the council employ more people hence more cost to visit properties? As a landlord, when a property is vacated after being poorly treated and requires major works is it fair to pay council tax while work is being carried out?

Yet again landlords will be penalised. we need a gap and grace period between a tenant leaving and a new tenant moving in. once a tenant gives notice a month passes then they move out, then the property has to be re- decorated and sorted out, re-advertised, and when a suitable tenant has been found they then have to give a months notice to their landlord and so the circle begins. A grace period of while the property is empty is necessary to give landlords a chance to re-furb it so it is suitable for the new tenants.

I am a second home owner

2nd Home owners by definition use few Council services, but pay 90% of full cost. This has got to be better for the Council financially than a resident who pays 100% and uses 100% of services.

A 10% reduction on the 2nd home discount (to zero) is disproportionately higher a contribution than a 5-6% reduction in benefit to claimants. You should not conclude that all holiday home owners are rolling in money; I earn barely more than the minimum wage. I make very little demands on local facilities – no children to educate, unlikely to use hospitals etc. But I do spend money in Thanet, thereby contributing to the economy. I cannot even have a single-person discount on a 2nd home, so proportionately I pay much more than I do on my main home, which seems absurd (and you don't even provide any doorstep recycling!). Obviously, any extra money added to my council charge will mean a matching reduction in my discretionary spending locally, which won't be good for local businesses. I agree with the proposal to remove exemptions from empty properties. On balance, I feel that claimants should have to pay more than you are proposing. FYI, in my main home borough, the shortfall is being made up ENTIRELY by reductions to working-age claimants. This is a Labour council and they consider this to be fairer and 'more manageable'.

A. If we are to pay full council tax should we not have the right to vote in local elections (no taxation without representation as they say). B. You state that you are not going to penalise pensioners, well, I am a second home owner and a pensioner!!

Although, as a second home owner, I will be slightly worse off under the proposals I support them as I feel that they provide the fairest response to the changes demanded by central government.

As a part time dweller in Thanet and paying for Council Tax elsewhere I do not benefit more than 35% of the Council's services, if any. Most of the locals seem to have a way of avoiding paying Council Tax so I don't see why genuine Householders should subsidise these and the work shy. You will drive potential investment away from Thanet, that includes me.

As a part time dweller in Thanet and paying for Council Tax elsewhere I do not benefit more than 35% of the Council's services, if any. Most of the locals seem to have a way of avoiding paying Council Tax so I don't see why genuine Householders should subsidise these and the work shy. You will drive potential investment away from Thanet, that includes me.

As a second home owner (single owner with no family members) already paying large amounts of council tax compared to the low value of the property (based in Cliftonville) and making little use of Thanet's community services, as I already pay Council Tax in Westminster, I feel that I am already contributing more than heavily to the vulnerable in the area. My second home is not for fun but is intended to be my future retirement property so

money is tight. The current proposal smacks of a council trying to milk what they think is a cash cow (ie those who actually do pay Council tax).

As a second home owner and someone who works full time I already pay a great deal in tax. I fully expect to pay for what I have and accept the small 10% reduction in council tax on a flat I use 20% of the year. I may be in a privileged position to afford a second home but I gained it from hard work and saving for my future. I do not have a highly paid job but saved for my small flat to have a place to take my more vulnerable/disabled members of my own family to a place I have adapted for their needs out of my own pocket. It feels like those of us who help ourselves and do not rely on others are constantly penalised. It is quite soul destroying. It makes you feel it is not worth being self reliant and better to spend it all and then claim from the system when resources run out. I would be very disappointed if this very small concession for people like me are taken away. I feel I already contribute more to the system than I take out. I would be very strongly against taking this concession away, it is already a meagre one.

As a second home owner and therefore not a full user of the services provided by the Council I fail to see why I should have to pay the full amount and still not receive the Council tax 10% reduction as supported by the Government. If the Council was more efficient and ensured that all those in Thanet should all pay their Council tax there is no need to do this. The Council should sub contract more services to the private sector and also be lobbying Central Government for more money to support services given that this is one of the poorest areas in the South of East of England outside London. The 10% sum of money obtained will not go anyway in meeting the shortfall required by the Council and is therefore an attack on those who wish to spend money in Thanet and support local services and business and the tourist industry so vital for Thanet's longer term recovery.

As a second home owner I am happy to pay the full council tax and agree with the proposals for empty properties

As a second home owner I end up pay twice for the services supplied by the government (not Thanet Council) so believe I should get a discount on second homes, also as a second home owner when we are in the town we spend more in local shop and restaurants than our neighbours who live in permanently.

As a second home owner I pay £120 less for my property in Ramsgate as I do in London. If the second home discount is removed I will be paying the same amount as my permanent home and therefore will have an impact on whether I decide to keep the second property or not. As I probably only use the property a total of 3 months per year I do not lean on other services that the council provide and therefore my contribution is greater than someone living there full time.

As a second home owner I pay full council tax on my main home. The only services I use in Thanet is the refuse collection (minimal). What do I get for my money? Folkweek 2012 was not enjoyable as too much alcohol was consumed on the beach and I witnessed youths snorting drugs on the beach - during the day! The steps to the beach smelt strongly of urine and I saw a youth urinating up against my property. All year round the High St and surrounding streets are dirty with urination, vomit and chewing gum.

As a second home owner I realise I will find no sympathy in the council regarding the increase I will have to pay. However I would just like to point out that whilst I contribute significantly to the local economy and council I make almost no demands on the council. For example, I take my rubbish away with me when I leave the property, it is not collected by the council refuse service and I do not use the libraries or social services. The extra money I will have to pay will need to be found from somewhere - basically I will have less to spend when I am in Thanet. If every second home owner does the same local businesses will suffer. Although not immediately if the cost of running my second home continues to go up eventually I will have to sell it. If the buyer lives there permanently there will be extra demands on council services. Currently I am a net contributor to Thanet Council, eventually that position could be reversed.

As a second home owner I spend a lot of money in Thanet, but I have no right to vote in local elections. If I lose my second home discount, then I should be given the right to vote and therefore have a say in how local government is run, and who it is run by.

As a second home owner I strongly object to the proposals to target the council tax discount. Although I empathise with reducing the impact on the lower paid, this short-sighted proposal will only serve to dissuade second home owners from investing in the area. As a result this ultimately could impact the level of housing in the area which is currently made available for short term holiday lets. This in turn could increase holiday rental prices and reduce tourist revenue for Thanet. Unless there has been some detailed cost benefit analysis conducted, the proposal simply appears to be an easy way of penalising those who provide a valuable resource for the area. The consequences of the proposal should be seriously considered.

As a second home owner I support local jobs and tourism whilst using very little of the services provided by Council Tax. This change will be counter to you turning Ramsgate into an area which supports tourism.

As a second home owner in the Thanet area I use very little of the services, my bins are emptied no more than once per month and often less than that for instance. As is true of all councils the savings should be made within the office not by penalising the residents. Cutting down on the collection and analysis of the political correctness claptrap such as that at the end of this consultation form would help.

As a second home owner, I bring income to Thanet without being a drain on resources. For example I do not use your schools or libraries but I do make a point of buying all my food in local shops, eating in local restaurants and generally supporting Thanet in its regeneration efforts. If you remove this small discount, I believe that it will discourage people from setting up a holiday home in Thanet - this must be a valuable source of income for the Isle and I feel you are being short sighted in planning to penalise the people who bring money, publicity, PR and goodwill to an area which needs an influx of funds.

As a second home owner, I disagree with the proposal to remove the 10% council tax discount. We visit our flat in Broadstairs along with friends of ours and put money into the local economy. We are also paying for services at our home in Hackney which is one of the poorest boroughs in England.

As a second home owner, we invested in Thanet above other places. Initially for the first year we received 50% discount which we found as a great benefit, from year two it was increased to 90% and you now want to increase to 100%. As Margate is undergoing a badly needed regeneration scheme the last thing investors in property need is this increase. I

would also be grateful if you could inform me of the percentage of unpaid council tax of local residents as we have never missed a payment in over 9 years.

As a second home owner, we make use of almost none of the services that we are already paying 90% of the full Council Tax for. In fact, we bring money into Thanet through our second home ownership and visits. Removing the remaining - pitiful - discount is grossly unfair to us, as we will receive nothing in return. The Council should be encouraging us to remain net payers in Thanet.

As a widow, owner of a second home and visitor to Thanet for many years, my family spend many of our holidays here. As prices are rising and we all have to make cut backs I feel I already pay more than enough and this would be a reason to sell the holiday home and the family would then not come to Thanet as this was their incentive.

As always you seem to target the law-abiding members of society/community. If the council were to cut out the waste and inefficiency within its own remit this would not be necessary. If the people affected feel this is unjust, you will alienate a considerable percentage of your community and at some stage you will be called to account. I am aware that in other parts of Europe "class actions" are being raised against what is considered illegal action by councils in taxing individuals who receive no services from the local council.

As second home owner feel I pay disproportionately more for services that do not apply but understand the current need and in general support your proposals.

By having a "second home" in Thanet we are contributing to the area in a large way. We hardly use the services that we pay for. We are helping to support those unable to pay for those services to a huge extent. We didn't consider 10% to be a very fair discount and now we'll be paying the full amount. We shall have to now review our financial situation and decide whether it is still possible to retain our "second home".

For those like myself who have a second home I think that the discount should still apply but not for when the property is empty. If we can afford to have a second home we should be able to afford to pay the council tax whether the property is let or not

Given the under occupation reduction in HB from April plus the additional 5-6% to pay in council tax and the general reductions in Tax credits and increase in non dep deductions how is the council going to achieve the savings required while needing to increase it's bad debt provision and possible reduction in the recovery rates for Council Tax? How is the proposed scheme act as an incentive to work? I consider that full CTB notification letters should be sent as with the current scheme as without these customers will not know how their CTB is calculated and will be unable to have the correct info to appeal. In Leicester Avenue there are many houses for sale with long delays in the properties being sold. Second home owners are attracted to the area but if other coastal councils offer the reduction in CTAX and Thanet does not. Then these owners may decide to purchase in other areas.

I agree in principle with the proposal that the exemption for second home owners be removed BUT only if they are allowed to claim any other benefits/exemptions they may be eligible for. I am single but have been told that I cannot claim the exemption that this would normally incur. This means I am paying MORE council tax than I would if I lived in the property all the time - in spite of not using local services.

I agree that the second home discount should be used to make up the shortfall, but also think that Margate's regeneration benefits from second home owners coming and investing and spending money in the local area, so Margate should also find other ways of appealing to them.

I agree with the removal of 100% exemption for empty and unfurnished properties, but feel it should be replaced with maybe a 50% exemption.

I am a pensioner currently living in Medway with a flat in Palm Bay as a second home. I would be very disappointed if the 10% discount on council tax is removed next year as this has already been cut in previous years and will put considerable pressure on my very limited income as I am not entitled to any benefits. I spend about 50 days in a year at my flat, generally day visits and do not produce a lot of rubbish and therefore feel that I am not a drain on local resources. If the discount is going to be removed as proposed may I suggest that it is gradually reduced in line with CPI as my pension will be increased by the same index.

I am a second home owner in Kent. I am a pensioner and a single person. I pay 90% of Council Tax to Kent for a few days per month. I hardly use any of your services, ie I take my own rubbish home because I cannot leave the wheelie bin out. I bring money into Kent, paying for goods and services. You should not making it less attractive for second home owners to stay in Kent, we pay far more than we ever shall take. Also, your single residents will receive a discount - where is my discount? It is unfair to treat a single resident in Kent with a discount and yet a single second home owner the full 100%. Second home owners used to receive a 50% discount not so long ago. If you make it so unfair we second home owners can choose to buy in another county where Council Tax suits us better. Please remember - us second home owners bring money into Kent - use very little of your services - yet you want to charge us the full amount - not forgetting the most important point - single, pensioner paying 100% of Kent's Council Tax - just because it is a second home - totally unjustified!

I am a second home owner. Years ago, I restored a semi-derelict squatted flat, including cleaning up sick and needles, and have made it beautiful. We use it for holidays and lend it to family and friends. We are perfectly happy to contribute to the cost of local services but do not use them much which is why I think a (very modest) reduction of 10% in council tax is fair. But we are obviously an easy target given everyone else has to be protected.

I am affected by the removal of the second home allowance. I spend one or two nights during the week working in Thanet to support the Voluntary/Community Sector. I therefore cost less in terms of the Council's revenue expenditure than a full time resident. The charge should be equitable to all residents. If it is decided to remove the 10% discount, then I think that I should be entitled to claim the single person's reduction as my wife is a very occasional visitor.

I am concerned that removing any discount for second home owners will disincentivise investment in the district, at a time when such additional revenue is badly needed. Along with other second home owners, it will add to the burden, and the likelihood that I will withdraw from the local area.

I am currently paying full council tax for the property which is the property where I live in Essex. Why should I pay full council tax for a property where I do not use the services of

Refuge Collections Street Cleaning and Lighting Police etc. when the property is empty? I am Pensioner and my pension will not be increased to cover these additional costs.

I am English but we live in Switzerland. We bought our flat in Broadstairs with retirement money. I am now on a teacher's pension from Switzerland, getting half of what I used to earn. We stay in our flat in BS at the most about 8 weeks a year. When closed up, the flat costs nothing. Water and electricity are turned off. Now that I'm retired, Council tax is much more of a burden. Couldn't you still keep the reduction for retirees? Thank you for reading this. Maybe it was worth writing? Xxxx xxxxxxxx

I disagree that second home owners should pay more than 90%, personally, I use my house, and the services of TDC, less than 30 days per year (<10%) yet pay 90% which is more than enough. This will encourage second home owners to leave the area, which will have an adverse effect on property and rent prices which will result in higher habitation of people on benefits and therefore less money to TDC. I do believe that charging landlords of vacant property and second home owners a proportionate fee is fair, but you should clamp down on cheats, evasion and make support harder to receive (a reflection, unfortunately, of British taxes and politics!).

I don't see why I should pay any more tax when I already pay 90% Council Tax for a property that I inhabit rarely. I use very little resources, no schooling, healthcare or social services, although I appreciate paying a proportion for local Police, Fire and Cleaning services. I spend a lot of money locally with Thanet businesses contributing to the local economy and I already pay 100% tax in London, why should I pay more? Maybe Thanet can look at how they really spend their/our money, and sort their own backyard out, rather than going for the easy option, or indeed make sure that other UK councils stop sending their needy and vulnerable people here, taking up vital and limited financial & social resources!

I feel the council should find other means for the collection of revenue then penalising those that already pay a high duty not only on one but possibility several properties and are investing money into the area.

I FEEL THIS WILL MAKE ME SELL MY SECOND HOME AND MOVE TO A DIFFERENT AREA

I have a holiday home (bungalow) and contribute a lot to the local economy from food shopping/ entertainment and local contractors when requiring work done. I have a 10% reduction yet all those mobile homes (Holiday homes) are not paying any council tax at all. Some are living in them all year then having to vacate for 2/3 months to sunny Spain in the winter months and yet they are using the facilities of Thanet. They pay no council tax to anybody. I might have to move in a caravan and do the same. I know of people that live in them all year and claim they are not living in them so as not to pay council tax. I hope you are on their cases as well. I know a lot of friends that have bought a second property in Thanet with a view to retirement from Medway and we will be interested in the outcome with a view to taking this to the European courts if need be as we will be discriminated against when taking the caravans/mobile homes into account. My research tells me that no all councils will be doing this. You should be cutting waste and unnecessary expenditure. It seems to me you want to increase council Tax so all these people living in caravans/mobile homes can use the service of Thanet at other people's expense including the full time residents. Please keep me informed of any public meeting related to this issue

I have made my views known to the Council, Councillors and DCLG in the past about this. I believe it is grossly unfair to charge more than 50% Council Tax to 2nd home owners who can never use their homes even close to 50% of the time. I cannot possibly make use of the Council services in a way that could justify a 100% charge. The Government proposals allow Councils to keep Business Rate Income to compensate for the loss of Central Government revenue. I propose that, if necessary, the Council Tax rate should be increased for all homeowners and the 50% reduction for 2nd home owners should be restored, in the interests of fairness.

I have worked hard for my holiday flat in Broadstairs. I have been given 10% tax benefit on my property, which I only seldom visit and which consequently means I don't benefit from services that are offered all the year round. I am angry and resentful that so many people get full council tax exemption and do no work while I and other people who work seem to be subsidising these categories. I already pay almost two full council tax payments in the UK. Why should my 10% reduction be stopped? Target the appropriate people and make them pay their share.

I think it is very unfair to remove the reduction for second home owners we do not call on local services in the main but bring income into the area and for myself I am already paying top rate council tax for Tonbridge council

I think it is very unfair to stop the second home discount as a second home owner I pay council tax for services I rarely use

I think second home owners should be fully responsible for their privileged situations.

I think that me paying 90% of the council tax for approximately 12 weeks use of my flat is a very good return of income for the council. This used to be up to 20 weeks but with my service charges doubling and fuel prices continually rising my planned visits for next year will be approximately 10 weeks. This is becoming unviable. The local shops/pubs/takeaways and restaurants will be the losers as I and lots of other holiday owners have to cut back even more. Perhaps I should sell up or I could rent it out to someone on benefits that way at least my mortgage and council tax would be paid for me while I wait for property prices to rise. This was how the demise of Cliftonville happened does the council want Westgate to go the same way. The council should be encouraging companies to invest in Thanet instead of blocking there progress ie Manston airport. Every job created is one less person claiming benefit. At the airport I work at since leaving Thanet 42years ago because of minimal job opportunities aircraft land after 5am and take off up to 11.30 pm unemployment is minimal with in a 20mile radius. The council needs to look outside of Thanet come to my borough Hounslow to see how they work ie taking recycling seriously and still having a weekly collection which saves the council a fortune and encouraging companies to invest in the area. Perhaps you should start charging for parking at Westwood this would generate a large amount of income as it's the only shopping centre I know of that has free parking. Demolish the property on Fort hill and sell it with planning permission that would save approx 110,000 pounds in security charges per year. Unfortunatley you will not look at any alternatives but just blunder ahead as you have already decided the outcome.

I think the extra 100% increase in second home owners is unfair as we use very little of the councils facilities. We also make a lot of contribution in our own boroughs (Southwark) which are lower than Thanet, We do not even use rubbish (domestic) collection as this takes place when we are not there. I would be willing to make more of a contribution if

there's a communal rubbish collection outside of the scheduled time. At the moment we take our rubbish home.

I think you should find another area like over administration of the highly paid so called managers and to cut bonuses in all sectors as lower paid people do not get them.

I want to see a fairer tax system. Everyone needs council services at some time. Thus, you should lobby government for a local income tax, so council tax is based on ability to pay and charged on all people in work. Easily done by Revenue & Customs. In the meantime, your suggestions seem OK. Thanks for the chance to comment!

I was born in Broadstairs. I helped to look after my parent until they died in 2000, they lived in Broadstairs. I have a disabled daughter whose only holiday is in Broadstairs. I can not move to Broadstairs because my daughter's facilities are in Hertfordshire. My maisonette in Broadstairs which I visit regularly is my one only relaxation. I am 70 years old, my only income is my state pension.

I would like to see these changes reviewed again once the current financial crisis has passed.

If as a homeowner in Thanet paying the proposed 100% council tax on a 2nd property I will be able to vote in the local elections to choose councillors to represent me.

If the council is looking to make up a shortfall of £2.2 million, it could take the following measures before reducing support to residents on low income and increasing council tax charges to others: 1. Limit pay for statutory officers to £100,000 per annum. Other senior officers' pay to be capped at £50,000. Do not try and claim that you cannot recruit good staff at this level as you have never tried. 2. Cap councillor allowances to £15,000 for the Leader, £10,000 for other cabinet members and £5,000 for the rest. Given that councillors merely rubber stamp decisions taken by officers, it is hard to establish what they do for the money anyway. 3. Close the council's press & PR department. Residents have no choice as to who their council is and we have no need of taxpayer funded propaganda. 4. Scrap all vanity projects which serve no useful function.

If you are removing the second home discount will home owners be able to claim other discounts for example single occupier?

Increase rents for council homes to generate more income.

It is disproportionate and grossly unfair to require people who hardly use their property to pay the full amount of Council tax, essentially to subsidise others. My 'second home' is my late parents' home where I grew up as a child, and I do not wish to part with it or let it. I visit occasionally but over a full year probably use less than 5% of the facilities for which council tax is charged. Stinging people like me in this way will encourage sales of second homes in the area, in an already depressed market. Those properties will be bought by people who will use the facilities far more heavily than second home owners, which will in turn increase the overall cost to the public purse. This is the opposite of what the council intends to achieve by these proposals and short-sighted. Far better to ensure that money is not

wasted and that processes are tightened to ensure that everyone receives the right benefit, and pays the right amount of tax, so that fairness applies across the board. The present discount of 10% is a goodwill gesture towards second home owners and the balance of 90% paid already constitutes a significant chunk of money which acts essentially as a subsidy to the council. Please be fair and proportionate to everyone.

It is presumed that the second home discount favours wealthy residents. My wife and I are not wealthy but wish to retire in Broadstairs where I grew up. The second home discount assisted us to establish a home ahead of retirement and reflected the fact that we only use local services when we visit Thanet. Withdrawal of the second home discount is likely to have a further affect on the local property market and this will further depress the local property values.

It sounds rather grand to have a "second home" but due to the severe drop in value of our main home in West Wickham we are delaying our final move to Minnis Bay in the hope property prices may recover somewhat. The reduction in rates has been appreciated and, bearing in mind we use very few council services at the moment- very few times the recycling and rubbish bins are out, never use libraries or other council services, no need for travel pass etc.- it has been appropriate. However we realise we are fortunate to have our home in Thanet and government cuts have to be made up somehow so we are hoping that we will be moving in fully before too long. My wife and I are both pensioners so of course the loss of the reduction will impact on us as income is very tight. I guess some "second home owners" may be in a better financial position.

Loss of second home discount a bit unfair given the level of council services actually used eg no schooling or social services, as against the level of extra spending in the local community on food, entertainment, tourist attractions, local tradesmen etc, etc.

My flat is a second home used exclusively by my wife and I and on rare occasions by my daughter and her family for short holiday breaks. It is financed 100 percent by me. We feel that a small discount as at present only just compensates for all the facilities that we are not being able to take advantage of and is a long way from the 50 percent that we were obtaining when we first owned a property in Thanet. Please give this situation due consideration.

My main objection is that I will not be given the 10% reduction in council tax for my property in Broadstairs which is a holiday home. I am a sole occupier at my main residence in Dartford and as such get a 25% discount but this doesn't apply to a holiday home. I have several friends in Dartford who also have holiday homes in Broadstairs. We do not object to paying some council tax but I would be interested to know what element of the council tax goes to Kent County Council. As we have two properties in the same county we are paying twice for the same services which I do not think is fair. We can't be in both places at the same time and double council tax is as bad as us having to pay for two TV licences although we are only viewing in one location. I would strongly urge you to reconsider and grant us some sort of reduction in recognition of our allegiance to the Garden of England. I am also a widowed senior citizen living on a pension.

My only concern is the removal of second home discount. Council Tax is a system of local taxation to partly fund services provided by local government and there should be a relationship between amount paid and services used. I think that it is unfair for part-time users to pay the same as full-time users.

My wife and I are owners of our property in Broadstairs, which we use as a second home. We feel strongly that the financial shortfall that the Council is facing should be met by further savings in the Council's spending, not by the proposed changes to the current charging schedule, which we regard as unfair. We specifically object to the proposed removal of the current 10% discount on second homes. We already pay more than double the Council Tax per annum on our holiday home in Broadstairs than is payable on our main London residence, despite the fact that the only Council service upon which we directly call in Thanet is waste collection - 2 small bins that need emptying for approximately 6 months of the year. As such we already contribute to and subsidise disproportionately all the more costly public services that we do not use, such as education, health, social care, housing, libraries etc. We feel strongly that second home owners receive unfair bad press in Thanet and elsewhere and that for this reason this group is seen as an easy target for additional revenue raising. However in reality, because much of our discretionary spending is made at weekends and holiday times when we are in Broadstairs, we (and many second home owners like us) generate significant direct and indirect income for the Thanet economy, at very little cost to the Council. To single out second home owners for the proposed further 10% tax increase would, for the above reasons be both short-sighted and inequitable.

Nobody should receive relief from Council Tax unless they are incapacitated due to illness/disability. Just because a person is on the dole does not mean they are unable to contribute to the Council Tax, either financially or by working for the Council to pay off their debt. Too much is just given away to people who have never worked. Just because you do not want to work, does not mean all other parts of life are free. Everybody must pay their dues.

Not knowing what number of homes claim a second home discount in Thanet, there is a possibility that such home owners or prospective owners may, in the future, consider to remove to another area where discounts are still available. Sight should not be lost that second home owners still make a substantial contribution without calling upon the full resources of the Council. However, in our case this will have no disadvantage as in the near future we hope to move permanently to Birchington.

Once again you want to hit the people with second homes. The attitude is they can afford it. That is very wrong. It's the people who dodge council tax that you should be looking at. You say in your letter that there would be no change to council tax benefit for pensioners. I am a pensioner, but you still want to take away the 10% reduction on my second home in Ramsgate. That is totally unfair.

Q1 Unfurnished / Empty property should get no benefits. People like me with a second / holiday home brings extra wealth into the area and should be encouraged.

Second home owners are being perceived to be wealthy when this is not always the case. It's just how they spend their money. They have no vote and make very small demands upon the council services. They should not therefore be penalised.

Second home owners such as myself make significantly reduced demands upon council provided facilities. This is not a holiday home but my sole UK residence. My use of refuse disposal and collection facilities is minimal, my contribution to wear and tear of council-maintained fabric is minimal. The current discount that I receive, although small, reflects this in principle. The fact that council income from other sources is reduced does not change this principle and is not an excuse to use me as a soft target.

TDC should encourage not penalise second home owners who bring and spend money in this run down area in shops, restaurants etc. While using fewer council services than permanent residents. We also own three business premises - two rented out and one soon to be a museum adding to services, jobs and regeneration of Ramsgate. We need a house to live in while managing our business here and feel that we are financial stakeholders in the area. You should check individual circumstances of second home owners perhaps when they register for council tax. If like us they run businesses or contribute to the local economy and need a local base to live in you should not withdraw the discount. Or is this just the 'politics of envy' at work? TDC making the assumption that every second home owner is a millionaire. We are pensioners!

Thanet is very reliant on its tourist business. There are many houses in the area such as ours where we provide self catering holiday accommodation - We just have the one holiday house, we struggle against the seasonal aspect of the tourist trade and business is difficult, especially this year with all the poor weather. To add to this, we have recently had to deal with all the tax changes for holiday lets, and the higher cost of utility bills. Your plans will increase our costs still further. With the economy as it is at present, we can not raise our prices. We employ local labour and services to clean the house etc, and to repair and replace items so again further contribute to the local economy. Yet we are lumped together with everyone else as a "second home". It seems silly for the local council to spend money to promote tourism on the one hand and then penalise those of us at the very bottom of this sector.

The council should be looking for cost reductions with in the organisation and cut fringe services.

The home owners are already paying very high Council Tax in the area they are living in. If the second home is not let out it does not produce any income. Charging the full Council Tax on second home will cause severe financial problems to the owner thus he may fall into arrears resulting in a court action costing the Council a lot of money without any benefit for the owner could be unemployed or on low income and may be able to afford only a small monthly payment to satisfy the court order therefore the council tax should be 50% for second homes.

The level of council tax payable on a property should reflect the level of services used, and recognise the benefit to the local economy. The reduction of second home discount has already been cut from 50% to 10% but I believe that a fair charge should equate to single person discount (currently 25%). I would suggest that these discounts be matched at say 24% but I leave it to you to do the maths. With the current situation in the housing market it is not easy for owners of empty property to sell and the cost of refurbishment may exceed any benefit derived. Council Tax should not be charged where it can be shown that the owner is taking all reasonable steps to sell or bring the property back into the housing market. If the empty property is tenanted the landlord already suffers the loss of rent and probably has to enact repairs before offering a new tenancy. To charge council tax for this period is adding insult to injury and can only result in a rise in rent levels. I assume that the charge would also apply to social landlords so a rise in rents, and housing benefits, is unavoidable.

The new scheme has not been thought through, as you are already collecting 90% of the monies due so the amount of money you are chasing is comparatively negligible. As the process is changing you will prompt creative minds to counter claim, I already pay rates in Kent on my main home and cannot possibly double up on my usage of services. I also bring money into Thanet, which you will lose if this tax increase is the straw that breaks the

camel's back in these financially challenging times for folks with a second home in Thanet, and they decide to sell up. That will adversely impact local tradesmen, shops and other like businesses. It is right and proper that some people that that the Council are responsible for need financial help, but that has to be sensibly done, and some people receive too much, so that should be scaled back.

The proposed scheme needs to have considered all aspects of funding and costs to the council. I would hope that following comments below have been taken into account: I also think revisiting some areas of contention re "Checking on the validity of free "disabled parking permits"; Checking on whether certain people are actually entitled to what they claim more vigorously; Looking at the cost/remuneration/expenses of Councils/Mayors and making sure they are within acceptable levels and are not abused.

The reduced tax on second homes reflects the fact that occupants make less demand on council services and have no vote in council elections. The latter would need to change BEFORE the discount is abolished. There can be no justification in a democracy for a family paying full council tax being treated as second-class citizens and denied a vote.

These proposals ignore the fact that people spent their disposable income in different ways and fails to acknowledge that 'second home' owners make little, if any demand on council services, especially the costly ones such as education and social services, whilst contributing financially to the local economy. It is arguable that the existing discount is totally inadequate and that at present 'second home' owners receive very poor value for their money from the council. Pandering to the current fashion for stigmatising 'second home' owners on the incorrect presumption that they are all wealthy is crude stereotyping driven by envy. It must be presumed that paying full council tax will give 'second home' owners full and equal access to all council services and benefits eg the right to vote, free bus passes etc to avoid discrimination.

Unfair scheme to expect people to pay full council tax on second properties when they would not benefit from the services provided of tenants and home owners who reside in the area!

We are second home owners in Ramsgate, and spend as much time as possible there, not just weekends!! As I now work part time I spend all school holidays there and long weekends, and myself and my Husband wish to retire there, but unfortunately am now not sure if this is an option due to the Council Tax charges. We have spent many hours refurbishing a probate property which hadn't been sold for some time, due to its 'poor' condition. There are lots of beautiful properties in Ramsgate, that would be unsightly, if it weren't for second home owners and developers. I feel that the Council tax in Thanet is already unrealistic! We live in 2 bed detached bungalow in Essex and if it were not for the 10% discount, the Council tax that we pay at Albion Court for a two bed terraced, would be exactly the same as our bungalow!. If the new proposals are introduced to allow second home owners no discount, we will most likely have to sell the property, as lots of other Councils have more discount and financially, we will be forced to look at other areas, although my childhood was in Kent and love to take my Granddaughter there. Please look at other options other than removing the 10% discount, as I feel that this will affect lots of people, and although people moan about second home owners, lots of shops and restaurants, and trades, ie Carpenters, carpet fitters, Builders, would lose trade without us. We come from a working class background and have worked hard for our retirement years, please do not take that wish away. Many thanks xxxx xxxxxx

We own a second property in the area which is grade 2 listed. We have restored it to a great standard employing local builders and purchasing goods from local shops. Our property is used only for a small part of the year so we use very little of the local public services that we pay for so even at 90%, we feel that we are subsidising local services. Even the refuse collection is not something that we can make use of as no wheelie bins are provided in Guildford Lawn. We are usually not there to put the rubbish out on the exact day so we tend to take our rubbish and recycling home with us in the back of our car! By penalising people like us, you make the area less attractive and this could stop second home buyers to the area. I strongly feel that the Thanet economy cannot afford to do this. I also feel that removing the empty property allowance will prevent people from developing run down properties as paying community charge on such projects will result in them not being financially viable. **DO NOT PENALISE THE HARDWORKING WHO BRING GREAT ECONOMIC BENEFITS TO THE AREA.**

While I have no strong views about the loss of council tax relief for 2nd home owners I do have concerns that I will be taxed at the full rate without the right of representation. I should, therefore, welcome the Council's proposals on how 2nd home owners who pay full council tax will also have the right to participate in determining the make up of elected officials who decide how to spend our tax. I look forward to receiving your email reply to xxxxxxxx
xxxxxxxxxx

Why penalise second home owners? If it wasn't for this group of people investing in Thanet then the economy would greatly suffer. It is easy to take the spending power elsewhere. It is already costing us twice as much in petrol costs to visit our holiday home and now you want to increase our council tax. Beware as people have a simple choice to vote with their feet.

Why should one person in a house pay the same amount as four people living in the same house who will use four times the facilities? If you have to save money make cuts in the council high wages expenses.

Would be a good idea if you offered a discount to people who paid quickly/on time. Not happy with the small 10% discount for a second home being withdrawn as we don't use your services very often.

Your proposed removal of the Second Home Owners Discount is discriminatory and short sighted because: my property is occupied for at least 32 weeks per year by visitors who are financially contributing to local leisure businesses/services in the area which more than makes up for the Second Home Owners Discount. Also, to paraphrase Magna Carta 'No taxation without representation' - if I am to pay full council tax, what about getting the right to vote for members of Thanet Council?

Comments from respondents who did not answer 'Which of the following best describes your current situation regarding Council Tax?'

(1) Our small house in Ramsgate is a 'holiday home' that we strictly use for ourselves, max. 6 weeks/year (we rent a small flat here in Switzerland where we live & work), so what we have in RG isn't a 'second home'. (2) Basically we are fortunate to be able to pay the full council tax, which we pay in one lump sum and always before the deadline. - We receive an 'early payment rebate' here, but how many local taxpayers mess you around all the time? (3) In our case, considering the time we spend and like spending in Thanet and the amount we pay is so obviously out of proportion for the services we use. (4) Band C property (currently ca. £ 1,200 with 10% discount, which is still enough but okay in our present situation) is high

considering the only TDC/KCC services we believe we need & use for 6 weeks are wheelie-bin men & road sweepers. We do however use e.g. uneven pavements, pot-holed roads (by bus) and dangerous zebra crossings (i.e. worth a small fraction of the amount we pay tax-wise) and always use public transport (we're non-car drivers) in Thanet and otherwise. (5) The 'Loop' is good, but surprisingly we have noticed only a small fraction of the passengers need pay anything – why, and who pays for them? (TDC subsidised?) - And to be able to travel the whole country by bus is an absolute luxury! (6) I do believe, unfortunately, too much public/TDC money is thrown out (and could be saved) for all varieties of e.g. local crafty old & young lazy, work-shy, smoking/drinking-addicted 'TDC spongers' who have more offspring at home than in most other underdeveloped countries. There seem to be benefits for anyone, anything, everything, everywhere and every occasion – just ask the local authority for assistance and some department 'softy' will organise pocket money any time for anybody & everyone, wherever they come from. It has all become far too easy and seems to be a national sport! Immigrants have also caught on! (7) Surely it won't be that difficult making up the missing £2.2 million, after all that's all it costs every day to run British military operations in Afghanistan). - There are 2.2 million ways of spending money, but almost everyone seems to have forgotten how to save! I hope you are successful!

1. REDUCE COUNCIL TAX BILL BY REDUCING SOME OF THE SERVICES CURRENTLY PROVIDED. Eg. ask for volunteers to mow the parks and plant flower beds - they are more likely to take care of communal areas if they physically make a contribution or, if not physically able, to provide a donation for the purchase of flowers. Get rid of 1/3 of the current garden upkeep and you will also start saving on not having to clear up after vandals. If no one volunteers time or donations, then just let the parks be overgrown. If people really want these facilities, let them take pride and do something about it. Call it adopt a flower project or what ever. If they can't be bothered, then they are probably not using the facilities and there is no need for the council to be spending my tax money on it. Or call it, provide it or lose it, or whatever. 2. Reduce the 12 month free makeover council tax to 6 months. This will encourage builders to get the work done more quickly, and get families into the property. If the work is going to take more than 6 months, then they either need to hire more workmen which will help with employment, or then need to tear down the property and start again. Even house to flat conversions can be done in 6 months if they plan properly. 3.Reduce the 6 month free landlord empty property council tax to 3 months to give them time to find new tenants. The landlords need time to spruce up and repair damage between tenants. If you give some grace period, this will really help the individual landlord like myself (only one property). If I don't get this little bit of help, the expense of the cleaning and repairs between tenants, advertising, vetting, and now council tax etc to get new tenants will be very difficult for me to maintain since I make very little annual profit as it is. I will have to sell the property which means that there will be less rental property in the district. I think a lot of landlords will be in this position and you may be surprise and the quick reduction of rental properties as a result. Is this a good thing? 4. I agree with not changing pensioner council tax relief. 5. I agree to make working age pay £1-2 more each week to help with the bill which is your 5-6%. 6. I believe you should increase in the number of inspections to all council benefit claimants to 100% in the first year which I believe will pay for itself quickly by removing all fraudsters. I believe that this should be taken one step further to say that if an inspection is not allowed, then all benefits will stop from the following year. If they have nothing to hide, then they should allow the inspection. If they have something to hide, then they should not be claiming in the first place. Inspections should then be carried out every 2-3 years on a rotation, plus 100% of all new claimants. I believe that all initial costs for the inspections will be paid for in reduction of benefit claims and should be announced in papers and radio that we are all to expect this. After all, if you get paid for doing a job, the employer wants to ensure that you are doing the work. The council needs to see all benefits in the same way. If you are paying the benefits, then you need to ensure that they are the correct benefits to the correct people. By hiring a large number of inspectors who will also work nights and

weekends to cover the times the claimants are available, you will be reducing your unemployment burden as well. Give a bonus of some sort for all frauds uncovered so that the inspectors will not be tempted to accept bribes. Anyone who loses benefits can have 60 days to appeal to a manager of the inspectors for a second inspection. If it is found that they should keep the benefits, then the original inspector will lose the bonus originally received. This will help to prevent the inspectors from reducing benefits in error. Saying all that, I know that the council, who wants to be seen as a good guy, and worried about the next votes, will not have the heart to be tough on fraudsters who always seem to scream the loudest in case it gets in the press - have you noticed? You always target the working class because you know that they will just pay up. You are so worried about being fair to the people on benefits. What about being fair for the worker's for a change. We vote too, you know.

I am a full time carer who lives on benefits and I know there are a few of us here in Thanet. I am a bit confused as to whether this will effect the payments that I receive as this is not made very clear in the information that I have received.

I strongly disagree with the removal of the 10% discount on second homes in my case a holiday home.

It is grossly unfair to expect Landlords to pay Council Tax for properties that are empty.

She is not happy with the proposal as she does not want any increase in her outgoings and as she is on benefits this will give her less to live on.

The letter about this scheme was found in an alley off Boundary Road Ramsgate today. Reference xxxxxxxx addressed to xxxxxxxxxx. For data protection reasons it has been shredded and recycled by the male occupant at xxxxxxxxxx.

Why as an 88 year old and providing my sister in law with a home and I have been retired 23 years do I not get a reduction in my council tax?

You recently sent me a letter proposing to remove certain discounts on certain categories of council tax payments. At the present time I do own a very small holiday flat in Broadstairs which I very occasionally visit as (your terminology) a second home. As you are aware I qualify for a 10% discount at the present time and I was incensed that you intend to remove this. My reasons are as follows: I pay a large slice of my council tax towards the local services which to be fair I do not completely benefit from owing to my long absences and that seems to be more than a fair amount to contribute especially at the other end of the scale you are cutting back on services. I was shocked for example that you should take away flowering baskets for the summer this year. I'm incredulous and sickened at the way the Government and councils attack the average hard working person. The whole reason for the excuse of councils to make cuts is because of widespread mismanagement and in addition you want to increase council tax payments above inflation and at the same time shut Broadstairs Police Station, cut back on library services, a few presentation flower baskets etc. This is not to mention the European migrants that are housed, clothed and fed by the likes of me with my council tax. I have filled my survey form in and put strong words in that too. I repeat you give me a paltry 10% discount while giving out generous amounts in pension credits and other credits to the unemployed so they can have an easy and well paid for life at council tax payers expense. NO emphatically to taking my 10% benefit away.

About You

Q7 What was your age on your last birthday?

0 to 25	5	1.3%
26 to 34	24	6.2%
35 to 44	41	10.6%
45 to 54	65	16.9%
55 to 64	121	31.4%
65 and over	49	12.7%
Prefer not to say	47	12.2%
No reply	33	8.6%

Q8 Are your day-to-day activities limited because of a health problem or disability which has lasted, or is expected to last, at least 12 months?

Yes	98	25.5%
No	228	59.2%
Prefer not to say	25	6.5%
No reply	34	8.8%

Q9 What is your ethnic group?

Ethnic groups totalling zero have been excluded.

English/Welsh/Scottish/Northern Irish/British	310	80.5%
Irish	6	1.6%
Gypsy or Irish Traveller	1	0.3%
Any other White background	9	2.3%
White and Black Caribbean	1	0.3%
White and Asian	2	0.5%
Any other Mixed/multiple ethnic background	1	0.3%
Indian	2	0.5%
Chinese	1	0.3%
Any other Asian background	2	0.5%
African	1	0.3%
Any other Black/African/Caribbean background	1	0.3%
Any other ethnic group	2	0.5%
Prefer not to say	11	2.9%
No reply	35	9.1%

Any other White background

White European
GREEK-CYPRriot
Lancastrian
Latvian
Mixed European
Switzerland
This should not be requested

Any other Mixed/multiple ethnic background

White and south American

Any other Asian background

Sri Lankan
Persian-English

Any other Black/African/Caribbean background

Black Irish

Any other ethnic group

Being an owner of a holiday home
Turkish

Q10 What is your religion?

No religion	88	22.9%
Christian (including Church of England, Catholic, Protestant, and all other Christian denominations)	199	51.7%
Buddhist	1	0.3%
Hindu	1	0.3%
Jewish	2	0.5%
Muslim	2	0.5%
Sikh	2	0.5%
Any other religion	7	1.8%
Prefer not to say	39	10.1%
No reply	44	11.4%

Any other religion

Agnostic
Jedi
Jedi
Jedi
Pagan
Unitarian

Q11 What is your sex?

Male	183	47.5%
Female	146	37.9%
Prefer not to say	21	5.5%
No reply	35	9.1%

Q12 What is your sexual orientation?

Bisexual	7	1.8%
Gay man	5	1.3%
Gay woman/lesbian	1	0.3%
Heterosexual/straight	260	67.5%
Prefer not to say	64	16.6%
No reply	48	12.5%

Full Equality Impact Analysis

Title of review	Localised Council Tax Support scheme
Service	EK Services
Date of review	20th June 2012 and September 2012 when the consultation ended
Date of next review	March 2013
Lead officer, Job Title and Service	Andrew Stevens, Assistant Director, EK Services
Review team	The EIA has been scrutinised by the members of the Council Tax Support scheme project group. This group consist of staff members from Council Tax, Benefits, Customer Services, Systems, Fraud/Visiting and Quality. The three Equality leads from Canterbury/Dover/Thanet have also been involved in the development of the EIA. The decision makers from each authority (Management Teams and Councillors) will also consider this EIA and the recommendations/detail contained herein to enable them to have the duty in their minds at the time of making the final decision. They have also fed into the draft scheme and agree that the vulnerable need to be protected as much as possible from the changes.
Scope of the analysis	From 1 st April 2013 every Council has to introduce its own localised Council Tax Support scheme to replace the nationally designed Council Tax Benefit scheme. Between 11-14% of current funding is being removed by the Government. Councils have the discretion to design their own local scheme and decide who to financially support. There are some nationally prescribed elements to the scheme including the full protection of pensioners (ie we cannot reduce the benefit currently paid to pensioners as a direct result of developing our own scheme) Our approach has been to develop a scheme that is fair to all which also takes into account the reality of the funding cut. Wherever possible we are looking to protect the vulnerable and those who are least able to afford to pay more Council Tax. The average reduction in benefit will be between £42 - £53 pa but those people in higher Council Tax bands will pay proportionately more.
Beneficiaries / Who does the policy affect ?	All current and future recipients of Council Tax Benefit / Council Tax support are affected by the changes. In addition, as we are proposing changes to the Council Tax discounts/exemptions relating to second homes and empty properties then all current and future recipients of these discounts/exemptions will also be affected.
Stakeholders	Customer representative groups such as CAB, Housing Advice Centres have an interest in our proposals. Landlords, property developers and second home owners will also have an interest. A full list of all persons contacted in the consultation exercise is contained in Annex 2.

<p>Relevant data and research</p>	<p>We have obtained comprehensive data relating to people affected from the current Council Tax Benefit processing system. The data available has enabled us to analyse impact on people according to their age, disability, family circumstances and level of income – this has enabled us to produce case studies to illustrate how each of the options we have considered would affect individuals as required by the public sector equality duty these are attached at the end of this EIA.</p> <p>We started the process by looking at around 6 different modelling scenarios in 2011 which have led to a single preferred model being adopted. Other models which restricted benefit based on Council Tax bands (ie the higher your Council Tax band the less help you would receive), gross household income (where everyone in the household would have their income added together with no disregards) and higher reductions for benefit customers (initially calculated as around 30%) were disregarded as they disproportionately affect people with large families, disabled people and other vulnerable people.</p> <p>To model these schemes we purchased a tool from our software companies which enabled us to look at scenarios with “live” data based on actual entitlements and claims at that point in time.</p> <p>We have also obtained detailed information from the Council Tax processing system regarding second homes, empty property exemptions etc although the data recorded on that system is not as comprehensive and does not include dates of birth, income, or anything else than a name and address. The Data Protection Act does not allow us to ask for anything other than what is needed to set up an account. We asked general diversity questions as part of the consultation exercise.</p>
<p>Access complaints</p>	<p>None.</p>
<p>Consultation</p>	<p>We carried out an extensive consultation exercise from 23 July 2012 to 17 September 2012. We sent details of the proposed scheme directly to all working age benefit claimants, all second home owners, all known landlords and a 5% random sample of the general population not included in the above groups. Overall, over 14,000 people were contacted directly in the TDC area.</p> <p>Consultation letters were sent to interest groups such as the Citizen’s Advice Bureau. Letters were also sent to all Towns and Parishes. The consultation was publicised in the press on two occasions and has been available on the TDC website.</p> <p>Consultees were asked to respond via a dedicated page on the TDC website. However, it was also recognised that some consultees would not be comfortable with this, and an alternative method of completing a paper form was available for those who preferred it. This was freely available from the Council offices and area offices. An “information line” was set up from 9am to 5pm throughout the consultation period for those who wanted more information about the proposals. This information line was set up in conjunction with Canterbury and Dover Councils and was manned by temporary staff specifically employed for that purpose.</p>

<p>Results of consultation</p>	<p>Overall, a total of 385 responses were received from the 14,702 issued which represents a return rate of 2.6%. Response rates from each of the groups varied with second home owners having a higher return rate of 7.1% and benefit claimants having a return rate of just over 1%. Similar response rates were seen at Canterbury and Dover. Anecdotal evidence from other local Councils suggests that many others have had a similarly low response rate. We cannot provide a full analysis of the comparison, however, as many Councils are still out to consultation at the time of writing this report.</p> <p>Out of the 385 responses received, 335 (87%) responded using the internet and 50 (13%) used a paper form. The full results are included in Annex 1 of the main report.</p> <p>Under the “general comments” part of the survey questionnaire several comments were made about the “protection” we were offering to vulnerable people. The current Council Tax Benefit regulations make allowances for increased income disregards and additions to “applicable amounts” (the amount the Government says a person or family should be able to live on per week) and we fully intend to carry these protections and income disregards forward into the Thanet CTRS. For example we currently disregard income such as child benefit, child maintenance and disability living allowance in the CTB calculation. The receipt of disability benefits also increases a person’s Council Tax Benefit awarded because of extra amounts given in the “applicable amount”. This is a positive approach which protects families, lone parents and disabled people. We will continue these income disregards on into the new CTRS to extend this protection. All client groups who are of working age will have their Council Tax Support reduced by 5% to 6% next April and this does not impact disproportionately on any particular client group – the approach is the same for everyone</p>
<p>Relevance to the Duty:</p>	
<p>Do your proposals contribute towards or impact on any of the aims of the duty?</p>	
<p>1. Eliminate unlawful discrimination – harassment, victimisation and any other conduct prohibited by the Act;</p> <p>The proposals for local Council Tax Support seek to be as fair as possible to all client groups regardless of their circumstances. It is our view that the proposals do not result in unlawful discrimination based on the evidence of other scenario modelling which we carried out and proposals made to keep as many of the current protections afforded to disabled, carers, families with children etc in the proposed new scheme.</p>	
<p>2. Advance equality of opportunity – between people who share a protected characteristic and people who do not share it by removing or minimising disadvantages suffered by people due to their protected characteristics;</p> <ul style="list-style-type: none"> ▪ With the exception of protecting pensioners’ entitlements purely due to their age which is a nationally prescribed element of the scheme, the localised CTS scheme does not disproportionately impact on groups with protected characteristics any more than other groups in society. 	

- meeting the needs of people with protected characteristics; and
- The design of the CTS calculation will mirror the current national legislation and will include the same favourable treatment of income from disabled people etc. Every working age benefit recipient will then have a standard reduction taken at the end of the calculation regardless of their personal circumstances. This will be between 5% to 6%.
- encouraging people with protected characteristics to participate in public life or in other activities where their participation is low. A full list of persons contacted to feed into the consultation exercise is included at the end of this report.

3. Foster good relations – between people who share a protected characteristic and people who do not share it, by; tackling prejudice and promoting understanding between people with a protected characteristic and others.

There is no contribution or negative impact of our proposals on fostering good relations in the community with the exception that the principle of the scheme is to be as fair as possible to all and fund the grant reduction shortfall between Council Tax Benefit recipients and recipients of certain Council Tax discounts/exemptions (more details are given in the main scheme document). The consultation exercise will be designed to make sure representative groups of all groups with protected characteristics will be contacted and asked to feed into the process. We will offer the option of online and paper based feedback.

Equality impacts raised or identified:

The proposals do not impact on any of the protected characteristics in a positive or negative way. Other models which have been looked at are described under the relevant headings below together with reasons why they were not pursued as the preferred option.

Protected Characteristic	Commentary	
Age	Impact	<p>The proposed scheme is subject to some national prescription relating to protecting pensioners' entitlements. Therefore we have no discretion about whether or not to follow this principle. The Government stated in their "Localising Council Tax – EIA" in January 2012 that...</p> <p><i>"The Government has considered the situation for low income pensioners who would currently be eligible for support with their council tax bill. Unlike most other groups, pensioners cannot be expected to seek paid employment to increase their income. The Government therefore proposes that as a vulnerable group, low income pensioners should be protected from any reduction in support as a result of this reform".</i></p>
	Mitigation	<p>Pensioners are protected, therefore there is no detriment requiring mitigation. The decision to protect pensioners is a national one and will be reflected in the secondary legislation. The link to the Government's EIA is given in the "Overall Conclusion" section.</p>

Gender	Impact	There is no impact on gender. Current income disregards which tend to favour more females than males such as child benefit disregards will continue to be a feature of the new CTS scheme.
	Mitigation	The proposed scheme will continue to protect recipients on the basis of their gender by extending the current income disregards – some of which favour females as the majority of “main carers” of child benefit are female. Other schemes we looked at included making changes to income disregards and restricting support to people living in larger properties which would have disproportionately affected disabled people and families with children (especially single parents). These were rejected on equality grounds.
Race	Impact	We do not keep case level data on race as it is not relevant to the calculation of Council Tax Benefit.
	Mitigation	None needed.
Disability	Impact	The proposed scheme that we have developed extends all current favourable treatment of income of disabled people. Benefits such as disability living allowance, attendance allowance etc will continue to be disregarded in full and recipients will continue to benefit from the enhanced premiums and personal allowances which favour people with disabilities. One of the earlier schemes which was modelled and not taken forward based the level of Council Tax Support on the gross household income and did not provide any favourable treatment for disabled household members. This was not taken forward as it is considered it fails on equality grounds. Increased premiums for Carers will continue to be a feature in the proposed new scheme. Some examples are given at the end of this EIA.
	Mitigation	The proposed scheme continues existing protections in the calculation for disabled household members. Other schemes we looked at included making changes to income disregards and making much higher reductions from people’s benefit entitlements which would have disproportionately affected disabled people and families with children. These were rejected on equality grounds.
Religion or belief	Impact	We do not keep case level data on a person’s religion or belief. As it would not be relevant to the calculation of Council Tax Benefit. Diversity questions were included in the consultation paper which gathered some of this information but the response rate was very low as previously mentioned.
	Mitigation	None needed.
Gender reassignment	Impact	If someone currently undergoes a gender reassignment then it currently only affects what they are referred to as on official documents/systems. It does not affect any part of the calculation. This will continue in the Thanet CTRS.
	Mitigation	None needed.

Sexual Orientation	Impact	We do not keep case level data on a person's sexual orientation as it would not be relevant to the calculation of Council Tax Benefit. In any case it does not impact on the calculation of entitlement in any way. Diversity questions were included to the consultation paper which gathered some of this information.
	Mitigation	None needed.
Marriage & Civil Partnership (Aim 1 only)	Impact	Married couple and civil partnerships are recognised equally in the current Council Tax Benefit system. The equal and fair treatment of couples will continue in the proposed CTRS from 1 st April 2013 as no changes are intended.
	Mitigation	None needed.
Pregnancy & Maternity (Aim 1 only)	Impact	The treatment of income and savings of women expecting children is a feature of the current Council Tax Benefit system and will continue in the local CTRS.
	Mitigation	None needed

Overall conclusions and options to be put before decision maker (if contributing towards a report) or to take forward to develop your service (if reviewing a service)

Overall, the only feature of the scheme which could be viewed as impacting on a group with protected characteristics is the need to fully protect pensioners from the changes. However, this is a nationally prescribed feature of the scheme and the Government have carried out their own Equality Impact Assessment on the effect of this....

<http://www.communities.gov.uk/documents/localgovernment/pdf/2063707.pdf>

Other than that we have tried to mirror as much of what currently exists in the national Council Tax Benefit system into the local CTRS. Different favourable treatment of income and allowances of disabled people and women with children are carried over into our local scheme so it is our view that there is no adverse or disproportionate impact on any of the groups with protected characteristics (see examples at the end of this document).

The changes to the Council Tax discounts/exemptions are more straightforward as entitlement is purely based on the status and circumstances of the property rather than the individual who owns it. We are only allowed to collect information under the law which enables us to identify the taxpayer and where they live. We do not collect any other details from them relating to their age, religion, sexual orientation, disabilities etc as it would not be relevant or permitted to do so.

To conclude, it is our view that the proposed scheme does not impact on any group with protected characteristics based on current evidence. During the development of a local scheme we have tried hard to balance the reality of a significant cut in Central Government funding to

protecting the most vulnerable members of our community as far as possible. The scheme that is being proposed acknowledges that recipients of benefits and Council Tax discounts/exemptions need to contribute more to meet the shortfall but also looks to protect people with protected characteristics as much as possible.

Actions arising from analysis:

Action	Responsible Officer	Deadline
Add equality questions section to consultation documents for voluntary completion by respondents. This can form part of the post-consultation analysis	AS	Complete. Equalities questionnaire was part of the survey form. Response rates were low and no significant equalities issues were noted.
Add post consultation analysis to this document and findings and recommend amendments to the final proposal if appropriate.	AS	Complete. No suggested amendments to the final scheme.

Acceptance

Name and signature of assessing officer and date of assessment.

Name: Andrew Stevens

Position: Asst Director - EKS

Signed: 

Date: 2nd October 2012.....

Examples of impact on different benefit recipients

Example one

Mr M is claiming with his partner and three children. Mr M works and receives Child Tax Credit £164.49, Working Tax Credit £16.56, Child Benefit £47.10. His average weekly earnings are £259.86.

Mr M's total household income is £488.01 of which £74.20 is disregarded for Council Tax Benefit purposes. This means that when Mr M's Council Tax Benefit is worked out only £413.81 is used in the calculation

Council Tax Benefit

Mr M's annual Council Tax bill is £1318.20.

Under the Council Tax Benefit rules Mr M is entitled to £7.74 per week towards his Council Tax. Mr M's weekly liability for Council is £25.35 per week. This means that Mr M is required to pay £17.61 per week towards his Council Tax, this equates to £915.72 per year.

Council Tax Support

Under Council Tax Support Mr M's household income is still be the same (£488.01) and the amount of income disregarded is still the same (£74.20).

Instead of receiving £7.74 per week towards his Council Tax this will be reduced by 5-6%.

If the £7.74 is reduced by 6% this means that he will receive £7.28 per week towards his Council Tax – a reduction in help of £0.46 per week.

Mr M is now required to pay £18.07 per week towards his Council Tax this equates to £939.64 per year.

Example Two

Mrs T is a single working age person claiming Council Tax Benefit. Mrs T receives Disability Living Allowance Low Rate Care £20.55, Disability Living Allowance High Rate Mobility £54.05 and Widow's Pension £91.29.

Mrs T's total household income is £165.89 of which £74.60 is disregarded for Council Tax Benefit purposes. This means when Mrs T's Council Tax Benefit is worked out only £91.29 is used in the calculation.

Council Tax Benefit

Mrs T's annual Council Tax bill is £1318.20

Under the Council Tax Benefit rules Mrs T is entitled to £25.35 per week towards her Council Tax. Mrs T's weekly liability for Council is £25.35 per week. This means that Mrs T receives full Council Tax Benefit and is not required to make a contribution towards her Council Tax.

Council Tax Support

Under Council Tax Support Mrs T's household income is the same (£165.89) and the amount of income disregarded is the same (£74.60).

Instead of receiving £25.35 per week towards her Council Tax this will be reduced by 5-6%.

If the £25.35 is reduced by 6% this means that she will receive £23.83 per week towards her Council Tax – a reduction in help of £1.52 per week.

Mrs T is now required to pay £1.52 per week towards her Council Tax this equates to £79.04 per year.

Example three

Mr S is a single working age person claiming Council Tax Benefit. Mr S has his grown up son living with him as his non-dependant, as he is a full time student there is no non-dependant deduction for him. Mr S is in receipt of Income Support.

Council Tax Benefit

Mr S's annual Council Tax bill is £1153.01, Mr S also gets Single Person Discount (as his son is a full time student and a disregarded person Council Tax purposes), this reduces his bill by a further 25% to £864.76.

As Mr S is in receipt of Income Support the "means test" does not apply.

Under the Council Tax Benefit rules as Mr S is entitled to £16.63 per week towards his Council Tax. Mr S's weekly liability for Council is £16.63 per week. This means that Mr S receives full Council Tax Benefit and is not required to make a contribution towards his Council Tax.

Council Tax Support

Under Council Tax Support Mr S will still receive Single Person Discount (whilst his son is a full time student) and being in receipt of Income Support still means that the "means test" is not applied.

Instead of receiving £16.63 per week towards his Council Tax this will be reduced by 5-6%.

If the £16.63 is reduced by 6% this means that he will receive £15.63 per week towards his Council Tax – a reduction in help of £1.00 per week.

Mr S is now required to pay £ £1.00 per week towards his Council Tax this equates to £52.00 per year.

Example four

Mr F is claiming with his partner and two children. Mr F is self-employed and receives Child Tax Credit £111.52, Working Tax Credit £79.14, Child Benefit £33.70. His weekly self-employed earnings are £59.90.

Mr F's total household income is £284.26 of which £60.80 is disregarded for Council Tax Benefit purposes. This means that when Mr M's Council Tax Benefit is worked out only £223.46 is used in the calculation

Council Tax Benefit

Mr F's annual Council Tax bill is £1304.16

Under the Council Tax Benefit rules Mr F is entitled to £25.08 per week towards his Council Tax. Mr F's weekly liability for Council is £25.08 per week. This means that Mr F receives full Council Tax Benefit and is not required to make a contribution towards his Council Tax.

Council Tax Support

Under Council Tax Support Mr F's household income is still the same (£284.26) and the amount of income disregarded is still be the same (£60.80).

Instead of receiving £25.08 per week towards his Council Tax this will be reduced by 5-6%.

If the £25.08 is reduced by 6% this means that he will receive £23.58 per week towards his Council Tax – a reduction in help of £1.50 per week.

Mr M is now required to pay £ 1.50 per week towards his Council Tax this equates to £78.00 per year.

List of people/groups/organisations contacted during the consultation period

- KCC – Independent Living Scheme
- KCC – Diana Thomas Area Benefits office
- Catch 22
- CAB – Thanet
- CAB – Canterbury
- CAB - Dover
- Canterbury Housing Advice Centre
- Catching Lives
- Thanet Volunteer Bureau
- KCA
- Porchlight
- Hope
- Canterbury Children's Centres
- Thanet Children's Centres
- Dover Children's Centres
- KCHT
- KMPT
- Kenward Trust
- CASA Support
- MCCH

- Avante
- Age UK – Thanet
- Age UK – Canterbury
- Age UK – Dover
- Hi Kent
- Kent Association for the Blind – Dover
- Kent Association for the Blind – Canterbury
- Canterbury and District Mental Health Forum
- The Friends for Mental Health (East Kent)
- Home Start – Canterbury
- Home Start – Dover
- Home Start – Thanet
- The Umbrella Centre – Canterbury
- The Umbrella Centre – Herne Bay
- The Umbrella Centre – Whitstable
- Town and Parish Councils – Canterbury
- Town and Parish Councils – Thanet
- Town and Parish Council – Dover
- Councillors – Thanet
- Councillors – Canterbury
- Councillors – Dover
- MP – Canterbury
- MP – Dover
- MP – Thanet
- National Landlord Association
- Southern Private Landlords

2013-14 FEES AND CHARGES

To: **Council – 6 December 2012**

Main Portfolio Area: **Corporate**

By: **Financial Services Manager**

Classification: **Unrestricted .**

Ward: **All**

Summary: **To present the proposed fees and charges for 2013/14 for Member approval**

For Decision

1.0 Introduction

- 1.1 Annex 1 to this report sets out the proposed level of Fees and Charges for 2013-14 in respect of services provided by the Council. Cabinet at its meeting on 8 November agreed to recommend these to Full Council for approval.
- 1.2 As a result of reviewing all the Council's fees and charges, additional income of £197.7k is anticipated in 2013/14. Where increases are proposed, these are in the main at 3% in line with inflation. It is proposed to increase the fees for visiting leisure craft at the Marina by 10%. This recognises the significant improvements that have been made to the facilities at the Harbour, whilst still being competitive
- 1.3 There are no proposed changes to charges for car parking services at this stage as a comprehensive review of the service is currently being undertaken.

2.0 Corporate Implications

2.1 Financial and VAT

- 2.1.1 The proposed Fees and Charges will generate additional income of £197.7k. This has been factored into the budget proposals for 2013/14. Were Members to reject the proposals, then additional savings of the same value would need to be found in order to deliver a balanced budget.

2.2. Legal

- 2.2.1 Some charges are statutory, and are indicated as such in Annex 1, and therefore we have no discretion over these
- 2.2.2 Section 151 of the 1972 Local Government Act requires a suitably qualified named officer to keep control of the Council's finances. For this Council, this is the Chief Executive (S151 Officer), Sue McGonigal, and this report is helping to carry out that function.

2.3 Corporate

- 2.3.1 Corporate priorities can only be delivered with robust finances. The proposed level of fees and charges are believed to be sufficient to meet these priorities by being incorporated into the budget.

2.4 Equality

- 2.4.1 There are no direct equality issues associated with the proposed fees and charges. A full equity and equality impact will be undertaken on the budget proposals to accompany the report going to Cabinet in January 2013.

3.0 Recommendation

- 3.1 That Members approve the Fees and Charges for 2013/14 as set out in Annex 1.

4.0 Decision Making Process

- 4.1 If Council approves the Fees and Charges they will come into force in April 2013.

Contact Officer:	<i>Sarah Martin, Financial Services Manager</i>
Reporting to:	<i>Philip Hamberger, Director of Corporate Services and Transformation</i>

Annex List

Annex 1	Fees and Charges Schedule
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Corporate Consultation Undertaken

Finance	<i>Sarah Martin, Financial Services Manager, Ext 7617</i>
Legal	<i>Harvey Patterson, Corporate & Regulatory Services Manager, Ext 7005</i>

Annex 2 - Fees and Charges

CHARGES 2012/2013 £	INC VAT *	ESTIMATED INCOME 2012/2013 £	DETAILS	DATE LAST CHANGED	CHARGES 2013/2014 £	INC VAT *	% CHANGE	ESTIMATED INCOME 2013/2014 £
ENVIRONMENTAL HEALTH SERVICES								
85.00 + costs incurred		0	Issue of unsound food certificate	1-Apr-11	85.00 + costs incurred			0
Hourly rate of officer			Voluntary surrender of unsound food/insurance claims		Hourly rate of officer			
60.00		300	Issue of information to commercial organisations relating to previous land use, and other environmental information copies	1-Apr-09	60.00		0.00%	300
350.00			High Hedges Charge (For complaint requiring council investigation)	Statutory	350.00			
Hourly rate of officer			Provision of factual statements from Officers		Hourly rate of officer			
Hourly rate of officer + costs incurred			Works in Default		Hourly rate of officer + costs incurred			
IMPORTED FOOD INSPECTION CHARGES (BORDER INSPECTION POST)								
Office Hours: 08.30 to 17.00 Monday to Thursday and 08.30 to 16.30 Friday Outside of Office Hours: any time outside of the above office hours, and at any time on weekends or Bank Holidays These charges will apply whether a consignment is cleared or rejected. These charges do not include any fees which the Cargo Handling Agent or BIP operator may impose.								
Statutory		-	Organic Produce Inspection Charges (POAO and PNOAO) (a) Office Hours - per certificate (b) Outside of Office Hours - per certificate Note: if consignment requires more than one Certificate of Veterinary Checks (CVC) to be issued, the charge is levied per CVC rather than per consignment	statutory statutory	Statutory			-
		5,750	Organic Product Release Notice					-
85.00		0	Export certificate (Foods)	1-Apr-11	85.00		0.00%	0
ENVIRONMENTAL PROTECTION ACT 1990 - AIR POLLUTION fees are set nationally by Government- details available on request								
Statutory		9,000	(a) Initial application fee (Standard)	Statutory	Statutory			9,000
Statutory			(b) Substantial Changes Fee (Standard)	Statutory	Statutory			
Statutory			(c) Substantial Changes Fee (Section 10 & 11)	Statutory	Statutory			
Statutory			(d) Annual Subsistence Charge (Standard)	Statutory	Statutory			
ENVIRONMENTAL PROTECTION ACT - ALARM NOISE NUISANCE callouts, alarms etc - to be reclaimed from offender								
officer time + travel		0			officer time + travel			0
Statutory			PRIVATE WATER SUPPLIES	Statutory	Statutory			
Statutory			a) Risk Assessments	Statutory	Statutory			
Statutory			b) Sampling (each visit)	Statutory	Statutory			
Statutory			c) Investigation	Statutory	Statutory			
Statutory			d) Granting an authorisation	Statutory	Statutory			
Statutory			e) Analysis under regulation 10	Statutory	Statutory			

CHARGES 2012/2013 £	INC VAT *	ESTIMATED INCOME 2012/2013 £	DETAILS	DATE LAST CHANGED	CHARGES 2013/2014 £	INC VAT *	% CHANGE	ESTIMATED INCOME 2013/2014 £
Statutory Statutory			f) Analysis during check monitoring g) Analysis during audit monitoring	Statutory Statutory				
			RODENT CONTROL/DISINFESTATION					
41.00	*	5,000	1. Rats	1-Apr-10		*	-100.00%	-
41.00	*		2. Mice	1-Apr-10		*	-100.00%	
63.00	*	5,040	3. Fleas	1-Apr-10	service ceased	*		service ceased
63.00	*	4,000	4. Wasps	1-Apr-10		*	-100.00%	-
63.00	*		5. Bed Bugs	1-Apr-10		*	-100.00%	
40.00			Additional charge outside of normal office hours	1-Apr-12				
			Persons in receipt of means tested State Benefit, Housing or Council Tax Benefit - 50% discount on Fees 1,2,4 & 5 Houses with more than 3 bedrooms requiring treatments 3 or 5 will be charged on a quote basis/ or an extra £10 per room					
68.00	*	1,000	6. Other Insects	1-Apr-09		*	-100.00%	-
			DISINFESTATION					
84.00		-	Commercial Premises - per hour or part thereof	1-Apr-12			-100.00%	-
			materials					
84.00		-	Commercial Premises - per hour or part thereof	1-Apr-12			-100.00%	-
			FOOD PREMISES (Registration) REGULATIONS 1991					
		0	Copy of register per A4 sheet	1-Apr-12	No Charge			0
		5000	FOOD HYGIENE COURSES					5000
60.00			Basic Food Hygiene certificate	1-Apr-10	60.00		0.00%	
175.00			Intermediate Food Hygiene certificate	1-Apr-10	175.00		0.00%	
		0	SAFER FOOD BETTER BUSINESS					0
45.00			Onsite coaching - 2 hours	1-Apr-11	45.00	*		
		120	SMOKE FREE					120
Statutory			a) Smoking in a smoke free place	Statutory	Statutory		Statutory	
Statutory			- reduced if paid within 15 days	Statutory	Statutory		Statutory	
Statutory			b) Failing to display no-smoking signs	Statutory	Statutory		Statutory	
Statutory			- reduced if paid within 15 days	Statutory	Statutory		Statutory	
			c) Failing to prevent smoking in a smokefree space - Court awarded fine					
		4200	LITTERING					4200
80.00			Of public places	1-Apr-07	80.00		0.00%	
60.00			Early Payment (Within 7 days)	1-Apr-07	60.00		0.00%	
		0	GRAFFITI					0
75.00			Of public places	1-Apr-11	75.00		0.00%	
50.00		0	Early Payment (Within 10 days)	1-Apr-11	50.00		0.00%	0
		0	ENVIRONMENTAL PROTECTION ACT - ALARM NOISE NUISANCE					0
officer time + travel			callouts, alarms etc - to be reclaimed from offender		officer time + travel			
25.00 (Statutory Max) At Cost		2,000	STRAY DOGS					2,000
			Recovery from Kennels	statutory	25.00 (Statutory Max) At Cost		0.00%	
		-	Kennelling Fees					-

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CHARGES 2012/2013 £	INC VAT *	ESTIMATED INCOME 2012/2013 £	DETAILS	DATE LAST CHANGED	CHARGES 2013/2014 £	INC VAT *	% CHANGE	ESTIMATED INCOME 2013/2014 £
80.00		100	DOG FOULING Fouling the highways and public places	statutory	80.00		0.00%	100
60			Early Payment (Within 10 days)		60.00			
11.00		10,000	LAND CHARGES Personal Searches Administration Fee	1-Apr-11	11.00		0.00%	10,000
138.00		269,810	Land Charges Search including Official Certificate of Search (one parcel of land)	1-Apr-12	138.00		0.00%	269,810
138.00			electronically received request for search	1-Apr-12	138.00		0.00%	
20.00			additional parcels of land (per parcel)	1-Apr-12	20.00		0.00%	
An e-Government initiative to speed up the process of house conveyancing is being implemented across the UK. The National Land Information System (NLIS) will allow Land Charge searches to be made online through a central hub and channel. This requires the Council to adopt differential pricing. If agreed, the charge to the end user will be as above, and the provider takes 18% commission charge.								
LICENSING								
127.00		1,270	(a) Animal Boarding Establishment Licence fee (plus a veterinary inspector's fee if necessary)	1-Apr-12	131.00		3.15%	1,310
194.00		2,140	(b) Pet Animals Act (Pet Shop) Licence Licence fee (plus a veterinary inspector's fee if necessary)	1-Apr-12	200.00		3.09%	2,200
204.00		200	(c) Dog Breeder's Licence Licence fee (plus a veterinary inspector's fee if necessary)	1-Apr-12	210.00		2.94%	210
204.00		820	(d) Riding Establishment Act Licence Licence fee (plus a veterinary inspector's fee if necessary)	1-Apr-12	210.00		2.94%	840
203.00		200	(e) Dangerous Wild Animals Act Licence fee (plus a veterinary inspector's fee if necessary)	1-Apr-12	209.00		2.96%	210
408.00		-	(f) Zoo Licence Act Licence fee (plus a veterinary inspector's fee if necessary)	1-Apr-12	420.00		2.94%	-
33.00		-	Licence fee where exemption applies	1-Apr-12	34.00		3.03%	-
264.00		4,220	(g) Registration for Acupuncture/Tattooing/Electrolysis/Ear Piercing	1-Apr-12	272.00		3.03%	4,350
918.00			(h) Sex Establishment Licence Grant of licence	1-Apr-12	946.00		3.05%	
918.00		1,840	Annual renewal	1-Apr-12	946.00		3.05%	1,900
519.00		2,080	(i) Private Hire Vehicle Operator's Licence - Annual Initial grant/late renewal	1-Apr-12	535.00		3.08%	2,140
262.00		9,960	Prompt renewal	1-Apr-12	270.00		3.05%	10,260
152.00		11,360	(j) Hackney Carriage Driver's Licence - Annual Initial grant/late renewal	1-Apr-12	157.00		3.29%	11,700
76.00			Prompt renewal	1-Apr-12	78.00		2.63%	
			CRB Disclosure					
152.00		39,780	(k) Private Hire Vehicle Driver's Licence - Annual Initial grant/late renewal	1-Apr-12	157.00		3.29%	40,970
76.00			Prompt renewal	1-Apr-12	78.00		2.63%	
			CRB Disclosure					
50.00		-	(l) Private Hire Vehicle Plate (Returnable Deposit)	1-Apr-12	51.00		2.00%	-
			(m) Hackney Carriage Vehicle Licence					

CHARGES 2012/2013 £	INC VAT *	ESTIMATED INCOME 2012/2013 £	DETAILS	DATE LAST CHANGED	CHARGES 2013/2014 £	INC VAT *	% CHANGE	ESTIMATED INCOME 2013/2014 £																																																							
		27,000	<p>Temporary Event Notices Fees</p> <p>Notification of a temporary event Application for copy</p> <p>Other Fees</p> <p>Supply of copy of information contained in licensing register (fee determined by licensing authority based on costs)</p> <p>Notification of an interest in any premises</p> <p>Applications under the Gambling Act 2005</p> <table border="1" data-bbox="623 709 1914 1480"> <thead> <tr> <th>Classes of premises licence</th> <th>Non-conversion application fee in respect of provisional statement premises</th> <th>Non-conversion application fee in respect of other premises</th> <th>First annual fee and annual fee</th> <th>Fee for application to vary licence</th> <th>Fee for application to transfer a licence</th> <th>Fee for application for reinstatement of a licence</th> <th>Fee for application for provisional statement</th> </tr> </thead> <tbody> <tr> <td>Converted casino premises licence</td> <td>-</td> <td>-</td> <td>2255</td> <td>1495</td> <td>1012</td> <td>1012</td> <td>-</td> </tr> <tr> <td>Bingo premises licence</td> <td>898</td> <td>2614</td> <td>750</td> <td>1312</td> <td>898</td> <td>898</td> <td>2614</td> </tr> <tr> <td>Adult gaming centre premises licence</td> <td>898</td> <td>1495</td> <td>750</td> <td>750</td> <td>898</td> <td>898</td> <td>1495</td> </tr> <tr> <td>Betting premises (track) licence</td> <td>718</td> <td>1875</td> <td>750</td> <td>937</td> <td>718</td> <td>718</td> <td>1875</td> </tr> <tr> <td>Family entertainment centre premises licence</td> <td>718</td> <td>1495</td> <td>562</td> <td>750</td> <td>718</td> <td>718</td> <td>1495</td> </tr> <tr> <td>Betting premises (other) licence</td> <td>898</td> <td>2244</td> <td>449</td> <td>1120</td> <td>898</td> <td>898</td> <td>2244</td> </tr> </tbody> </table> <p>Prize permit application or renewal. Family entertainment centre gaming machine permit or renewal. Change of name on family entertainment centre/prize permit. Copy of family entertainment centre/prize permit. Change of circumstances, residence etc S.186. Copy of licence.</p> <p>Club Gaming permit.</p> <p>Club machine permit.</p> <p>Licensed Premises gaming machine permit.</p>	Classes of premises licence	Non-conversion application fee in respect of provisional statement premises	Non-conversion application fee in respect of other premises	First annual fee and annual fee	Fee for application to vary licence	Fee for application to transfer a licence	Fee for application for reinstatement of a licence	Fee for application for provisional statement	Converted casino premises licence	-	-	2255	1495	1012	1012	-	Bingo premises licence	898	2614	750	1312	898	898	2614	Adult gaming centre premises licence	898	1495	750	750	898	898	1495	Betting premises (track) licence	718	1875	750	937	718	718	1875	Family entertainment centre premises licence	718	1495	562	750	718	718	1495	Betting premises (other) licence	898	2244	449	1120	898	898	2244	<p>Statutory Statutory</p> <p>Statutory</p> <p>Statutory</p>			27,810
Classes of premises licence	Non-conversion application fee in respect of provisional statement premises	Non-conversion application fee in respect of other premises	First annual fee and annual fee	Fee for application to vary licence	Fee for application to transfer a licence	Fee for application for reinstatement of a licence	Fee for application for provisional statement																																																								
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CHARGES 2012/2013 £	INC VAT *	ESTIMATED INCOME 2012/2013 £	DETAILS	DATE LAST CHANGED	CHARGES 2013/2014 £	INC VAT *	% CHANGE	ESTIMATED INCOME 2013/2014 £
COUNCIL PUBLICATIONS								
corporate p/c charge			(a) Council agendas & Committee minutes - per page	1-Apr-08	corporate p/c charge			
corporate p/c charge			(b) Committee agenda per single committee per single copy		corporate p/c charge			
corporate p/c charge			(b) Committee agenda per page	1-Apr-08	corporate p/c charge			
corporate p/c charge			Planning Committee or Cabinet	1-Apr-08	corporate p/c charge			
corporate p/c charge			All other Committees		corporate p/c charge			
corporate p/c charge			(c) Photocopy official document, per page (plus administration charge, if applicable)	1-Apr-07	corporate p/c charge			
			Income included in other departmental charges					
ELECTORAL SERVICES								
25.00			Electoral Index of Streets	1-Apr-04	25.00			
10.00			Marked copy of Register - Basic Charge plus per 1000 entries charge below	1-Apr-08	10.00		0.00%	
5.00			Marked copy of Register per 1000 entries in addition to basic charge	1-Apr-10	5.00		0.00%	
10.00		1500	Register price list (paper copy) Basic Charge plus cost per 1,000 entries charge below		10.00		0.00%	1500
5.00			Register price list (paper copy) per 1,000 entries in addition to basic charge	1-Apr-09	5.00		0.00%	
20.00			Register price list (data copy) Basic Charge plus cost per 1,000 entries charge below		20.00		0.00%	
1.50			Register price list (data copy) per 1,000 entries in addition to basic charge		1.50		0.00%	
25.00			Confirmation of Ward for Stamp Duty purposes	1-Apr-06	25.00		0.00%	
FREE			Inspection of marked copy of Register - per register	1-Apr-06	FREE			
CORPORATE MARKETING								
Minimum Charges		1500	Charges for Film Location works		All Minimum Charges			1500
150			Advertising productions, Commercials, Filming for Internet Advertising - per day	1-Apr-11	500.00		0.00%	
500			Feature Films - per day	1-Apr-11	500.00		0.00%	
150			Low Budget Feature Films - per day	1-Apr-11	150.00		0.00%	
150			Television dramas - per day	1-Apr-11	150.00		0.00%	
100.00			Educational, Corporate. Light entertainment, music promotions - per day	1-Apr-11	100.00		0.00%	
50			Interviews, sound recordings - per day	1-Apr-12	50.00		0.00%	
150			Photo Shoots - National publications - per day	1-Apr-11	150.00		0.00%	
50.00			Photo Shoots - low budget publications - per day	1-Apr-12	50.00		0.00%	
0			Student films, local community groups - per day	1-Apr-11	0.00			
15.00			Administration - complex enquiries - per hour	1-Apr-12	15.00			
		1,500						1,500
CAR PARKS								
LONG TERM								
		6,890	(a) HAROLD ROAD, Cliftonville					5,000
0.50	*		Private motor cars					
0.80	*		Up to 1 hour	1-Apr-08	0.50	*	0.00%	
1.20	*		Up to 2 hours	1-Apr-08	0.80	*	0.00%	
1.90	*		Up to 4 hours	1-Apr-08	1.20	*	0.00%	
			Up to 15 hours (until 10.00 pm)		1.90			
		19,160	(b) ST PETER'S PARK ROAD, Broadstairs; CANNON ROAD, Ramsgate					18,000
0.50	*	6,980	Up to 1 hour	1-Apr-08	0.50	*	0.00%	7,500
0.70	*		Up to 2 hours	1-Apr-08	0.70	*	0.00%	

CHARGES 2012/2013 £	INC VAT *	ESTIMATED INCOME 2012/2013 £	DETAILS	DATE LAST CHANGED	CHARGES 2013/2014 £	INC VAT *	% CHANGE	ESTIMATED INCOME 2013/2014 £
1.30	*		Up to 4 hours	1-Apr-08	1.30	*	0.00%	
1.60			Up to 15 hours (until 10.00 pm)		1.60			
		21,950	(c) ALPHA ROAD Birchington; TRINITY SQUARE, Margate					24,000
0.70	*	30,000	Up to 1 hour	1-Apr-08	0.70	*	0.00%	53,000
1.00	*		Up to 2 hours	1-Apr-08	1.00	*	0.00%	
1.90	*		Up to 4 hours	1-Apr-08	1.90	*	0.00%	
2.40			Up to 15 hours (until 10.00 pm)		2.40			
		115,170	(d) ALBION STREET, Broadstairs 1st November to 31st March					118,000
0.60	*		Up to 1 hour	1-Apr-08	0.60	*	0.00%	
1.00	*		Up to 2 hours	1-Apr-08	1.00	*	0.00%	
1.40	*		Up to 3 hours	1-Apr-08	1.40	*	0.00%	
2.00			Over 3 hours and up to 15 hours (until 10.00pm) 1st April to 31st October		2.00			
2.50	*		Up to 1 hour	1-Apr-08	2.50	*	0.00%	
4.00	*		Up to 2 hours	1-Apr-08	4.00	*	0.00%	
6.00	*		Up to 4 hours	1-Apr-08	6.00	*	0.00%	
10.00			Over 4 hours and up to 15 hours (until 10.00 pm)		10.00			
		178,160	(e) STAFFORDSHIRE STREET, Ramagate					220,000
1.00	*		Private motor cars					
1.00	*		Up to 1 hour	1-Apr-08	1.00	*	0.00%	
2.00	*		Up to 2 hours	1-Apr-08	2.00	*	0.00%	
3.00	*		Up to 4 hours	1-Apr-08	3.00	*	0.00%	
4.00			Up to 15 hours (until 10.00 pm)		4.00			
		34,250	(f) ALBION ROAD, Birchington					10,000
			Private motor cars					
1.00	*		Up to 1/2 hour	1-Apr-08	1.00	*	0.00%	
1.50	*		Up to 1 hour	1-Apr-08	1.50	*	0.00%	
2.50	*		Up to 2 hours	1-Apr-08	2.50	*	0.00%	
3.00	*		Up to 4 hours	1-Apr-08	3.00	*	0.00%	
4.00			Up to 15 hours (until 10.00 pm)		4.00			
		10,000	(g) MARINA ESPLANADE, Ramsgate					12,500
		5,500	1st November to 31st March					6,250
		6,000						6,250
0.80			Up to 1 hour		0.80			
1.30			Up to 2 hours		1.30			
1.90			Up to 4 hours		1.90			
2.70			Up to 15 hours (until 10.00 pm) 1st April to 31st October		2.70			
1.00			Up to 1 hour		1.00			
2.00			Up to 2 hours		2.00			
3.00			Up to 4 hours		3.00			
4.00			Up to 15 hours (until 10.00 pm)		4.00			
		126,450	(h) LEOPOLD STREET MULTI STOREY CAR PARK, Ramsgate					118,000
			Private motor cars					
1.00	*		Up to 1 hour	1-Apr-08	1.00	*	0.00%	
1.60	*		Up to 2 hours	1-Apr-08	1.60	*	0.00%	
2.50	*		Up to 4 hours	1-Apr-08	2.50	*	0.00%	
3.50			Up to 15 hours (until 10.00 pm)		3.50			
2.50			Hoteliers Charge (bulk purchase) - 24 hour ticket	1-Apr-08	2.50		0.00%	
		51,010	(i) MILL LANE CAR PARK, Margate					69,000
			Private motor cars					
0.70			Up to 1 hour		0.70			
1.10			Up to 2 hours		1.10			
1.60			Up to 4 hours		1.60			
2.50			Up to 15 hours (until 10.00 pm)		2.50			
		16,500	(j) QUEEN STREET/ELMS AVENUE, Ramsgate; ALBION PLACE, Ramsgate					18,000

CHARGES 2012/2013 £	INC VAT *	ESTIMATED INCOME 2012/2013 £	DETAILS	DATE LAST CHANGED	CHARGES 2013/2014 £	INC VAT *	% CHANGE	ESTIMATED INCOME 2013/2014 £
1.20	*	11,190	Up to 1 hour	1-Apr-08	1.20	*	0.00%	13,500
2.00	*		Up to 2 hours	1-Apr-08	2.00	*	0.00%	
2.50	*		Up to 4 hours	1-Apr-08	2.50	*	0.00%	
4.00			Up to 15 hours (until 10.00 pm)		4.00			
SHORT TERM								
(a) MARKET STREET, Margate; MEETING STREET, Ramsgate; CROFT'S PLACE, Broadstairs								
		40,280	Private motor cars	1-Apr-08				45,000
1.00	*	55,000	Up to 1 hour	1-Apr-08	1.00	*	0.00%	60,000
1.70	*	38,590	Up to 2 hours	1-Apr-08	1.70	*	0.00%	34,000
13.00			Over 2 hours 1st April - 31st October		13.00			
6.50			Over 2 hours 1st November - 31st March		6.50			
		36,740	(b) CAVENDISH STREET, Ramsgate					41,000
			Private motor cars	1-Apr-08				
1.50	*		Up to 1 hour	1-Apr-08	1.50	*	0.00%	
2.50	*		Up to 2 hours	1-Apr-08	2.50	*	0.00%	
16.00			Over 2 hours 1st April - 31st October		16.00			
9.00			Over 2 hours 1st November - 31st March		9.00			
		36,000	(c) CHANDOS SQUARE, Broadstairs					35,000
			1st November to 31st March					
1.10	*		Up to 2 hours	1-Apr-08	1.10	*	0.00%	
1.40	*		Up to 3 hours	1-Apr-08	1.40	*	0.00%	
1.80			Up to 15 hours (until 10.00 pm)		1.80			
			1st April to 31st October					
2.50	*		Up to 1 hour	1-Apr-08	2.50	*	0.00%	
4.00	*		Up to 2 hours	1-Apr-08	4.00	*	0.00%	
6.00	*		Up to 4 hours	1-Apr-08	6.00	*	0.00%	
10.00			Over 4 hours and up to 15 hours (until 10.00 pm)		10.00			
SEASONAL PAY AND DISPLAY								
		8,000	(a) MINNIS BAY, Birchington; ST. MILDRED'S BAY, Westgate,					8,500
		1,840	Summer Season 1 April to 31 October					1,800
			Private motor cars					
0.80	*		Up to 1 hour	1-Apr-08	0.80	*	0.00%	
1.30	*		Up to 2 hours	1-Apr-08	1.30	*	0.00%	
1.90	*		Up to 4 hours	1-Apr-08	1.90	*	0.00%	
2.70			Up to 15 hours (until 10.00 pm)		2.70			
		40,000	(b) JOSS BAY, Broadstairs					49,000
			Summer Season 1 April to 30 September					
			Summer Season 1 April to 31 October					
2.00	*		Up to 1 hour	1-Apr-08	2.00	*	0.00%	
3.00	*		Up to 2 hours	1-Apr-08	3.00	*	0.00%	
6.00	*		Up to 4 hours	1-Apr-08	6.00	*	0.00%	
8.00			Over 4 hours and up to 15 hours (until 10.00 pm)		8.00			
		19,000	(c) VERE ROAD, Broadstairs					20,000
			Summer Season 1 April to 31 October					
0.80	*		Up to 1 hour	1-Apr-08	0.80	*	0.00%	
1.30	*		Up to 2 hours	1-Apr-08	1.30	*	0.00%	
1.90	*		Up to 4 hours	1-Apr-08	1.90	*	0.00%	
2.70			Over 4 hours and up to 15 hours (until 10.00 pm)		2.70			
			Off Season 1st November- to 31 March					
0.50	*		Up to 1 hour	1-Apr-08	0.50	*	0.00%	
0.70	*		Up to 2 hours	1-Apr-08	0.70	*	0.00%	
1.20	*		Up to 4 hours	1-Apr-08	1.20	*	0.00%	
1.50			Over 4 hours and up to 15 hours (until 10.00 pm)		1.50			
COACH PARKING								

CHARGES 2012/2013 £	INC VAT *	ESTIMATED INCOME 2012/2013 £	DETAILS	DATE LAST CHANGED	CHARGES 2013/2014 £	INC VAT *	% CHANGE	ESTIMATED INCOME 2013/2014 £
7.00 12.00	*		(a) VERE ROAD, Broadstairs; Summer Season 1 April to 31 October Up to 4 hours Over 4 hours and up to 15 hours (until 10.00 pm)	1-Apr-08	7.00 12.00	*	0.00%	
4.00	*		Off Season 1st November- to 31 March Per entry (up to 15 hour stay)		4.00	*		
7.00 12.00	*		(b) JOSS BAY, Broadstairs; MINNIS BAY, Birchington Summer Season 1 April to 31 October Up to 4 hours Over 4 hours and up to 15 hours (until 10.00 pm)	1-Apr-08	7.00 12.00	*	0.00%	
			HGV's					
7.00 12.00	*		VERE ROAD, Broadstairs; MINNIS BAY, Birchington Summer Season 1 April to 31 October Up to 4 hours Over 4 hours and up to 15 hours (until 10.00 pm)	1-Apr-08	7.00 12.00	*	0.00%	
		77,380	SEASON TICKETS					65,000
500.00 380.00 260.00 160.00	* * * *		(a) Annual All Car Parks All long term car parks only Multi Storeys only Cannon Road, Trinity Square, St. Peters Park Road, Alpha Road and Harold Road	1-Apr-08 1-Apr-08 1-Apr-08 1-Apr-08	500.00 380.00 260.00 160.00	* * * *	0.00% 0.00% 0.00% 0.00%	
290.00 220.00 160.00 100.00	* * * *		(b) Half Year All Car Parks All long term car parks only Multi Storeys only Cannon Road, Trinity Square, St. Peters Park Road, Alpha Road and Harold Road	1-Apr-08 1-Apr-08 1-Apr-08 1-Apr-08	290.00 220.00 160.00 100.00	* * * *	0.00% 0.00% 0.00% 0.00%	
40.00	*	1,830	(c) Weekly All Car Parks	1-Apr-08	40.00	*	0.00%	900
20.00	*		(d) Replacement Discs	1-Apr-08	20.00	*	0.00%	
		69,300	FIXED PENALTY FINE - OFF STREET (Fixed by Central Government)					65,000
70.00 35.00 50.00 25.00			(a) Higher level penalty charge (b) Higher level penalty charge - Payment within fourteen days (c) Lower level penalty charge (d) Lower level penalty charge - Payment within fourteen days With effect from 31st March 2008	1-Apr-08 1-Apr-08 1-Apr-08 1-Apr-08	70.00 35.00 50.00 25.00		0.00% 0.00% 0.00% 0.00%	
			ON STREET PARKING On Charge Everyday					
1.00 1.00		52,510 65,490	(a) Maximum 2 hourly stay - 1/2 hourly charge Cecil Square, Margate Albert Terrace,	1-Apr-08 1-Apr-08	1.00 1.00		0.00% 0.00%	35,000 50,000
2.00 2.00		61,550 24,250	(b) No maximum stay - per hour Harbour Parade, Ramsgate Victoria Parade, Broadstairs	1-Apr-08 1-Apr-08	2.00 2.00		0.00% 0.00%	50,000 23,000
		16,770 6,830 43,530	(d) Maximum 2 hourly stay Linner Charging Maximum 2 hourly stay Albion Place, Ramsgate Belvedere Road, Broadstairs Birchington					18,300 8,250 47,700

CHARGES 2012/2013 £	INC VAT *	ESTIMATED INCOME 2012/2013 £	DETAILS	DATE LAST CHANGED	CHARGES 2013/2014 £	INC VAT *	% CHANGE	ESTIMATED INCOME 2013/2014 £
		18,210	Broad Street, Ramsgate					21,000
		8,230	Brunswick Street, Ramsgate					8,800
		3,910	Carlton Ave, Broadstairs					4,150
		26,310	Cavendish Street, Ramsgate					29,700
		17,450	Charlotte Street, Broadstairs					17,000
		16,700	Hardres Street, Ramsgate					19,000
		76,860	Hawley Square/Churchfields Place					80,000
		76,200	High Street, Broadstairs					93,000
		51,650	High Street, Margate					68,000
		15,110	King Street, Ramsgate					17,500
		21,380	Marine Drive					26,250
		18,470	Mill Lane, Margate					22,000
		60,070	Northdown Road					51,120
		-	Pierremont Avenue, Broadstairs					5,000
		20,420	Queen Street, Ramsgate					20,870
		13,370	Union Crescent, Margate					15,000
		2,970	Vere Road, Broadstairs					3,750
		3,840	York Street, Broadstairs					12,500
		400	Margate West Zone					-
0.20			10 minutes		0.20		0.00%	
0.015			each minute 1.5p thereafter up to 2 hours		0.015		0.00%	
2.40			2 hours		2.40		0.00%	
			(e) Maximum 4 hourly stay					
		3,490	Lawn Road, Broadstairs					3,490
		4,030	Lloyd Road, Broadstairs					4,030
0.60			Up to 1/2 hour	1-Apr-08	0.60		0.00%	
1.00			Up to 1 hour	1-Apr-08	1.00		0.00%	
1.50			Up to 1 1/2 hours	1-Apr-08	1.50		0.00%	
2.00			Up to 2 hours	1-Apr-08	2.00		0.00%	
2.60			Up to 3 hours		2.60		0.00%	
3.60			Up to 4 hours		3.60		0.00%	
			RESIDENTS PARKING					
		56,000	(a) RESIDENTS PARKING PERMITS Annual Fee					37,110
60.00		400	Margate West zone	1-Apr-08	60.00		0.00%	-
60.00			Belmont Road Broadstairs	1-Apr-08	60.00		0.00%	
60.00			Addington Road Margate	1-Apr-08	60.00		0.00%	
60.00			Birchington	1-Apr-08	60.00		0.00%	
60.00			Victoria Parade, Broadstairs	1-Apr-08	60.00		0.00%	
60.00			Madiera	1-Apr-08	60.00		0.00%	
15.00			Replacement Discs	1-Apr-08	15.00		0.00%	
		3,060	(b) RESIDENTS PARKING AREAS					5,500
2.50			Daily visitors tickets	1-Apr-08	2.50		0.00%	
2.00			Daily visitors tickets purchased in bulk (20 at a time)	1-Apr-08	2.00		0.00%	
350.00			Commercial premises sited in residential areas - per permit	1-Apr-08	350.00		0.00%	
15.00			Motorcycle permits	1-Apr-08	15.00		0.00%	
			FIXED PENALTY FINE - ON STREET					
		80,000	(Fixed by Central Government)					80,000
		187,000						187,000
70.00			(a) Higher level penalty charge	1-Apr-08	70.00		0.00%	
35.00			(b) Higher level penalty charge - Payment within fourteen days	1-Apr-08	35.00		0.00%	
50.00			(c) Lower level penalty charge	1-Apr-08	50.00		0.00%	
25.00			(d) Lower level penalty charge - Payment within fourteen days	1-Apr-08	25.00		0.00%	
			With effect from 31st March 2008					
			DECRIMINALISATION					
		3,000	(a) ANNUAL DISPENSATION					8,000
400.00			Commercial Users	1-Apr-12	400.00		0.00%	
50.00			Professional Community Services	1-Apr-12	50.00		0.00%	

CHARGES 2012/2013 £	INC VAT *	ESTIMATED INCOME 2012/2013 £	DETAILS	DATE LAST CHANGED	CHARGES 2013/2014 £	INC VAT *	% CHANGE	ESTIMATED INCOME 2013/2014 £
FREE			Voluntary Community Services		FREE			
35.00		1,000	(b) WEEKLY WAIVER Builders	1-Apr-12	35.00		0.00%	1,650
30.00		800	(c) CONES Out of Hours Use/Less than 7 days notice/Lost Cones	1-Apr-12	30.00		0.00%	100
10.00			More than 7 days notice		10.00		0.00%	
50.00		800	Suspension of Bay - Administration Fee	1-Apr-12	50.00		0.00%	2,100
			MISCELLANEOUS CHARGES					
100.00		2,880	ROAD CLOSURES (Street Fairs)	1-Apr-12	100.00		0.00%	3,100
			CREMATORIUM					
		154,750	CREMATION FEE					#REF!
		678,100	Non-viable babies	1-Apr-12	15.00		0.00%	733,880
15.00			Stillborn child or age less than one month	1-Apr-12	15.00		0.00%	
50.00			Child - one month but less than 12 years	1-Apr-12	50.00		0.00%	
230.00			Person 12-18 years	1-Apr-11	230.00		0.00%	
455.00			Person over 18 years	1-Apr-12	475.00		4.40%	
			The cremation fee includes :-					
			(a) The use of chapel for 25 minute service, waiting room, recorded music for opening and closing voluntaries, all attendance after coffin is placed on catafalque by the funeral director.					
			Note: Use of chapel in excess of 25 minutes will be charged extra -see item (n) under Additional Charges below					
			(b) Supply of card container for release					
			(c) Scattering of ashes in crematorium grounds					
25.00			Medical Referees fee	1-Apr-10	25.00		0.00%	
100.00			Environmental Surcharge (additional to adult cremation fee and full cemetery burial-per adult cremationand full burial)	1-Apr-11	100.00		0.00%	
			ADDITIONAL CHARGES					
			(a) Forwarding ashes within Great Britain (including postage, packing & approved container)					
140.00		5,120	(b) Disposal of ashes from other crematoria	1-Apr-12	140.00		0.00%	2,060
Delete		180	(c) Supply of urns	delete	Delete			-
20.00		20,000	(d) Search fee	1-Apr-12	20.00	*	0.00%	12,910
250.00		20,900	(e) Garden of rest					
30.00			(1) (a) Exclusive right of plot for the interment of ashes in caskets or urns	1-Apr-11	260.00		4.00%	18,540
120.00		20,800	(b) Assignment of right of burial	1-Apr-09	30.00		0.00%	
140.00			(2) Interment of ashes in caskets or urns	1-Apr-10	120.00		0.00%	
100.00		8,280	(3) Interment of ashes in caskets or urns from other crematoria	1-Apr-11	140.00		0.00%	
25.00			(4) (a) Right to erect headstone (Lawn burial system)	1-Apr-10	110.00		10.00%	8,650
25.00			(b) Right to erect vase 8" high x 7" square (any size in excess classed as headstone)	1-Apr-10	30.00		20.00%	
10		780	(c) Additional inscription on existing memorial	1-Apr-10	30.00		20.00%	
60.00		9,800	(5) Supply of number stone	1-Apr-11	10.00	*	0.00%	620
			(f) Auger Pot - interment of ashes	1-Apr-11	60.00		0.00%	8,450
44.00		14,830	(g) Inscription in books of remembrance					
22.00			(1) Two lines	1-Apr-11	46.00	*	4.55%	12,360
			(2) Each additional line	1-Apr-11	23.00	*	4.55%	
			(h) Memorial plaques					

at cost + 30% +VAT

at cost + 30% +VAT

CHARGES 2012/2013 £	INC VAT *	ESTIMATED INCOME 2012/2013 £	DETAILS	DATE LAST CHANGED	CHARGES 2013/2014 £	INC VAT *	% CHANGE	ESTIMATED INCOME 2013/2014 £
175.00		5,450	(1) Lease wall space for 5 years (2) Existing plaque - renewal per ONE year	1-Apr-12	180.00 40.00		2.86%	5,150
70		140	(i) Miniature books of remembrance	1-Apr-11	70.00	*		220
25		(	(j) Memorial cards (folded)	1-Apr-11	25.00	*		520
25		(	(k) Memorial cards (unfolded)	1-Apr-11	25.00	*		
35		(	(l) Floral illustration	1-Apr-11	35.00	*		
50		(	(m) All other illustrations (badges, crests etc)	1-Apr-11	50.00	*		
100.00		((n) Use of chapel for private memorial service - max 25 minutes (Note: Also applies to use of chapel for extra time (i.e.in excess of 25 minutes covered by Cremation fee)	1-Apr-11	100.00	*	0.00%		2,060
30.00			(o) Hymn book dedication	1-Apr-11	30.00	*	0.00%	
15.00		2,390	(p) Bearers fee	1-Apr-11	15.00		0.00%	3,300
Delete			(q) Memorial Trees (when available)	1-Apr-11	Delete			
450.00		3,040	(r) Memorial Bench Plaque (when available) - Lease of space for 5 years	1-Apr-12	450.00		0.00%	
MARGATE & RAMSGATE CEMETERIES								
60.00		3,880 1,850	Use of Cemetery Chapel - for private memorial service - max 25 minutes (excluding children and contracted funerals)	1-Apr-11	60.00	*	0.00%	3,710 2,470
500.00		31,050	(a) Purchase of exclusive right of burial					33,990
160.00		24,310	Adult	1-Apr-12	525.00		5.00%	18,950
			Child under 12 years	1-Apr-11	165.00		3.13%	
1000.00		Included above	Purchase of Exclusive Right of Burial (Adult only) - non Parishioner	1-Apr-12	1050.00		5.00%	Included above
30.00		900 720	(b) Assignment of right of burial	1-Apr-12	30.00		0.00%	
545.00		65,090	(c) Interment - adult - pre-purchased grave only - hand or mechanically dug					82,400
750.00		40,950	5 ft grave	1-Apr-12	560.00		2.75%	45,320
1140.00			7 ft grave	1-Apr-12	760.00		1.33%	
1350.00			9 ft grave	1-Apr-12	1160.00		1.75%	
			11ft grave	1-Apr-12	1360.00		0.74%	
1350.00			(d) Interment - adult - New single grave or anything less than maximum available depth of 11 ft (Margate only)	1-Apr-12	1360.00		0.74%	
150.00		Included above	(e) Interment - child under 12 years					
			5 ft grave	1-Apr-10	150.00		0.00%	Included above
335.00			(f) Interment - adult - general grave [NOTE: only available at Ramsgate Cemetery] Per interment	1-Apr-12	760.00		126.87%	
120.00			(h) Cremated remains - per interment	1-Apr-11	120.00		0.00%	
At cost + 30% + VAT			(i) Exhumation					
360.00			(j) Miscellaneous charges					
			Additional charge for interment at weekends or public holidays	1-Apr-12	390.00		8.33%	

CHARGES 2012/2013 £	INC VAT *	ESTIMATED INCOME 2012/2013 £	DETAILS	DATE LAST CHANGED	CHARGES 2013/2014 £	INC VAT *	% CHANGE	ESTIMATED INCOME 2013/2014 £
260.00			[NOTE : per 3 hours, minimum charge is for 3 hours]	1-Apr-12	260.00		0.00%	
60.00			Additional charge for interment at less than 3 working days' notice	1-Apr-12	60.00		0.00%	
20.00			Late funerals - each 15 minutes delay	1-Apr-12	20.00	*	0.00%	
			Search fee					
100.00		(	(k) Memorial Fees	1-Apr-10	110.00		10.00%	11,310
		8,850	(1) Right to erect headstone					
		(	Max 3'6" high, 3' wide, 1'6" depth. Min 2' high, 1'6" wide, 2" depth					
100.00		4,090	(2) Right to erect kerb	1-Apr-10	110.00		10.00%	2,400
25.00		(	(3) Right to erect vase - 8" high by 7" square (any size in excess classed as headstone)	1-Apr-10	30.00		20.00%	
25.00		1,360	(4) Additional inscriptions	1-Apr-10	30.00		20.00%	
		760						
10		830	(l) Number stones	1-Apr-11	10.00			
350.00		300	(n) Memorial Bench Plaque (when available) - Lease of space for 5 years	1-Apr-12	350.00		0.00%	610
			BULKY WASTE COLLECTIONS					
25.00		26,480	Minimum charge including collection of up to 3 items or up to 10 black sacks of household waste		25.00			17,500
35.00			Up to 5 items or up to 15 black sacks of household waste		35.00			
25.00		2,500	Fridge Freezers		25.00			2,500
27.50			Three piece suite/ large furniture item		27.50			
			All collections made on a number of items basis, no discounts offered for half or full loads.					
			All collections priced as to be made from the ground floor at the front of property.					
25.00			Rear of property or from within the property collections will be provided at additional cost - maximum 3 items.	1-Apr-12	15.00			
			Additional items @ £5 each		5.00			
			GREEN GARDEN WASTE COLLECTION					
		11,000	(a) Hire charge for wheeled bin:					20,000
27.50			One-off charge for wheeled bin (non-refundable)	1-Apr-10	27.50		0.00%	
		124,470	(b) Collection charges					139,000
30.00			i) Join before 31 March 2012 - for collections until end March 2013	1-Apr-10	-			
35.00			ii) Join April/May/June - for collections until end March 2014	1-Apr-10	35.00		0.00%	
30.00			iii) Join July/Aug/Sept - for collections until end March 2014	1-Apr-10	30.00		0.00%	
25.00			iv) Join Oct/Nov/Dec - for collections until end March 2014	1-Apr-10	25.00		0.00%	
20.00			v) Join Jan/Feb/Mar - for collections until end March 2014	1-Apr-10	20.00		0.00%	
			ALLOTMENTS					
4.00		13,000	Per perch (25sq metres), per annum (Payable on 1st October)	1-Apr-12	4.20		5.00%	13,650
25.00		3,800	Minimum charge per plot	1-Apr-12	26.00		4.00%	3,950
			From 2008/9 a water charge is proposed based upon previous years water charges					
			BROADSTAIRS HARBOUR					
			(1) COMMERCIAL VESSELS					
135.00	*		(a) Consent to lay moorings per annum or part thereof					
100.00	*		Annual	1-Apr-10	140.00	*	3.70%	
65.00	*		Summer (April to September inclusive)	1-Apr-10	100.00	*	0.00%	
3.10	*		Winter (October to March inclusive)	1-Apr-10	65.00	*	0.00%	
			(b) Harbour charges - per metre per week or part thereof					
				1-Apr-10	3.10	*	0.00%	

CHARGES 2012/2013 £	INC VAT *	ESTIMATED INCOME 2012/2013 £	DETAILS	DATE LAST CHANGED	CHARGES 2013/2014 £	INC VAT *	% CHANGE	ESTIMATED INCOME 2013/2014 £
			(2) PLEASURE VESSELS - permanent					
140.00	*	1,460	(a) Consent to lay moorings per annum or part thereof	1-Apr-11	140.00	*	0.00%	1,460
105.00	*		Annual	1-Apr-11	105.00	*	0.00%	
70.00	*		Summer (April to September inclusive)	1-Apr-11	70.00	*	0.00%	
			Winter (October to March inclusive)					
160.00	*	1,660	(b) Harbour charges	1-Apr-11	160.00	*	0.00%	1,660
130.00	*		Annual	1-Apr-11	130.00	*	0.00%	
85.00	*		Summer (April to September inclusive)	1-Apr-11	85.00	*	0.00%	
			Winter (October to March inclusive)					
15.00	*		(3) PLEASURE VESSELS - visiting					
			Harbour charges - per day	1-Apr-11	15.00	*	0.00%	
9.00	*		(4) LAUNCHING FEE					
525.00	*		(a) per launch	1-Apr-10	9.00	*	0.00%	
			(b) block bookings - yearly permits (Angling Club)	1-Apr-10	525.00	*	0.00%	
		39,220	(5) CAR PARK					39,220
			1 November - 31 March					
0.60			Up to 1 hour				-100.00%	
1.00			Up to 2 hours				-100.00%	
1.40			Up to 3 hours				-100.00%	
2.00			Over 3 hours and up to 15 hours (until 10pm)				-100.00%	
			Per hour upto 4 hours		0.50			
			Over 4 hours (until 10.00pm)		2.50			
			1 April - 31st October					
2.50			Up to 1 hour				-100.00%	
4.00			Up to 2 hours				-100.00%	
6.00			Up to 4 hours				-100.00%	
10.00			Over 4 hours and up to 15 hours (until 10pm)				-100.00%	
			Per hour upto 4 hours		1.50			
			Over 4 hours (until 10.00pm)		7.50			
98.00	*	4,220	Parking permit (Moorings & Stallholders only)	1-Apr-12	101.00	*	3.06%	4,220
540.00	*		Residents permits - Annual	1-Apr-12	540.00	*	0.00%	
		300	(6) SAND REMOVAL					300
			Only by prior arrangement with Broadstairs Harbour Office					
20.00	*		Per tonne or part thereof	1-Apr-12	21.00	*	5.00%	
20.00	*		Minimum charge	1-Apr-12	21.00	*	5.00%	
			(7) INTEREST					
			Interest will be charged at 2% above NatWest Bank plc base rate from the date of billing on any invoices outstanding over 90 days					
			MARGATE HARBOUR					
			(1) COMMERCIAL VESSELS					
		840	(a) Consent to lay moorings per annum or part thereof					870
135.00	*		Annual	1-Apr-10	140.00	*	3.70%	
100.00	*		Summer (April to September inclusive)	1-Apr-10	100.00	*	0.00%	
65.00	*		Winter (October to March inclusive)	1-Apr-10	32.00	*	-50.77%	
3.10	*	910	(b) Harbour charges - per metre per week or part thereof	1-Apr-10	3.10	*	0.00%	910
			(2) PLEASURE VESSELS - permanent					
140.00	*	840	(a) Consent to lay moorings per annum or part thereof	1-Apr-11	140.00	*	0.00%	840
			Annual					

CHARGES 2012/2013 £	INC VAT *	ESTIMATED INCOME 2012/2013 £	DETAILS	DATE LAST CHANGED	CHARGES 2013/2014 £	INC VAT *	% CHANGE	ESTIMATED INCOME 2013/2014 £
105.00	*		Summer (April to September inclusive)	1-Apr-11	105.00	*	0.00%	
70.00	*		Winter (October to March inclusive)	1-Apr-11	70.00	*	0.00%	
160.00	*	830	(b) Harbour charges					830
130.00	*		Annual	1-Apr-11	160.00	*	0.00%	
85.00	*		Summer (April to September inclusive)	1-Apr-11	130.00	*	0.00%	
			Winter (October to March inclusive)	1-Apr-11	85.00	*	0.00%	
15.00	*		(3) PLEASURE VESSELS - visiting					
			Harbour charges - per day	1-Apr-10	15.00	*	0.00%	
9.00	*		(4) LAUNCHING FEE - per launch					
525.00	*		block bookings - yearly permits (Angling Club)	1-Apr-10	9.00	*	0.00%	
			(5) INTEREST					
			Interest will be charged at 2% above NatWest Bank plc base rate from the date of billing on any invoices outstanding over 90 days		525.00	*		
RAMSGATE HARBOUR - LEISURE								
			(1) PERMANENT BERTHS					
			Vessel Lengths - fractions of a metre of 0.5 and above are rounded up.					
			Signed Vessel Mooring Licence required.					
253.30	*	372,110	(a) Inner Marina					386,990
		124,800	Annual - per metre	1-Apr-12	263.40	*	4.0%	
			2% Discount if paid in full before 1st May		258.12	*		129,790
199.70	*	13,520	5% Discount for vessels over 20 metres who pay in full before 1st May					
			Summer (April to September inclusive) - per metre - incl car park only**	1-Apr-12	207.70	*	4.0%	14,060
			**Minimum 4 months or visitor rate applies.					
113.60	*	18,720	Winter (October to March inclusive) - per metre - incl car park only**	1-Apr-12	118.10	*	4.0%	19,470
			**Minimum 4 months or visitor rate applies.					
1397.80	*	13,520	Boats under 7 metres - per annum (Limited Berth allocation) - non-refundable- [existing customers only]	1-Apr-12	1453.70	*	4.0%	14,060
278.30	*	104,010	(b) Western Outer Marina					108,170
		47,840	(1) Annual - per metre - Minimum 9 months - Summer and Winter Rates do not apply.	1-Apr-12	289.40	*	4.0%	49,750
			2% Discount if paid in full before 1st May					
			(c) Ancillary Services					
			(1) Electricity - Inner Marina - subject to availability					
			Metered supplies					
100.00			Metered Lead - Refundable Deposit	1-Apr-12	100.00		0.0%	
100.00			Additional surcharge if lead is not returned	1-Apr-12	100.00		0.0%	
27.60	*	20,590	Standing charge per quarter	1-Apr-12	28.60	*	3.6%	21,410
per market	*	17,600	Charge per kWh - subject to electricity market		per market	*		17,600
			Ad hoc use by those not paying for electricity in other ways - subject to market					
6.20	*		Per day or part thereof	1-Apr-12	6.39	*	3.1%	
31.20	*		Per week	1-Apr-12	32.40	*	3.8%	
11.60	*	520	(2) Fobs - each	1-Apr-12	12.10	*	4.3%	540
41.00		580	(3) Fuel Transfer Charge - all vessels - 24 hour notice and Harbour Master approval required					
			(4) Permission to bring tanker onto Harbour property (VAT exempt) - Per Vessel per Bunkering - 24 notice and Harbour Master approval required	1-Apr-12	42.60		3.9%	600
64.00	*	52,000	(d) Outer Harbour - RSBOA Members Leisure Boats Only					55,550
			Boats up to 8 metres - per month or part thereof - minimum 3 months	1-Apr-12	66.60	*	4.1%	
26.00	*	0	(e) Additional fee to change billing method at request of customer					0
21.00	*		Insurance reminder charge for second and subsequent written request to see permanent berth holders third party insurance	1-Apr-12	27.00	*	3.8%	
					23.10	*		
		50	(2) INNER BASIN AND OUTER HARBOUR SLIPWAYS					50
			Boats irrespective of length (maximum weight 5 tonnes)					
34.30	*		Non - Harbour users - per day per use	1-Apr-12	35.67	*	3.99%	
21.80	*		Harbour users - per day per use	1-Apr-12	22.67	*	3.99%	
			(3) VISITING PLEASURE CRAFT					
		225,160	(1) Summer (April to September) including electricity (one lead only) per Metre of boat length per:-					247,680

CHARGES 2012/2013 £	INC VAT *	ESTIMATED INCOME 2012/2013 £	DETAILS	DATE LAST CHANGED	CHARGES 2013/2014 £	INC VAT *	% CHANGE	ESTIMATED INCOME 2013/2014 £
2.60	*		24 Hours or part thereof	1-Apr-12	2.90	*	11.5%	
15.20	*		Week - part weeks at daily rate	1-Apr-12	16.70	*	9.9%	
53.00	*		28 Days - part 28 days on weekly / daily rates	1-Apr-12	58.30	*	10.0%	
			Winter (October to March) including electricity per Metre of boat length per:-					
2.20	*		24 Hours or part thereof	1-Apr-12	2.40	*	9.1%	
12.80	*		Week - part weeks at daily rate	1-Apr-12	14.10	*	10.2%	
40.00	*		28 Days - part 28 days on weekly / daily rates	1-Apr-12	44.00	*	10.0%	
			Stays Less Than 4 Hours - 50% of daily rate					
			(2) Refueling Only - No Charge - max stay 2 hours		No Charge			
			(3) Block Bookings- visiting craft only - 5 or more boats paying one sum on daily rate only - 10% discount					
			(4) Training Vessels and Registered Charities - pay 75% of the Daily rate					
			(5) Multi hulled vessels 50% surcharge if using finger moorings only					
21.00	*		(6) Additional Fee for visiting craft leaving Harbour without paying charges in full	1-Apr-12	23.10	*	10.0%	
			RAMSGATE HARBOUR - FACILITIES					
		98,000	(1) BOAT LIFTING CHARGES					101,920
			(a) Boat Hoist max 40 tonnes, max beam 5.3m, over 20m length subject to approval					
			Charges per metre of boat length or part thereof :-					
19.70	*		Lift Out - Wash - Transport to Boat Park	1-Apr-12	20.50	*	4.1%	
15.40	*		Relaunch or lift onto trailer	1-Apr-12	16.00	*	3.9%	
12.80	*		Lift Out, Wash, Return to water - one hour limit	1-Apr-12	13.30	*	3.9%	
8.60	*		Blocking off	1-Apr-12	8.90	*	3.5%	
6.70	*		Hold in slings - per 30 minutes or part thereof (subject to availability)	1-Apr-12	7.00	*	4.5%	
7.90	*		Move vessel in park area	1-Apr-12	8.20	*	3.8%	
68.60	*		Lift to clear fouled propeller(s) only - max 10 minutes - per lift	1-Apr-12	70.66	*	3.0%	
			(b) Boom Crane Lifting max 1 tonne					
10.60	*		Mast Stepping and unstepping - per metre of boat length	1-Apr-12	11.00	*	3.8%	
68.60	*		Engine Lift - per engine	1-Apr-12	71.30	*	3.9%	
			(c) Other Services					
49.00	*		Moving boat to/from marina berth from/to boat lift area	1-Apr-12	51.00	*	4.1%	
			Above charges apply to job commencing 08.00-16.30 Mon -Fri, 08.00-12.00 Sat, except bank					
41.00	*		(d) Permission to bring crane not provided by Authority onto Harbour property (VAT exempt)	1-Apr-12	42.60		3.9%	
		76,720	(2) BOAT PARKING - Per metre per week or part thereof					79,790
6.10	*		(a) Boat Park - Non-Resident Boat Owners	1-Apr-12	6.30	*	3.3%	
2.30	*		(b) Boat Park - Resident Boat Owners (including Broadstairs and Margate - max 6 weeks)	1-Apr-12	2.40	*	4.3%	
			(c) Temporary Hard Standing - Commercial Quay - MAX 14 Days - then 50% surcharge					
6.10	*		Non-Resident Boat Owners	1-Apr-12	6.30	*	3.3%	
2.30	*		Resident Boat Owners (including Broadstairs and Margate - max 6 weeks)	1-Apr-12	2.40	*	4.3%	
2.90	*		(d) Under Cover Storage - subject to availability - per square metre per week or part thereof	1-Apr-12	3.00	*	3.4%	
			Minimum 10 square meters charge					
58.20	*		(e) Charge for cleaning boat park if left untidy - per man hour	1-Apr-12	60.50	*	4.0%	
7.90	*		(3) BOAT TRAILER or CRADLE STORAGE - subject to availability - per trailer per week or part thereof	1-Apr-12	8.20	*	3.8%	
			(4) HIRE OF FORKLIFT AND OPERATOR					
			(a) Hire of Forklift and Operator					
			(i) Under 2.5 tonne					
61.70	*		first half hour or part thereof	1-Apr-12	64.20	*	4.1%	
30.80	*		per additional half hour or part thereof	1-Apr-12	32.00	*	3.9%	
			(ii) 6 tonne					
			first half hour or part thereof	New	72.85	*		
			per additional half hour or part thereof	New	36.40	*		
			(iii) 10 Tonne					
78.40	*		first half hour or part thereof	1-Apr-12	81.50	*	4.0%	
39.20	*		per additional half hour or part thereof	1-Apr-12	40.80	*	4.1%	
61.70	*		(b) Hire of Forklift under 2.5 Tonne - per tonne or part thereof	1-Apr-12	64.20	*	4.1%	
			(c) Hire of Cherry Picker					
75.00	*		first half hour or part thereof	New	78.00	*	4.0%	

CHARGES 2012/2013 £	INC VAT *	ESTIMATED INCOME 2012/2013 £	DETAILS	DATE LAST CHANGED	CHARGES 2013/2014 £	INC VAT *	% CHANGE	ESTIMATED INCOME 2013/2014 £
35.00	*		per additional half hour or part thereof	New	36.40	*	4.0%	
350.00	*		7 hour day rate	New	364.00	*	4.0%	
			(d) Hire of Tugmaster / Maffi Truck			*		
			Tugmaster	New		*		
			first half hour or part thereof	New	81.50	*		
			per additional half hour or part thereof	New	40.80	*		
			Maffi Truck - per 24 hours	New	54.00	*		
			(5) MARINA PUMP OUT FACILITY			*		
5.20			Per use subject to availability	1-Apr-12	5.40	*	3.85%	
			RAMSGATE HARBOUR - COMMERCIAL (OUTER HARBOUR DUES)					
			These charges form part of Ships, Passengers and Goods Dues under the Harbours Act 1964.					
			VAT - Ships of 15 tons and over are zero rated (excluding ships used for recreation or pleasure)					
			N.B. Vessels paying following rates and entering					
			Inner Basin Marina will be charged full Marina visitor's					
1.00	*		(1) COMMERCIAL VESSELS - Undertaking Cargo Operations or Lay By	1-Apr-12	1.04	*	4.00%	
			For all commercial vessels other than those mentioned hereunder per gross registered tonne per entry. An entry shall permit a maximum stay of four days, after which further entry dues become payable every four days.					
5.80	*		(2) COMMERCIAL VESSELS - Non-Resident Commercial Fishing Boats	1-Apr-12	6.00	*	3.45%	
			Per metre of length overall per 24 hours or part thereof - now including Port Controls and Navigation Aids					
		20,800	(3) TUG BOATS and WORKBOATS - Non-Resident - Operational and non operational					21,420
		137,380	Including Navigation Aids and port Control					141,500
4.83		24,960	Per metre of length overall per 24 hours or part thereof	1-Apr-12	5.00		3.45%	25,710
24.16			Per metre of length overall per 7 days	1-Apr-12	25.00		3.45%	
			Annual Charges per Port Tariff					
			WORKBOATS - Resident in the port - Operational and non operational					
337.00			Per metre of length overall per annum (excludes Port Control and Navigation Aids)	1-Apr-12	350.42		3.98%	
18.20			Port Control and Navigation Aids per arrival subject to maximum charge	1-Apr-12	18.88		3.90%	
6635.20			Port Control and Navigation Aids maximum charge per annum per vessel minimum 6 months pro rata	1-Apr-12	6900.00		3.99%	
			(4) COMMERCIAL FISHING BOATS - Resident at least 6 months (Operational or Non-Operational)					
			Vessels of 6 metres in length and over					
3.60	*	47,490	Per metre of length overall per week or part thereof - plus 10% fish landing dues	1-Apr-12	3.72	*	3.33%	48,910
			Vessels under 6 metres in length					
3.60	*	4,060	Per metre of length overall per week or part thereof - no fish landing dues	1-Apr-12	3.72	*	3.33%	4,180
174.70	*	27,480	(5) ANGLING BOATS Licensed To Ply For Hire	1-Apr-12	181.50	*	3.89%	28,300
			Per metre of overall length per annum (at least 6 months resident)					
			(6) WHARFAGE, CARGO HANDLING and STORAGE					
			(7) CONTAINER STORAGE - conditions apply - subject to availability					
			Harbour Users - per container per week of part thereof - minimum 2 weeks - no services					
25.00	*	17,760	In 20ft Containers	1-Apr-12	26.00	*	4.00%	19,650
38.70	*		In 40ft Containers	1-Apr-12	40.20	*	3.88%	
			(8) FUEL TRANSFER CHARGE - All Vessels					
40.60			Permission to bring tanker onto Harbour property	1-Apr-12	42.20		3.94%	
1.90		480	(9) FRESH WATER - per Tonne	1-Apr-12	2.00		3.68%	480
			(10) CONTAINERS ON PONTOONS					
6.20			Charge for containers left on pontoons - per container per day	1-Apr-12	6.44	*	3.87%	
22.90			(11) Tradesmen working in Harbour Area - Annual Permit to Work	1-Apr-12	23.80		3.93%	
			Licence for non-resident tradesmen to work in harbour - subject to Insurance and Harbour Master approval					
			RAMSGATE HARBOUR - CAR PARKING / MISCELLANEOUS					

CHARGES 2012/2013 £	INC VAT *	ESTIMATED INCOME 2012/2013 £	DETAILS	DATE LAST CHANGED	CHARGES 2013/2014 £	INC VAT *	% CHANGE	ESTIMATED INCOME 2013/2014 £
		26,520	(1) CAR PARKING - PIER YARD AND MILITARY ROAD PAY & DISPLAY					26,520
2.00	*	27,050	(a) Summer Rates (April to September):					27,050
4.90	*		Up to 1 hour	1-Apr-12	2.00	*	0.00%	
6.40	*		Up to 4 hours	1-Apr-12	4.90	*	0.00%	
8.10	*		Up to 8 hours	1-Apr-12	6.40	*	0.00%	
14.20	*		Up to 12 hours	1-Apr-12	8.10	*	0.00%	
			Up to 24 hours	1-Apr-12	14.20	*	0.00%	
1.00	*		(b) Winter Rates (October to March)					
3.00	*		Up to 1 hour	1-Apr-07	1.00	*	0.00%	
4.00	*		Up to 4 hours	1-Apr-12	3.00	*	0.00%	
4.90	*		Up to 8 hours	1-Apr-12	4.00	*	0.00%	
8.90	*		Up to 12 hours	1-Apr-12	4.90	*	0.00%	
998.40	*	8,850	Up to 24 hours	1-Apr-12	8.90	*	0.00%	
			(c) Residents Parking in Pier Yard per annum		998.40	*	0.00%	8,850
		34,320	(2) CAR PARKING PERMITS					37,150
5.20	*		Daily	1-Apr-12	5.40	*	3.85%	
9.60	*		Weekend	1-Apr-12	9.95	*	3.65%	
15.80	*		Monday to Friday	1-Apr-12	16.45	*	4.11%	
15.80	*		Friday to Monday	1-Apr-12	16.45	*	4.11%	
22.90	*		Weekly (7days)	1-Apr-12	23.80	*	3.93%	
43.70	*		Monthly (28 days)	1-Apr-12	45.40	*	3.89%	
119.00	*		Annual - per space per annum - not refundable - max.continual use without approval 2 weeks (Harbour users)	1-Apr-12	123.60	*	3.87%	
119.00	*	16,890	Annual - per space per annum - not refundable - max.continual use without approval 2 weeks (Commercial)	1-Apr-12	123.60	*	3.87%	16,890
16.60	*		(3) COACH PARKING - subject to availability - empty coaches only (no drop off facility)					
			Per 24 hours or part thereof	1-Apr-12	17.20	*	3.61%	
			(4) INTEREST					
			The Council reserves the right to charge interest at 2% above NatWest plc base rate from the date of billing on any invoices outstanding over 30 days					
			PORT OF RAMSGATE					
			These charges form part of Ships, Passengers and Goods Dues under the Harbours Act 1964.					
			(1) VESSELS					
0.05			(a) Berthing Fees					
99.80			Conservancy* - Conventional Ro-Ro Vessels per arrival per tonne (1969 Rules GT)	1-Apr-12	0.05		0.00%	
75.9		0	VTS / Navigation Aids* - per arrival	1-Apr-12	103.75		3.96%	
0.84		8,610	Tug subsidy per berthing vessels over 80m LOA	1-Apr-12	78.90		3.95%	0
208.00			Other Vessels (Not Conventional Ro-Ro) including VTS and Port Control per arrival per Tonne GT per 24 hours	1-Apr-12	0.87		3.57%	8,870
			(b) Berth - unscheduled layover - per 24 hours or part thereof after 4 hours					
			(c) TUG BOATS and WORKBOATS - Non-Resident - Operational and non operational					
4.83			Including Port Control and Navigation Aids					
24.16			Per metre of length overall per 24 hours or part thereof	1-Apr-12	5.00		3.52%	
			Per metre of length overall per 7 days	1-Apr-12	25.00		3.48%	
		36,000	Tug Boats - London Array					37,080
337.00			(d) WORKBOATS - Resident in the port - Operational and non operational					
18.20			Per metre of length overall per annum (excludes Port Control and Navigation Aids)	1-Apr-12	350.42		3.98%	
6635.20			Port Control and Navigation Aids per arrival subject to maximum charge	1-Apr-12	18.88		3.74%	
			Port Control and Navigation Aids maximum charge per annum per vessel minimum 6 months pro rata	1-Apr-12	6900.00		3.99%	
37.22			(e) Pilotage - see Ramsgate Harbour pilotage tariff					
37.22			(i) Vessels piloted to Ferry Terminal (per metre draft)		38.70		3.98%	
0.91			(ii) Vessels piloted to Royal Harbour (per metre draft)		38.70		3.98%	
			(iii) Additional charge for length: per metre over 20 metres length		0.95		4.40%	
			(iv) Vessels proceeding to anchor for operational reasons - 50% of appropriate pilotage rate		19.35			
			(v) Vessels shifting berths within the Port - 50% of appropriate pilotage rate		19.35			
47.22			(vi) Charges for cancellation of Pilotage requirement if less than 3 hours notice given		49.10		3.98%	
			(vii) Waiting time					
			under 30 mins		No charge			
19.07			30 mins to 1 hour		19.83		3.99%	
19.07			After 1 hour (per hour or part thereof)		19.83		3.99%	
59.12			(viii) Additional charge for handling vessels using tugs		61.46		3.96%	
59.12			(ix) Charge for issuing of Exemption Certificate		61.46		3.96%	

CHARGES 2012/2013 £	INC VAT *	ESTIMATED INCOME 2012/2013 £	DETAILS	DATE LAST CHANGED	CHARGES 2013/2014 £	INC VAT *	% CHANGE	ESTIMATED INCOME 2013/2014 £
168.85			(x) Charge for Pilotage Certificate Examination		175.60		4.00%	
21.82			(xi) Charge to be made for vessels navigating with a Master or Mate holding a Ramsgate Exemption Certificate		22.69		3.99%	
221.94			(xii) Charge to be made for vessels navigating with a pilot:		230.82		4.00%	
260.05			- vessels 20m to 75m		270.45		4.00%	
329.08			- vessels 100m to 120m		342.24		4.00%	
381.39			- vessels 120m to 150m		396.65		4.00%	
			- vessels 150m to 175m					
			(xiii) Additional Pilotage surcharge: Vessels under 80 metres in length, but over all 20 metres in length, not taking a pilot berthing and unberthing within Port of Ramsgate, will be charged 30% of pilotage fee for vessel of their size					
104.00			(f) Mooring - subject to prior arrangement	1-Apr-12	108.15		3.99%	
60.30			(g) Waste disposal - standard charge per vessel arrival- Vessels up to 500 GT Vessels over 500 GT	1-Apr-12	62.70		3.98%	
			(2) TRAFFIC					
1.50			(a) Freight Drivers* - per unit	1-Apr-12	1.56		4.00%	
1.50			(b) Additional Freight Passengers* - per unit	1-Apr-12	1.56		4.00%	
7.50			(c) Accompanied Freight* - per unit	1-Apr-12	7.80		4.00%	
4.60			(d) Unaccompanied Freight* - per unit	1-Apr-12	4.78		3.91%	
1.4			(e) Trade Cars - per unit	1-Apr-12	1.45		3.57%	
1.50			(f) Passengers - per unit	1-Apr-12	1.56		4.00%	
3.40			(g) Cars, Light Vehicles, Caravans & Trailers - seating capacity 10 or less - accompanied - per unit	1-Apr-12	3.53		3.82%	
22.50			(h) Coaches - vehicles with seating capacity over 10	1-Apr-12	23.40		4.00%	
		48,530	(3) OTHER CHARGES - subject to availability					
842.40			(a) Tug Stand-by or Assistance					49,990
421.20			per first hour or part thereof	1-Apr-12	876.00		3.99%	
1.90		31,930	subsequent hours or part thereof	1-Apr-12	438.00		3.99%	
22.50	*		(b) Water - per tonne (metered)	1-Apr-12	2.00		3.68%	32,890
			(c) Hire of Security Operative (including re detainees) - per man hour or part thereof	1-Apr-12	23.40		4.00%	
			(d) Hire of Forklift and Operator					
			(i) Under 2.5 Tonne					
51.40			first half hour or part thereof	1-Apr-12	53.50		4.09%	
25.70			per additional half hour or part thereof	1-Apr-12	26.67		3.77%	
			(ii) 6 tonne					
			first half hour or part thereof	New	60.71			
			per additional half hour or part thereof	New	30.33			
			(ii) 10 Tonne					
65.30			first half hour or part thereof	1-Apr-12	67.92		4.01%	
32.70			per additional half hour or part thereof	1-Apr-12	34.00		3.98%	
51.40			(e) Hire of Forklift* under 2.5 Tonne - per hour or part thereof	1-Apr-12	53.50		4.09%	
			(f) Hire of Cherry Picker					
			first half hour or part thereof	New	65.00			
			per additional half hour or part thereof	New	30.33			
			7 hour day rate	New	303.33			
			(g) Hire of Tugmaster / Maffi Truck					
			Tugmaster					
			first half hour or part thereof	New	67.92			
			per additional half hour or part thereof	New	34.00			
			Maffi Truck - per 24 hours	New	45.00			
57.80			(h) Hire of Terminal Tractor* - per hour or part thereof	1-Apr-12	60.10		3.98%	
36.40			(i) Port Technician - per hour or part thereof	1-Apr-12	37.85		3.98%	
			Note; * Special agreements apply					
			(4) DEMURRAGE - vehicles using ferry services - over 6 metres (under 6 metres half price)					
			(a) Accompanied Freight - per 24 hours or part thereof					
12.50	*		Days 1 - 7	1-Apr-12	12.50	*	20.00%	
25.00	*		Days 8 and over	1-Apr-12	25.00	*	0.00%	
			(b) Unaccompanied Freight - per 24 hours or part thereof					
12.50	*		Days 1 - 7	1-Apr-12	12.50	*	20.00%	

CHARGES 2012/2013 £	INC VAT *	ESTIMATED INCOME 2012/2013 £	DETAILS	DATE LAST CHANGED	CHARGES 2013/2014 £	INC VAT *	% CHANGE	ESTIMATED INCOME 2013/2014 £
25.00	*		Days 8 and over	1-Apr-12	25.00	*	0.00%	
12.50	*	11,440	(5) TRUCK AND/OR TRAILER PARKING - subject to availability Per 24 hours or part thereof	1-Apr-12	15.00	*	20.00%	11,440
14.60	*		(6) COACH PARKING - subject to availability - empty coaches only (no drop off facility) Per 24 hours or part thereof	1-Apr-12	17.20	*	17.81%	
5.20	*		(7) CAR PARKING Daily	1-Apr-12	5.40	*	3.85%	
147.30	*	5,580	Annual Permit - Port only (Pro rata)	1-Apr-12	153.00	*	4.00%	5,580
HOUSING CHARGES								
159.74		0	(1) House Purchase Advances Redemption fee (Early redemption)	1-Apr-12	160.00		0.16%	0
1.50%			Surcharge for Credit Card Payments As a percentage of transaction	NEW	1.50%		NEW	
		394,500	Council Tax					394,500
50.00			Summons	1-Apr-11	50.00		0.00%	
50.00			Liability Order	1-Apr-11	50.00		0.00%	
		29,700	Business Rates					29,700
50.00			Summons	1-Apr-11	50.00		} 0.00%	
50.00			Liability Order	1-Apr-11	50.00			
			Payment of Housing Benefit					
10.00		0	Replacement of lost payment card	1-Apr-09	10.00		0.00%	0
25.00		100	Replacement of landlord payment schedule - single financial year	1-Apr-09	25.00		0.00%	100
50.00		100	Replacement of landlord payment schedule - multiple financial years	1-Apr-09	50.00		0.00%	100
			Assessment of Housing Benefit					
10.00		30	Request for Housing Benefit file outside of Freedom of information request		10.00		0.00%	30
3.50		300	Radar Keys Purchase of Radar Keys		3.50		0.00%	300
CHARGES FOR HIRING HOUSING COMMUNITY HALLS								
Note - Commercial and Weekend lettings by negotiation but not less than charges shown below								
Committee meetings of local registered charities								
Hours on Saturdays, Sundays & Bank Holidays								

CHARGES 2012/2013 £	INC VAT *	ESTIMATED INCOME 2012/2013 £	DETAILS	DATE LAST CHANGED	CHARGES 2013/2014 £	INC VAT *	% CHANGE	ESTIMATED INCOME 2013/2014 £
43.70		2680	BRUNSWICK HALL, RAMSGATE Minimum charge for up to three hours	1-Apr-12	43.70		0.00%	0
14.45			Each additional hour or part thereof	1-Apr-12	14.45		0.00%	
24.70			Playschools (per half day session)	1-Apr-12	24.70		0.00%	
		2000	MILLMEAD HALL					11020
25.00			Hire of Main Hall -Minimum charge for up to two hours*		25.75		3.00%	
12.00			Each additional hour or part there after		12.50		4.17%	
15.00			Hire of Smaller Room -Minimum charge for up to two hours		15.50		3.33%	
7.00			Each additional hour or part there after		7.25		3.57%	
30.00			Hire of both Main Hall & Smaller Room - Minimum charge for up to 2 hours*		31.00		3.33%	
14.00			Each additional hour or part there after		14.50		3.57%	
			Schools (per half day session)					
			* included in the hire cost of the Main Hall will be: tables, chairs,access to stage area,toilets and kitchen					
FREE			Local Authority Tenants and Residents Associations Use of Halls for meetings & fund raising		FREE			
			Note; for Weekend and Bank Holiday hire add 50%					
			OTHER HOUSING CHARGES					
		8000	Leasehold Flats (Right to Buy)					8240
93.90			(a) Notice of Assignment (including notice of mortgage if submitted at the same time)	1-Apr-12	97.00		3.30%	
60.70			(b) Notice of Mortgage (where submitted separately to the notice of assignment)	1-Apr-12	62.50		2.97%	
115.90			(c) Solicitors and Leaseholders enquiries (per enquiry letter answered and excluding the leaseholder's annual statement)	1-Apr-12	125.00		7.85%	
77.20			(d) Sub-letting fee	1-Apr-12	80.00		3.63%	
148.00			(e) Leasehold Management Fee -		148.00		0.00%	
33.10			(f) Fire Risk Safety Assessments	1-Apr-12	34.00		2.72%	
			Tenant Enquiries					
0.70			(b) Rent Statement per sheet	1-Apr-12	0.70		0.00%	
			Designated Housing Parking Areas for Non Tenants					1760
311.14		1710	(a) Harbour Towers	1-Apr-12	320.50		3.01%	
311.14			(b) Other	1-Apr-12	320.50		3.01%	
311.14			(c) St Mary's Road		320.50			
			HOUSES IN MULTIPLE OCCUPATION (HMO) LICENCE					
793.00		(	(a) Houses in Multiple Occupation 2-5 Units	1-Apr-12	817.00		3.03%)
689.00			Discounted rate (accreditation)		710.00			
593.00			Licence Renewal		611.00			
489.00			Licence Renewal (accredited)		504.00			
195.00			Variation of Licence		201.00			
145.00			Variation of Licence (accredited)		149.00			
828.00		(	(b) Houses in Multiple Occupation 6-9 units	1-Apr-12	853.00		3.02%)
724.00		11200	Discounted Rate (accredited)		746.00			11540
628.00			Licence Renewal		647.00			
524.00			Licence Renewal (accredited)		540.00			
195.00			Variation of Licence		201.00			

CHARGES 2012/2013 £	INC VAT *	ESTIMATED INCOME 2012/2013 £	DETAILS	DATE LAST CHANGED	CHARGES 2013/2014 £	INC VAT *	% CHANGE	ESTIMATED INCOME 2013/2014 £
145.00			Variation of Licence (accredited)		149.00			
891.00			(
787.00			(
691.00			(c) Houses in Multiple Occupation 10-14 Units	1-Apr-12	918.00		3.03%)
587.00			Discounted rate (accreditation)		811.00			
195.00			Licence Renewal		712.00			
145.00			Licence Renewal (accredited)		605.00			
			Variation of Licence		201.00			
			Variation of Licence (accredited)		149.00			
1200.00			(d) Houses in Multiple Occupation 15-19 Units		1236.00			
1096.00			Discounted rate (accreditation)		1129.00			
1000.00			Licence Renewal		1030.00			
896.00			Licence Renewal (accredited)		923.00			
195.00			Variation of Licence		201.00			
145.00			Variation of Licence (accredited)		149.00			
1474.00			(e) Houses in Multiple Occupation 20-29 Units		1518.00			
1370.00			Discounted rate (accreditation)		1411.00			
1274.00			Licence Renewal		1312.00			
1170.00			Licence Renewal (accredited)		1205.00			
195.00			Variation of Licence		201.00			
145.00			Variation of Licence (accredited)		149.00			
1748.00			(f) Houses in Multiple Occupation 30-39 Units		1800.00			
1644.00			Discounted rate (accreditation)		1693.00			
1548.00			Licence Renewal		1594.00			
1444.00			Licence Renewal (accredited)		1487.00			
195.00			Variation of Licence		201.00			
145.00			Variation of Licence (accredited)		149.00			
2022.00			(g) Houses in Multiple Occupation 40-49 Units		2083.00			
1918.00			Discounted rate (accreditation)		1976.00			
1822.00			Licence Renewal		1877.00			
1718.00			Licence Renewal (accredited)		1770.00			
195.00			Variation of Licence		201.00			
145.00			Variation of Licence (accredited)		149.00			
2297.00			(h) Houses in Multiple Occupation 50+ Units		2366.00			
2193.00			Discounted rate (accreditation)		2259.00			
2097.00			Licence Renewal		2160.00			
1993.00			Licence Renewal (accredited)		2053.00			
195.00			Variation of Licence		201.00			
145.00			Variation of Licence (accredited)		149.00			
150.00			Change of property manager details		155.00			
100.00			Change of property manager details (accredited)		103.00			
			Selective licensing fees	1-Apr-12			NEW	
546.00			(a) Single occupied house/flat		562.00			
442.00			Accredited discount		455.00			
195.00			Variation of Licence		201.00			
145.00			Variation of Licence (accredited)		149.00			
346.00			Licence Renewal		356.00			
242.00			Licence Renewal (accredited)		249.00			
546.00			(b) Buildings containing flats		562.00			
442.00			First flat fee		455.00			
249.00			per additional flat		256.00			
195.00			Variation of Licence		201.00			
145.00			Variation of Licence (accredited)		149.00			
346.00			Licence Renewal (First Flat)		356.00			
242.00			Licence Renewal (accredited)		249.00			
49.00			per additional flat		50.00			

CHARGES 2012/2013 £	INC VAT *	ESTIMATED INCOME 2012/2013 £	DETAILS	DATE LAST CHANGED	CHARGES 2013/2014 £	INC VAT *	% CHANGE	ESTIMATED INCOME 2013/2014 £
95.00		0	Immigration visits/inspections		95.00		0.00%	0
350.00		0	Charging for enforcement notices charge now to be fixed previously variable charge		350.00		0.00%	0
			Housing Regeneration - charges for advice services					
			Full Property Inspection Service					
			Fee based on property size					
180.00			1-2 rooms		180.00			
135.00			1-2 rooms (accredited discount)		135.00			
190.00			3-4 rooms		190.00			
145.00			3-4 rooms (accredited discount)		145.00			
220.00			5-7 rooms		220.00			
165.00			5-7 rooms (accredited discount)		165.00			
250.00			8-10 rooms		250.00			
185.00			8-10 rooms (accredited discount)		185.00			
290.00			11+ rooms		290.00			
220.00			11+ rooms (accredited discount)		220.00			
			Fire Risk Assessment Property Inspections					
			Fee based on property size					
140.00			1-2 rooms		140.00			
105.00			1-2 rooms (accredited discount)		105.00			
150.00			3-4 rooms		150.00			
115.00			3-4 rooms (accredited discount)		115.00			
180.00			5-7 rooms		180.00			
135.00			5-7 rooms (accredited discount)		135.00			
215.00			8-10 rooms		215.00			
160.00			8-10 rooms (accredited discount)		160.00			
245.00			11+ rooms		245.00			
185.00			11+ rooms (accredited discount)		185.00			
			Property Accreditation					
125.00			Quality check inspection etc		125.00			
95.00			Quality check inspection etc (accredited discount)		95.00			
			PLANNING					
P.O.A		580,000	Fees for Applications -Town & Country Planning Act 1990		P.O.A			580,000
			Planning Approvals etc. per copy					
	*		Copies of planning documents, decisions etc. per page	1-Apr-09		*		
		20,000	Pre-application planning advice					20,000
			Major Developments					
250.00			Written Advice only	1-Apr-11	250.00	*	NEW	
500.00			Meeting and written confirmation	1-Apr-11	500.00	*	NEW	
			Minor Developments					
150.00			Written Advice only	1-Apr-11	150.00	*	NEW	
250.00			Meeting and written confirmation	1-Apr-11	250.00	*	NEW	
25.00		15,000	Householder pre-apllication advise			*		15,000
			Written advice		50.00			
			Meeting with written confirmation		100.00			
48.40			Research of Planning History	1-Apr-11	48.40	*		
0.10			Photocopy official document, per page	1-Apr-08	0.10	*	0.00%	
0.10			Tree Preservation Order copies per page	1-Apr-08	0.10		0.00%	
			Copy Plans					

CHARGES 2012/2013 £	INC VAT *	ESTIMATED INCOME 2012/2013 £	DETAILS	DATE LAST CHANGED	CHARGES 2013/2014 £	INC VAT *	% CHANGE	ESTIMATED INCOME 2013/2014 £
0.10	*		A4 size per page	1-Apr-09	0.10	*	0.00%	
0.20	*		A3 size per page	1-Apr-09	0.20	*	0.00%	
37.00	*		A1 size per page		37.00	*	0.00%	
37.00	*		A0 size per page		37.00	*	0.00%	
55.00			Local Plan New Local Plan	1-Apr-09	55.00		0.00%	
BUILDING CONTROL								
20.00	*	6,500	Building Regulation Approval Notice copies	1-Apr-12	25.00	*	25.00%	1,000
51.00	*	(	Written request for Building Control information (not pre application advice)	1-Apr-12	55.00	*	7.84%)
65.00	*	(	Per enquiry letter answered	1-Apr-12	70.00	*	7.69%)
		(	Each site visit)
51.00	*	(	Research of Building Regulation history (not pre application advice)	1-Apr-12	55.00	*	7.84%)
20.00	*	(	Subsequent Approval Notice copies following reasearch	1-Apr-12	25.00	*	25.00%)
P.O.A		370,540	Building Regulation Fees		P.O.A			370,540
		23,000						23,000
MUSEUMS								
		26,400	Dickens House Museum					26,400
3.75	*		Admission - Adult	1-Apr-12	3.75	*	0.00%	
2.10	*		Admission - Child (under 16)	1-Apr-12	2.10	*	0.00%	
2.10	*		Students	1-Apr-12	2.10	*	0.00%	
10.00	*		Family Ticket - 2 Adults and 2 Children	1-Apr-12	10.00	*	0.00%	
2.00	*		Under 16s Group ticket - min 10 persons (including max 2 adults per group) - price per person	1-Apr-12	2.00	*	0.00%	
3.00	*		Over 16s/Adults Group ticket - min 10 persons- price per person	1-Apr-11	3.00	*	0.00%	
SPORTS AND LEISURE								
1.00			General sports activity - per child		1.00			
5.00			Headline sports activity -per child		5.00			
3.00			General sports activity - per adult		3.00			
5.00			Headline sports activity -per adult		5.00			
MARGATE BEACH SPORTS COURT HIRE								
8.00			Pre Booked Courts	NEW 2012-13	8.00	*		500
16.00			Volleyball court - per hour	NEW 2012-13	16.00	*		
5.00			Beach soccer/full court - per hour	NEW 2012-13	5.00	*		
			Floodlights for any court - per hour			*		
5.00			Walk-on Courts	NEW 2012-13	5.00	*		
10.00			Volleyball court - per hour	NEW 2012-13	10.00	*		
5.00			Beach soccer/full court - per hour	NEW 2012-13	5.00	*		
			Floodlights for any court - per hour			*		
CULTURAL AND OUTSIDE EVENTS								
		2000	Fee for booking a Council Site (per day) -					3000
450.00			Commercial Event	1-Apr-10			-100.00%	
50.00			Registered Charity	1-Apr-10			-100.00%	

CHARGES 2012/2013 £	INC VAT *	ESTIMATED INCOME 2012/2013 £	DETAILS	DATE LAST CHANGED	CHARGES 2013/2014 £	INC VAT *	% CHANGE	ESTIMATED INCOME 2013/2014 £
50.00			Neighbourhood Projects	1-Apr-10			-100.00%	
80.00			Mobile Exhibition Caravan/Trailer - public service information	1-Apr-10			-100.00%	
130.00			Mobile Exhibition Caravan/Trailer - small/medium commercial	1-Apr-10			-100.00%	
350.00			Mobile Exhibition Caravan/Trailer - Commercial promotions				NEW	
130.00			Standard Hire event	1-Apr-10			-100.00%	
250.00			Fireworks on Council land for private/commercial event	1-Apr-10			-100.00%	
			Deposits (returnable when land left in good order ie litter free etc)					
			- standard event					
			- commercial event					
			Charity, School or Community (excludes Boot Fairs)		60.00			
			Boot Fairs		200.00			
			Major Event (1000+)		550.00			
			Standard Event (499-999)		250.00			
			Small Events (less than 499)		150.00			
			Fireworks		295.00			
			Fairgrounds and Circuses per day		350.00			
			Ramsgate Harbour Hire		POA			
			Payment in advance of permissions only.					

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DELEGATION OF APPROVAL OF COUNCIL TAX BASE

To: **Council – 6th December 2012**

Main Portfolio Area: **Finance**

By: **Financial Services Manager**

Classification: **Unrestricted**

Ward: **All**

Summary: For Council to agree that approval of the Council Tax Base for 2013/14 and the NNDR1 form be delegated to the S151 Officer and Leader of the Council

For Decision

1.0 Introduction and Background

1.1 The Council Tax Base for the forthcoming year needs to be approved by 31 January and is therefore usually taken to Full Council in December. However, the revised regulations setting out how the Council Tax Base is to be calculated for 2013/14 are not due until the end of November which means that the calculation can not be finalised in time for it to be taken to this December Council meeting. In order to ensure that the Council Tax Base is approved by the 31 January deadline, it is proposed that the approval of the Council Tax Base is delegated to the S151 Officer in consultation with the Leader of the Council. The position will then be reported as part of the February budget papers.

1.2 As part of the Business Rates Retention Scheme, the NNDR1 form will become an important return for estimating business rates income for the following year. As such, the Department for Communities and Local Government are looking for this to be approved by Full Council by the end of January or for the approval to be delegated. This report therefore proposes that approval of the NNDR1 form be delegated to the S151 Officer in consultation with the Leader as the data is not available in time for this meeting.

2.0 Options

2.1 That Council agree the approval process for the Council Tax Base and NNDR1 form be delegated to the S151 Officer in consultation with the Leader of the Council.

3.0 Corporate Implications

3.1 Financial

3.1.1 The Council Tax Base feeds into the budget calculations and will therefore be presented to Members as part of the February budget papers.

3.2 Legal

3.2.1 Section 84 of the Local Government Act 2003 amends Section 67 of the Local Government Finance Act 1992 so that a full council meeting is no longer required to adopt the Council Tax Base that is used when setting Council Taxes.

3.3 Corporate

3.3.1 As part of the budget process, the Council Tax Base needs to be approved by 31 January each year.

3.4 Equity and Equalities

3.4.1 There are no equity or equalities issues arising from this report.

4.0 Recommendation(s)

4.1.1 That Council agrees to delegate the approval of the Council Tax Base to the S151 Officer in consultation with the Leader.

4.1.2 That Council agrees to delegate approval of the NNDR1 form to the S151 Officer in consultation with the Leader.

Contact Officer:	Sarah Martin, Financial Services Manager and Deputy S151 Officer
Reporting to:	Philip Hamberger, Director of Corporate Services and Transformation

STATEMENT OF GAMBLING POLICY

To: **Council – 6th December 2012**

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

By: **Regulatory Services Manager**

Classification: **Unrestricted**

Ward: **Not applicable**

Summary: **This report reviews the Statement of Gambling Policy under the 2005 Gambling Act.**

For Decision

1.0 Introduction and Background

- 1.1 The Gambling Act 2005 came into force in September 2007. It removed from the Magistrates' Courts all responsibility for granting gaming and betting permissions. The Act introduced a unified regulator, the Gambling Commission, and a new licensing regime for commercial gambling (to be conducted by the Commission or by Licensing Authorities, depending on the matter to be licensed).
- 1.2 Premises licences are granted by Licensing Authorities, which, in an English County with a County Council, are the District Councils. Premises licences authorise the provision of facilities on casino, bingo and betting premises, adult gaming centres and family entertainment centres. Decisions relating to premises licences are delegated to the Licensing Board under the Act. Permits for gaming machines and Small Society lottery registration are also dealt with by District Councils.
- 1.3 Licensing Authorities must have a Statement of Gambling Policy in place under the Act. Full Council approved the Gambling Policy in December 2006. This Policy is required under the Act to be reviewed every three years and was again approved by Full Council in October 2009. The Policy needs to be published four weeks prior to the 31st January 2013.
- 1.4 Premises licensed by the Council are an important part of our local town centres, with a significant number of employees. It is therefore important to the local economy that the Council discharges its statutory duty in both an efficient and effective manner.

2.0 The Current Situation

- 2.1 There are currently three casino, two bingo, and seventeen betting premises in Thanet. There are also fourteen Adult Gaming and Family Entertainment Centres. A variety of permits have also been issued to premises for gaming machines.
- 2.2 Guidance under the Act is issued by the Gambling Commission to Local Authorities. The Gambling Commission published its latest Guidance in September 2012.

- 2.3 Consultation took place on the draft Statement of Gambling Policy between the 1st June and the 24th August 2012. The Act requires the Licensing Authority to consult with the Police and interested persons. 'Interested persons' are further defined in the Act. Copies of the draft Policy were sent to the persons and bodies mentioned at appendix 5 in the Policy. The same appendix lists the responses received, a total of two - the Association of British Bookmakers confirmed that they were satisfied with the draft Gambling Policy Statement, HM Revenue & Customs advised of a change of address for correspondence which has been amended. The amended Statement of Gambling Policy is at Annex 1.
- 2.4 The Act requires Licensing Authorities to publish the Policy statement in January 2013. The Policy must be approved by Full Council. Licensing Authorities are required to have regard to the Guidance issued by the Gambling Commission.

3.0 Options

- 3.1 To adopt the Statement of Gambling Policy.
- 3.2 To adopt the Statement of Gambling Policy with amendments.
- 3.3 To reject the Statement of Gambling Policy and require Officers to produce a further draft.

4.0 Corporate Implications

4.1 Financial

- 4.1.1 Should the Policy be rejected further consultation would have to take place with cost implications.

4.2 Legal

- 4.2.1 Regulations made under the Act state that Local Authorities should have their Policy in place by January 2013. Legal challenges may be made where consultation does not comply with the Act or Policy does not follow the Guidance issued.

4.3 Corporate

- 4.3.1 To be able to carry out its functions under the Act the Council will have to approve a Statement of Gambling Policy by December 2012.

4.4 Equity and Equalities

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

5.0 Recommendation

- 5.1 To recommend paragraph 3.1 that Council adopt the Statement of Gambling Policy.

6.0 Decision Making Process

- 6.1 If Council adopt the Statement of Gambling Policy it will come into force in January 2013.

Contact Officer:	<i>Philip Bensted, Regulatory Services Manager</i>
Reporting to:	<i>Harvey Patterson, Corporate and Regulatory Services Manager</i>

Annex List

<i>Annex 1</i>	<i>Draft Statement of Gambling Policy</i>
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Background Papers

Guidance issued by the Gambling Commission and the Gambling Act 2005. The Guidance is available at www.gamblingcommission.gov.uk.

Corporate Consultation Undertaken

All Members of the Senior Management Team	
Planning, Environmental Protection	

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Gambling Act 2005

Gambling Policy Statement

January 2013

If you would like a copy of this document in a different format such as Braille, audio or large print, or in another language please call 01843 577165

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Foreword

It is just over five years since the Gambling Act came into force and responsibility for Gambling premises moved from the Magistrates' Court to the Council.

The Act has three key objectives in relation to gambling, to ensure it is fair, crime free and children and vulnerable persons are protected. Local Authorities have responsibility for Betting, Casino and Bingo premises as well as premises with gaming machines and small society lotteries.

This document is a formal statement of the Policy adopted by Thanet District Council, setting out how it will secure the 'licensing objectives'. The Policy takes into consideration the latest Guidance issued by the Gambling Commission.

I hope that those in the licensed trade, and other interested parties, will find the Policy an essential document.

Councillor

January 2013

1. The Licensing Objectives

In exercising most of their functions under the Gambling Act 2005, licensing authorities must have regard to the licensing objectives as set out in section 1 of the Act. The licensing objectives are:

- Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime
- Ensuring that gambling is conducted in a fair and open way
- Protecting children and other vulnerable persons from being harmed or exploited by gambling.

Licensing Authorities will aim to permit the use of premises for gambling as set out in Section 153 of the Act.

2. Introduction

Thanet District Council is situated in the County of Kent, which contains 12 District Councils and 1 Unitary Authority in total. Each is represented on the Kent & Medway Regulatory Licensing Steering Group (K&MRLStGp) whose role includes the identification of issues on which a consistent countywide approach is considered essential and the formulation of recommended policy that establishes a minimum standard on these identified issues.

This policy has been formulated by the K&MRLStGp.

Thanet District Council area has a population of approximately 130,000 making it one of the largest in the County in terms of population. In terms of area it is one of the smallest, covering 40 square miles. Thanet contains the towns of Margate, Ramsgate and Broadstairs. The population is mainly resident in the towns with a spread around the whole coast. There is a rural hinterland.

The areas are shown in the map below.



Licensing authorities are required by the Gambling Act 2005 to publish a statement of the principles that they proposed to apply when exercising their functions. This statement must be published at least every three years. The statement can also be reviewed from “time to time” and the amended parts re-consulted upon. The statement must then be re-published.

In determining its policy the licensing authority must have regard to the Guidance and will give appropriate weight to the views of those it has consulted.

Thanet District Council consulted widely on this policy statement before finalising and publishing it. A list of the persons consulted and responses is provided at appendix 5.

The Gambling Act requires that the following parties be consulted by Licensing Authorities:

- The Chief Officer of Police
- One or more persons who appear to the authority represent the interests of persons carrying on gambling businesses in the authority’s area
- One or more persons who appear to the authority to represent the interests of persons who are likely to be affected by the exercise of the authority’s functions under the Gambling Act 2005

The list of persons consulted when preparing this Policy statement is deliberately wide. The list of persons this authority consulted can be found at appendix 5.

The consultation took place between the 1st June and 24th August 2012.

The full list of comments made, the consideration of them by the Council and the reasons given for decisions made in drafting the policy following consultation, is available by request to: Licensing Department, Thanet District Council, PO Box 9, Cecil Street, Margate CT9 1XZ, 01843 577432.

The policy was approved at a meeting of the Full Council on the ----- and was published via our website on www.thanet.gov.uk. Copies have been placed in the public libraries of the area as well as being available in the principal Council Offices. Should you have any comments as regards this policy statement please send them via email or letter to the following contact:

Name: Philip Bensted, Regulatory Services Manager
Address: Licensing Department, PO Box 9, Cecil Street, Margate CT9 1XZ
Email: philip.bensted@thanet.gov.uk

This policy statement will not override the right of any person to make an application, make representations about an application, or apply for a review of a licence. Each application or representation will be considered on its own merits and according to the statutory requirements of the Gambling Act 2005 and the Guidance issued by the Gambling Commission (the Guidance).

3. Declaration

In producing this final licensing policy statement, this licensing authority declares that it has had regard to the licensing objectives of the Gambling Act 2005, the Guidance, and any responses from those consulted on the policy statement.

4. Casinos

No Casinos resolution – Section 166 of the Gambling Act 2005 gives a Licensing Authority the ability to resolve not to issue casino premises licences. This licensing authority has **not** passed a ‘no casino’ resolution. Should this licensing authority decide in the future to pass such a resolution, it will update this policy statement with details of that resolution.

5. Functions

	Function
Be responsible for the licensing of premises where gambling activities are to take place by issuing <i>Premises Licences</i>	Issue <i>Provisional Statements</i>
Regulate <i>members’ clubs</i> and <i>miners’ welfare institutes</i> who wish to undertake certain gaming activities via issuing Club Gaming Permits and/or Club Machine Permits	Issue <i>Club Machine Permits to Commercial Clubs</i>
Grant permits for the use of certain lower stake gaming machines at <i>unlicensed Family Entertainment Centres</i>	Receive notifications from alcohol licensed premises (under the Licensing Act 2003) of the use of two or fewer gaming machines
Grant <i>Licensed Premises Gaming Machine Permits</i> for premises licensed to sell/supply alcohol for consumption on the licensed premises, under the Licensing Act 2003, where more than two machines are required	Register <i>small society lotteries</i> below prescribed thresholds
Issue <i>Prize Gaming Permits</i>	Receive and Endorse <i>Temporary Use Notices</i>
Receive <i>Occasional Use Notices</i>	Provide information to the Gambling Commission regarding details of licences issued (see section above on ‘information exchange’)
Maintain registers of the permits and licences that are issued under these functions	

Please Note:

The Gambling Commission functions are listed on page 22.

The Licensing Authority is not responsible for remote gambling.

Concerns about manufacture, supply or repair of gaming machines will not be dealt with by the licensing authority but will be notified to the Gambling Commission.

6. Responsible Authorities

In exercising this licensing authority's powers under Section 157(h) of the Act to designate, in writing, a body which is competent to advise the authority about the protection of children from harm, the following principles have been applied:

- the need for the body to be responsible for an area covering the whole of the licensing authority's area
- the need for the body to be answerable to democratically elected persons, rather than any particular vested interest group etc

In accordance with the Gambling Commission's Guidance for local authorities this authority designates the following for this purpose:

Kent Social Services
Brenchley House
County Hall
Maidstone
Kent ME14 1RF

The contact details of all the Responsible Bodies under the Gambling Act 2005 are available via the Council's website at: www.thanet.gov.uk

7. Interested Parties

Interested parties can make representations about licence applications, or apply for a review of an existing licence. These parties are defined in the Gambling Act 2005 as someone who, in the opinion of the licensing authority which issues the licence or to which the application is made, -

- a) lives sufficiently close to the premises to be likely to be affected by the authorised activities,
- b) has business interests that might be affected by the authorised activities, or
- c) represents persons who satisfy paragraph (a) or (b).

The licensing authority is required by regulations to state the principles it will apply in exercising its powers under the Gambling Act 2005 to determine whether a person is an interested party. The principles are:

Each case will be decided upon its merits. This authority will not apply a rigid rule to its decision-making. It will however consider the following matters as recommended by the Guidance to local authorities:

- the size of the premises
- the nature of the premises
- the distance of the premises from the location of the person making the representation
- the potential impact of the premises (number of customers, routes likely to be taken by those visiting the establishment); and

- the nature of the complainant. (not the personal characteristics of the complainant but the interests of the complainant, which may be relevant to the distance from the premises. For example, it could be reasonable for an authority to conclude that “sufficiently close to be likely to be affected” could have a different meaning for (a) a private resident (b) a residential school for children with truanting problems and (c) residential hostel for vulnerable adults).
- the catchment area of the premises (i.e. how far people travel to visit); and
- whether the person making the representation has business interests in that catchment area, that might be affected.

The Gambling Commission has emphasised to licensing authorities, that ‘demand’ cannot be a factor in decisions.

Guidance also states that moral objections to gambling are not a valid reason to reject applications for premises licences. This is because such objections do not relate to the licensing objectives (Guidance to Licensing Authorities Para 5.28).

The Gambling Commission has also recommended that the licensing authority state that interested parties include trade associations and trade unions, and residents and tenants’ associations. This authority will not however generally view these bodies as interested parties unless they have a member who can be classed as one under the terms of the Gambling Act 2005 i.e. lives sufficiently close to the premises to be likely to be affected by the authorised activities.

Interested parties can be represented by other persons such as Ward Councillors, Councillors for the Division, MP’s etc. Councillors who are part of the Licensing Committee dealing with the licence may not be able to represent an interested party. They may recommend another councillor who may help. If an interested party needs advice on this matter he should contact the Council’s Democratic Services section at Thanet District Council.

8. Exchange of Information

In holding and exchanging information with other bodies during the exercise of its functions under the Act the licensing authority will act in accordance with the provisions of the Act, the Data Protection principles as set out in the Data Protection Act 1998 and its duties under the Freedom of Information Act 2000.

The licensing authority will have regard to any Guidance issued by the Gambling Commission to Local Authorities on this matter as well as any relevant regulations issued by the Secretary of State under the powers provided in the Gambling Act 2005.

9. Enforcement

The Kent & Medway Licensing Steering Group has formulated an Enforcement Protocol which each Licensing Authority and Responsible Authority has agreed. The purpose of this protocol is to facilitate co-operation and co-ordination between enforcement agencies in pursuance of both the Gambling Act 2005 and the Licensing Act 2003. It will underpin the mutual operational support required to tackle licensing issues.

In accordance with the Guidance this licensing authority will endeavour to avoid duplication with other regulatory regimes so far as possible.

This licensing authority will also, as recommended in the Guidance, adopt a risk-based inspection programme.

Licensing authorities are required by regulation under the Gambling Act 2005 to state the principles to be applied by the authority in exercising the functions under Part 15 of the Act with respect to the inspection of premises; and the powers under section 346 of the Act to institute criminal proceedings in respect of the offences specified.

This licensing authority's principles are that:

It will be guided by the Guidance and will endeavour to be:

- Proportionate: regulators should only intervene when necessary: remedies should be appropriate to the risk posed, and costs identified and minimised;
- Accountable: regulators must be able to justify decisions, and be subject to public scrutiny;
- Consistent: rules and standards must be joined up and implemented fairly;
- Transparent: regulators should be open, and keep regulations simple and user friendly; and
- Targeted: regulation should be focused on the problem, and minimise side effects

The main enforcement and compliance role for this licensing authority in terms of the Gambling Act 2005 will be to ensure compliance with the Premises Licences and other permissions, which it authorises.

The Gambling Commission will be the enforcement body for the Operator and Personal Licences. The Gambling Commission will be responsible for compliance as regards unlicensed premises.

Philip Bensted
Regulatory Services Manager
January 2013

Introduction

Appendix 1

The Gambling Commission's Guidance for licensing authorities states the following. The paragraphs below endeavour to meet this request:

“The authority should set out in its statement what factors it may take into account when considering applications for premises licences, permits and other permissions and matters that it will consider relevant when determining whether to review a licence. This is where considerations such as the proximity of gambling premises to schools and vulnerable adult centres, or to residential areas where there may be a high concentration of families with children, should be detailed. Any such policy must, however, come with the qualification that each case will be decided on its merits, so if an applicant can show how they might overcome licensing objective concerns, that will have to be taken into account.” (6.37)

Permits

(i) Unlicensed Family Entertainment Centre gaming machine permits (Statement of Principles on Permits - Schedule 10 paragraph 7)

Where a premises does not hold a Premises Licence but wishes to provide gaming machines, it may apply to the licensing authority for this permit.

The Gambling Act 2005 states that a licensing authority may prepare a statement of principles that they propose to consider in determining the suitability of an applicant for a permit and in preparing this statement, and/or considering applications, it need not (but may) have regard to the licensing objectives and shall have regard to any relevant guidance issued by the Commission under section 25.

It should be noted that a licensing authority cannot attach conditions to this type of permit and that the “statement of principles” only applies to initial applications and not to renewals.

For initial applications, the Licensing Authority does not have to have regard to the licensing objectives but does need to have regard to any Gambling Commission guidance.

Guidance for local authorities states: “a licensing authority statement may include a statement of principles that it proposes to apply when exercising its functions in considering applications for permits. In particular it may want to set out the matters that it will take into account in determining the suitability of the applicant. Given that the premises will particularly appeal to children and young persons, licensing authorities may want to give weight to matters relating to child protection issues.” (24.6)

The Guidance also states: “An application for a permit may be granted only if the licensing authority is satisfied that the premises will be used as an unlicensed FEC, and if the chief officer of police has been consulted on the application. Unlicensed FECs, by definition, will not be subject to scrutiny by the Commission as no operating (or other) licences will be applied for and issued. Licensing Authorities might wish to consider asking applicants to demonstrate:

- A full understanding of the maximum stakes and prizes of the gambling that is permissible in unlicensed FECs;
- That the applicant has no relevant convictions (those that are set out in Schedule 7 of the Act);
- That employees are trained to have a full understanding of the maximum stakes and prizes.” (24.7)

This licensing authority adopted a statement of principles which is at Appendix 6.

With regard to renewals of these permits, the licensing authority may refuse an application for renewal of a permit only on the grounds that an authorised local authority officer has been refused access to the premises without reasonable excuse, or that renewal would not be reasonably consistent with pursuit of the licensing objectives.

(ii) (Alcohol) Licensed premises gaming machine permits – (Schedule 13 Para 4(1))

There is provision in the Act for premises licensed to sell alcohol for consumption on the premises, to automatically have 2 gaming machines, of categories C and/or D. The premises merely need to notify the licensing authority. The licensing authority can remove the automatic authorisation in respect of any particular premises if:

- provision of the machines is not reasonably consistent with the pursuit of the licensing objectives;
- gaming has taken place on the premises that breaches a condition of section 282 of the Gambling Act (i.e. that written notice has been provided to the licensing authority, that a fee has been provided and that any relevant code of practice issued by the Gambling Commission about the location and operation of the machine has been complied with)
- the premises are mainly used for gaming; or
- an offence under the Gambling Act has been committed on the premises

If a premises wishes to have more than 2 machines, then it needs to apply for a permit and the licensing authority must consider that application based upon the licensing objectives, any guidance issued by the Gambling Commission issued under Section 25 of the Gambling Act 2005, and “*such matters as they think relevant.*” This licensing authority considers that “such matters” will be decided on a case by case basis but that if any general themes arise it will endeavour to provide examples of such in this licensing policy statement by way of a revision.

It should be noted that the licensing authority can decide to grant the application with a smaller number of machines and/or a different category of machines than that applied for. Conditions (other than these) cannot be attached.

It should also be noted that the holder of a permit must comply with any Code of Practice issued by the Gambling Commission about the location and operation of the machine.

**(iii) Prize Gaming Permits – (Statement of Principles on Permits - Schedule 14
Para 8 (3))**

The Gambling Act 2005 states that a Licensing Authority may “prepare a statement of principles that they propose to apply in exercising their functions under this Schedule” which “may, in particular, specify matters that the licensing authority propose to consider in determining the suitability of the applicant for a permit”.

The Guidance states: “In their Licensing Authority Statement of Policy, licensing authorities should include a statement of principles that they propose to apply when exercising their functions in considering applications for permits. In particular, they may want to set out the matters that they will take into account in determining the suitability of the applicant. Given that the premises will particularly appeal to children and young persons, in considering what to take into account in the application process and what information to request from the applicant, licensing authorities will want to give weight to child protection issues. Licensing Authorities should ask the applicant to set out the types of gaming that he or she is intending to offer and the applicant should be able to demonstrate that:

- they understand the limits to stakes and prizes that are set out in Regulations;
- the gaming offered is within the law.” (27.12)

This licensing authority has prepared a statement of principles which is at Appendix 6.

In making its decision on an application for this permit the licensing authority does not need to have regard to the licensing objectives but must have regard to any Gambling Commission guidance.

It should be noted that there are conditions in the Gambling Act 2005 that the permit holder must comply with, but that the licensing authority cannot attach conditions. The conditions in the Act are:

- the limits on participation fees, as set out in regulations, must be complied with;
- all chances to participate in the gaming must be allocated on the premises on which the gaming is taking place and on one day; the game must be played and completed on the day the chances are allocated; and the result of the game must be made public in the premises on the day that it is played;
- the prize for which the game is played must not exceed the amount set out in regulations (if a money prize), or the prescribed value (if non-monetary prize); and participation in the gaming must not entitle the player to take part in any other gambling.

(iv) Club Gaming and Club Machines Permits

Members Clubs and Miners' welfare institutes (but not Commercial Clubs) may apply for a Club Gaming Permit or a Clubs Gaming machines permit. The Club Gaming Permit will enable the premises to provide gaming machines (3 machines of categories B, C or D), equal chance gaming and games of chance as set-out in forthcoming regulations. A Club machine permit will enable the premises to provide gaming machines (3 machines of categories B, C or D).

Guidance for local authorities states: "Members clubs must have at least 25 members and be established and conducted "wholly or mainly" for purposes other than gaming, unless the gaming is restricted to bridge and whist. Members' clubs must be permanent in nature, but there is no need for a club to have an alcohol licence." (25.5)

This Licensing Authority is aware that: "Licensing authorities may only refuse an application on the grounds that:

- (a) the applicant does not fulfil the requirements for a members' or commercial club or miners' welfare institute and therefore is not entitled to receive the type of permit for which it has applied;
- (b) the applicant's premises are used wholly or mainly by children and/or young persons;
- (c) an offence under the Act or a breach of a permit has been committed by the applicant while providing gaming facilities;
- (d) a permit held by the applicant has been cancelled in the previous ten years;
- (e) an objection has been lodged by the Commission or the police (25.40)

It should be noted that there is a 'fast-track' procedure available for premises that hold a Club Premises Certificate under the Licensing Act 2003. As the Gambling Commission's Guidance for local authorities states: "Under the fast-track procedure there is no opportunity for objections to be made by the Commission or the police, and the grounds upon which an authority can refuse a permit are reduced" and "The grounds on which an application under the process may be refused are:

- (a) that the club is established primarily for gaming, other than gaming prescribed by regulations under Section 266 of the Act;
- (b) that in addition to the prescribed gaming, the applicant provides facilities for other gaming;
- (c) a club gaming permit or club machine permit issued to the applicant in the last ten years has been cancelled." (25.45)

Premises Licences

Appendix 2

(i) Decision making - general:

Premises Licences will be subject to the permissions/restrictions set-out in the Gambling Act 2005 and Regulations, as well as specific mandatory and default conditions which will be detailed in regulations issued by the Secretary of State. Licensing authorities are able to exclude default conditions and also attach others, where it is believed to be appropriate.

This licensing authority is aware that in making decisions about premises licences it should aim to permit the use of premises for gambling in so far as it thinks it:

- in accordance with any relevant code of practice issued by the Gambling Commission
- in accordance with any relevant guidance issued by the Gambling Commission
- reasonably consistent with the licensing objectives and
- in accordance with the authority's statement of licensing policy

As regards licence conditions, the Guidance for local authorities states that "Conditions imposed by the licensing authority must be proportionate to the circumstances which they are seeking to address. In particular, licensing authorities should ensure that the premises licence conditions are:

- relevant to the need to make the proposed building suitable as a gambling facility
- directly related to the premises and the type of licence applied for;
- fairly and reasonably related to the scale and type of premises:
- reasonable in all other respects. (9.29)

The Commission also adds that the "licensing authority should take decisions on individual conditions on a case by case basis, although this will be against the background of any general policy set out in this guidance or their own licensing authority statement of policy." (9.31)

This licensing authority is in agreement with these statements by the Gambling Commission.

There are also conditions which the licensing authority cannot attach to premises licences which are:

- any condition on the premises licence which makes it impossible to comply with an operating licence condition
- conditions relating to gaming machine categories, numbers, or method of operation;
- conditions which provide that membership of a club or body be required (the Gambling Act 2005 specifically removes the membership requirement for casino and bingo clubs and this provision prevents it being reinstated and
- conditions in relation to stakes, fees, winning or prizes

The Gambling Commission has also emphasised to local authorities, that ‘demand’ cannot be a factor in decisions.

(ii) “premises”:

Premises is defined in the Act as “any place”. It is for the licensing authority to decide whether different parts of a building can be properly regarded as being separate premises taking into consideration Guidance issued by the Gambling Commission.

This licensing authority takes particular note of the Gambling Commission’s Guidance for local authorities which states that in considering applications for multiple licences for a building or those for a specific part of the building to be licensed, licensing authorities “should be aware of the following:

- the third licensing objective seeks to protect children from being harmed by gambling. In practice that means not only preventing them from taking part in gambling, but also preventing them from being in close proximity to gambling. Therefore premises should be configured so that children are not invited to participate in, have accidental access to, or closely observe gambling where they are prohibited from participating;
- entrances to and exits from parts of a building covered by one or more premises licences should be separate and identifiable so that the separation of different premises is not compromised and that people do not ‘drift’ into a gambling area. In this context it should normally be possible to access the premises without going through another licensed premises or premises with a permit.
- Customers should be able to participate in the activity named on the premises licence”.(7.18)

(iii) Location:

This licensing authority notes the Guidance which states that: “Licensing authorities may need to consider the location of premises in the context of this¹ licensing objective. If an application for a licence or permit is received in relation to premises that are in an area noted for particular problems with organised crime, for example, licensing authorities should think about what (if any) controls might be appropriate to prevent those premises becoming a source of crime. These might include conditions being put on the licence, such as a requirement for door supervisors.” (5.11)

¹ Preventing gambling being a source of crime or disorder, being associated with crime or disorder or being used to support crime.

The Commission also states in its Guidance: “For example, a licensing authority statement of policy could and should, set out the general principles that the licensing authority will apply when determining whether the location of proposed gambling premises is acceptable (with or without conditions) in light of the licensing objectives. For example, a licensing authority statement of policy might set out that the authority will consider very carefully whether applications for premises licence in respect of certain gambling premises located very close to a school, or a centre for gambling addicts should be granted in light of the third licensing objective. Any such policy must, however, come with the qualification that each case will be decided on its merits, and will depend to a large extent on the type of gambling that it is proposed will be offered on the premises. If an applicant for a premises licence can show how licensing objective concerns can be overcome, that will have to be taken into account.” (6.12) This licensing authority will adhere to this advice.

(iv) Planning:

Planning and licensing are different regulatory systems and will be dealt with separately. The Guidance states: “When dealing with a premises licence application for finished buildings, the licensing authority should not take into account whether those buildings have to comply with the necessary planning or building consents. Nor should fire or health and safety risks be taken into account. Those matters should be dealt with under relevant planning control, building and other regulations, and must not form part of the consideration for the premises licence. Section 210 of the Act prevents licensing authorities taking into account the likelihood of the proposal by the applicant obtaining planning or building consent when considering a premises licence application. Equally the grant of a gambling premises licence does not prejudice or prevent any action that may be appropriate under the law relating to planning or building.” (7.67)

This authority will listen to, and consider carefully, any concerns about conditions which are not able to be met by licensees due to planning restrictions should such a situation arise.

(v) Duplication:

In accordance with the Guidance this licensing authority will endeavour to avoid duplication with other regulatory regimes so far as possible.

(vi) Door Supervisors:

The Guidance states that licensing authorities may require persons operating premises in which gambling takes place to take measures such as the supervision of entrances; segregation of gambling from non-gambling areas frequented by children (assuming such non-gambling areas are compatible with requirements of the Act); and the supervision of gaming machines in non-adult gambling specific premises in order to pursue the licensing objectives.

It is to be noted that door supervisors at licensed casino or bingo premises are exempt from the requirements of the Private Security Industry Act 2001. Where an authority imposes door supervision requirements on such licences, the personnel will not need licensing under the 2001 Act.

However where a casino or bingo premises are licensed under the Licensing Act 2003 Door Supervisors employed are required to be licensed under the PSIA Act 2001 to enable them to perform their functions under that Act.

(vii) Licensing objectives:

This licensing authority has considered the Gambling Commission's Guidance to local authorities and some comments are provided with regard to the licensing objectives.

Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime:

The Guidance has noted that "disorder is intended to mean activity that is more serious and disruptive than mere nuisance. Factors to consider in determining whether a disturbance was serious enough to constitute disorder would include whether police assistance was required and how threatening the behaviour was to those who could see or hear it." This authority agrees with this statement.

Ensuring that gambling is conducted in a fair and open way:

The Guidance states that "Generally the Commission would not expect licensing authorities to become concerned with ensuring that gambling is conducted in a fair and open way as this will be a matter for either the management of the gambling business, and therefore subject to the operating licence, or will be in relation to the suitability and actions of an individual and therefore subject to the personal licence." (5.18) This licensing authority also notes, however, that the Gambling Commission also states "in relation to the licensing of tracks the licensing authorities' role will be different from other premises in that track owners will not necessarily have an operating licence. In those circumstances the premises licence may need to contain conditions to ensure that the environment in which betting takes place is suitable." (5.19)

Protecting children and other vulnerable persons from being harmed or exploited by gambling:

The Guidance states that "The objective talks of protecting children from being "harmed or exploited by gambling", but in practice that often means preventing them from taking part in or being in close proximity to gambling..."

This Licensing Authority has also noted that Guidance states "Licensing authorities need to consider, in relation to particular premises, whether any special considerations apply in relation to the protection of vulnerable persons. Any such considerations need to be balanced against the authority's objective to aim to permit the use of premises for gambling." (5.23)

As regards the term "vulnerable persons" it is noted that the Gambling Commission is not seeking to offer a definition but states that "it does for regulatory purposes assume that this group includes people who gamble more than they want to; people who gamble beyond their means; and people who may not be able to make informed or balanced decisions about gambling due to mental health needs, learning disability or substance misuse relating to alcohol or drugs." This licensing authority will consider the objective on a case-by-case basis. (5.22)

This licensing authority will pay particular attention to any Codes of Practice, which the Gambling Commission issues as regards this licensing objective in relation to specific premises such as casinos. It is understood that a Code for casinos must:

- specify steps that the premises licence-holder must take to ensure that children and young persons (that is those under the age of 18) do not enter casino premises, or in the case of the regional casino do not enter the gambling area;
- amongst those specified steps, ensure that each entrance to the casino or gambling area is supervised by at least one person (“the supervisor”) who is responsible for compliance with the code of practice; and
- require that, unless the supervisor is certain that a person seeking admittance is an adult, evidence of age must be required of all those seeking to enter the casino or gambling area.

(viii) Reviews:

Interested parties or responsible authorities can make requests for a review of a premises licence; however, it is for the licensing authority to decide whether the review is to be carried-out. This will be on the basis of whether the request for the review is relevant to the following matters:

- it is in accordance with any relevant code of practice issued by the Gambling Commission
- it is in accordance with any relevant guidance issued by the Gambling Commission
- it is reasonably consistent with the licensing objectives and
- it is in accordance with the authority’s statement of licensing policy

as well as consideration as to whether the request is frivolous, vexatious, or will certainly not cause this authority to wish alter/revoke/suspend the licence, or whether it is substantially the same as previous representations or requests for review.

The licensing authority can also initiate a review of a licence on the basis of any reason that it thinks is appropriate.

(ix) Provisional Statements:

This licensing authority notes that the Guidance states:

“As the Court has held in a 2008 case, operators can apply for a premises licence in respect of premises which have still to be constructed or altered, and licensing authorities are required to determine any such applications on their merits. Such cases should be considered in a two stage process; first, licensing authorities must decide whether, as a matter of substance after applying the principles in section 153 of the Act, the premises ought to be permitted to be used for gambling; second, in deciding whether or not to grant the application a licensing authority will need to consider if appropriate conditions can be put in place to cater for the situation that the premises are not yet in the state in which they ought to be before gambling takes place. An authority is entitled to decide that it is appropriate to grant a licence subject to conditions, but it is not obliged to grant such a licence.” (7.61)

In terms of representations about premises licence applications, following the grant of a provisional statement, the Guidance states: “If a provisional statement has been granted, the licensing authority is constrained in the matters it can consider when an application for a premises licence is made subsequently in relation to the same premises. No further representations from relevant authorities or interested parties can be taken into account unless they concern matters which could not have been addressed at the provisional statement stage, or they reflect a change in the applicant’s circumstances. In addition, the authority may refuse the premises licence (or grant it on terms different to those attached to the provisional statement) only by reference to matters:

- which could not have been raised by way of representations at the provisional licence stage; or
- which, in the authority’s opinion, reflect a change in the operator’s circumstances
- Where the premises has not been constructed in accordance with the plan and information submitted with the provisional statement application. This must be a substantial change to the plan and licensing authorities should discuss any concerns they have with the applicant before making a decision”. (11.7,11.8 and 11.9)

This authority also has noted in the Guidance that “A licensing authority must not have regard to whether or not a proposal by the applicant is likely to be permitted in accordance with planning or building law.”

(x) Adult Gaming Centres:

This licensing authority particularly notes that the Guidance states: “No-one under the age of 18 is permitted to enter an AGC. Licensing authorities will wish to have particular regard to the location of an entry to AGCs to minimise the opportunities for children to gain access. This may be of particular importance in areas where young people may be unsupervised, for example, where an AGC is in a complex, such as a shopping centre or airport.” (21.4)

(xi) (Licensed) Family Entertainment Centres:

This licensing authority will, in accordance with the Guidance refer to the Commission’s website to see any conditions that apply to operator licences covering the way in which the area containing the category C machines should be delineated. This licensing authority will also make itself aware of any mandatory or default conditions on these premises licences.

(xii) Tracks:

This licensing authority is aware that the Gambling Commission may provide specific guidance as regards tracks. We will take note of the Guidance issued by the Gambling Commission in this regard.

(xiii) Casinos:

Casinos and competitive bidding – This licensing authority is aware that where a licensing authority area is enabled to grant a Premises Licence for a new style casino (i.e. the Secretary of State has made such regulations under Section 175 of the Gambling Act 2005) there are likely to be a number of operators which will want to run the casino. In such situations the local authority will run a ‘competition’ under Schedule 9 of the Gambling Act 2005. This licensing authority will run such a competition in line with any regulations issued under the Gambling Act 2005 by the Secretary of State.

Betting machines – This licensing authority is aware that, as explained in Guidance for local authorities: “Section 181 of the Act contains an express power for licensing authorities to restrict the number of betting machines, their nature and the circumstances in which they are made available by attaching a licence condition to a betting premises licence or to a casino premises licence (where betting is permitted in the casino). When considering whether to impose a condition to restrict the number of betting machines in these premises, the licensing authority, amongst other things, should take into account the size of the premises, the number of counter positions available for person-to-person transactions, and the ability of employees to monitor the use of the machines by vulnerable people.” (16.34)

Credit - Guidance for Local Authorities states that:- “section 177 does not prevent the licensee from contracting a third-party to install cash dispensers (ATMs) on their premises, which may accept both credit and debit cards. Such an arrangement is subject to requirements that the premises licence holder has no other commercial connection in relation to gambling with the provider of the ATMs (aside from the agreement to site the machines), does not profit from the arrangement, and does not make any payment in connection with the machines. All premises licences also include a mandatory condition which requires that any ATM made available for use on the premises must be located in a place that requires any customer who wishes to use it to cease gambling in order to do so.” (9.12)

(xiv) Bingo:

The licensing authority is aware and will take notice of the Guidance issued by the Gambling Commission in relation to Bingo.

(xv) Temporary Use Notices:

There are a number of statutory limits as regards Temporary Use Notices. It is noted that it falls to the licensing authority to decide what constitutes a ‘set of premises’ where Temporary Use Notices are received relating to the same building / site (see Gambling Commission’s Guidance for Local Authorities).

(xvi) Occasional Use Notices:

The licensing authority has very little discretion as regards these notices aside from ensuring that the statutory limit of 8 days in a calendar year is not exceeded. The licensing authority will though need to consider the definition of a 'track' and whether the applicant is permitted to avail him/herself of the notice.

(xvii) Travelling Fairs:

It will fall to this licensing authority to decide whether, where category D machines and / or equal chance prize gaming without a permit is to be made available for use at travelling fairs, the statutory requirement that the facilities for gambling amount to no more than an ancillary amusement at the fair is met.

The licensing authority will also consider whether the applicant falls within the statutory definition of a travelling fair.

It has been noted that the 27-day statutory maximum for the land being used as a fair, is per calendar year, and that it applies to the piece of land on which the fairs are held, regardless of whether it is the same or different travelling fairs occupying the land. This licensing authority will work with its neighbouring authorities to ensure that land which crosses shared boundaries is monitored so that the statutory limits are not exceeded.

(xviii) Betting premises:

Betting machines - The Guidance states: "Section 181 of the Act contains an express power for licensing authorities to restrict the number of betting machines, their nature and the circumstances in which they are made available by attaching a licence condition to a betting premises licence or to a casino premises licence (where betting is permitted in the casino). When considering whether to impose a condition to restrict the number of betting machines in these premises, the licensing authority, amongst other things, should take into account the size of the premises, the number of counter positions available for person-to-person transactions, and the ability of employees to monitor the use of the machines by vulnerable people." (16.34)

Credit - The Gambling Commission Guidance states: "section 177 does not prevent the licensee from contracting a third-party to install cash dispensers (ATMs) on their premises, which may accept both credit and debit cards. Such an arrangement is subject to requirements that the premises licence holder has no other commercial connection in relation to gambling with the provider of the ATMs (aside from the agreement to site the machines), does not profit from the arrangement, and does not make any payment in connection with the machines. All premises licences also include a mandatory condition which requires that any ATM made available for use on the premises must be located in a place that requires any customer who wishes to use it to cease gambling in order to do so." (9.12)

Information exchange

It should be noted that there are sections of the Gambling Commission’s Guidance for local authorities which relate to Information Exchange.

The sections are:

- “As applicants for premises licences (except occupiers of tracks who do not propose to offer gambling themselves) will have to hold an operating licence from the Commission before the premises licence can be issued, licensing authorities will not need to investigate the suitability of an applicant. If during the course of considering a premises licence application, or at any other time, the licensing authority receives information that causes it to question the suitability of the applicant to hold an operating licence, these concerns should be brought to the attention of the Commission without delay” (5.10)
- “Regulatory issues arising from the prevention of disorder are likely to focus almost exclusively on premises licensing, rather than on operating licences. (Though if there are persistent or serious disorder problems that an operator could or should do more to prevent, the licensing authority should bring this to the attention of the Commission so that it can consider the continuing suitability of the operator to hold an operating licence.)” (5.13)
- “If it comes to the attention of licensing authorities that Alcohol-licensed premises or clubs or institutes are playing bingo during the course of a week which involves significant stakes and prizes and that makes it possible that the £2,000 in seven days is being exceeded, authorities should inform the Commission.” (18.17)

Gambling Commission Functions

Function	Who deals with it
Issue and renewal of <i>Operating Licences</i>	Gambling Commission
Review <i>Operating Licences</i>	Gambling Commission
Issue <i>Personal Licences</i>	Gambling Commission
Issue <i>Codes of Practice</i>	Gambling Commission
Issue <i>Guidance to Licensing Authorities</i>	Gambling Commission
Licence remote gambling through Operating Licences	Gambling Commission
Issue licences in relation to the <i>manufacture, supply, installation, adaptation, maintenance or repair of gaming machines</i>	Gambling Commission
Deal with appeals against Commission decisions	Gambling Appeals Tribunal

Responsible Authorities Contact details:

Appendix 3

**Licensing Authority
Thanet District Council
Licensing Department
PO Box 9 , Cecil Street,
Margate CT9 1XZ
01843 577432**

**Gambling Commission
Victoria Square House
Victoria Square
Birmingham B2 4BP**

**Chief Officer of Police
Divisional Licensing Co-ordinator
Nackington Police Station
Nackington Road
Canterbury CT4 7AZ**

**Kent Fire & Rescue Service
Folkestone Fire Station
Park Farm Road
Folkestone
CT19 5LT**

**Local Planning Authority
Thanet District Council
PO Box 9, Cecil Street,
Margate CT9 1XZ**

**Environmental Protection/ H&S
Thanet District Council
PO Box 9, Cecil Street,
Margate CT9 1XZ**

**Child Protection Service
Kent County Council Social Services
Brenchley House
County Hall
Maidstone ME14 1RF**

**HM Revenue & Customs
National Registration Unit
Portcullis House
21 India Street
Glasgow G4 2PZ**

TABLE OF DELEGATIONS OF LICENSING FUNCTIONS

MATTER TO BE DEALT WITH	FULL COUNCIL	SUB-COMMITTEE OF LICENSING COMMITTEE	OFFICERS
Final approval of three year licensing policy	X		
Policy not to permit casinos	X		
Fee Setting (when appropriate)	X		
Application for premises licences		Where representations have been received and not withdrawn	Where no representations received/representations have been withdrawn
Application for a variation to a licence		Where representations have been received and not withdrawn	Where no representations received/representations have been withdrawn
Application for a transfer of a licence		Where representations have been received from the Commission or responsible authorities	Where no representations received from the Commission or responsible authorities
Application for a provisional statement		Where representations have been received and not withdrawn	Where no representations received/representations have been withdrawn
Review of a premises licence		X	
Application for club gaming /club machine permits		Where objections have been made and not withdrawn	Where no objections made/objections have been withdrawn
Cancellation of club gaming/ club machine permits		X	
Applications for other permits			X
Cancellation of licensed premises gaming machine permits			X
Consideration of temporary use notice			X
Decision to give a counter notice to a temporary use notice		X	

Consultation

List of Persons Consulted

Local Gambling businesses – three casinos, two bingo premises, seventeen betting offices, nine adult gaming centres and five family entertainment centres

Kent Police	Gambling Commission	Kent Fire & Rescue
Planning, TDC	Environmental Protection, TDC	Social Services
HM Revenue & Customs	Eastern & Coastal Kent PCT	Citizens Advice Bureau
Kent County Council	Thanet Parish & Town Councils	Thanet District Councillors
Casino Operators Association	Mackenzie Dillon Solicitors	Ivor Thomas Amusements
Shepherd Neame	John Icke Automatics	Gamcare
BACTA	Local MP's	British Beer & Pub Assoc.
Assoc. of British Bookmakers	Casino Operators Assoc. UK	
Gambling Compliance Manager, South East Region		
Thanet Community Safety Partnership		
Senior Management Team, TDC		
Chief Executives, Dover DC and Canterbury CC		

Responses Received

Association of British Bookmakers

HM Revenue & Customs

**Statement of Principles
For
Unlicensed Family Entertainment
Centres,
Gaming Machine Permits
&
Prize Gaming Permits

Gambling Act 2005**

Contents

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2. Purpose of this document
3. Unlicensed family entertainment centres (UFECs)
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5. Statement of Principles for UFEC gaming machine permits and prize gaming permits
6. Supporting documents
7. Child protection issues
8. Protection of vulnerable persons issues
9. Other miscellaneous issues

1. The Gambling Act 2005

Unless otherwise stated any references in this document to the council is to the Thanet District Council as the licensing authority.

The Act requires the council, as the licensing authority, to aim to permit the use of premises for gambling in so far as the authority thinks it:

- In accordance with a relevant code of practice
- In accordance with any relevant guidance issued by the Gambling Commission
- Reasonably consistent with the licensing objectives and
- In accordance with the licensing authority policy issued under the Act.

The licensing objectives are:

- Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime
- Ensuring that gambling is conducted in a fair and open way
- Protecting children and other vulnerable persons from being harmed or exploited by gambling.

2. Purpose of this document

This document has been prepared to assist persons considering making an application for either an unlicensed family entertainment centre (UFEC) gaming machine permit or a prize gaming under the Gambling Act 2005.

Thanet District Council fully endorses the licensing objectives detailed above and expects all applicants to work in partnership to promote these objectives through clear and effective management of each gambling operation whether in respect of a permit or premises licence.

In respect of UFEC gaming machine permits it has been prepared in accordance with Paragraph 7 of Schedule 10 of the Act and in respect of prize gaming permits it has been prepared in accordance with paragraph 8 of Schedule 14 of the Act. The document should be read in conjunction with Thanet District Council Statement of Licensing Policy and Principles. – Gambling Act 2005.

The purpose of the document is to clarify measures that the council will expect applicants to demonstrate when applying for either of these permits so the council can determine the suitability of the applicant and the premises for a permit.

Within this process the council will aim to grant the permit where the applicant is able to demonstrate that:

- They are a fit and proper person to hold the permit
- They have considered and are proposing suitable measures to promote the licensing objectives and they have a legal right to occupy the premises to which the permit is sought.

The measures suggested in this document should be read as guidance only and the council will be happy for applicants to suggest measures above and beyond those listed in the document and or to substitute measures as appropriate.

3. Unlicensed family entertainment centres

The term 'unlicensed family entertainment centre' is one defined in the Act and refers to a premises which provides category D gaming machines together with various other amusements such as computer games and "penny-pushers".

The premises is 'unlicensed' in that it does not require a premises licence but does require a permit to be able to provide its category D gaming machines. It should not be confused with a 'licensed family entertainment centre' that does require a premises licence because it contains both category C and D gaming machines.

Unlicensed family entertainment centres (UFECs) will be most commonly located at seaside resorts, in airports and at motorway service centres, and will cater for families, including unaccompanied children and young persons. The council will only grant a UFEC gaming machine permit where it is satisfied that the premises will be operated as a bona fide unlicensed family entertainment centre.

In line with the Act, while the council cannot attach conditions to this type of permit, the council can refuse applications if they are not satisfied that the issues raised in this "Statement of Principles" have been addressed through the application.

Applicants only need to address the "Statement of Principles" when making their initial applications and not at renewal time. (Permits are granted for a period of ten years.)

4. Prize gaming permits

Section 288 defines gaming as prize gaming if the nature and size of the prize is not determined by the number of people playing or the amount paid for or raised by the gaming. The prizes will be determined by the operator before play commences. Prize gaming can often be seen at seaside resorts in amusement arcades where bingo is offered and the prizes are displayed.

A prize gaming permit is a permit issued by the council to authorise the provision of facilities for gaming with prizes on specified premises.

Applicants should be aware of the conditions in the Gambling Act 2005 by which prize gaming permits holders must comply. The conditions in the Act are:

- The limits on participation fees, as set out in regulations, must be complied with
- All chances to participate in the gaming must be allocated on the premises on which the gaming is taking place and on one day; the game must be played and completed on the day the chances are allocated; and the result of the game must be made public in the premises on the day that it is played
- The prize for which the game is played must not exceed the amount set out in regulations (if a money prize), or the prescribed value (if non-monetary prize) and participation in the gaming must not entitle the player to take part in any other gambling

In line with the Act, while the council cannot attach conditions to this type of permit, the council can refuse applications if they are not satisfied that the issues raised in this “Statement of Principles” have been addressed through the application.

Applicants only need to address the “Statement of Principles” when making their initial applications and not at renewal time. Permits are granted for a period of ten years.

5. Statement of Principles for UFEC gaming machine permits and prize gaming permits

Supporting documents

The council will require the following supporting documents to be served with all UFEC gaming machine permit and prize gaming permit applications:

- Proof of age (a certified copy or sight of an original birth certificate, driving licence, or passport – all applicants for these permits must be aged 18 or over)
- Proof that the applicant has the right to occupy the premises. Acceptable evidence would be a copy of any lease, a copy of the property’s deeds or a similar document
- An enhanced criminal record certificate. (this should be no greater than one month old.) This will be used to check that the applicant has no relevant convictions (those that are set out in Schedule 7 of the Act.)

In the case of applications for a UFEC gaming machine permit evidence that the machines to be provided are or were supplied by a legitimate gambling operator who holds a valid gaming machine technical operating licence issued by the Gambling Commission a plan of the premises to which the permit is sought showing the following items:

- The boundary of the building with any external or internal walls, entrances and exits to the building and any internal doorways where any category D gaming machines are positioned and the particular type of machines to be provided (eg. Slot machines, penny falls, cranes)
- The location where any prize gaming will take place (including any seating and tables) and the area where any prizes will be displayed
- The positioning and types of any other amusement machines on the premises
- The location of any fixed or semi-fixed counters, booths or offices on the premises whereby staff monitor the customer floor area the location of any ATM/cash machines or change machines the location of any fixed or temporary structures such as columns or pillars
- The location and height of any stages in the premises; any steps, stairs, elevators, balconies or lifts in the premises
- The location of any public toilets in the building.

(Unless agreed with the council, the plan should be drawn to a standard scale with a key showing the items mentioned above. The standard scale is 1:100)

6. Child protection issues

The council will expect the applicant to show that there are policies and procedures in place to protect children from harm. Harm in this context is not limited to harm from gambling but includes wider child protection considerations.

The council will assess these policies and procedures on their merits, and they should (depending on the particular permit being applied for) include appropriate measures/training for staff as regards the following:

- Maintain contact details for any local schools and or the education authority so that any truant children can be reported
- Employ policies to address the problems associated with truant children who may attempt to gain access to the premises and gamble when they should be at school
- Employ policies to address any problems that may arise during seasonal periods where children may frequent the premises in greater numbers, such as half terms and summer holidays
- Maintain information at the premises of the term times of any local schools in the vicinity of the premises and also consider policies to ensure sufficient staffing levels during these times
- Display posters displaying the 'Child Line' phone number in discreet locations on the premises e.g. toilets
- Maintain an incident register of any problems that arise on the premises related to children such as children gambling excessively, truant children, children being unruly or young unaccompanied children entering the premises (The register should be used to detect any trends which require attention by the management of the premises.)
- Ensure all young children are accompanied by a responsible adult
- Maintain policies to deal with any young children who enter the premises unaccompanied
- Enhanced criminal records checks for all staff who will be working closely with children

NB: Any supporting evidence of the above measures e.g. Training manuals or other similar documents/written statements should be attached to the application.

7. Protection of vulnerable persons.

The council will expect the applicant to show that there are policies and procedures in place to protect vulnerable persons.

The council will assess these policies and procedures on their merits, however they may (depending on the particular permit being applied for) include appropriate measures / training for staff as regards the following:

- Display Gamcare helpline stickers on all gaming machines
- Display Gamcare posters in prominent locations on the premises
- Training for staff members which focuses on building an employee's ability to maintain a sense of awareness of how much (e.g. how long) customers are gambling, as part of measures to detect persons who may be vulnerable
- Consider appropriate positioning of ATM and change machines (including the display of Gamcare stickers on any such machines)

NB: Any supporting evidence of the above measures e.g. Training manuals or other similar documents/written statements should be attached to the application.

8. Other miscellaneous issues

The applicant should also be mindful of the following possible control measures (depending on the particular permit being applied for) to minimise crime and disorder and the possibility of public nuisance as follows:

- Maintain an effective CCTV system to monitor the interior and exterior of the premises
- Keep the interior and exterior of the premises clean and tidy
- Ensure the external lighting is suitably positioned and operated so as not to cause nuisance to neighbouring and adjoining premises
- Consider the design and layout of the outside of the premises to deter the congregation of children and youths
- Restrict normal opening hours to 8.45am to midnight daily
- Not permit any person who is drunk and disorderly or under the influence of drugs, to enter or remain on the premises
- Take such steps as are reasonably practicable to eliminate the escape of noise from the premises
- Ensure, where possible the external doors to the premises remain closed, except when in use, by fitting them with a device for automatic closure or by similar means
- Ensure that the premises are under the supervision of at least one responsible, adequately trained person at all times the premises are open

NB: Any supporting evidence of the above measures e.g. Training manuals or other similar documents/written statements should be attached to the application.

Applicants may obtain an enhanced Criminal Records Bureau disclosure on application to Disclosure Scotland on 0870 609 6006 or online at www.disclosurescotland.co.uk

Philip Bensted
Regulatory Services Manager
January 2013

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THE LOCAL AUTHORITIES (EXECUTIVE ARRANGEMENTS) (MEETINGS AND ACCESS TO INFORMATION) (ENGLAND) REGULATIONS 2012

To: **Council – 6 December 2012**

Main Portfolio Area: **Leader and Cabinet Member for Corporate, Regulatory and Strategic Economic Development Services**

By: **Democratic Services and Scrutiny Manager**

Classification: **Unrestricted**

Summary: This paper outlines the changes to the Access to Information Regulations and how the Council will have to amend its procedures and constitution to comply with these new rules.

For Decision

1.0 Introduction and Background

- 1.1 The new Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 were laid before Parliament on 15 August and came in to effect on 10 September 2012. These regulations clarify and extend the circumstances in which local authority executive decisions must be open to the public.
- 1.2 The changes were reviewed by Constitutional Review Working Party (CRWP) and the Standards Committee; who have made a number of recommendations to allow the Council to comply with the new regulations. Council is now asked to agree these recommendations.

2.0 The Forward Plan

- 2.1 The Leader is currently required to publish a Forward Plan of key decisions that the Cabinet will take over a four month period (in practice in Thanet the time period has been significantly longer) on a monthly basis at least 14 days before the start of the period covered. In addition an annual notice was required to be published in a local newspaper showing the dates on which the plan was to be published throughout the year. This requirement for publication of the dates of future publication of the Forward Plan was repealed from the 10 September.
- 2.2 There is a new requirement that means a “document” must be published containing a key decision 28 clear days¹ before that decision is to be taken (either by Cabinet or an individual portfolio holder). In addition there are some small changes to the list of information that needs to be shown in such a document, the most significant of which is that it is no longer required to state the names of consultees or the means of consultation when taking a decision.

¹ Counsels opinion to the Association of Council Secretaries and Solicitors indicates that all references to 28 clear days should be interpreted as calendar days, however references to five clear days should be considered as references to working days)

2.3 If it is not possible to comply with the 28 days notice then there is a continuing, albeit amended urgency process of notifying the Chairman of the Overview and Scrutiny Panel before the decision can be taken. In addition if an item is so urgent that it could not wait five working days before being implemented then there is a way of taking these decisions, however the decisions would still have to be exempted from call-in under the existing Overview and Scrutiny rules. In either of these two cases there is a new provision that the Council must publish why it did not give 28 days notice of a decision. These two types of exceptions are explained in full in paragraph 6.0 below.

2.4 The new legislation does not allow for the existing practice of entering “not before a certain date” within the document. The legislation requires that “the date on which, or the period within which the decision is to be made” must be stated on the new document. Thus it is acceptable to specify a period between two specific dates.

3.0 Proposals for the new “Forward Plan”

3.1 In order to comply with the regulations the Senior Management Team (SMT) recommended and CRWP and the Standards Committee both concurred that the Council will, in future, publish a document that will bear significant similarities to the existing Forward Plan. In order to ensure that key decisions can be taken in line with the new requirements, the new document will be published 28 clear (calendar) days in advance of scheduled Cabinet meetings which will contain notification of key decisions. A list of publication dates is attached at Annex 1 to the report. This would mean that Officers will have to be aware of decisions that are coming forward and inform Democratic Services of them at least 28 days in advance of the Cabinet meeting that they intend to take the item to. In practice, looking how far in advance decisions were scheduled in the former Forward Plan this should not be an onerous task.

3.2 The alternative would be a “live” document (without “fixed” publication dates). The major disadvantage of a live document is that the audit trail is much less effective; as there is only ever one plan available on the Council’s website and it would be much harder for the public and Overview and Scrutiny Committee to keep track of items. The current committee document management system (modern.gov) can produce a rudimentary live document; however this is not capable of being printed off as a “plan”. Democratic Services would recommend against using a “live” document until Modern.gov release their updated software as described in more detail in paragraph 3.15 below.

3.3 **Recommendation:** That the Council publish a document as outlined at paragraph 3.1 of the report and as amended in paragraph 3.13.

3.4 **Recommendation:** The document will show future key decisions for the a one year period

3.5 **Recommendation:** The document will be published exactly 28 clear days in advance of scheduled Cabinet meetings.

3.6 Although the legislation only requires key decisions to be included, the document will include non-key decisions as well as key decisions. There are benefits though of including non-key decisions, among them it informs both the public and the Overview and Scrutiny Panel of decisions that may be important but are not classed as key. Also by including non key decisions - as will be seen later in the report at paragraph 5.1 – it would simplify the process of notifying the public of decision that are to be taken in private. If non-key decisions were not included in the document, then

Democratic Services would not be able to combine the document and the list of exempt Cabinet decisions, which would significantly reduce efficiency.

- 3.7 **Recommendation:** The document will contain non-key as well as key decisions.
- 3.8 The new document will also have to include details of the Councils address and the process for obtaining any of the documents that are referenced in the document. In addition the document should also state that additional documents may be submitted to the decision maker and if so how those documents would be made available to the public. This information used to be provided in the annual newspaper advertisement required under the old Regulations, but an advertisement is not required under the new legislation.
- 3.9 It is proposed that the document be called “The Forward Plan and Exempt Cabinet Report List” as this retains the name Forward Plan which many people are familiar with and the new document still retains many similar features to the old Forward Plan. The exempt cabinet report list will be explained later in the report at paragraph 4.1.
- 3.10 **Recommendation:** The document will be titled: “The Forward Plan and Exempt Cabinet Report List”.
- 3.11 As mentioned in paragraph 2.4 above, the new legislation does not allow for the existing practice of entering “not before a certain date”. Officers will have to specify a date, or a “decision by date” when entering items on the “Forward Plan and Exempt Cabinet Report List”. By entering a “decision by date” it creates a period of time from the date the item is published in the Forward Plan and Exempt Cabinet Report List and the “decision by date” and fulfilling the requirement of the regulations.
- 3.12 An example of what the new “Forward Plan and Exempt Cabinet Report List” would look like is attached at Annex 2 to the report. It has been necessary to remove the consultees and consultation columns from this printed document in order to fit the new exempt information column. Under the new regulations neither consultees or consultation has to be included in the “Forward Plan”, however they will remain on the online version of the “Forward Plan and Exempt Cabinet Report List.
- 3.13 It was reported at the CRWP meeting that the Overview and Scrutiny Panel had indicated that they felt that they still wished to see where they were to be a consultee on a decision. Since CRWP and the Standards Committee reviewed the draft Forward Plan, Democratic Services have amended the template slightly to accommodate the request of the Overview and Scrutiny Panel ².
- 3.14 The “Forward Plan and Exempt Cabinet Report List” as described in this section of the report inclusive of the options outlined, will continue to be published through the existing Modern.gov system.
- 3.15 It is worth noting that Modern.gov is currently developing a new way of publishing the Forward Plan which accommodates the requirements of the new Regulations. It is understood that these developments are quite radical and may allow alternative ways of complying with the new Regulations in future. Once the new version has been released and evaluated by Democratic Services, options will be brought to SMT, then to CRWP and Standards Committee before being agreed by Council.

² The only change is that the column previously headed “For decision by” now also includes “in the case of O & S, consultation date”. Thus the column would now show the date of planned referral to the Overview and Scrutiny Panel (if applicable), as well as any dates for Cabinet or Council decisions.

4.0 Cabinet meetings when exempt information is to be considered

- 4.1 New rules now apply ahead of any Executive meeting that considers a report that contains exempt information. The Council must now publish a notice, both on its website and at its offices, 28 days in advance of a Cabinet meeting where an exempt report or an exempt part of a report (for example an exempt annex) is to be considered.
- 4.2 Under the previous rules Cabinet could have elected to meet wholly in private without any exclusion of the public. TDC however never elected to utilise this rule. Under the new rules if TDC wished to hold a wholly private meeting of the Cabinet (not a meeting considering exempt information) it would also have to give the same 28 days notice.
- 4.3 The notice referred to in paragraphs 4.1 and 4.2 must give the public the ability to make specific representations to the Council explaining why they believe that the meeting should be held, or the report should be considered, in public.
- 4.4 An additional notice must also be published at least five clear (working) days in advance of the meeting setting out any representations have been received from the public together with the response of the Leader as to why the item or meeting would continue to be held in private or excluding the public. It is only proposed to publish a notice if the Council receives any representations.
- 4.5 Where it isn't possible to follow the timescales set out in these procedures, then the meeting can only go ahead if the Chairman of the Overview and Scrutiny Panel has agreed that the meeting is urgent and cannot be deferred. In addition a notice must also be published on the council's website and made available at the Council's offices giving the reasons why the meeting is urgent and cannot be deferred in order to comply with the legislation.
- 4.6 In addition, when Democratic Services include the Schedule 12A of the Local Government Act 1972 paragraph number when exempting reports the new legislation also states that the actual reason as well as the paragraph number must also be included

5.0 Proposals for procedures prior to Cabinet meetings when exempt information is to be considered

- 5.1 SMT recommended and CRWP and Standards Committee concurred that the notice giving 28 days notice of a meeting that might contain exempt information is combined with the "Forward Plan and Exempt Cabinet Report List" by the addition of a column to include the required information as shown in Annex 2. This would mean that the members of the public would only have to look in one place for information rather than two and it would also reduce workloads for Democratic Services as only one document would need to be produced. It would however mean that non-key decisions going to Cabinet that were based on confidential reports would need to be included in the new Forward Plan. This would marginally reduce flexibility; however confidential non-key decisions occur infrequently. In addition not combining the two documents would seriously impact the way that Democratic Services work and would push some of these notifications out of the Modern.gov system.
- 5.2 **Recommendation:** The statement that needs to be produced giving 28 days notice of confidential items being discussed at Cabinet is added to the "Forward Plan and Exempt Cabinet Report List".

- 5.3 In practice there are a number of ways the Leader may consider any representations that may be received regarding requests to hear items in public rather than private. However the most practical option is that the Leader delegates power to the Monitoring Officer, in consultation with the Leader, to decide on a response to any representations received.
- 5.4 **Recommendation:** That the Leader delegates power to the Monitoring Officer, in consultation with the Leader, to decide on a response to any representations received regarding why a report should not be considered in private, based on the information as captured in the report.
- 5.5 The Council's constitution will also have to be amended to allow for the Leader in conjunction with the Monitoring Officer to consider requests to hold meetings in public where confidential items are due to be discussed and to include the exemption rules for when timescales cannot be followed regarding the 28 day notice period for confidential items.
- 5.6 The Council will also have to publish the representations from the public requesting a meeting is held in public together with the responses mentioned above in paragraphs 4.1, 4.2 and 5.1. The legislation says we must publish the responses to the representations at least five clear (working) days in advance of the meeting; however there is no mention how far in advance of the meeting we have to stop accepting representations. It is proposed that the public have 14 calendar days to give representations, this would leave seven calendar days for the Leader in consultation with the Monitoring Officer to consider them and then these would be published on the Council's website through the Modern.gov system five clear (working) days in advance of the meeting.
- 5.7 **Recommendation:** The timescales for allowing representations as outlined in paragraph 5.6 are agreed.
- 5.8 Democratic Services are currently investigating when the Modern.gov system will be capable of including the description of the Schedule 12A reason as well as the number. First indications that at the least the reasons for exemptions will be displayed on the Councils website as they currently are for agenda items.
- 6.0 General Exceptions and Special Urgency Provisions**
- 6.1 The General Exceptions rules for when a key decision is not published in accordance with the rules as outlined in paragraph 2.3 is that the proper officer must inform the Overview and Scrutiny Panel chairman and then give five clear (working) days before the decision can be made. Once the Overview and Scrutiny Chairman has been informed a notice stating the reasons why 28 days notice could not be given must be made available at the Councils offices and published on the Councils website.
- 6.2 In cases of special urgency when a decision is so urgent that it must be taken at less than (working) clear days notice the decision maker must obtain agreement from the chairman of the Overview and Scrutiny Panel that the decision is urgent and cannot be deferred. Once that agreement has been obtained the decision maker must then prepare a notice stating the reasons why decision is urgent and could not be deferred and that notice must be made available at the Councils offices and published on the Councils website.
- 6.3 It is worth noting both the general exception and special urgency rules as outlined above replaces the existing general exception and special urgency rules contained within the Council's constitution. However both of the new rules are virtually the same

as the old ones, the only change being that the notice as described in paragraph 6.2 must be published on the Council's website. In addition the Council already has separate rules on exempting decisions from Call-In and these are detailed within the Council's Overview and Scrutiny Procedure Rules.

- 6.4 In addition Democratic Services currently reports to Full Council each quarter how many decisions it takes under the current urgency rules. Under the new rules the Council has the ability to determine how often this report is presented to Full Council, the only limitation being that it must be done at least annually.

7.0 Proposals for revised General Exceptions and Special Urgency Provisions

- 7.1 Both notices of general exception and special urgency must be published on the Council's website and investigations are currently underway with Modern.gov as to how to do so. Discussions with Modern.gov indicate that they are developing a system that will enable these notices to be published, even before the agenda is published.

- 7.2 **Recommendation:** That the Council amend its new exemption and special urgency procedures as outlined in Section 6 of the report and that Council remain updated on the number of decisions made under the special urgency provisions on a quarterly basis.

8.0 Officer decisions notices

- 8.1 In the past only Key decisions taken by officers have had to be accompanied by a decision notice. One of the most significant new requirements of the regulations is that as soon as reasonably practicable after an officer has made a decision which is an executive decision (For these purposes "executive decision" means a decision made or to be made by a decision maker in connection with the discharge of a function which is the responsibility of the executive), an officer must produce a written statement. The statement must include; a record of the decision including the date it was made, a record of the reasons for the decision, details of any alternative options considered and rejected by the officer when making a the decision; a record of any conflict of interest declared by any executive member who is consulted by the officer which relates to the decision and in respect of any declared conflict of interest, a note of dispensation granted by the relevant local authority Head of Paid Service.

9.0 Changes to procedures regarding officer decision notices

- 9.1 This is potentially the biggest change of all those included in the new regulations. Guidance on this issue has been issued by the Department for Communities and Local Government (DCLG) in a letter to the Association of Solicitors and Secretaries which explains that this requirement only applies to direct delegations to Officers that relate to an Executive Function.

- 9.2 Democratic Services are holding meetings with Directorates to explain the implications of this new regulation to senior officers.

10.0 Rights to access documents for Councillors and Members of the Overview and Scrutiny Panel

- 10.1 The new rules also give a wider right for both Councillors and Members of the Overview and Scrutiny Panel to access documents in the possession of, or under the control of the Cabinet or that have been considered at Cabinet meetings or a private Cabinet meeting. The rules also retain the existing practice of publishing all

documents considered by a Cabinet Member when taking an individual Cabinet decision as soon as that decision is made.

- 10.2 Under the new rules all Councillors must be able to inspect all Cabinet papers at least five clear (working) days in advance of the meeting, (or as soon as the agenda is published if it were a late item). Also, when an Executive decision is made by an officer or an individual Cabinet Member, all reports and background papers used by the officer or Cabinet Member when taking that decision must be available to Members within 24 hours of the decision being taken. However Members are not allowed access to documents if they are exempt under Part 1 of Schedule 12A of the Local Government Act 1972. However, if the item is exempt under paragraph 6 of Part 1 of Schedule 12A or paragraph 3 of Part 1 of Schedule 12A (except for information regarding negotiations relating to a contract) then the information must be released to the Member.
- 10.3 The new rules now state that when a Member of the Overview and Scrutiny Panel requests a document that contains information that relates to a Cabinet Decision, a decision made by an Individual Cabinet Member or by an officer, that document must be provided to them within 10 working days of the request. If the Cabinet denies the request for a document or a part of a document, then it must provide a written statement to the Overview and Scrutiny Panel setting out the reasons for why they are not entitled.
- 10.4 However Members of the Overview and Scrutiny Panel when requesting documents as explained in paragraph 10.3 above are not entitled to a document that contains exempt or confidential information, unless it relates to a matter that that Member is reviewing or scrutinising, or to a review contained in any programme of work of the Panel or its Working Parties.

11.0 Changes to procedures regarding rights to access documents for Councillors and Members of the Overview and Scrutiny Panel

- 11.1 The Council already complies with a number of the provisions set out in the new rules; in particular Democratic Services already supply all Councillors with copies of Cabinet papers at least five clear working days in advance of the meeting. Democratic Services also publish reports as soon as possible after an individual Cabinet Member decision is taken.
- 11.2 It is proposed that in order to comply with the new rules Democratic Services will have to publish all reports and background papers within 24 hours of a decision being made. This would have to be interpreted as 24 hours spread over calendar days as it would make decision making on a Friday an extremely challenging task.
- 11.3 The legislation however is not specific as to how the written statement of refusal to a request for a document from a Member of the Overview and Scrutiny Panel must be presented to the Overview and Scrutiny Panel.
- 11.4 **Recommendation:** That when a refusal to a request for a document from a Member of the Overview and Scrutiny Panel takes place, the Cabinet Leader in conjunction with the Monitoring Officer will write to all of the Members of the Overview and Scrutiny Panel.

12.0 Background Papers

- 12.1 The new rules now mean that the Proper Officer has a duty to ensure that a copy of every background document that is listed in a Cabinet report (including those written

for Individual Cabinet Member decisions) is made available for public inspection at the offices of the Council and published on the Council's website. This means that the guidance for the report template would need to be amended.

- 12.2 It is important to note the definition of "background documents" as this could potentially be quite a time consuming task. "Background document" in relation to a report, means those documents that relate to the subject matter of the report and in the opinion of the proper officer disclose any facts on which the report or an important part of the report is based and were relied on to a material extent in preparing the report.

13.0 Changes to procedures regarding background documents

- 13.1 There is a necessity in light of the new rules to look again at the issue of background papers. The definition of background papers doesn't include any previously published document; this reduces the number documents that officers can include as background papers in reports. Officers should be thinking more creatively about the way reports are written and how documents are referenced. This could include referencing within reports, the increased use of hyperlinks within documents and understanding that there is no need to include documents that have been published elsewhere.
- 13.2 If officers feel that they should include background documents then Democratic Services would have to be provided with electronic copies of them when they are sent the reports. Democratic Services can then easily publish the background documents through the Modern.gov system.

14.0 Attending the Cabinet and facilities for recording meetings

- 14.1 The new rules require of the Council that any person who is attending the meeting for the purposes of reporting the proceedings is, so far as is practicable, to be afforded reasonable facilities for taking their report.
- 14.2 The definition of "any person who is attending the meeting for the purposes of reporting the proceedings" is currently unclear. There has been a press release from the DCLG that refers to the legislation allowing members of the public to report proceedings; however the regulations do not support this position. In fact there is a clause included in the legislation that states that nothing in the regulations requires a decision making body to permit the taking of photographs or audio or video recording of a meeting.

15.0 Changes to procedures about the recording of meetings

- 15.1 The Council's existing procedure, although not stated within the constitution, but widely practised (and read out at Full Council meetings) already allows for blogging, tweeting and accessing the internet during meetings, but not the use of mobile phones to make calls. Nor does it permit video recording. As seen above the new legislation requires us to give reasonable facilities for the taking of reports but not photography or video recording. It could be strongly argued that the current practice already complies with the new Regulations.
- 15.2 Elsewhere on this agenda the issue of using mobile phones and laptops will be discussed.
- 15.3 The issue of recording of meetings was recently the subject of a notice of motion at Full Council and was discussed in depth by the CRWP and it was felt that no

recommendation on recording of meetings would be necessary as part of this report. This issue is dealt with elsewhere on the agenda.

16.0 Dispensations by the Head of Paid Service

- 16.1 Currently when a Cabinet Member takes a decision, they can apply for a dispensation (a dispensation is applied for when a Member has an interest in an item that is under discussion, so significant it would prevent them commenting or voting on that item. There are very proscribed rules in giving exemptions and these are outlined in the Councils constitution) from the Standards Committee if needed, if they have a conflict of interest. Under these new Regulations the ability to apply for a dispensation remains, however the Councillor must apply to the Head of Paid Service instead of the Standards Committee. Therefore the Council needs to make arrangements for the Head of Paid Service to consider the granting of dispensations when Cabinet Members are making decisions and when individual Cabinet Members are being consulted by officers over a decision being taken by either an officer or another Cabinet.
- 16.2 Under these new rules exemptions should only be given in extraordinary circumstances based on the individual facts in each case, as there should be a presumption not to consult with a Member who has a disclosable pecuniary interest (DPI) because if that Member was the decision taker they wouldn't be able to take the decision because of the DPI. It should also be the case that if a member who was consulted on a decision did not apply for an exemption if needed then that Member would be considered to have breached the Members code of conduct.
- 16.3 **Recommendation:** That the Head of Paid Service grants dispensations to Executive Members in consultation with the Council's Monitoring Officer.

17.0 Reports to the Local Authority where the key decision procedure has not been followed.

- 17.1 There is a new regulation that gives the Overview and Scrutiny Panel the ability to require the Cabinet to submit a report to Council when a non key decision has been taken that the Panel feels should have been a key decision. This rule extends to any executive decision and includes those made by Cabinet, individual Cabinet Members or Officers.
- 17.2 The report must include the decision and details of the decision, the decision maker taking the decision and if the Cabinet are of the opinion that the decision was not a key decision the reasons for that opinion.
- 17.3 This could potentially have an impact on the work of the Council as Overview and Scrutiny will be able to effectively call to Council any non-key executive decision taken by anyone that they felt should have been key.
- 17.4 **Recommendation:** That the Council's constitution is amended to give the Overview and Scrutiny Panel the power to require the Cabinet to submit a report to Council when a non key decision has been taken that the Panel feels should have been a key decision.

18.0 Joint committees

- 18.1 All of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 relate to joint committees of Cabinet

Members between different authorities. This would include the East Kent Joint Arrangements Committee or its successor.

19.0 Punishable Offences for obstruction of the regulations

19.1 It must be noted that a new offence has been introduced in the legislation that is punishable by a level 1 fine (up to £200).

19.2 A person who has custody of a document which is required by Regulation 7, 14 or 15 (agendas, decision notices or background papers) to be available for inspection by members of the public, commits an offence if without reasonable excuse, that person:–

a) intentionally obstructs any person exercising a right conferred under the regulations to inspect or make a copy of the whole or part of a document, or:

b) refuses to supply a copy of the whole or part of the document in accordance with the regulations.

20.0 Changes to the Constitution

20.1 This report contains a number of changes that need to be documented in the Council's constitution. All of these are included in Annex 3 which shows a track changed version of the Council's current Access to Information Rules, showing how the Constitution must be amended.

20.2 If the Council makes any amendments to any of the recommendations outlined within the report then changes will need to be made to Annex 3 to reflect these before the report is agreed.

21.0 Corporate Implications

21.1 Financial and VAT

21.1.1 There are no financial implications.

21.2 Legal

21.2.1 The Council must follow these new regulations as they are the law. The interpretation of the law may change in the future as more clarification and guidance is received from the DCLG.

21.3 Corporate

21.3.1 There is a level of corporate risk involved with not complying with all of the legislative requirements outlined in the report.

21.4 Equity and Equalities

21.4.1 There are no equity or equalities implications.

22.0 Recommendation(s)

22.1 That:

- a) Council agrees the following summary of recommendations from the Standards Committee:
- i) **Recommendation:** That the Council publish a document as outlined at paragraph 3.1 of the report and as amended in paragraph 3.13.
 - ii) **Recommendation:** The document will show future key decisions for a one year period
 - iii) **Recommendation:** The document will be published exactly 28 clear days in advance of scheduled Cabinet meetings.
 - iv) **Recommendation:** The document should contain non-key as well as key decisions.
 - v) **Recommendation:** The document will be titled: "The Forward Plan and Exempt Cabinet Report List".
 - vi) **Recommendation:** The statement that needs to be produced giving 28 days notice of confidential items being discussed at Cabinet is added to the "Forward Plan and Exempt Cabinet Report List".
 - vii) **Recommendation:** That the Leader delegates power to the Monitoring Officer, in consultation with the Leader, to decide on a response to any representations received regarding why a report should not be considered in private, based on the information as captured in the report.
 - viii) **Recommendation:** The timescales for allowing representations as outlined in paragraph 5.6 are agreed.
 - ix) **Recommendation:** That the Council amend its new exemption and special urgency procedures as outlined in Section 6 of the report and that Council remain updated on the number of decisions made under the special urgency provisions on a quarterly basis.
 - x) **Recommendation:** That when a refusal to a request for a document from a Member of the Overview and Scrutiny Panel takes place, the Cabinet Leader in conjunction with the Monitoring Officer will write to all of the Members of the Overview and Scrutiny Panel.
 - xi) **Recommendation:** That the Head of Paid Service grants dispensations to Executive Members in consultation with the Council's Monitoring Officer.
 - xii) **Recommendation:** That the Council's constitution is amended to give the Overview and Scrutiny Panel the power to require the Cabinet to submit a report to Council when a non key decision has been taken that the Panel feels should have been a key decision.
- b) That the Council's Constitution be amended as at Annex 3 to reflect these changes.

23.0 Decision Making Process

23.1 These recommendations have been considered by the Constitutional Review Working Party and Standards Committee.

Contact Officer:	Glenn Back, Democratic Services and Scrutiny Manager
Reporting to:	Harvey Patterson, Corporate and Regulatory Services Manager

Annex List

Annex 1	List of forward plan and exempt Cabinet report list publication dates
Annex 2	Proposed example of forward plan and exempt Cabinet report list
Annex 3	Amended Access to Information Rules with track changes.

Background Papers

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

Corporate Consultation Undertaken

Finance	Matthew Sanham, Finance Manager (Service Support)
Legal	Harvey Patterson, Corporate and Regulatory Services Manager

Agenda Item 17

Annex 1

List of forward plan and exempt Cabinet report list publication dates

Cabinet Date	Date of forward plan and exempt Cabinet report list
8 November 2012	10 October 2012
22 January 2013	21 December 2012
28 March 2013	28 February 2013
2 May 2013	3 April 2013
20 June 2013	22 May 2013
1 August 2013	3 July 2013
12 September 2013	14 August 2013
14 November 2013	16 October 2013

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SAMPLE



FORWARD PLAN AND EXEMPT CABINET REPORT LIST

21 DECEMBER 2012 TO 2 MAY 2013

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 , telephone number 01843 577208.

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.

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 Clive Hart

Leader of the Council and Cabinet Member for Strategic Economic Development Services

Councillor Alan Poole

Deputy Leader of the Council and Cabinet Member for Operational Services

Councillor Iris Johnston

Cabinet Member for Community Services

Councillor David Green

Cabinet Member for Housing and Planning

Councillor Michelle Fenner

Cabinet Member for Business, Corporate and Regulatory Services

Councillor Rick Everitt

Cabinet Member for Financial Services

21 December 2012 to 2 May 2013

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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 exempt information to be considered when the decision is taken	Documents submitted to the Decision Maker
XXX	YYY	1. Overview and Scrutiny Cabinet 2. Officer X	Councillor X	15 Jan 13 22 Jan 13	Key	Part of this report is exempt from disclosure on the ground that it contains information relating to an individual under Paragraph 1 of Schedule 12A of the Local Government Act 1972 and, in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.	Cabinet Report

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Access to Information Procedure Rules

1.0 Scope

These rules apply to all meetings of the Council, Overview and Scrutiny Committees, area Committees (if any), the Standards Committee and regulatory and other Committees and meetings of the Cabinet (together called meetings). Where additional rules that apply only to Cabinet are included, they are clearly marked as such.

2.0 Additional Rights to Information

These rules do not affect any more specific rights to information contained elsewhere in this Constitution or the law, including the Freedom of Information Act 2000

3.0 Rights to Attend Meetings

Members of the public may attend all meetings subject only to the exceptions in these rules.

4.0 Notices of Meeting

Unless the Meeting is called at shorter notice, the Council will give at least five clear working days notice of any meeting by posting details of the meeting on its website and at the Council's main offices in Cecil Street, Margate, Thanet Gateway Plus, Cecil Street, Margate, Kent CT9 1RE (the designated office).

5.0 Access to Agenda and Reports Before the Meeting

The Council will make copies of the agenda and reports open to the public available for inspection at the designated office at least five clear working days before the meeting except that:

- a) where the meeting is convened at shorter notice, copies of the agenda and report shall be published on the Council's website and open to inspection from the time the meeting is convened; and
- b) where an item is added to the agenda later, the revised agenda (where reports are prepared after the summons has been sent out, the designated officer shall make each such report available to the public and publish it on the Council's website as soon as the report is completed and sent to Councillors) will be published on the Council's website and open to inspection ~~for~~ from the time the item was added to the agenda.

6.0 Items of Business

6.1 An item of business may not be considered at a meeting unless either:

- a) a copy of the agenda including the item (or a copy of the item) is published on the Council's website and open to inspection by a member of the public for at least five clear working days before the meeting or, where the meeting is convened at shorter notice, from the time the meeting is convened; or

- b) by reason of special circumstances, which shall be specified in the minutes, the Chairman of the mMeeting is of the opinion that the item should be considered at the meeting as a matter of urgency.

6.2 "Special circumstances" justifying an item being considered as a matter of urgency will relate to both why the decision could not be made by calling a mMeeting allowing the proper time for inspection as well as why the item or report could not have been available for five clear days before the meeting.

6.3 Where the item of business relates to a Key Decision, Rules 165, 176 and 187 also apply.

7.0 Supply of Copies

The Council will supply copies of:

- (a) any agenda and reports which are open to public inspection;
- (b) any further statements or particulars necessary to indicate the nature of the items in the agenda; and
- (c) if the ~~Corporate Programme Manager or~~ Democratic Services Manager thinks fit, any other documents supplied to Councillors in connection with an item

to any person on payment of a charge for postage and any other costs or electronically at no charge.

A reasonable number of copies of the agenda and reports will be made available at the meeting.

8.0 Access to Minutes etc After the Meeting

The Council will make available for public inspection copies of the following documents for six years after a meeting:

- (a) the minutes of the meeting or records of decisions taken, together with reasons, for ~~_all meetings of the~~ Cabinet decisions, excluding any part of the minutes of proceedings when the meeting was not open to the public or which disclose exempt or confidential information;
- (b) a summary of any proceedings not open to the public where the minutes open to inspection would not provide a reasonably fair and coherent record;
- (c) the agenda for the meeting; and
- (d) reports relating to items when the meeting was open to the public.

9.0 Background Papers

9.1 List of background papers

The proper officer will set out in every report that is open to public inspection a list of those documents (called background papers) relating to the subject matter of the report which in his/her opinion:

- (a) disclose any facts or matters on which the report or an important part of the report is based; and
- (b) which have been relied on to a material extent in preparing the report but does not include published works or those which disclose exempt or confidential

information (as defined in Rule 110) and in respect of Cabinet reports, the advice of a political ~~advisor~~assistant.

9.2 Public inspection of background papers

The Council will make available for public inspection for four years after the date of the meeting one copy of each of the documents on the list of background papers.

As far as Cabinet decisions are concerned, the Council will also publish on its website any background papers that are included in the list.

10.0 Public’s Rights

A copy of the Access to Information Procedure Rules, which sets out the public’s rights to attend meetings and to inspect and copy documents, shall be kept at and available to the public at the Council’s main offices for inspection. A member of the public shall be entitled to a copy of these Rules on request.

11.0 Exclusion of Access by the Public to Meetings

11.1 Confidential information – requirement to exclude public

The public must 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 confidential information would be disclosed.

11.2 Exempt information – discretion to exclude public

Subject to Article 6 of the Human Rights Act 1998 (right to a fair trial) the public may be excluded from ~~m~~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. Any resolution to exclude the public due to disclosure of exempt information must identify the proceedings, or the part of the proceedings to which it applies, and state, by reference to the descriptions in Schedule 12A to the Local Government Act 1972 (access to information: exempt information), the description of exempt information giving rise to the exclusion of the public.

11.3 Meaning of confidential information

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.

11.4 Meaning of exempt information

Exempt information means information falling within the following 7 categories (subject to any condition):

N.B. The full rules are set out in Part V and Schedule 12A Local Government Act 1972 (as Amended) ~~and the Relevant Authorities (Standards Committees) Regulations 2001.~~

Category	Condition
1. Information relating to any individual.	Information is exempt if and so long as in all the circumstances of the case, the public interests in maintaining the exemption outweighs the public interest in disclosing the interests.

Category	Condition
2. Information that is likely to reveal the identity of an individual.	Information is exempt if and so long as in all the circumstances of the case, the public interests in maintaining the exemption outweighs the public interest in disclosing the interests.

Category	Condition
3. Information relating to the financial or business affairs of any particular person (including the authority holding that information).	<p>a) Information is exempt if and so long as in all the circumstances of the case, the public interests in maintaining the exemption outweighs the public interest in disclosing the interests;</p> <p>b) Information is not exempt if it is required to be registered under:</p> <ul style="list-style-type: none"> • Companies Act 1985; • Friendly Societies Acts 1974 and 1992; • Industrial and Provident Societies Acts 1965 to 1978; • Building Societies Act 1986; • Charities Act 1993. <p>c) The rights of access by Members are contained in Section 1007 of the 1972 Act.</p>
4. Information relating to any consultations or negotiations, or contemplated consultations or negotiations in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under, the Authority.	Information is exempt if and so long as in all the circumstances of the case, the public interests in maintaining the exemption outweighs the public interest in disclosing the interests.
5. Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.	Information is exempt if and so long as in all the circumstances of the case, the public interests in maintaining the exemption outweighs the public interest in disclosing the interests.
6. Information which reveals that the authority proposes a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or b) to make an order or direction under any enactment.	Information is exempt if and so long as in all the circumstances of the case, the public interests in maintaining the exemption outweighs the public interest in disclosing the interests.
7. Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.	Information is exempt if and so long as in all the circumstances of the case, the public interests in maintaining the exemption outweighs the public interest

Category	Condition
	in disclosing the interests.

Information falling within any of the paragraphs above is not exempt by virtue of that paragraph if it relates to proposed development for which the local planning authority can grant itself planning permission under Regulation 3 of the Town and Country Planning General Regulations 1992.

Disclosure by Members

Members will not make public Confidential or Exempt Information without the consent of the Authority or divulge information given in confidence to anyone other than a Member or Officer entitled to know it.

12.0 Exclusion of Access by the Public to Reports

If the proper officer thinks fit, the Council may exclude access by the public to a report or a part of a report which in his or her opinion relates to items-an item during which, in accordance with Rule 11, the meeting is likely not to be open to the public. Such reports will be marked, in accordance with the law, "Not for publication" together with the category of information likely to be disclosed. Every copy of such report, or part of report, as the case may be, must be marked, "not for publication" and there must be stated on every copy of the whole or the part of the report:

- (a) that it contains confidential information; or
- (a)(b) by reference to the descriptions in Schedule 12A to the Local Government Act 1972, the description of exempt information by virtue of which the decision-making body discharging the executive function are likely to exclude the public during the item to which the report relates.

~~13.0~~ **Application of Rules to the Cabinet** **Reporting of proceedings at Cabinet meetings**

~~Rules 14 – 25 apply to the Cabinet and its Committees. If the Cabinet or its Committees meet to take a key decision then it must also comply with Rules 1 – 12 unless Rule 16 (general exception) or Rule 17 (special urgency) apply. A key decision is as defined in Article 13.03 of this Constitution.~~

While a Cabinet meeting is open to the public, any person attending the meeting for the purpose of reporting the proceedings is, so far as practicable, to be afforded reasonable facilities for taking their report.

14.0 Procedure prior to a Private Meeting of Cabinet

14.1 Subject to 14.2, a decision by Cabinet to hold a meeting, or part of a meeting in private may not be taken unless:

- (a) a notice has been published in the Forward Plan and Exempt Cabinet Report List at least 28 clear days before the meeting in question and made available on the council's website and at Thanet Gateway Plus, Cecil Street, Margate. This notice is to include a statement of the reasons why the meeting, or part of the meeting, is held in private;
- (b) a further notice will be published on the Council's website and at Thanet Gateway Plus, Cecil Street, Margate at least five clear working days before the meeting; such notice to include:

- i. a statement of the reasons for the meeting to be held in private;
- ii. details of any representations received by the Cabinet not later than 14 calendar days in advance of the meeting about why the meeting should be open to the public; and
- iii. a statement of its response to any such representations, which will be decided upon by the Leader in consultation with the Monitoring Officer.

14.2 Where the date by which a Cabinet meeting must be held makes compliance with Rule 14.1 impracticable, the meeting, or part of the meeting, may only be held in private where Cabinet has obtained agreement from:

- a) the Chairman of the relevant Overview and Scrutiny Committee; or
- b) if there is no such person, or if the Chairman of the relevant Overview and Scrutiny Committee is unable to act, the Chairman of Council; or
- c) where there is no Chairman of either the relevant Overview and Scrutiny Committee or of Council, the Vice-Chairman of Council.

154.0 Procedure Before Taking Key Decisions Publicity in connection with key decisions

Subject to Rule ~~176~~ (general exception) and Rule ~~187~~ (special urgency), a key decision may not be taken unless:

- (a) a notice ~~(called here a forward plan)~~ has been published in the Forward Plan and Exempt Cabinet Report List connection with the matter in question;
- (b) ~~_at least 3 clear days have elapsed since the publication of the forward plan; and~~ the notice referred to at sub paragraph (a) has been available for public inspection at least 28 days at Thanet Gateway Plus, Cecil Street, Margate and on the Council's website;
- (c) where the decision is to be taken at a meeting of the Cabinet or its Committees notice of the meeting has been given in accordance with Rule 4 (notice of meetings).

165.0 The Forward Plan and Exempt Cabinet Report List

15.1 Period of forward plan

~~Forward plans will be prepared by the Leader to cover a period of four months, beginning with the first day of any month. They will be prepared on a monthly basis and subsequent plans will cover a period beginning with the first day of the second month covered in the preceding plan.~~

165.12 Contents of forward plan and exempt cabinet report list

The forward plan and exempt cabinet report list will contain matters which ~~the Leader has reason to believe~~ will be the subject of a key decision to be taken by the Cabinet, a Committee of the Cabinet, individual members of the Cabinet, officers, area

Committees or under joint arrangements in the course of the discharge of an Executive function ~~during the period covered by the plan. It will provide the following details::describe the following particularsdetails: in so far as the information is available or might reasonably be obtained:~~

- (a) that a key decision is to be made on behalf of the Council;
- (b) the matter in respect of which a decision is to be made;
- (c) where the decision maker is an individual, his/her name and title, if any and where the decision maker is a body, its name and a list of its membersdetails of membership;
- (d.) the date on which, or the period within which, the decision is to be madewill be taken;
- (e) a list of the documents submitted to the decision maker for consideration in relation to the matter in respect of which the key decision is to be made;
- (f) the address from which, subject to any prohibition or restriction on their disclosure, copies of, or extracts from, any document listed is available;
- (g) that other documents relevant to those matters may be submitted to the decision maker;
- (h) the procedure for requesting details of those documents (if any) as they become available.
- ~~(d) the identity of the principal groups whom the decision taker proposes to consult before taking the decision;~~
- ~~(e) the means by which any such consultation is proposed to be undertaken;~~
- ~~(f) the steps any person might take who wishes to make representations to the Cabinet or decision taker about the matter in respect of which the decision is to be made, and the date by which those steps must be taken; and~~
- ~~(g) a list of the documents submitted to the decision taker for consideration in relation to the matter.~~

The forward plan and exempt cabinet report list must be published at least 14 days before the start of the period covered on the Council's website and at Thanet Gateway at least 28 clear days before a key decision is made.

~~The proper officer will publish once a year a notice in at least one newspaper circulating in the area, stating:~~

- ~~(a) that key decisions are to be taken on behalf of the Council;~~
- ~~(b) that a forward plan containing particulars of the matters on which decisions are to be taken will be prepared on a monthly basis;~~
- ~~(c) that the plan will contain details of the key decisions to be made for the four month period following its publication;~~

- ~~(d) that each plan will be available for inspection at reasonable hours free of charge at the Council's offices;~~
- ~~(e) that each plan will contain a list of the documents submitted to the decision takers for consideration in relation to the key decisions on the plan;~~
- ~~(f) the address from which, subject to any prohibition or restriction on their disclosure, copies of, or extracts from, any document listed in the forward plan is available;~~
- ~~(g) that other documents may be submitted to decision takers;~~
- ~~(h) the procedure for requesting details of documents (if any) as they become available; and~~
- ~~(i) the dates on each month in the following year on which each forward plan will be published and available to the public at the Council's offices.~~

~~Exempt information need not be included in a forward plan and confidential information cannot be included.~~

~~Where in relation to any matter, the public may be excluded under Rule 11 from the meeting at which the matter is to be discussed, or the documents relating to the decision need not by virtue of Rule 12 to be disclosed to the public, the forward plan and exempt cabinet report list must contain particulars of the matter but may not contain any confidential, exempt information or particulars of the advice of a political adviser or assistant.~~

176.0 General Exception

~~17.1 If a matter which is likely to be a key decision has not been included in the forward plan, then subject to Rule 17 (special urgency), the decision may still be taken if: Subject to Rule 18 (special urgency), where the publication of the intention to make a key decision under Rule 16 is impracticable, that decision may only be made:~~

- ~~(a) the decision must be taken by such a date that it is impracticable to defer the decision until it has been included in the next forward plan and until the start of the first month to which the next forward plan relates;~~
- ~~(a) where the proper officer has informed the Chairman of the relevant Overview and Scrutiny Committee, or, if there is no such person, each member of the Overview and Scrutiny Committee by notice in writing, of the matter about which the decision is to be made;~~
- ~~(b) where the proper officer has made available at Thanet Gateway Plus, Cecil Street, Margate for inspection by the public and published on its website a copy of the notice given pursuant to sub-paragraph (a); and~~
- ~~(c) after five clear working days have elapsed following the day on which the proper officer made available the notice referred to in sub-paragraph (b).~~

~~17.2 Where Rule 17.1 applies to any matter, Rule 16 need not be complied with in relation to that matter.~~

~~17.3 As soon as reasonably practicable after the proper officer has complied with Rule 17.1, he or she must make available at Thanet Gateway Plus, Cecil~~

Street, Margate a notice setting out the reasons why compliance with Rule 16 is impracticable and publish that notice on the Council's website.

- ~~(b) the proper officer has informed the Chairman of a relevant Overview and Scrutiny Committee, or if there is no such person, each member of that Committee in writing, by notice, of the matter to which the decision is to be made;~~
- ~~(c) the proper officer has made copies of that notice available to the public at the offices of the Council; and~~
- ~~(d) at least 3 clear days have elapsed since the proper officer complied with (b) and (c).~~

~~Where such a decision is taken collectively, it must be taken in public.~~

187.0 Special Urgency

~~If by virtue of the date by which a decision must be taken Rule 16 (general exception) cannot be followed, then the decision can only be taken if the decision taker (if an individual) or the Chairman of the body making the decision, obtains the agreement of the Chairman of a relevant Overview and Scrutiny Committee that the taking of the decision cannot be reasonably deferred. If there is no Chairman of a relevant Overview and Scrutiny Committee, or if the Chairman of each relevant Overview and Scrutiny Committee is unable to act, then the agreement of the Chairman of the Council, or in his/her absence the Vice Chairman will suffice.~~

18.1 Where the date by which a key decision must be made makes compliance with Rule 17 impracticable, the decision may only be made where the decision maker has obtained agreement from

- (a) the Chairman of the Overview and Scrutiny Committee, or
- (b) if there is no such person, or if the chairman of the Overview and Scrutiny Committee is unable to act, the chairman of council; or
- (c) where there is no Chairman of either the relevant Overview and Scrutiny Committee or Council, the Vice-Chairman of Council

that the making of the decision is urgent and cannot reasonably be deferred.

18.2 As soon as reasonably practicable after the decision maker has obtained agreement under Rule 18.1 that the making of the decision is urgent and cannot reasonably be deferred, the decision maker must make available at Thanet Gateway Plus, Cecil Street, Margate a notice setting out the reasons that the meeting is urgent and cannot reasonably be deferred and publish that notice on the Council's website.

187.34 Provision of urgent reports to Ward Members

18.3.147.1.1—1. In cases where the content of the report on the urgent decision is not exempt within the meaning of Schedule 12A of the Local Government Act 2000, Ward Members will be notified of the decision as soon as the decision is taken;

187.34.2 In cases where the content of the report on the urgent decision is exempt within the meaning of Schedule 12A of the Local Government Act 2000 and that exemption does not relate to commercial or contractual matters, Ward Members will be notified of the decision as soon as the decision has been taken, but without disclosure of the

exempt matters (for example, if the exemption relates to the identification of individual or personal matters, those details will not be disclosed until after the decision has been implemented);

187.34.3 In cases where the content of the report on the urgent decision is exempt within the meaning of Schedule 12A of the Local Government Act 2000 and that exemption relates to commercial or contractual matters, Ward Members will be notified of the decision as soon as the decision has been implemented.

198.0 Report to Council

198.1 When an Overview and Scrutiny Committee can require a report

Where an executive decision has been made and:

(a) was not treated as being a key decision; and

(b) a relevant Overview and Scrutiny Committee are of the opinion that the decision should have been treated as a key decision,

that Overview and Scrutiny Committee may require the executive which is responsible for the decision to submit a report to Council within such reasonable period as the committee may specify.

~~If the Executive and Policy Scrutiny Panel thinks that a key decision has been taken which was not:~~

~~(a) included in the forward plan; or~~

~~(b) the subject of the general exception procedure; or~~

~~(c) the subject of an agreement with a relevant Overview and Scrutiny Committee Chairman, or the Chairman/Vice Chairman of the Council under Rule 16;~~

~~the Committee may require the Cabinet to submit a report to the Council within such reasonable time as the Committee specifies.~~ The power to require a report rests with the Committee, but is also delegated to the proper officer, who shall require such a report on behalf of the Committee when so requested by the Chairman or any 5 members. Alternatively the requirement may be raised by resolution passed at a meeting of the relevant Overview and Scrutiny Committee.

149.8.2 Cabinet's report to Council

The Cabinet will prepare a report under Rule 19.1 for submission to the next available meeting of the Council. However, if the next meeting of the Council is within 7-5 working days of receipt of the written notice, or the resolution of the Committee, then the report may be submitted to the meeting after that. ~~The report to Council will set out particulars of the decision, the individual or body making the decision, and if the Leader is of the opinion that it was not a key decision the reasons for that opinion.~~

The report must include details of:

(a) the decision and reasons for the decision;

(b) the decision maker by which the decision was made; and

(c) if the Cabinet are of the opinion that the decision was not a key decision, the reasons for that opinion.

198.3 Quarterly reports on special urgency decisions

In any event the Leader will submit quarterly reports to the Council on the Cabinet decisions taken in the circumstances set out in Rule 16 (special urgency) in the preceding three months. The report will include the number of decisions so taken and a summary of the matters in respect of which those decisions were taken.

The Leader of the Council will submit to the Council quarterly reports containing details of each executive decision taken during the period since the last report was submitted to the council where the making of the decision was agreed as urgent in accordance with Rule 18 (special urgency).

2019.0 Recording of executive dDecisions made at meetings

After any meeting of the Cabinet or any of its Committees, whether held in public or private, the proper officer or, where no officer was present, the person presiding at the meeting, will produce a record of every decision taken at that meeting as soon as practicable. The record will include a statement of the reasons for each decision and any alternative options considered and rejected at that meeting.

As soon as reasonably practicable after any meeting of a decision-making body at which an executive decision was made, the proper officer, or if the proper officer was not present at the meeting, the person presiding, must ensure that a written statement is produced and published on the council's website for every executive decision made which includes:

- (a) a record of the decision including the date it was made;
- (b) a record of the reasons for the decision;
- (c) details of any alternative options considered and rejected by the decision-making body at the meeting at which the decision was made;
- (d) a record of any conflict of interest relating to the matter decided which is declared by any member of the decision-making body which made the decisions; and
- (e) in respect of any declared conflict of interest, a note of dispensation granted by the Council's Head of Paid Service, following consultation with the Monitoring Officer.

210.0 Recording of executive decisions made by Individual Members of the Cabinet Decisions by Individual Members of the Cabinet

As soon as reasonably practicable after an individual Member has made an executive decision, that member must produce or instruct the proper officer to produce and publish on the Council's website a written statement of that executive decision which includes :

- (a) a record of the decision including the date it was made;
- (b) a record of the reasons for the decision;

- (c) details of any alternative options considered and rejected by the member when making the decision;
- (d) a record of any conflict of interest declared by any executive member who is consulted by the member which relates to the decision; and
- (e) in respect of any declared conflict of interest, a note of any dispensation granted by the Council's Head of Paid Service.

The provisions of Rules 7 and 8 (inspection of documents after meetings) will also apply to the making of decisions by individual members of the Cabinet. This does not require the disclosure of exempt or confidential information or advice from a political assistant.

~~20.1 Reports intended to be taken into account~~

~~When an individual Cabinet member is taking a key decision they must make that decision considering a report from the relevant officer and that decision must not be made until 5 clear working days after receipt of that report.~~

~~When an officer is taking a key decision they must make that decision considering a report and that decision must be made until 5 clear working days after receipt of that report.~~

~~20.2 Provision of copies of reports to Overview and Scrutiny Committees~~

~~On giving of such a report to an individual decision maker, the person who prepared the report will give a copy of it to the Chairman of every relevant Overview and Scrutiny Committee or Sub-Committee as soon as reasonably practicable, and make it publicly available at the same time, unless it contains confidential or exempt information~~

~~210.2 Recording of executive decisions made by Officers individual decision~~

~~As soon as reasonably practicable after an Officer has made a decision which is an executive decision, the officer must produce and publish on the Council's website a written statement which must include:~~

- (a) a record of the decision including the date it was made;
- (b) a record of the reasons for the decision;
- (c) details of any alternative options considered and rejected by the officer when making the decision;
- (d) a record of any conflict of interest declared by an executive member who is consulted by the Officer which relates to the decision; and
- (e) in respect of any declared conflict of interest, a note of any dispensation granted by the Council's Head of Paid Service, following consultation with the Monitoring Officer.

21.3 Reports intended to be taken into account

When an individual Cabinet member is taking a key decision they must make that decision considering a report from the relevant officer and that decision must not be made until 5 clear working days after receipt of that report.

When an officer is taking a key decision they must make that decision considering a report and that decision must not be made until 5 clear working days after receipt of that report.

221.0 ~~Overview and Scrutiny Committees Access to Documents Rights of access to documents for members of the Overview and Scrutiny Committee~~**221.1 Rights to copies**

Subject to Rule 22.3 below ~~20.2 above~~, an Overview and Scrutiny Committee ~~(including its Sub-Committees)~~ will be entitled ~~to a copy on request to copies~~ of any document which is in the possession or under the control of the Cabinet or its Committees and which contains material relating to

- (a) any business transacted at meeting of the Cabinet or its Committees; or
- (b) ~~(b)~~ any decision that has been made taken by an individual member of the Cabinet in accordance with executive arrangements; or
- (c) any decision that has been made by an officer of the Council in accordance with executive arrangements.

22.2 Subject to Rule 22.3 below, where a member of an Overview and Scrutiny Committee requests a document which falls within Rule 22.1, the Cabinet must provide that document as soon as reasonably practicable and in any case no later than 10 clear days after the Cabinet receives the request.-

221.32 Limit on rights

~~An Overview and Scrutiny Committee will not be entitled to:~~

- ~~(a) any document that is in draft form; or~~
- ~~(b) the advice of a political adviser.~~

No member of an Overview and Scrutiny Committee is entitled to a copy:

- (a) of any such document or part of a document as contains exempt or confidential information unless that information is relevant to:
 - i) an action or decision that that member is reviewing or scrutinising
 - ii) any review contained in any programme of work of such a committee or sub-committee of such a committee; or
- (c) of a document or part of a document containing advice provided by a political adviser or assistant

Where the Cabinet determines that a member of an Overview and Scrutiny Committee is not entitled to a copy of a document or part of any such document for a reason set out in Rule 22.1 or 22.3, the Cabinet Leader in conjunction with the Monitoring Officer will write

to all Members of the Overview and Scrutiny Committee, setting out the reasons for that decision.

21.3 Additional rights

The rights described in Rule ~~22.20.4~~ and ~~23.120.2~~ shall apply also in relation to non Executive functions dealt with by the Council and any regulatory or other Committees and Sub-Committees.

~~23.2.0~~ Additional Rights of Access to documents for Members of the Council

23.1 Subject to Rules 23.5 and 23.6, any document which:

(a) is in the possession or under the control of the Cabinet; and

(b) contains material relating to any business to be transacted at a public meeting,

must be available for inspection by any Member of the Council..

23.2 Any document which is required by Rule 23.1 to be available for inspection by any Member of Council must be available for such inspection for at least five clear days before the meeting except that:

(a) where the meeting is convened at shorter notice, such a document must be available for inspection when the meeting is convened; and

(b) where an item is added to the agenda at shorter notice, a document that would be required to be available under Rule 23.1 in relation to that item, must be available for inspection when the item is added to the agenda.

23.3 Subject to Rules 23.5 and 23.6, any document which:

(a) is in the possession or under the control of the Cabinet; and

(b) contains any material relating to:

- i. any business transacted at a private meeting or part of a meeting held in private;
- ii. any decision made by an individual member in accordance with executive arrangements; or
- iii. any decision made by an officer in accordance with executive arrangements

must be available for inspection by any Member of the Council when the meeting concludes or where an executive decision is made by an Individual Member or an Officer immediately after the decision has been made.

23.4 Any document which is required by Rule 23.3 to be available for inspection by any Member of Council must be available for such inspection, in any event, within 24 hours of the conclusion of the meeting or the decision being made, as the case may be.

23.5 Rules 23.1 and 23.3 do not require a document to be available for inspection if it appears to the proper officer that it discloses exempt information of a description

falling within Part 1 of Schedule 12A to the Local Government Act 1972 (descriptions of exempt information: England);

23.6 Notwithstanding Rule 23.4, Rules 23.1 and 23.3 do require the document to be available for inspection if the information is information of a description for the time being falling within:

(a) paragraph 3 of Schedule 12A to the Local Government Act 1972 (except to the extent that the information relates to any terms proposed or to be proposed by or to the authority in the course of negotiations for a contract); or

(b) paragraph 6 of Schedule 12A to the Local Government Act 1972.

23.7 Where it appears to the proper officer that compliance with Rules 23.1 or 23.3 in relation to a document or part of a document would involve the disclosure of advice provided by a political advisor or assistant, that paragraph will not apply to that document or part.

23.8 The rights conferred by Rules 23.1 and 23.3 are in addition to any other rights that a member of a local authority may have.

~~22.1~~ — Material relating to previous business

~~All members will be entitled to inspect and have a copy of any document which is in the possession or under the control of the Cabinet or its Committees (including agenda and reports) and contains material relating to any business previously transacted at a meeting unless either (a) or (b) below applies:~~

~~(a) — it is a document that is in draft form (unless it is a document that was intended to be published in draft form); or~~

~~(b) — it contains the advice of a political adviser.~~

~~22.2~~ — Material relating to key decisions

~~— All members of the Council will be entitled to inspect any document (except those available only in draft form) in the possession or under the control of the Cabinet or its Committees which relates to any key decision unless paragraph (a) or (b) above applies.~~

~~22.3~~ 24.0 Agendas and Reports

All members of the Council entitled, on request, to copies of all agenda and reports when published whether relating to Executive or non Executive functions.

~~22.4~~ — Nature of rights

~~— These rights of a member are additional to any other right he/she may have.~~

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USE OF MOBILE COMMUNICATIONS DEVICES AT MEETINGS

To: **Council – 6 December 2012**

Main Portfolio Area: **Democratic Services**

By: **Democratic Services and Scrutiny Manager**

Classification: **Unrestricted**

Ward: **N/A**

Summary: To consider the use of mobile communications devices at meetings

For Decision

1.0 Introduction and Background

1.1 Following requests from two Members of Council, the desirability of having a policy for Councillors, officers and members of the public on the use of mobile communications devices at meetings was considered by the Constitutional Review Working Party at its meeting on 25 October 2012 and the Standards Committee on 7 November 2012.

2.0 The Current Situation

2.1 Currently, there is a notice in the public gallery of the council chamber, advising that the unauthorised recording or relaying of proceedings of meetings is strictly prohibited.

2.2 At the beginning of meetings, it is current practice for Chairmen to request everyone present to ensure that their mobile 'phones are turned to silent and that they are not used to make or receive 'phone calls whilst the meeting is in progress.

2.2 In order to determine the policies of neighbouring councils in relation to use of mobile 'phones and laptops at meetings, a telephone survey was carried out. The responses are summarised at Annex 1. It will be noted that in one case, it is currently expected that mobile 'phones are turned off by everyone present for the duration of the meeting; that in one case, recording of meetings is prohibited by members of the public, but not by committee attendees; and that in two of the cases where use of mobile phones is permitted, recording of proceedings is prohibited. It will also be noted that in all four cases there appears to no limitation on the use of laptops at meetings.

2.3 An online internet search was also carried out with a view to establishing what practices and policies apply to a wider range of councils. A sample of results, which is summarised at Annex 2, might help to inform Council. Owing to the nature of the online search, it has not been possible to sub-divide the results in a similar way to Annex 1. It will be noted that with the exception of Brighton & Hove, recording of proceedings is either not permitted or is permitted only with consent being obtained to do so; that Oxford and Salford encourage councillors to switch off their mobile devices during council meetings; and that Wyre, which allows use of social media by the press and public, disallows such use by members of a committee.

3.0 Consideration by Constitutional Review Working Party and Standards Committee

3.1 The Constitutional Review Working Party of the 24 October recommended to the Standards Committee that:

- i). Committee Members and accredited journalists must ensure that their mobile communications devices are set to silent mode during all public meetings:
- ii). recording of meeting proceedings by attendees is prohibited:
- iii). members of the public must switch off their mobile communications devices during all public meetings.

3.2 These recommendations were considered at length at the meeting of the Standards Committee of the 7 November who then agreed to recommend the following to Council:

- i). That Council Members, officers and accredited journalists must ensure that their mobile communications devices are switched off during all public meetings;
- ii). That audio or video recording and the taking of photographs at meetings by attendees is prohibited.
- iii). That members of the public must switch off their mobile communications devices during all public meetings.

3.3 Following consideration of the issue by the Constitutional Review Working Party and Standards Committee, officers are suggesting that Council should consider whether the position of the Council's Communications representative at public meetings should be treated differently from that of other Council officers. That is to say, if Council limits the use of mobile communications devices by officers generally during meetings, whether the Council's Communications representative should be exempt from such limitation.

4.0 Corporate Implications

4.1 Financial and VAT

4.1.1 There are no financial implications.

4.2 Legal

4.2.1 The council's constitution would need to be amended should a new / amended policy be agreed by Council.

4.2.2 The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 does not require "a decision-making body to permit the taking of any photographs of any proceedings or the use of any means to enable persons not present to see or hear any proceedings (whether at the time or later), or the making of any oral report on any proceedings as they take place" Reg 20(4).

4.3 Corporate

4.3.1 The Council strives to maintain openness and transparency in the conduct of public meetings. However, most local authorities set some boundaries on the use of modern mobile communications devices, in order that their use does not impede the effective running of meetings. Such boundaries are, within legal constraints, ultimately for Council to decide.

4.4 Equity and Equalities

4.4.1 None Apparent

5.0 Recommendations from the Standards Committee

- 5.1 That Council Members, officers and accredited journalists must ensure that their mobile communications devices are switched off during all public meetings;
- 5.2 That audio or video recording and the taking of photographs at meetings by attendees is prohibited.
- 5.3 That members of the public must switch off their mobile communications devices during all public meetings.
- 5.4 That the Council's Constitution be amended to reflect any decision taken by Council at this meeting.

6.0 Decision Making Process

- 6.1 This report has been considered by the Constitutional Review Working Party and the Standards Committee. It is for Council to determine the policy.

Contact Officer:	Glenn Back, Democratic Services and Scrutiny Manager
Reporting to:	Harvey Patterson, Corporate & Regulatory Services and Monitoring Officer

Annex List

Annex 1	Responses from other East Kent Councils
Annex 2	Responses from councils outside of East Kent

Background Papers

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

Corporate Consultation Undertaken

Finance	N/A
Legal	Harvey Patterson, Corporate & Regulatory Services Manager and Monitoring Officer

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OTHER EAST KENT COUNCILS' PRACTICES AND POLICIES – USE OF MOBILE PHONES AND LAPTOPS AT MEETINGS

EAST KENT COUNCILS	Practice / Policy – mobile phones		Practice / Policy – laptops	
	Committee Members	Members of the Public	Committee Members	Members of the Public
Canterbury	Recording of meetings prohibited.	Recording of meetings prohibited	No limitations on the use of laptops at meetings. Use of ipads being piloted at present	No limitations on the use of laptops at meetings.
Dover	Basic rule is that recording of meetings or anything that would unreasonably disrupt the meeting is prohibited. [It is intended, however, to review policy in the near future]	Use of mobile phones <u>not</u> permitted as it interferes with the microphone system, and therefore the hearing loop. To that end, mobile phones are required to be switched off by the public when entering meeting rooms.	Laptops/ tablets permitted by councillors to enable them to view agenda information at the meeting.	Same as for councillors; however, it is stressed to members of the public with a laptop that they are not permitted to use any built-in webcams or microphones to record anything.
Shepway	Policy that Councillors' mobile phones are to be <u>turned off</u> before proceedings commence. An announcement is made at the beginning of meetings to that effect. A review is expected to take place in the near future.	It is expected that members of the public turn off 'phones, but this has not been enforced.	No policy; no-one ever takes a laptop to meetings	Same as for committee members
Ashford	No policy – but committee members are asked to switch their 'phones to be on silent.	Same as for committee members	Some Councillors use laptops at meetings to view meeting agenda information.	No policy; no member of the public has been known to take a laptop to a meeting.

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PRACTICES AND POLICIES OF COUNCILS OUTSIDE OF EAST KENT – USE OF ELECTRONIC COMMUNICATION DEVICES AT MEETINGS

Policy – use of mobile phones / recording at meetings	
Committee Members	Members of the Public
Kent County Council	<p>Constitution (currently published): Appendix 4 Part 2: Rules applying to council and committee meetings</p> <p>Recording meetings: 2.2 (1) "No audio or visual recording shall be made at meetings except for the official recording by the clerk or recordings agreed by the Chairman to be made by a media organisation." 2.2 (2) "Recording of council proceedings will be made available by the Clerk to any Member who requests them."</p>
Maidstone Borough Council	<p>Constitution (currently published): Rule of Procedure 3 – Records of Proceedings/Photographs at Town Hall</p> <p>(b) "No one will film, photograph or record any of the public proceedings of any meeting of the authority unless a request to do so has been received by the Director of Regeneration and Communities who will determine the request in consultation with the chairman of the body concerned."</p>
Brighton & Hove City Council	<p>Constitutional change – Council Procedure Rule 31</p> <p>CPR 31.2 was amended at the council meeting on 20 October to read (new wording underlined; former wording in italics and in brackets):</p> <p>"Any person attending a meeting of the council or of a Committee or Sub Committee (<i>wording removed: "shall observe the Council's rule that mobile telephones must be switched off at all times during such meetings"</i>) may use a mobile communications device and audio record and transmit proceedings provided that:</p> <ul style="list-style-type: none"> i) <u>Any mobile communications device shall be kept in silent mode throughout the meeting;</u> ii) <u>There shall be no use of any voice facility to make calls, receive calls or check voice messages. Only text or non-voice uses can be made of mobile phones</u> iii) <u>The person presiding at the meeting may require all mobile phones to be switched off and any audio recording cease at any time if they consider that the use of devices is not conducive to the proper running of the meeting</u> iv) <u>There shall be no recording or transmission of council proceedings when exempt business is discussed or at meetings of the Licensing Committee Panels."</u> <p>² See below for policy on cameras / TV cameras</p>

PRACTICES AND POLICIES OF COUNCILS OUTSIDE OF EAST KENT – USE OF ELECTRONIC COMMUNICATION DEVICES AT MEETINGS

Policy – use of mobile phones / recording at meetings	
Committee Members	Members of the Public
<p>Wyre Forest District Council</p>	<p>Constitution (currently published) Council procedure rule 3.15:</p> <p>3.15 (i) "Council will record and broadcast all of its meetings with the exception of exempt items ... unless there is the express consent of the Chairman individuals shall be prohibited from taking photographs, film video or sound recordings, or using of any radio transmitting equipment at any meeting of the Council or any Committee".</p> <p>3.15 (iii) "Members of a Committee are prohibited from using ICT to access social media, texting, emailing or social media texts or emails during a meeting of Council or any Committee."</p> <p>3.15 (iv) "Members and officers are prohibited from using ICT to make or receive calls at meetings held in public and all mobile phones / handheld devices that allow calls to be made or received are to be turned to silent or off."</p>
<p>Salford City Council</p>	<p>Council agenda for 19 September 2012:</p> <p>"Councillors are requested to ensure that their electronic equipment is on silent and not used during the Council meeting".</p> <p>Council agendas prior to that:</p> <p>"Members are requested to ensure that their mobile telephones are switched off during the council meeting".</p> <p>(Constitution searched for reference to use of mobile phones – none found)</p>
	<p>Council procedure rule 3.15 (ii)</p> <p>"The use of social media by the press and public is permitted although this should be read in conjunction with paragraph 3(i)" - see "committee members section"</p>

PRACTICES AND POLICIES OF COUNCILS OUTSIDE OF EAST KENT – USE OF ELECTRONIC COMMUNICATION DEVICES AT MEETINGS

Policy – use of mobile phones / recording at meetings	
Committee Members	Members of the Public
Part 5L of constitution (currently published) – use of mobile phones, social media, filming and recording of meetings	Part 5L of constitution – use of mobile phones, social media, filming and recording of meetings
<p>3.1 “To minimise disruption to others attending the meeting, all attendees must ensure that their phone or other mobile devices are switched off or set to silent mode during the meeting”.</p> <p>3.2 “... The full attention of Councillors who are members of the meeting (full Council, Cabinet, Committee, etc) is required at all times and these Councillors must not be distracted by using social media or any mobile devices.”</p> <p>3.3 “No Councillor in attendance, whether a decision-maker or observer, is permitted to use social media or mobile devices during a private session, or to disclose in any way the content of the items under discussion.”</p>	<p>3.1 “To minimise disruption to others attending the meeting, all attendees must ensure that their phone or other mobile devices are switched off or set to silent mode during the meeting”.</p> <p>3.2 The use of social media in formal meetings is permitted for members of the public, press and Councillors who are <u>not</u> members of the meeting, so long as this does not cause any disruption or disturbance. The Chair’s decision on this point is final.</p>
<p>Hyndrum Borough Council</p>	<p>Oxford City Council</p>
<p>Minutes of Council meeting on 16 July 2012: (As part of Lord Mayor’s announcements)</p> <p>“Members should switch off mobile devices unless:</p> <ul style="list-style-type: none"> - they were expecting an urgent call in which case they should use the vibrate mode for incoming calls and messages - they were using a mobile device to read the council agenda”. 	

PRACTICES AND POLICIES OF COUNCILS OUTSIDE OF EAST KENT – USE OF ELECTRONIC COMMUNICATION DEVICES AT MEETINGS

Policy – use of mobile phones / recording at meetings	
Committee Members	Members of the Public
<p>Milton Keynes Council</p> <p><u>Practice – Council meetings</u></p> <p>Council agendas state:</p> <ul style="list-style-type: none"> - “Please ensure that your mobile phone is switched to silent or is switched off completing during the meeting”; - “The proceedings at this meeting may be recorded for the purpose of preparing the minutes of the meetings” <p>(constitution searched for reference to use of mobile phones – nothing found)</p>	<p><u>Policy – use of mobile phones / recording at meetings</u></p> <p>Members of the Public</p>
<p>East Devon District council</p> <p><u>Practice – mobile phones</u></p> <p>Council agenda front sheets state:</p> <ul style="list-style-type: none"> - “Councillors and members are minded to switch off mobile phones during the meeting. If this is not practical due to particular circumstances, please advise the Chairman in advance of the meeting”. - <p><u>Policy – recording of proceedings</u></p> <p>Constitution, Part 4 – Rules of Procedure, 4.1 Procedural Standing Orders</p> <p>Rule 19.1 – removal of member of the public</p> <p>“If a member of the public interrupts proceedings or is found to be unlawfully recording the proceedings of the meeting, the Chairman will warn the persons concerned. If they continue to interrupt or record the meeting, the Chairman will order their removal from the meeting room and the forfeiture of the unauthorised recording.”</p>	<p><u>Policy – recording of proceedings</u></p> <p>Members of the Public</p>

¹ **Constitution CPR 31.1: Brighton & Hove City Council – policy on Cameras/TV Cameras:** Subject to prior approval, which shall be at the absolute discretion of the person presiding at the meeting, one or more accredited representatives of newspapers (including representatives of news agencies, radio and television organisations etc) or any other person may be permitted to film, video or photograph the proceedings at Council meetings except for that part of the meeting where the public are excluded ...

APPOINTMENT OF INDEPENDENT PERSONS TO THE STANDARDS COMMITTEE

To: **Council – 6 December 2012**

By: **Harvey Patterson, Corporate Services & Regulatory Manager**

Classification: **Unrestricted**

Summary: To ratify the appointment of 2 Independent Persons of the Standards Committee

For Decision

1.0 Introduction and Background

- 1.1 At its previous meeting on 12 July 2012, Council agreed that applications in writing be sought from members of the public interested in becoming an Independent Person of the Standards Committee.
- 1.2 Under the arrangements set out by the Localism Act 2011, the Council has to appoint at least one “Independent Person” who must be consulted before the Council makes any findings in relation to a complaint that has been investigated. He or she may also be consulted by the Council at the initial complaints assessment stage or by the member the subject of a complaint. The appointment of such Independent Persons must be ratified by a meeting of the Council. The Council agreed to appoint two Independent Persons in order to manage potential conflicts and resignations as well as sickness and holiday absence. It is suggested that one Independent Person is appointed and one reserve.

2.0 Appointing Independent Members of the Standards Committee

- 2.1 The Council received a number of applications for the role of Independent Person of the Standards Committee and interviews were undertaken by the Standards Appointments Working Party on the 10 October. As a result of this the Standards Appointments Working Party recommended two applicants to fill the vacant positions. These were Mr Dennis James and Mr Peter Tucker.
- 2.2 Council is asked to appoint Mr Dennis James as the Independent Person and Mr Peter Tucker as Substitute Independent Person of the Standards Committee for a term starting as of the date of this meeting and ending on 21 May 2015.
- 2.3 It is also proposed that Independent Persons of the Standards Committee receive a small allowance for their time and efforts and this is dealt with by the Members Allowances report elsewhere within the agenda for this meeting.

3.0 Corporate Implications

3.1 Financial

- 3.1.1 Giving Independent Persons of the Standards Committee an allowance will have an impact on the allowances budget. The full impact of this is covered in the Members Allowances report elsewhere in the agenda for this meeting.

6.2 Legal

- 6.2.1 No legal implications at this stage.

6.3 Corporate

6.3.1 None at this stage.

6.4 Equity and Equalities

6.4.1 None at this stage.

7.0 Recommendation

7.1 That Council notes the recommendation of the Standards Appointments Working Party and appoints both Mr Dennis James and Mr Peter Tucker as Independent Persons of the Standards Committee for a term starting from the date of this meeting and ending on 21 May 2015.

8.0 Decision Making Process

8.1 This is a decision for Council.

Contact Officer:	Harvey Patterson, Corporate and Regulatory Services Manager and Monitoring Officer
Reporting to:	Philip Hamberger, Director of Corporate Services and Transformation

Background Papers

Title	Details of where to access copy
None	

Corporate Consultation Undertaken

Finance	Sarah Martin, Financial Services Manager and Deputy S.151 Officer
Legal	Harvey Patterson, Corporate and Regulatory Services Manager and Monitoring Officer