

# **MEETING OF THE COUNCIL**



**Thursday, 24th April, 2014**

**7.00 pm**

**Council Chamber  
Thanet District Council  
Margate**

**[www.thanet.gov.uk](http://www.thanet.gov.uk)  
01843 577000**

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Date: 14 April 2014  
Ask For: Anona Somasundaram  
Direct Dial: (01843) 577046  
Email: anona.somasundaram@thanet.gov.uk



You are hereby summoned to attend the meeting of the Thanet District Council to be held in the Council Chamber, Council Offices, Cecil Street, Margate, Kent on Thursday, 24 April 2014 at 7.00 pm for the purpose of transacting the business mentioned below.

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

Democratic Services & Scrutiny Manager

To: The Members of Thanet District Council

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

### **AGENDA**

Item  
No

Subject

1. **APOLOGIES FOR ABSENCE**

2. **MINUTES OF PREVIOUS MEETING** (Pages 1 - 10)

To approve the Minutes of the meeting of Council held on 27 February 2014, copy attached.

3. **ANNOUNCEMENTS**

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

4. **PETITIONS FROM THE PUBLIC**

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

5. **DECLARATION OF INTERESTS**

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

Item  
No

Subject

5a **PETITION NO. 1 - MARGATE PORT** (Pages 11 - 14)

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

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

6a **QUESTION NO. 1 - RAMSGATE MAIN SANDS** (Pages 15 - 16)

6b **QUESTION NO. 2 - PLEASURAMA SITE, RAMSGATE** (Pages 17 - 18)

6c **QUESTION NO. 3 - THE LITTLE OASIS SKATE PARK** (Pages 19 - 20)

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

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

7a **QUESTION NO. 1 - LOCAL LETTINGS PLAN IN MINSTER** (Pages 21 - 22)

8. **NOTICES OF MOTIONS**

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

9. **LEADER'S REPORT** (Pages 23 - 24)

10. **AGREEMENT OF COMMUNITY SAFETY PARTNERSHIP PLAN FOR 2014-2015**  
(Pages 25 - 50)

11. **MEMBERS' ALLOWANCES SCHEME 2014/15** (Pages 51 - 64)

12. **PROPOSED AMENDMENTS TO THE COUNCIL'S CONSTITUTION**

12a **SOCIAL MEDIA GUIDANCE FOR COUNCILLORS** (Pages 65 - 80)

12b **CIPFA CODE OF PRACTICE ON TREASURY MANAGEMENT** (Pages 81 - 96)

12c **RECORDED VOTES AT BUDGET MEETINGS OF THE COUNCIL - TO AMEND  
COUNCIL PROCEDURE RULE NO. 21** (Pages 97 - 100)

12d **BUSINESS CONSIDERED AT BUDGET-SETTING MEETINGS - TO REVIEW  
COUNCIL PROCEDURE RULE 2.0** (Pages 101 - 106)

12e **TO REVIEW APPOINTMENT OF SUBSTITUTES TO ATTEND MEETINGS** (Pages  
107 - 114)

<u>Item No</u>	<u>Subject</u>
12f	<b><u>REGISTERS OF INTERESTS AND GIFTS AND HOSPITALITY FOR OFFICERS - TO AMEND FINANCIAL PROCEDURE RULES TO REFLECT CURRENT PRACTICE</u></b> (Pages 115 - 118)
13.	<b><u>REPORTS BACK TO COUNCIL ON PETITIONS</u></b>
13a	<b><u>PETITION - PLEASURAMA/RAMSGATE ROYAL SANDS DEVELOPMENT AGREEMENT</u></b> (Pages 119 - 122)
13b	<b><u>PETITION - LICENSING OF STREET TRADERS</u></b> (Pages 123 - 124)
13c	<b><u>PETITION - PLAY AREA AT THE BROADSTAIRS MEMORIAL RECREATION GROUND</u></b> (Pages 125 - 126)
14.	<b><u>REPORTS BACK TO COUNCIL - NOTICES OF MOTIONS</u></b>
14a	<b><u>NOTICE OF MOTION - ARTICLE 4 DIRECTION</u></b> (Pages 127 - 128)
14b	<b><u>NOTICE OF MOTION NO. 3 - INTRODUCTION OF A LOCAL LEVY</u></b> (Pages 129 - 130)

**Declaration of Interest form - back of agenda**

## COUNCIL

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

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

### **85. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Driver & Gibson.

### **86. MINUTES OF PREVIOUS MEETING**

On the proposal of the Chairman, seconded by the Vice-Chairman, the minutes of the meeting of Council held on 6 February 2014 were approved by Council and signed by the Chairman.

### **87. ANNOUNCEMENTS**

#### **(a) Death of Former Councillor Eric Easton**

The Chairman announced that former Conservative Eric Easton had recently passed away. Members joined her in expressing sympathy to the late Mr Easton's family and stood for a minute's silence as a mark of respect.

#### **(b) Marriage of Councillor William Scobie and Councillor Jodie Hibbert**

Members congratulated Councillors William and Jodie Scobie on their recent marriage.

### **88. DECLARATION OF INTERESTS**

Councillor Dwyer made the declaration required by Section 112(2) of the Local Government Finance Act 1992. (Minute No. 95 below refers)

In relation to Agenda Item No. 8b (Minute No. 92b refers), Councillor S Hart notified Council that she owned a business in Northdown Street, Cliftonville. On the basis that the responsibility for designating a conservation area lay with the executive, the Monitoring Officer advised Councillor Hart that she could participate in discussion and vote on any motion in relation to this agenda item at this meeting.

### **89. PETITIONS FROM THE PUBLIC**

#### **(a) Petition - Play Area at the Broadstairs Memorial Recreation Ground**

Ms Kate Merriman presented a petition, containing 1760 signatures, on behalf of "Revive our Rec Campaign", requesting the Council to undertake major improvements to the Play Area at the Broadstairs Memorial Recreation Ground for the following reasons:

- a) "It is currently in a pitiful state
- b) "The children and visitors of Broadstairs deserve an updated play area like the rest of Thanet have received;
- c) "Its position is in a lovely green space, central to many homes, schools, the library and the station;
- d) "There is poor access for wheelchair and buggy users
- e) "The playground needs to become a safe, dog-free area with equipment for children of all ages and abilities."

In her representations, Ms Merriman also stated that:

- The only other play area in Broadstairs, which was located at Pierremont Park, was outdated and unsafe for young children, as it had many paths leading onto High Street and Queen's Road.
- At the Memorial playground, there had been many incidents involving dogs.
- The land had been donated to the Council by Dan Mason in 1922, specifically for the enjoyment of the youth of Broadstairs.

Councillor Johnston, as relevant Portfolio Holder, requested that the petition be referred to Cabinet without debate and, in response to a query from Councillor Bayford, gave a commitment, on behalf of Cabinet, to try to resolve the situation referred to in the petition.

It was thereupon RESOLVED:

"THAT the petition be referred to Cabinet for determination or report".

## **90. QUESTIONS FROM THE PRESS AND PUBLIC**

### **(a) Question relating to Broadstairs Folk Week**

Mr Duncan asked Councillor Johnston the following question:

"During the evening events at Broadstairs Folk Week, will there be a ban on glass bottles, are the emergency services going to respond in a similar manner to last year and what steps will be taken to ensure public safety?"

"Thank you very much Mr Smithson. I know you are very interested in the promotion of tourism and I note you have a strong interest in Broadstairs Folk Week. Unfortunately, you weren't able to attend the Neighbourhood Engagement meeting we had in Broadstairs on 10<sup>th</sup> September last year when there was a full report by Janice Wason, our officer, and we met with many councillors from your area of Broadstairs to receive an update from the previous folk week, which was very successful.

"However, the question is about bottles and I wish there was a way of banning bottles at events. Councillor Sullivan, his wife and I spent two days clearing up bottles after a weekend event in Margate and it was a shame to see these bottles going into bins and not recycled so I have spoken to Mark Seed about recycling bottles. However, the problem we have here is the wide area of the Folk Week coverage and I don't think that we can stop people bringing bottles in, frisking them on the way into and out of town. What we can do, under the licencing laws, is to encourage and force some businesses to make sure that people just have the plastic containers to bring their drinks out of pubs, but we cannot at this moment.

"We have our Safety Advisory Group (SAG) and the next meeting is on the 22<sup>nd</sup> April when the Folk Week will be on the agenda; this will be a meeting of the police and fire service and our officers, going right through the whole procedure of the highways issues to make sure that the event this year is as safe as last year's. I can't commit any more to that until after the SAG meeting, but what I have promised is a meeting similar to last

year's meeting with Broadstairs Town Councillors to discuss the whole issue of Folk Week and safety.

"There was a lot of pressure on me to cancel the event last year, not from Members, but from some members of the public who thought it shouldn't happen, but I refused to do so. I was grateful for the cross-party support that it should happen and we worked very hard to make it a safe event, which it was, apart from one or two minor incidents that I know about that were not serious but we learn from those. So I promise Mr Smithson that I will do all in my power but under licensing I don't think we can bring in a blanket ban on glass bottles for the whole of Broadstairs for the whole week."

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

(a) **Question No. 1 - Cliftonville Housing Intervention Programme**

Councillor Bayford put the following question to the Leader of Council:

"At a recent Member's Briefing, officers gave members information on TDC's involvement in the Margate and Cliftonville Housing Intervention Programme. Would the Leader update members on the contribution being made by KCC and the HCA to this important scheme?"

The Leader of Council responded:

"To date, Kent County Council has acquired five properties at a total cost of £2.5m, including refurbishment. These are Hotel Leslie and properties located in Dalby Square, Edgar Road and North Road. Kent County Council is currently assessing a further three larger sites at an acquisition and development cost of over £5m.

"The Homes and Communities Agency (HCA)'s initial contribution of £500,000 was towards the purchase of The Embassy and Hotel Leslie. The HCA has also facilitated the funding of the cluster programme of £4.1m being delivered by Thanet District Council."

Supplementary Question

Councillor Bayford then asked a supplementary question:

"In the process of regenerating the area and upgrading housing, people are potentially going to be displaced. This will include some of the most vulnerable people in our society and, as an example of the potential problem, I would cite the recent refurbishment to properties which took place in what previously was forty HMO units. What is the Council doing to help those who will be displaced and how are we going to ensure that if Cliftonville is upgraded, the problems don't just go elsewhere?"

The Leader replied:

"As I understand it, we are dealing with empty properties."

(b) **Question No. 2 - Chief Executive and S.151 Officer Role**

It was NOTED that Councillor Driver had withdrawn his question.

**92. NOTICES OF MOTIONS**

(a) **Notice of Motion - Article 4 Direction**

It was proposed by Councillor Wiltshire, and seconded by Councillor King:

“THAT This Council calls upon the cabinet to review the operation of the Article 4 direction as used within the planning department of Thanet District Council. To residents of St Peter’s ward, it is quite clear that the Article 4 direction powers are not properly applied; lack coherence and application on the ground; and are not being used in the way other councils apply them to the advantage of residents who need family homes rather than back door entry points for HMO’s, which change the character and nature of the area.”

It was AGREED that the motion be not debated. Thereupon, the motion was referred to Cabinet for determination or report.

(b) **Notice of Motion No. 2 - Designation of Conservation Area, Cliftonville**

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

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

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

On the proposal of the Leader, Councillor Hart, seconded by Councillor Bayford, it was AGREED that the motion be debated.

Differences of opinion were expressed as to the merits of having a blanket designation affecting the whole of the Cliftonville West area and as to the merits of proceeding in an area by area, consecutive basis, in line with appraisals already undertaken.

Amendment

An amendment was proposed by Councillor D Green, seconded by the Leader, Councillor Hart:

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

Councillor D Green handed to all members a plan showing the areas referred to in the amendment (now published on the Council’s website as a meeting document).

The amendment was, following debate and being voted upon, declared CARRIED.

Substantive Motion

Upon the substantive motion:

“THAT Council calls upon the Cabinet to consult on the process of designating further conservation areas in Cliftonville, with reference to the appraisals undertaken by the



Council to ensure that the architecture and quality of housing in these areas is protected for generations to come”,

being put to the vote, it was declared CARRIED.

The motion was consequently referred to Cabinet for determination and report.

(c) **Notice of Motion No. 3 - Introduction of a local levy**

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

“That council request cabinet to support a proposal under the Sustainable Communities Act – ‘That the Secretary of State:-

- A. Give local authorities the power to introduce a local levy of up to 8.5 of the rate on large supermarkets or large retail outlets in this area with an annual rateable value not less than 500,000; and
- B. Requires that the new revenue from this levy be retained by the local authority in order to improve local communities in the areas promoting local economic activity, local services and facilities, social and community wellbeing and environmental protection.”

It was agreed that the motion be not debated. Consequently, the motion was referred to Cabinet for determination or report.

**93. LEADER'S REPORT**

Councillor Fenner, as Cabinet Member for Business, Corporate and Regulatory Services, reported that the High Court had, that day, ruled that the Council did not have the power to impose a ban on the exporting of live animals from Ramsgate Port. She added that, as part of the ruling, the Council would be liable to pay compensation to the exporters to cover loss of income during the five-week ban.

Councillor Fenner pointed out that the Council had always regarded the live animal export trade as morally wrong, but, at the same time, wanted to work within the legal framework.

She then referred to the circumstances leading to the decision to impose a temporary suspension in September 2012 and stated that that decision had been supported by legal advice received from leading lawyers. Options for appeal would now be considered.

The Leader of Council reported that the Council had voluntarily entered into a Peer Review process in partnership with the Local Government Association.

He stated that the purpose of this Review, which would focus on economic development, customer services approach, the local context and priority setting, financial planning, organisational capital, political and managerial leadership, governance and decision-making, was to help identify the Council's strengths, highlight areas for improvement and inform future plans.

The Leader said that he hoped that all those participating in the Review would be as open and transparent as possible and that, as a result, the “harsh historical public perception of the Council” could be buried and the Council could move forward stronger than ever.

As Leader of the Conservative Political Group, Councillor Bayford commented that he, too, hoped that those taking part in the Peer Review would be truthful and that the Review would help improve matters for the Council.

Turning to the matter of the High Court ruling, Councillor Bayford stated that, whilst he abhorred the nature of the live animal export trade, which had resumed at Ramsgate whilst he was Leader of the Council, he had believed that the Council could not place taxpayers' money at risk.

In response, the Leader of the Council stated that the decision to ban the export of live animals had been taken in the interests of animal welfare and to protect Council staff working at the Port.

As Leader of the Independent Political Group, Councillor King said that he appreciated that the decision by the Leader of the Council in relation to the suspension of the live animal export trade had been a difficult one to take.

The Leader of the Council responded by stating that it had been "Animal Health" who had taken the decision to unload animals at the port and that the decision to ban the trade had been in the interests of animals and staff.

Councillor Cohen, as Leader of the Thanet Independent Group, stated that action had to be taken in view of the terrible circumstances that had arisen at the Port.

The Leader of the Council said that he endorsed Councillor Cohen's comments.

Councillor Wiltshire, as Leader of the UKIP Political Group, referred to the low public perception of the Council and expressed regret that Council had agreed not to debate the motion on the Article 4 Direction earlier in this meeting, as residents had been in attendance to hear what was being discussed.

In responding, the Leader of the Council referred to the interim approach on Houses in Multiple Occupation that had been adopted at the last meeting of the Planning Committee, pending finalisation of the Local Plan.

**94. PROPOSAL TO AMEND THE DESIGNATION OF THE TWO STATUTORY POSTS OF CHIEF FINANCIAL OFFICER AND MONITORING OFFICER**

It was proposed by Councillor Fenner, seconded by the Leader, Councillor C Hart and RESOLVED:

"THAT the recommendations as set out at paragraph 6.1 of the report be adopted, namely:

1. That Council approves the designation of the statutory post of Chief Financial Officer to the Director of Corporate Resources;
2. That Council approves the designation of the statutory post of Monitoring Officer to the Legal Services Manager.

**95. COUNCIL TAX RESOLUTION 2014/15**

(Councillor Dwyer left the meeting for the duration of this item)

It was AGREED not to take a recorded vote on the decision on this item, pending inclusion in the Council's Standing Orders of provisions requiring recorded votes on

budget decisions by virtue of the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014.

It was proposed by Councillor Everitt, seconded by the Leader, Councillor C Hart, and RESOLVED:

“THAT the recommendations as set out at paragraph 5 of the report be adopted, namely:

1. That Council approves the calculations at paragraph 1 of the report:
2. That Council approves the Council Tax annual charges as set out below for the listed property bands:

<b>Council Tax per property band for 2014/15</b>								
<b>Band</b>	<b>A</b>	<b>B</b>	<b>C</b>	<b>D</b>	<b>E</b>	<b>F</b>	<b>G</b>	<b>H</b>
<b>Proportion of Band D</b>	<b>6/9</b>	<b>7/9</b>	<b>8/9</b>	<b>1</b>	<b>11/9</b>	<b>13/9</b>	<b>15/9</b>	<b>18/9</b>
<b>Annual Charge</b>	<b>£139.98</b>	<b>£163.31</b>	<b>£186.64</b>	<b>£209.97</b>	<b>£256.63</b>	<b>£303.29</b>	<b>£349.95</b>	<b>£419.94</b>

#### **96. TENANCY STRATEGY**

It was proposed by Councillor D Green and seconded by the Leader, Councillor C Hart:

“THAT the recommendations as set out at paragraph 5 of the report be adopted, namely:

1. That Council adopts the Tenancy Strategy;
2. That Council publishes the Tenancy Strategy on its website.”

#### **97. APPOINTMENT OF INDEPENDENT MEMBERS OF THE STANDARDS COMMITTEE**

It was proposed by Councillor Johnston, seconded by the Chairman and RESOLVED:

“THAT the recommendations as set out in the Members’ Notes (*circulated prior to the meeting*) be adopted, namely:

1. That the following candidates be appointed as Independent Members of the Standards Committee with a term of office starting from the date of this meeting until the conclusion of the Annual Council Meeting in May 2015:
  - Mrs Janet Bacon
  - Dr Jonathan Sexton
  - Mr Alan Hibbs.
2. That Dr Jonathan Sexton be appointed as Independent Chairman of the Standards Committee and that Mrs Janet Bacon be appointed as Independent Vice-Chairman of the Standards Committee.

**98. APPOINTMENT OF SUBSTITUTE MEMBERS OF THE GOVERNANCE & AUDIT COMMITTEE**

Councillor C Hart, Leader of the Labour Political Group nominated the following Members as substitutes for the Governance and Audit Committee:

- Councillor E Green
- Councillor Matterface
- Councillor Dwyer
- Councillor H Scobie

Councillor Bayford, as Leader of the Conservative Political Group, nominated:

- Councillor M Tomlinson
- Councillor K Gregory
- Councillor M Saunders
- Councillor Wells

Councillor Cohen, as Leader of the Thanet Independent Group, nominated himself.

On the proposal of the Chairman, seconded by the Vice-Chairman, it was RESOLVED:

“THAT those nominations be formally approved”

**99. PUBLICATION OF PAY POLICY STATEMENT - FINANCIAL YEAR 2014/15**

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

“THAT Council approves the Pay Policy Statement for 2014/15, as set out in Annex 1 to the report, after which it will be published.”

**100. REPRESENTATION ON RAMSGATE CHARITIES**

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

“THAT Council agrees the appointment of Mrs E H Wood as a representative Trustee of Ramsgate Charities with a term of office starting on 1 December 2013 and expiring on 1 December 2017”.

**101. REPORTS BACK TO COUNCIL ON PETITIONS**

(a) **Petition relating to Rubbish on land, Margate Road, Ramsgate**

The report was NOTED

(b) **Petition relating to Former Swimming Pool Site, Ramsgate**

The report was NOTED.

**102. CHANGES TO POLLING STATIONS FOR MAY 2014 EUROPEAN PARLIAMENTARY ELECTION**

It was proposed by Councillor Fenner and seconded by the Leader, Councillor Hart:

“THAT the list of proposed polling places is agreed, subject to the Sir Moses Montefiore (West Dumpton) polling place being changed to:

- i. Newlands Primary School, Dumpton Lane, Ramsgate, subject to its availability and that the polling place meets the requirements for polling places as set out in the Electoral Commission's evaluation checklist; or
- ii. If Newlands Primary School Dumpton Lane, Ramsgate is not available or does not meet the requirements for polling places as set out in the Electoral Commission's evaluation checklist, then the polling place is to be land at or near to West Dumpton Lane, Ramsgate, where a portakabin will be sited."

The motion was, upon being put to the vote, declared CARRIED.

**103. REPORT ON URGENT DECISION, NOT SUBJECT TO CALL-IN - PURCHASE OF LAND AT 131-141, KING STREET, RAMSGATE**

The report was NOTED.

Meeting concluded : 9.53 pm

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**PETITION TO COUNCIL – MARGATE PORT**

To: **Council – 24 April 2014**

By: **Mark Seed, Director of Operational Services**

Classification: **Unrestricted**

Wards: **Margate Central Ward**

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**Summary: A Petition to the Council has been received in relation to the smell of Margate Harbour.**

**For decision**

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**1.0 Introduction and background information**

1.1 Under the terms of the Council’s petitions scheme, members of the public may present petitions at ordinary meetings of Council; and if a petition has over 25, but less than 650, signatories, it will be referred to Cabinet or an appropriate committee without debate for report to Council within three ordinary meetings.

1.2 The petitions scheme also states that the total time devoted to the consideration of petitions at any single Council meeting will not exceed 30 minutes.

**2.0 Current situation**

2.1 A petition containing 207 valid signatures has been received from Mr Arthur Martin. Unfortunately, 103 further entries had to be disallowed on the basis that they did not contain all three of the name, address and signature of the petitioners. The petitions scheme requires that an entry on a petition must include, “the name and address and signature of any person supporting the petition”.

2.2 The petition states:

“It is about our Margate Cinque Port Harbour that has for many years been allowed to build up with rotting, decaying mud rubbish, sediments and seaweed. This is creating a methane sewage emitting smell, that smells similar to urine and the stench is airborne because of the build-up of sediments over on-going years. It is putting people off from coming to our Heritage Cinque Port Harbour. The Council are advertising Our Town as a unique port and that Cinque Ports are to look after sailors when coming into Margate.

As the Council are in charge of maintaining our beaches which is included in people’s rates, the smell that the harbour emits is putting people off coming to our town. The main problem seems to have started when the sluice arched part got bricked up on the outer side of the harbour wall which allowed water to pass through and clear the inner harbour of unwanted sediments, mud and seaweed. This would take it out to the sea. We the petitioners are disgusted that this has been allowed to happen over many years which would not bring prosperity to our town. The problems are easy to resolve, i.e re-open the sluice with a big gated gate to allow water pass through clearing the harbour of decaying debris. There was once a time when the harbour was full of vessels of all types, including yachts and cargo boats. Now only smaller crafts can enter our harbour as its been allowed

to clog up with debris of all kinds. This is putting off our holiday makers and people who visit our Turner Centre and some wouldn't want to come again. We the petitioners feel that businesses are suffering in the area. It is a disgrace for our Heritage Town. The Council have recently spent millions of pounds on steps and an Art Gallery. It is a small amount of money to re-open the sluice gate and would solve the problems for good. Under Maritime Law and Cinque Port Laws which the Council advertise this build up should never of happened as sailors cannot get boats in any more, as the sand has built up over the years. How is this neglect helping sailors and our ports? That is why Cinque Ports were made, many years ago to look after sailors mainly.

We hope that our petition will sort this problem out for Margate. We hope our Port will be a better attraction for all in the future once this sluice gate is re-opened.”

- 2.3 Mr Martin, as petition originator, has confirmed that he will present the petition at this meeting; he will, under the petitions scheme, have up to three minutes in which to speak.

### **3.0 Corporate Implications**

#### **3.1 Financial**

- 3.1.1 The cost of reopening the sluice has been estimated to be in the region of £17k. Further works to install a lift gate (as existed when the sluice was last open) may be required costing approximately £55k. The likely annual cost of maintenance would be £10k.

#### **3.2 Legal**

- 3.2.1 This petition relates to an executive function. As such, and because of the number of signatories, it must be referred to Cabinet.

#### **3.3 Corporate**

- 3.3.1 In accordance with the Council's petition scheme if a petition has over 25, but less than 650, signatories, it will be referred to Cabinet or an appropriate committee without debate for report to Council within three ordinary meetings

#### **3.4 Equity and Equalities**

- 3.4.1 There are no specific equity and equalities issues arising from this report.

### **4.0 Recommendation**

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

### **5.0 Decision Making Process**

- 5.1 Under the Council's petitions scheme, Council is required to refer the petition to Cabinet or appropriate committee for report back to Council.

Contact Officer:	Mark Seed, Director of Operations, ext 7742
Reporting to:	Dr Sue McGonigal, Chief Executive and S. 151 Officer, ext 7002



**Annex List**

None	
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**Corporate Consultation Undertaken**

Finance	<i>Matthew Sanham - TBC</i>
Legal	Steve Boyle – Interim Legal Services Manager

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## QUESTION NO. 1 FROM A MEMBER OF THE PUBLIC – RAMSGATE MAIN SANDS

To: **Council – 24 April 2014**

By: **Democratic Services and Scrutiny Manager**

Classification: **Unrestricted**

Ward: **Eastcliff**

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**Summary:** **The Cabinet Member with responsibility for Operational Services to receive a question from a member of the public in relation to Ramsgate Main Sands**

### For Information

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

- 1.1. The following question, addressed to Councillor Poole has been received from Mr Barry James in accordance with Council Procedure Rule No. 13:

“It is now the beginning of the 2014 Season, can you tell us what measures the Council is taking to make sure Ramsgate Main Sands will be awarded a Blue Flag, originally lost at the beginning of the 2013 season?”

- 1.2 Under Council Procedure Rule 13.7, the Chairman will invite the questioner to put his question to the Member named in the notice. If the questioner is not present, the question shall not be put and shall be answered in writing.
- 1.3 Under Council Procedure Rule 13.8, if the Member to whom the question is directed is present they will provide an oral answer. If that Member is not present, the question will be answered by the Leader or another Member nominated by the Leader for the purpose unless it is inappropriate for the Leader to give an oral answer or to nominate another Member to give an oral answer, in which case the question will be dealt with by a written answer.
- 1.4 The total time devoted to questions shall not exceed 30 minutes. Any question which cannot be dealt with during that time will be replied to in writing.

#### **2.0 Corporate Implications**

##### **2.1 Financial**

- 2.1.1 None arising directly from this report

##### **2.2 Legal**

- 2.2.1 None arising directly from this report

## 2.3 Corporate

2.3.1 Council Procedure Rule 13 affords members of the public the opportunity to ask questions of Members of the Cabinet at ordinary meetings of the Council.

## 2.4 Equity and Equalities

2.4.1 None arising directly from this report.

## 3.0 Recommendation

3.1 This report is for information purposes only.

## 4.0 Decision Making Process

4.1 This report is for information purposes only.

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

### *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

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**QUESTION NO. 2 FROM A MEMBER OF THE PUBLIC – PLEASURAMA SITE, RAMSGATE**

To: **Council – 24 APRIL 2014**

By: **Democratic Services and Scrutiny Manager**

Classification: **Unrestricted**

Ward: **Eastcliffe**

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**Summary:** **The Cabinet Member with responsibility for Operational Services to receive a question from a member of the public in relation to the Pleasurama site, Ramsgate**

**For Information**

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**1.0 Introduction and Background**

1.1. The following question, addressed to Councillor Poole, as Cabinet Member for Operational Services, has been received from Ms Kandice Jones in accordance with Council Procedure Rule No. 13:

“As the construction engineer for the Pleasurama site has just been employed, can you tell me if this person has been given all the knowledge of works done, with the details of the environmental agency’s recommendation for the flood risk and sea defences to be re-assessed?”

- 1.2 Under Council Procedure Rule 13.7, the Chairman will invite the questioner to put their question to the Member named in the notice. If the questioner is not present, the question shall not be put and shall be answered in writing.
- 1.3 Under Council Procedure Rule 13.8, if the Member to whom the question is directed is present they will provide an oral answer. If that Member is not present, the question will be answered by the Leader or another Member nominated by the Leader for the purpose unless it is inappropriate for the Leader to give an oral answer or to nominate another Member to give an oral answer, in which case the question will be dealt with by a written answer.
- 1.4 The total time devoted to questions shall not exceed 30 minutes. Any question which cannot be dealt with during that time will be replied to in writing.

**2.0 Corporate Implications**

**2.1 Financial**

2.1.1 None arising directly from this report

**2.2 Legal**

2.2.1 None arising directly from this report

## 2.3 Corporate

2.3.1 Council Procedure Rule 13 affords members of the public the opportunity to ask questions of Members of the Cabinet at ordinary meetings of the Council.

## 2.4 Equity and Equalities

2.4.1 None arising directly from this report.

## 3.0 Recommendation

3.1 This report is for information.

## 4.0 Decision Making Process

4.1 This report is for information.

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

### *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

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**QUESTION NO. 3 FROM A MEMBER OF THE PUBLIC – THE LITTLE OASIS SKATE PARK**

To: **Council – 24 APRIL 2014**  
By: **Democratic Services and Scrutiny Manager**  
Classification: **Unrestricted**  
Ward: **Cliftonville West**

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**Summary:** **The Leader of the Council and Cabinet Member for Strategic Economic Development Services to receive a question from a member of the public in relation to the Little Oasis Skate Park**

**For Information**

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**1.0 Introduction and Background**

1.1. The following question, addressed to the Leader of the Council, Clive Hart has been received from Duncan Smithson in accordance with Council Procedure Rule No. 13:

“Why did you not work harder with the skating community to encourage the use of the Little Oasis Skate Park, rather than bulldozing it?”

1.2 Under Council Procedure Rule 13.7, the Chairman will invite the questioner to put their question to the Member named in the notice. If the questioner is not present, the question shall not be put and shall be answered in writing.

1.3 Under Council Procedure Rule 13.8, if the Member to whom the question is directed is present they will provide an oral answer. If that Member is not present, the question will be answered by the Leader or another Member nominated by the Leader for the purpose unless it is inappropriate for the Leader to give an oral answer or to nominate another Member to give an oral answer, in which case the question will be dealt with by a written answer.

1.4 The total time devoted to questions shall not exceed 30 minutes. Any question which cannot be dealt with during that time will be replied to in writing.

**2.0 Corporate Implications**

**2.1 Financial**

2.1.1 None arising directly from this report

**2.2 Legal**

2.2.1 None arising directly from this report

## 2.3 Corporate

2.3.1 Council Procedure Rule 13 affords members of the public the opportunity to ask questions of Members of the Cabinet at ordinary meetings of the Council.

## 2.4 Equity and Equalities

2.4.1 None arising directly from this report.

## 3.0 Recommendation

3.1 This report is for information.

## 4.0 Decision Making Process

4.1 This report is for information.

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

### *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



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**QUESTION NO. 1 FROM A MEMBER – LOCAL LETTINGS PLAN IN MINSTER**

To: **Council – 24 April 2014**  
By: **Democratic Services and Scrutiny Manager**  
Classification: **Unrestricted**  
Ward: **Thanet Villages**

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**Summary: The Cabinet Member for Housing and Planning Services to receive a question from a Member of Council in relation to the Local Lettings Plan in Minster**

**For Decision**

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**1.0 Introduction and Background**

1.1. The following question, addressed to Councillor D Green, as Cabinet Member for Housing and Planning Services, has been received from Councillor Bob Grove in accordance with Council Procedure Rule No. 14.

“In Minster a Local Lettings Plan is in place in accordance with the section 106 agreement attached to the Heronsbrook Development. Please provide clarification as to the role Minster Parish Council has in having an input into the allocation of the re-letting of these properties at this site in perpetuity.”

1.3 Council Procedure Rule 14.2 states that a Member of the Council may ask

- a Member of the Cabinet; or
- the Chairman of any Committee or Sub-Committee

a question on any matter in relation to which the Council has powers or duties or which affects the district.

1.4 Council Procedure Rule 14.6 states that an answer may take the form of:

- a) a direct oral answer;
- b) where the desired information is in a publication of the Council or other published work, a reference to that publication; or
- c) where the reply cannot conveniently be given orally, a written answer circulated within three working days to the questioner.

1.5 A Member may, in accordance with Council Procedure Rule 14.7, ask one supplementary question without notice to the Member to whom the first question was asked. The supplemental question must arise directly out of the original question or the reply.

1.6 The questioner shall have two minutes for the initial question and one minute for the supplementary question and the respondent shall have five minutes for the initial reply and two minutes for the supplementary reply. (Council Procedure Rule 14.8 refers)

**2.0 Corporate Implications**

**2.1 Financial**

2.1.1 None arising at this stage

**2.2 Legal**

2.2.1 None arising at this stage

**2.3 Corporate**

2.3.1 Council Procedure Rule 14 enables Members of Council to ask a Member of the Cabinet or the Chairman of any Committee or Sub-Committee questions on matters in relation to which the Council has powers or duties or which affect the district. No Member, however, can submit more than one question to one meeting.

**2.4 Equity and Equalities**

2.4.1 None arising at this stage

**3.0 Recommendation**

3.1 This report is for information.

**4.0 Decision Making Process**

4.1 This report is for information.

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

***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

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## LEADER'S REPORT TO COUNCIL

To: **Council – 24 April 2014**

By: **Democratic Services & Scrutiny Manager**

Classification: **Unrestricted**

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

### For Information

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

1.1 Council Procedure Rule 2.2 provides that:

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

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

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

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

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

#### **2.0 Corporate Implications**

##### **2.1 Financial and VAT**

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

##### **2.2 Legal**

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

##### **2.3 Corporate**

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

## 2.4 Equity and Equalities

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

## 3.0 Recommendation

3.1 This report is for information only.

## 4.0 Decision Making Process

4.1 This report is for information only.

Contact Officer:	Glenn Back, Democratic Services and Scrutiny Manager, Ext 7187
Reporting to:	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

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**THANET COMMUNITY SAFETY PLAN FOR 2014 – 2015**

To: **Council – 24 April 2014**

By: **Martyn Cassell – Community Safety and Leisure Manager**

Classification: **Unrestricted**

Ward: **All wards**

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**Summary:** **This report details the process undertaken by Thanet Community Safety Partnership to develop the Thanet Community Safety Plan for 2014-15.**

**The report asks for the principles of the Community Safety Plan including its priorities, emerging issues and proposed actions, to be agreed.**

**The report highlights the need for the Plan to be flexible and dynamic and as such makes a proposal for the measure of success column in the action plan to be decided in April when partners meet in specific task and finish groups. Measures of success can then be agreed and monitored by the cross party CSP working group throughout the year on behalf of Overview and Scrutiny Panel.**

**For Decision**

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**1.0 Introduction**

- 1.1 The Crime and Disorder Act 1998 (updated in various other legislation since) placed a number of obligations on the Council and other 'responsible authorities' (County Council, Police, Fire, Probation, Health via Clinical Commissioning Groups) to form a Community Safety Partnership (CSP) that would enable agencies to work together to help impact upon crime and disorder, substance misuse and reduce re-offending in the local area. Thanet District Council facilitates the CSP on behalf of these agencies.
- 1.2 Each CSP is required to do a strategic needs assessment of all of the relevant data that partners collate and then pull this together into a strategy (the Community Safety Plan) that identifies priority issues and actions to try and resolve/reduce them.
- 1.3 The last year has seen further big changes proposed to the police and community safety landscape with a new 'Anti-social Behaviour, Crime and Policing Bill' just recently receiving royal assent, wholesale changes to the Probation Service and the commissioning of victim support services to be undertaken by Police and Crime Commissioners. The Community Safety Plan makes due reference to these changes in the industry.
- 1.4 This report identifies the process undertaken to develop the Community Safety Plan and asks members to agree the priorities, emerging issues and proposed actions for 2014-15.

## **2.0 Thanet Community Safety Plan 2014/15 – development and detail**

2.1 Each year the partnership undertakes a number of processes to get to the final Community Safety Plan. This year they were;

- Produce a strategic assessment
- Consult with partners and the public
- Produce an action plan to detail what we will do over the next year

2.2 The purpose of a strategic assessment is to provide knowledge and understanding of community safety issues to the members of the Thanet Community Safety Partnership (TCSP).

2.3 Kent County Council community safety unit collated a range of data sets from county organisations. District Council Community Safety Officers then co-ordinated an assessment of this data. This was done considering patterns, trends and shifts in order to identify the priorities. Data was also compared to other districts in Kent and areas similar to Thanet. All key agencies supplied a representative to input into this process.

2.4 Once the initial data analysis was completed, the crime types were ranked using a set county criteria and a more detailed analysis was then undertaken on shortlisted priorities. A summary of the strategic assessment is provided within the draft Community Safety Plan found at annex 1. The priorities identified are shown below;

- Acquisitive Crime
- Anti-social Behaviour
- Domestic Abuse
- Public and Agency Engagement
- Road Safety
- Substance Misuse
- Violent Crime

2.7 Over 50 staff from agencies in the CSP then attended a 'Community Safety Conference' to discuss the priorities and identify 'emerging issues' that would fall under one or more of the priorities. This was slightly different approach to last year which looked for specific actions under each of the priority headings. This was decided on the basis that the action plan needs to be a fluid document and is able to change direction throughout the course of the year to ensure resource is directed to the most pressing issues. Furthermore many actions could contribute to more than priority and therefore forcing it into one priority would not give it justice. The draft Community Safety Plan including the list of emerging issues is found at Annex 1.

2.8 Responsibility for delivery of the Community Safety Plan is shared amongst the statutory members of the CSP Executive Group. The Executive group agreed the draft Community Safety Plan principles at their meeting of 20<sup>th</sup> February 2014, with understanding that the 'proposed actions' column may change either prior to the final publication of the plan or throughout the year as new trends/issues arise that outweigh the previously considered ones. The measure of success column is also left blank as these will be decided at the initial partner working groups and the aim is to then agree and monitor them through the cross party CSP member working party process.

- 2.9 Alongside the partner consultation, an online survey for residents to comment on whether they support the priorities closed on 21<sup>st</sup> March 2014. Feedback from this will be used to amend the plan in-line with resident opinions, alongside suggestions received from specific community representatives including resident association chairs, neighbourhood watch co-ordinators and ward Councillors at the community safety forum held on 17<sup>th</sup> February 2014. Further consultation was also done through the four Neighbourhood Engagement Meetings which encourage residents to comment on community safety issues in their local area.
- 2.10 The CSP Working Party received a presentation of the draft plan at the meeting held on 3<sup>rd</sup> March 2014 and made a recommendation to Overview and Scrutiny to agree the principles of the plan and the suggested priorities/emerging issues.
- 2.11 Overview and Scrutiny discussed the recommendation at the meeting on 11 March 2014 and agreed to approve the principles, emerging issues and proposed actions.
- 2.12 Cabinet further discussed the plan and made the following recommendation to Council:
- 'Cabinet recommends to Council that it approves the priorities, emerging issues and proposed actions in the Thanet Community Safety Plan 2014/15 as set out in Annex 1 of the officer's report.'*

### **3.0 Options**

- 3.1 To approve the Draft Thanet Community Safety Plan 2014/15 priorities, emerging issues and proposed actions in the Thanet Community Safety Plan 2014/15 as set out in Annex 1 of the officer's report.
- 3.2 To make suggestions for improvement and then approve the Draft Thanet Community Safety Plan 2014/15 priorities, emerging issues and proposed actions in the Thanet Community Safety Plan 2014/15 as set out in Annex 1 of the officer's report.

### **4.0 Corporate Implications**

#### **4.1 Financial**

- 4.1.1 District Council Community Safety staff facilitate the Community Safety Partnership alongside their TDC function of anti-social behaviour case management. Salaries for these staff are covered within the budget for 2014-15.
- 4.1.2 The Kent Police and Crime Commissioner (PCC) has confirmed that Thanet Community Safety Partnership will be awarded a grant of £34,317 to assist in the delivery of the CSP functions. This will be used for commissioning organisations, distributing to local groups for specific crime prevention projects and the development of publicity material to better inform residents of the help available to them.

#### **4.2 Legal**

- 4.2.1 In relation to any decision or project implemented by any department in the local authority, under section 17 of the Crime and Disorder Act 1998, the local authority has a duty to do all that it reasonable to prevent crime and disorder.
- 4.2.2 This Community Safety Plan provides evidence of compliance by the District Council and other responsible authorities of the statutory functions contained within the Crime and Disorder Act 1998 and subsequent updates in other legislation.

### **4.3 Corporate**

- 4.3.1 The strategic assessment recommendations and Community Safety Plan priorities in 2014-15, coincide with the corporate plan objectives set in the 2012-2016 plan (mainly priority 4 'To make our district a safer place to live' and priority 10 'To influence the work of other agencies to ensure the best outcomes for Thanet').

### **5.0 Recommendation**

- 5.1 That Council approves the priorities, emerging issues and proposed actions in the Thanet Community Safety Plan 2014/15 as set out in Annex 1 of the officer's report.

### **6.0 Decision Making Process**

- 6.1 As the Community Safety Plan is a policy framework document, this report went to Cabinet with final approval reserved to Council.

Contact Officer:	Martyn Cassell, Community Safety and Leisure Manager x7367
Reporting to:	Madeline Homer, Community Services x7123 Penny Button, Environmental Health Manager x7425

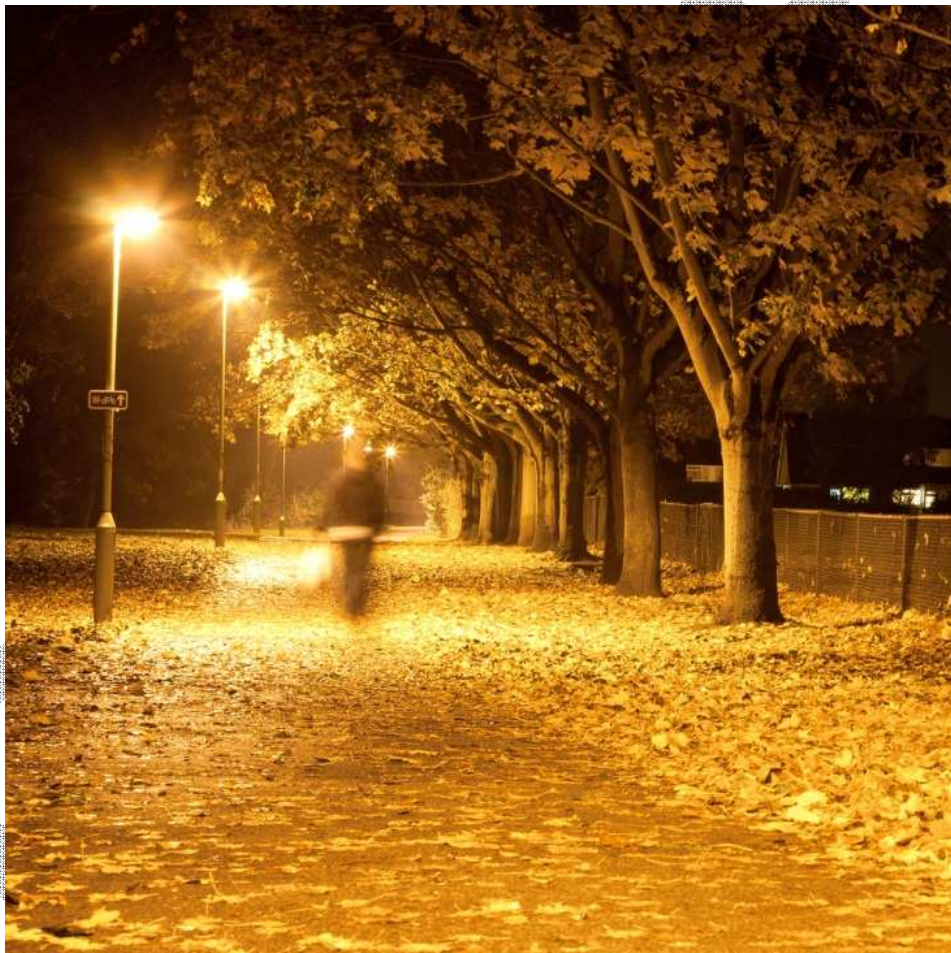
### **Annex List**

Annex 1	Draft Community Safety Plan 2014-2015
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### **Corporate Consultation Undertaken**

Finance	Matthew Sanham, Financial Services Manager Clive Bowen, External Funding Officer
Licencing	Philip Bensted, Licencing Manager
CCTV	Phil Snook, Environmental Enforcement Officer
PR	Hannah Thorpe, PR and Publicity Manager





## Community Safety Plan 2014/2015

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# 1. Foreword

Welcome to our partnership plan for 2014-15, which outlines how we are going to collectively tackle Community Safety issues in Thanet. This plan sets out our performance over the last 12 months, identifies priority areas for the next year and outlines what we are going to do to improve them.

For 2012-13 the partnership agreed to focus on; Anti-Social Behaviour (ASB), Domestic Abuse, Substance Misuse, Violent Crime and Acquisitive Crime and 36 multi agency actions were agreed by partners under these themes.

To date, 22 actions have been completed, 9 remain ongoing and due for completion by the end of the financial year and four actions are proposed to form part of this years plan due to changes to legislation which prevented their commencement.

We would like to thank all of the agencies within the partnership, who have jointly worked to achieve a number of positive outcomes including, implementing three Dispersal Orders to be more equipped in tackling ASB, delivering training inputs to multi skill officers and improve efficiency, raise awareness about loan sharking and the impact of violent crime and have facilitated an extensive property marking scheme for victims of burglary.

In the monitoring period of 01 October 2012 – 30 September 2013, Thanet has seen an increase in crime, of 3.9%, which equates to an additional 400 offences. This is slightly higher than the Kent average of a 3.7% increase, but is consistent with increases seen across Kent. Reports of Anti-Social Behaviour to Kent Police have seen a decrease of 811 incidents<sup>1</sup>, however reports to Thanet District Council for ASB including noise nuisance, flytipping and abandoned vehicles, have seen an increase of 581 incidents, compared to the previous year.

Thanet continues to have the highest levels of Domestic Abuse in the county, with 710 or the 2894 incidents recorded as being repeat. Violence Against the Person, Theft and Burglary offences have also all seen increases in the last year.

The Community Safety landscape continues to evolve and the partnership continues to face challenges in having to adapt the way services and initiatives are delivered.

Further legislative changes by the government are to be finalised this year to give practitioners a new toolkit to robustly tackle Anti-Social Behaviour. The Transforming Rehabilitation agenda will also change the way the offenders are managed and the how the partnership works to reduce reoffending. This year has also seen the introduction of Health and Wellbeing Boards and the integration of Clinical Commissioning groups into the partnership.

The Kent Police and Crime Commissioner has pledged to continue to support Community Safety Partnerships and has agreed a grant of £34,317 for 2014-15 to support activity. This will mainly be spent by the agencies to help deliver the actions in the plan but some will also be used to form a 'Community Safety Fund' that local groups can bid for to help tackle issues in their ward or street.

A review of this year's data recommends keeping the focus areas as **Anti-Social Behaviour, Domestic Abuse, Violent Crime, Substance Misuse and Acquisitive Crime** however also recommends the inclusion of **Road Safety and Public Perceptions**, in acknowledgement of resident concerns and a renewed need for the partnership to be promoting itself more effectively. This also aligns with the Kent Community Safety County focus areas for 2011-14.

**Chief Inspector Nick Gossett**

**Kent Police, Thanet District Commander**

**Cllr Iris Johnston**

**Cabinet member for Community Safety  
Thanet District Council**

## 2. Background and context

The Crime and Disorder Act 1998, changed the way crime and anti-social behaviour was to be tackled, as it recognised that in order to be effective, agencies needed to work together to address the issues collectively. Each local area formed a Crime and Disorder Reduction Partnership (CDRP) which are now called Community Safety Partnerships (CSP's).

### Who are the partnership?

Thanet's Community Safety Partnership is made up of key statutory partners that have to ensure specific obligations such as public engagement and delivery of an action plan are met.

Our statutory partners are: Thanet District Council, Kent County Council, Kent Police, Kent Fire and Rescue Service, Kent Probation and Thanet Clinical Commissioning Groups (which have the responsibility for health services locally). We also work with a large number of public and private sector partners as well as voluntary and community groups to collectively implement and deliver initiatives that will help all areas of Thanet become a safe place to live, work and visit.

### Why do we have a plan?

The Crime and Disorder Act 1998 places obligations on the Community Safety Partnership to produce an annual Community Safety Plan, to outline how all partners intend to work together to impact upon crime and disorder, substance misuse and reduce reoffending in the local area.

### How does this link with the national, county and local context?

In developing this plan a number of relevant strategies and plans were considered. This ensures that we comply with relevant national and local strategic direction. These plans include but are not limited to:

- *Legal Aid, Sentencing and Punishment of Offenders Act 2012*
- *Protection of Freedoms Act 2012*
- *Police Reform and Social Responsibility Act 2011*
  
- *Anti Social Behavior, Crime and Policing Bill 2013-14*
- *Offender Rehabilitation Bill 2013-14*
- *Children and Families Bill 2013-14*
- *Helping Troubled Families turn their lives around (Home Office 2013)*
- *Prevent Strategy 2013*
- 
- *Police Crime Commissioner Plan 2013-17*
- *Kent and Medway Community Safety Agreement 2014-15*
- *Kent and Medway Domestic Abuse Strategy 2013- 16*
- *Kent Policing Plan 2011-15*
- *Kent and Medway Strategic Plan for Reducing Reoffending (2012-15)*
- *Kent Fire and Rescue Service Road Safety Plan (2013-15)*
- *Thanet District Council Corporate Plan 2012-16*

### 3. Key achievements for 2013/14

Last year's community safety plan focused on Anti-Social Behaviour, Domestic Abuse, Substance Misuse, Violent Crime and Acquisitive Crime. 36 actions were set and to date 32 have been completed. Four actions have been delayed due to changes to the Anti-Social Behaviour tools and powers and will form part of this year's plan.

#### Anti Social Behaviour

- The partnership facilitated a training event for over 30 partners, to multi skill officers and enable more appropriate signposting.
- 42 high risk or complex cases have been referred for multi agency support through the partnership's ASB panel process. 36 cases have now been closed following collaborative interventions. The panel has also been extended to incorporate the Margate Task Force, Selective Licensing and Troubled Families agenda.
- Enforcement action has been taken successfully on a number of cases, this has included 25 formal warning letters issued by officers, 14 acceptable behaviour agreements issued to those causing nuisance behaviour within our communities.
- Three dispersal orders have been implemented, two in Margate – Mill Lane and Albion Road and one in Leopold St, Ramsgate. This has given police additional powers to tackle nuisance groups.
- 14 action days have been held with multiple agencies visiting targeted areas as part of Operation Cleansweep.

#### Domestic Abuse

- Partners have continued to run regular seasonal awareness campaigns aligned with national campaigns.
- A joint domestic abuse support car operation, staffed with Police Officers and Independent Domestic Violence Advisors, ran for 10 nights during December and attended 23 incidents to support victims, capture evidence and signpost to additional support services.
- A mentoring program has been set up to support young men at risk of instigating abuse in relationships and sessions have been delivered in secondary schools to over 250 young people, encouraging them to have positive relationships.
- Partners delivered the 'Love Shouldn't Hurt' programme to over 250 young people across three schools encouraging positive relationships.



## **Violent Crime**

- Police have delivered sessions to raise awareness around violent crime, guns and knives, to over 1300 secondary school students across 13 schools in Thanet.
- Multi agency partners have supported the loan shark awareness week of action in January 2014 to encourage reporting and gather intelligence locally.
- A specialist diversionary sports program has been created and delivered to young people to foster better cohesion in communities. Whilst undertaking the sports activities these young people are educated on the need to co-operate with each other both in school and in their communities. To date over 30 young people have attended the session from a range of ethnic backgrounds.

## **Substance Misuse**

- Signage has been installed in targeted locations to raise awareness of the Designated Public Places Order (DPPO) which aims to tackle anti-social drinking in public places. Over 50 confiscations of alcohol have been made in these hotspots.
- Service provision provided by Turning Point has been integrated into the partnership. Outreach workers have delivered additional sessions to engage with hard to reach individuals misusing substances. This includes a pilot for workers to be based at QEQM hospital which has now led to a permanent arrangement.
- Kent Fire and Rescue Service have delivered two Youth Engagement Around Road Safety (YEARS) courses in Thanet in liaison with the Youth Offending Service. 39 young people convicted of a road traffic offence attended.
- Targeted multi-agency evening operations have been delivered with Trading Standards, Kent Police and Council teams to tackle underage sales and licensed premises.
- Over 1600 young people engaged with the 'Friday Night Project' launched to get messages across of the misuse of alcohol.

## **Acquisitive Crime**

- 36 visits checking second hand goods and car boot sales for stolen items have been carried out by officers from Kent County Council's trading Standards teams and local Police officers.
- The Smartwater property marking scheme has been expanded and KCC Wardens and Police Community Support Officers have given advice to over 100 people and marked items in 49 vulnerable properties.
- Seasonal burglary awareness has been delivered by putting balloons through open windows, over 800 properties were visited checking for open windows with the owners not at home during the summer and home security advice was given to 107 people.

## 4. How does it all work?

### Strategic Assessment

The Community Safety Partnership has to identify emerging crime and disorder trends and this is done through the production of a Strategic Assessment of the district. Data is analysed from all of the partners to produce recommended priorities.

The priorities are then compared with other districts and ranked against a number of factors, including volume, trend over time, resident's perception and how much it is felt the partnership can influence. The top ranked priorities are analysed in depth, to help guide practitioners in formulating actions that they feel will have an impact on each priority.

### Stakeholder Consultation

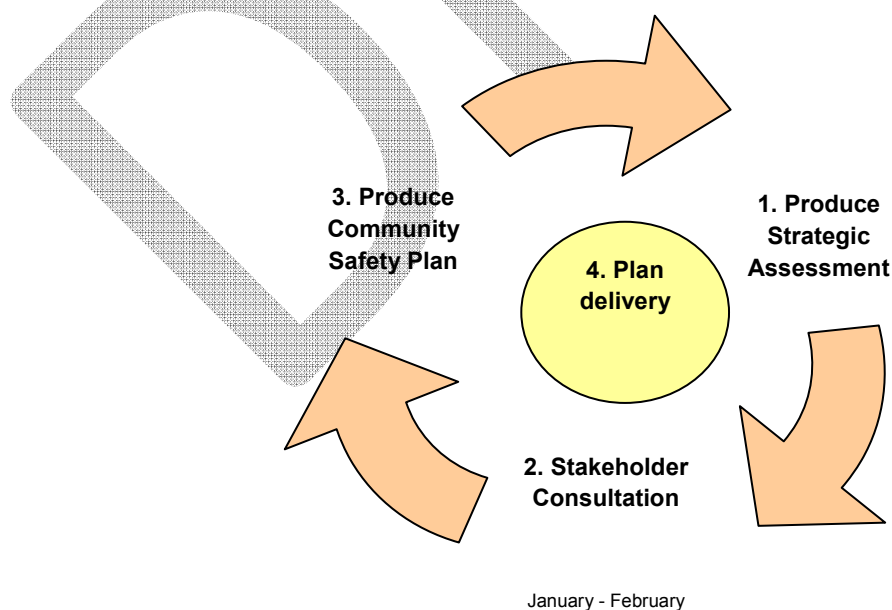
Each year we ensure that we consult on Community Safety priorities with residents and partners and also ensure we are accountable by feeding back on our progress. We do this by meeting with residents at the community safety forum and neighbourhood engagement meetings as well as holding practitioner meetings throughout the year.

In December we held a Community Safety conference for practitioners to review provisional priorities and in February ran a consultation event asking for residents views on the list of the top priorities to ensure we understand the issues that impact them the most.

### Producing the Plan

Following on from the data assessment and partner/public consultation, specific actions are developed by partners that aim to make an impact on the priority issues that we have established. These actions are finally reviewed and agreed by the senior managers in the relevant agencies and scrutinised by the Council's political groups.

The plan is then delivered throughout the financial year of April – March, with regular performance monitoring to make sure we are achieving what we set out to.



## 5. Priorities for 2014/15

The following areas were identified through the Strategic Assessment and resident consultation and are recommended as priorities for the 2014-15 partnership plan. They also broadly align with the County Community Safety Agreement for 2014-17.

### Anti-Social Behaviour

Anti-social behaviour (ASB) can be defined as "behaviour likely to cause harassment, alarm or distress". (Crime and Disorder Act 1998). It can include incidents of neighbour nuisance, problem groups, graffiti, flytipping, deliberate fires or nuisance vehicles.

Overall there has been a decrease in the number of reports of ASB to Kent Police but an increase in reports to Thanet District Council.

Thanet has the highest levels of Anti-Social Behaviour in the County. 5988 incidents of ASB were reported to Kent Police for 01 October 2012 – 30 September 13, compared to 6801 in the previous year. An additional 3185 incidents were reported to Thanet District Council departments which included reports of noise nuisance, graffiti, abandoned vehicles and flytipping.

Analysis highlights that Margate Central, Cliftonville West, Central Harbour and Eastcliff wards experience the highest volumes of ASB. Thanet has the highest levels of ASB in the County.

#### Through this plan we aim to:

- Identify and actively target offenders and hot spot locations
- Provide support to victims and witnesses
- Empower communities to tackle ASB
- Divert those at risk from becoming involved in ASB

### Domestic Abuse

Domestic abuse is any incident or pattern of incident of controlling, coercive or threatening behaviour, violence or abuse between those aged 16 or over by a current or previous partner or family member.

For 01 October 2012 – 30 September 2013, 2894 incidents of domestic abuse were recorded for Thanet, of those 710 are recorded as repeat. Thanet has the highest levels of Domestic Abuse in the county.

Analysing local postcode data based around caseloads, high volumes can be seen with clients in the Cliftonville West ward, indicated by the CT9 (2) postcode prefix and Newington and Northwood wards, indicated by CT12 (6).

#### Through this plan we aim to:

- Challenge underlying attitudes and behaviours through raising awareness.
- Break the cycle of abuse and intervene early with those at risk.
- Identify and support victims of domestic abuse
- Increase provision for low and medium risk victims
- Take action to ensure perpetrators are brought to justice
- Work with other partners to obtain the best outcomes for those affected by domestic abuse and their families.



## Violent Crime

Violent crime is the sum of violence offences where the offender has used, or threatened to use force, whether or not there is any injury.

Thanet has seen an increase in Violence Against the Person (VAP) offences, with 2503 incidents reported from 01 October – 30 September 2013. The highest levels can be seen in the Margate Central and Cliftonville West wards. The rise in figures is in the main down to a change in the recording mechanism by Kent Police however Thanet is still the highest in the County.

### Through this plan we aim to:

- Robustly tackle violence associated with Night time Economy Disorder
- Identify young people involved with violent crime
- Identify and target repeat offenders who are exploiting vulnerable groups
- Identify and disrupt gang activity
- Prevent further placements of vulnerable people into sensitive locations
- Raise awareness of violent extremism (through the Prevent Agenda)

## Substance Misuse

Substance misuse is the inappropriate use of substances such as drugs and alcohol to the extent where the use is having a negative impact on an individual's wellbeing, that of their family or the wider community. This can also include the misuse of legal highs and solvents.

Thanet has the highest volume of drug offences in the county. For the available data period of April 2012 – March 2013 recorded by Kent Police, there were 447 recorded drug offences. This was an increase of 26 incidents compared to the previous year.

Public perceptions recorded through the Kent Crime and Victimization Survey, of people using or dealing drugs have improved compared to previous years, with 9.3% of people reporting to it being a 'very' or 'fairly' big problem in their area.

Between 1<sup>st</sup> June 2012- 21<sup>st</sup> May 2013, 496 people were admitted into hospital for mental and behavioural disorders due to psychoactive substance use<sup>2</sup>, with 162 being repeat admissions.<sup>3</sup> The majority of those admissions were from Margate Central, Eastcliff, Cliftonville West and Central Harbour wards.

Between 1<sup>st</sup> June 2012- 21<sup>st</sup> May 2013 108 individuals were admitted into hospital for alcohol related involvement, 12 were repeat admissions. Of those that disclosed their place of residence, the majority came from Cliftonville West (16.6%), Eastcliff (14.2%). Men aged between 40-44 and women aged between 44-49 have the highest admissions occurrences.

### Through this plan we aim to:

- Reduce demand of substances
- Restrict the supply of substances
- Raise awareness of the risk of harm
- Target and disrupt groups actively misusing
- Identify and support those at risk of being exploited through substance abuse

<sup>2</sup> Psychoactive substance use included substances such as alcohol, opioids, cannabis, sedatives, hypnotics, cocaine, but does not include tobacco.

<sup>3</sup> Data provided by KCC Public Health

## Acquisitive crime

Acquisitive crime is defined as offences where the offender derives material gain from the crime and is usually considered the sum of a number of 'theft related' offences, including domestic burglary, shoplifting and vehicle thefts.

A review of acquisitive crime offences, shows Thanet has the highest volume of burglary dwelling offences in the county. For 01 October 2012 – 30 September 2013, 893 incidents were recorded. This is considerably higher than other districts, with the next highest volume being Canterbury with 512 incidents.

For the same period, there were 970 recorded incidents of shoplifting, which is an increase of 95 compared to the previous year. Theft of a pedal cycle has also seen an increase of 49 offences, with 316 incidents recorded. Thefts from motor vehicles have decreased by one incident, with 614 incidents recorded for the reporting period

### Through this plan we aim to:

- Support victims of acquisitive crime
- Disrupt the supply of second hand goods
- Increase preventative campaigns
- Divert young and first time offenders
- Actively target prolific and repeat acquisitive crime offenders

## Road Safety

Road Safety refers to methods and measures for reducing the risk of a person using the road networks. This is a new priority for the partnership, for 2014-15 although has been a focus area for the County Community Safety Agreement in previous years.

30.2%<sup>4</sup> of Thanet residents, asked as part of the Kent Crime and Victimization Survey, feel that speeding vehicles is a very or fairly big issue in their area. This is a slight decrease compared to the previous year, in which 34.9%<sup>5</sup> of people asked, felt it was an issue. Thanet has the highest perceptions in the county, despite the perceptions in other districts having shown increases.

From January – September, Thanet has seen an increase in 49 casualties, with 354 recorded for 2013. Compared to other districts, Thanet is fourth in the county. Casualties of drivers aged 17-24 is the lowest in the county, but has the highest levels of child casualties and powered two wheelers.

### Through this plan we aim to:

- Raise awareness of the key reasons for accidents
- Deliver preventative campaigns for speeding
- Educate road users to influence behavior change
- Engage other partners to improve road safety

<sup>4</sup> Kent Crime and Victimization Survey Rolling year ending March 2013

<sup>5</sup> Kent Crime and Victimization Survey Rolling year ending March 2012

## Public and Agency Engagement

Public perceptions relate to what our communities believe to be the truth about crime and community safety and how confident and safe they feel in their local area.

Each agency will hold a huge amount of information that can be shared with others to help inform actions and make interventions. Frontline staff also need to be aware of the priorities and actions and how they contribute to the delivery of this plan.

### Through this plan we aim to:

- Foster positive relationships with our communities
- Provide accessible and transparent Community Safety services
- Identify issues that matter most to residents and work in partnership to find solutions
- Raise the profile of the partnership and projects
- Present regular, accurate information about progress of the Partnership and the agency work
- Share information amongst the partners

## Emerging Issues and Actions

The following pages show more specific issues that need to be tackled over the next year by the agencies that help contribute to the priorities above. These have been developed using the statistics, comments from partners and by the public.

A core set of principles will be used in all of the issues

- Prevention wherever possible,
- Early intervention,
- Targeting prolific offenders,
- Targeting resources to hotspot areas
- Supporting victims

There is a need for the plan to be a flexible and dynamic document. We will use real-time data to re-assess the proposed actions and complete the measures of success column as this will enable us to be focused on the most pressing issues at the time and ensure we can set targets that are achievable and will make the required impact. These will be set by partners forming specific working groups to agree the way forward.

The CSP executive board will be responsible for monitoring the emerging issues and the delivery of actions and this will be independently scrutinised by the district's CSP working party.

Emerging issue	Which of the current priorities does this impact upon?						Proposed Actions	Lead agency Support agencies	Measures of Success / Outcomes
	Anti-Social Behaviour	Domestic Abuse	Violent Crime	Substance Misuse	Acquisitive Crime	Road Safety			
Increase resident knowledge of what is being done and a more visible profile of the agencies	✓	✓	✓	✓	✓	✓	<ol style="list-style-type: none"> <li>1. Develop a partnership communications strategy</li> <li>2. Seasonal campaigns project</li> <li>3. Implement 'action weeks' in hot spot areas</li> <li>4. Continue to support Neighbourhood Engagement Meetings where residents can report issues in their area and explore alternative ways to update key community groups.</li> <li>5. Set up a 'Community Safety Fund' for local groups to use for tackling specific local issues</li> </ol>	<b>Thanet District Council PR dept</b>  All partner communications leads	
Problems associated with street drinking in the district – making it harder for them	✓		✓	✓	✓		<ol style="list-style-type: none"> <li>6. Develop and deliver one pilot of the 'Reduce the Strength' national campaign</li> </ol>	<b>Thanet District Council Community Safety</b>  TDC Housing Turning Point Kent Police KCC Public Health Thanet CCG	
Understand the changes in key legislation and work out how these will benefit local communities and issues	✓	✓	✓	✓	✓	✓	<ol style="list-style-type: none"> <li>7. ASB legislation – consider changes to how we enforce ASB</li> <li>8. Integrate the new Probation structures and ensure smooth transition in partnership working to target prolific offenders.</li> </ol>	<b>Thanet District Council Community Safety</b>  All partners to feedback on those relevant to their agencies	

Emerging issue	Which of the current priorities does this impact upon?						Proposed Actions	Lead agency Support agencies	Measures of Success / Outcomes
	Anti-Social Behaviour	Domestic Abuse	Violent Crime	Substance Misuse	Acquisitive Crime	Road Safety			
<b>Young people and crime:</b> <b>a) Preventing first time offending</b> <b>b) Tackling high impact crime</b>	✓	✓	✓	✓	✓	✓	9. Increase the level of parenting support for adolescents through Troubled Families initiative and other parenting programmes 10. Increase the level of multi-agency support available through the Youth Inclusion Support Panel 11. Ensure young people at risk engage with diversionary activities. 12. Develop additional targeted programmes for young people committing high impact crime	<b>KCC Youth Offending Service (YOS)</b>  Kent Police  Kent County Council Troubled Families  Thanet District Council Community Safety  Engage Youth Forum	
<b>Seasonal anti-social behavior issues with young people</b>	✓	✓	✓	✓	✓	✓	13. Target seasonal beach parties 14. Pursue project where PCSOs train with the RNLI beach lifeguards to have a better presence in hotspot areas. 15. Co-ordinate all Awareness / Education sessions delivering key messages in local secondary schools.	<b>Thanet District Council Community Safety</b>  KDAAT / KCA  Kent Police  KCC YOS  Youth organisations	
<b>Engaging Young people about road safety</b>							16. Run YEARS programme in Thanet 17. Scooter Academy sessions to raise awareness of potential dangers	<b>Kent Fire and Rescue Service</b> KCC YOS	

Emerging issue	Which of the current priorities does this impact upon?						Proposed Actions	Lead agency Support agencies	Measures of Success / Outcomes
	Anti-Social Behaviour	Domestic Abuse	Violent Crime	Substance Misuse	Acquisitive Crime	Road Safety			
Poor image of our town centres due to night-time economy problems	✓	✓	✓	✓			18. Community Pastors project 19. Specific police teams 20. Turning Point A+E nurses and outreach	<b>Kent Police</b>  Turning Point Thanet Churches  Thanet District Council Community Safety	
Perceptions of speeding & dangerous driving						✓	21. Support 'Speedwatch' volunteers through purchase of new equipment	<b>Kent Fire and Rescue Service</b>  Kent Highways	
Medium risk victims of domestic abuse – are the right level of resources available		✓					22. Identify any gaps in provision of available services for victims 23. Continue to run a Domestic Abuse support car at peak times	<b>Thanet Domestic Abuse Forum</b>	
Fill the gap for local domestic abuse perpetrator programmes		✓					24. Pilot a new programme that can be run locally and provide shorter interventions for those not subject to offence conditions 25. Develop programme to work with young people who are identified as being at risk of committing violence against parents	<b>Thanet Domestic Abuse Forum</b>	

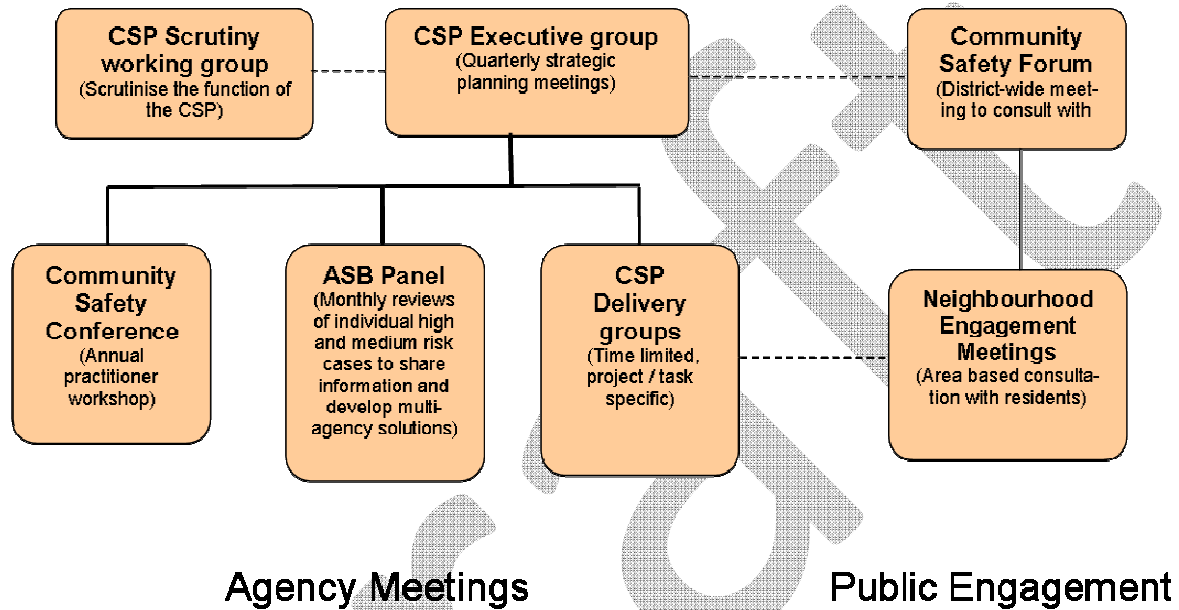
Emerging issue	Which of the current priorities does this impact upon?						Proposed Actions	Lead agency Support agencies	Measures of Success / Outcomes
	Anti-Social Behaviour	Domestic Abuse	Violent Crime	Substance Misuse	Acquisitive Crime	Road Safety			
Increase in pedal cycle thefts					✓		26. Property marking 27. Support and refer into the cycle recycle project and potential YOS East Kent project. 28. Look at innovative ways to improve cycle security in town centres	<b>Kent Police</b> KCC YOS Thanet District Council Community Safety	
Litter and dog fouling	✓						29. Research additional use of FIDO machine. 30. Campaign to raise awareness of new offence of littering from vehicles	<b>Thanet District Council</b> <b>Public Realm Enforcement</b>	
Cycling on shared spaces	✓					✓	31. Run campaign to remind cyclists of pedestrians	<b>Kent County Council</b> <b>Highways</b>	
Increase in out of area perpetrators	✓		✓	✓	✓		32. Support the work of the Margate Task Force in building a better intelligence picture of gang activity 33. Improve use of ANPR capabilities	<b>Kent Police</b> KCC YOS	
Availability and risks relating to Legal Highs							34. Study national and county guidance on the issue and use campaigns to make people aware of the dangers.	<b>KDAAT / KCA</b>	



# Appendices

## i. Partnership structure

Agencies of the partnership meet throughout the year via a number of different forums aimed at coordinating activity, monitoring trends and ensuring clear information sharing. The partnership also oversees a comprehensive system of consultation with residents through its public engagement structure.



### Agency Meetings

#### Community Safety Partnership Executive Group

Is made up of senior managers from the statutory agencies and other partners who act as a board overseeing the decisions and direction of the partnership. They are responsible for agreeing and ensuring their organisations help to implement the Community Safety Plan.

#### Community Safety Partnership Scrutiny working group

This group is coordinated by the District Council political members and provides a scrutiny function, ensuring all processes have been complied with and that partners are working together. The group also oversees strategic planning and makes recommendations on the decisions of the partnership.

#### Community Safety Conference

This is an annual practitioner meeting where the strategic assessment data is reviewed and verified by wider partners, best practice is shared and ideas generated to inform and draft the annual community safety plan.



## Community Safety Partnership Delivery group(s)

Delivery groups are set up to for the delivery of a specific partnership initiative, or as a response to a sudden emerging trend. They meet as frequently as is required and feed back to the Community Safety Partnership Executive Group.

## Multi-Agency ASB Case Panel

Is an operational panel that meets monthly and is attended by front line practitioners to review and discuss high and medium risk ASB cases that require multi agency provision. This is to ensure joined up working, prevent duplication and ensure information is shared reducing the chance of cases being ignored.

## Public Meetings

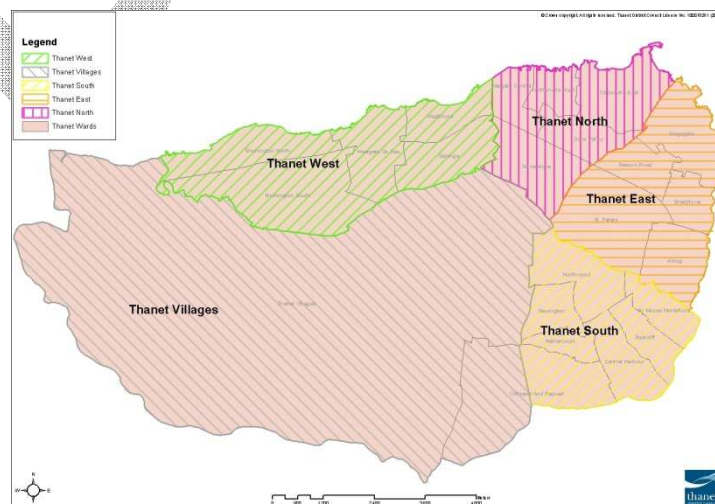
### Community Safety Forum

This is a focus group that includes local Councillors, neighbourhood watch co-ordinators, chairs of resident associations and other public groups to meet with senior managers from each of the CSP agencies and look at the strategic planning, discuss priority issues and find out about the progress of the partnership against its action plan. It is not an opportunity to make area specific observations. It is also an opportunity for residents to get involved in partnership projects and find out more about Community Safety.

### Neighbourhood Engagement Meetings (NEM)

The partnership also delivers Neighbourhood Engagement Meetings to identify the issues that matter most to residents in our local communities. The district is divided into North, East, South and West geographical areas – with those living in more rural areas attending whichever location is closest and most relevant to them. A quarterly meeting takes place for each area.

The NEM meeting is attended by a range of partners including police officers and PCSOs for that area, district council representatives and KCC Wardens. Members of the community are free to pose questions or make observations about their area, even down to street level. Meeting dates are advertised on the Kent Police and District Council Websites in advance and are an opportunity to collectively problem-solve community safety issues.



## ii. Useful Phone Numbers

Thanet District Council	01843 577000
Thanet Gateway services	08458 247 202
Kent Police	101 (In an emergency: 999)
Kent Fire and Rescue Service	01622 692121
Kent County Council	03000 414141
KCA UK (formerly Kent Council for Addiction )	01795 590 635
Eastern and Coastal Kent NHS Patient advice and liaison service:	01795 590 635
Kent Probation – Thanet Office	03000 473218
Hyde Housing Association	0800 389 3576
Turning Point	0300 123 1186
Kent Drug And Alcohol Action Team (KDAAT)	01622 221676
National Domestic Violence Helpline	0808 2000 247
Orbit South Housing Association Thanet Office	0800 678 1221
Sanctuary Housing Association	0800 781 4755
Southern Housing Association	08456 120 021
Town and Country Housing Association	0845 873 1321
Porchlight	0800 5677699
Victim Support	0845 3030900
Crimestoppers	0800 555 111

To find out who your local Police Community Support Officer and Police Constables are, or to see when your next neighbourhood meeting is visit [www.kent.police.uk](http://www.kent.police.uk) or call Thanet Community Safety Partnership 01843 577888

### iii. Glossary of terms:

<b>ASBO</b>	Anti Social Behaviour Order, a criminal or civil order Local Authorities and Police can apply for to the courts to place prohibitions on an individual who is causing persistent ASB. It is legally binding and carries maximum penalties of imprisonment if breached.
<b>ABA</b>	Acceptable Behaviour Agreement, an informal intervention used by ASB practitioners to agree with potential perpetrators of lower level ASB prohibitions. Can also be called an Acceptable Behaviour Contract or ABC.
<b>ANPR</b>	Automatic Number Plate Recognition – technology to help track vehicles that have been involved in offences.
<b>Dispersal Order</b>	Order providing police additional blanket powers to disperse groups of 2 or more who are causing ASB or likely to cause ASB for a period of 48 hours. The order must be agreed and signed off by the respective Senior Officers of the Local Authority and Local Police Force.
<b>Drug Testing on Arrest (DtoA)</b>	Pilot scheme introduced in Thanet for 2011-12 where people arrested for a number of offences which can be linked to supporting substance misuse, such as theft from a motor vehicle and acquisitive crimes, undergo compulsory drug testing. If they test positive, or refuse testing, sanctions are imposed.
<b>Independent Domestic Violence Advisors</b>	Specialist staff that deal with helping victims of domestic abuse. This project is a new county-wide programme co-ordinated by Kent Probation and funded by a range of district and county organizations.
<b>KCA UK (Kent Council for Addiction )</b>	Formerly Kent Council for Addiction , now covering other parts of the UK and known just as KCA UK. Provides substance misuse services. Currently provide youth substance misuse services in East Kent.
<b>Kent Crime and Victimisation Survey (KCVS)</b>	Is a telephone survey of randomly selected households across Kent. It asks questions about issues such as experiences of 19ehavior19tion, confidence in the police, confidence in the Criminal Justice System, feelings of safety, worry about crime and perceptions of anti-social 19ehavior.
<b>KDAAT</b>	Kent County Council's Drug and Alcohol Team
<b>Kent Fire and Rescue Service (KFRS)</b>	The fire and rescue service responsible for delivering services, including rescue and preventative initiatives for each district in Kent.
<b>Looked After Child (LAC)</b>	Children who are in the care of social services.
<b>Neighbourhood Engagement Meetings</b>	Neighbourhood Engagement Meetings. Localised meetings for residents, geographically based, to discuss community safety issues

<b>(NEM)</b>	of concern with local police and council officers.
<b>NEET</b>	Not in Education or Employment or Training
<b>Police Community Support Officers (PCSOs)</b>	Members of support staff employed by Kent Police to support Police Officers in tackling crime and Anti Social Behaviour issues in local communities
<b>Police and Crime Commissioner (PCC)</b>	Elected representatives charged with securing efficient and effective policing and community safety.
<b>S27 dispersal</b>	is a police power, introduced in the Violent Crime Reduction Act 2006, where Officers can give people a direction to leave an area for up to 48 hours, if their presence is, or is likely to cause, alcohol related crime and disorder.
<b>YEARS project</b>	A Youth Engagement Around Road Safety project that can be delivered to schools or groups at risk of offending.
<b>Youth Inclusion Support Panels (YISP)</b>	Multi agency panel which aims to prevent offending and anti-social behaviour by identifying and supporting young people aged 8–17 who are at high risk of offending and anti-social behaviour, before they enter the youth justice system.
<b>Youth Offending Team</b>	Multi-agency teams set up to manage young offenders, undertaking functions such as setting up reparation plans to ensure community sentences are completed and prevent further reoffending.

The responsible authorities of the Thanet Community Safety Partnership are;



**Kent  
Police**



**Kent Fire &  
Rescue Service**



**Thanet Clinical Commissioning Group**



*Changing Lives  
Reducing Crime*

Thanks also go to all of the other members of the  
Community Safety Partnership

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## **MEMBERS' ALLOWANCES SCHEME 2014/15**

To: **Council – 24 April 2014**

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

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

Classification: **Unrestricted**

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**Summary:** This report will give Council the opportunity to agree a scheme of Members Allowances for the 2014/15 financial year

### **For Decision**

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

1.1 This paper gives Council the opportunity to adopt a scheme of Members allowances for the 2014/15 financial year.

#### **2.0 Draft 2014/15 scheme of Members allowances**

2.1 Democratic Services have created a draft 2014/15 scheme of Members allowances that is very similar to the existing 2013/14 scheme of Member allowances; this draft scheme is attached at Annex 1 to this report.

2.2 The draft 2014/15 scheme of Members allowances does not change the level of basic allowance, special responsibility allowances or mileage rates from the 2013/14 rates. The level of dependent carers allowance has been increased in line with the rise in the national minimum wage that took place in October 2013

2.3 It has not yet been possible to update subsistence rates as South East Employers have yet to publish rates for 2014/15. It is suggested that rates for 2014/15 are presented to Council for consideration when the new rates have been published.

2.4 If Members amend the basic allowance or special responsibility allowances, it will be necessary to adjust any relevant payments Members have already received for April, as well as payments going forward.

#### **3.0 Options**

3.1 Council can choose

a) To adopt the draft 2014/15 Members allowances scheme as set out at annex 1 to this report and to refer the scheme to EKJIRP for them to consider, with any amendments being reported back to Council.

b) To suggest amendments to the draft 2014/15 Members allowances scheme and to adopt the amended allowances scheme and to refer the scheme to EKJIRP for them to consider, with any amendments being reported back to Council.

3.2 It should be noted that there is provision within the budget for the rates of Members' Allowances to be increased by up to 1% for the 2014/15 financial year.

## **4.0 Corporate Implications**

### **4.1 Financial and VAT**

- 4.1.1 If Members agree the draft scheme of Members allowances as outlined at annex 1 to this report, then there will be no direct financial implications as a result of this report, as these proposals can be contained within the agreed budget for 2014/15.
- 4.1.2 If Members agree to increase the rate of Members' Allowances by up to 1%, then there will be no direct financial implications as a result of this report, as these proposals can be contained within the agreed budget for 2014/15.
- 4.1.3 If Members agree to increase the rate of Members' Allowances by more than 1%, then an additional budget would need to be identified to cover the increase above 1%.

### **4.2 Legal**

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

### **4.3 Corporate**

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

### **4.4 Equalities**

#### **4.4.1 Assessing Relevance**

- 4.4.2 There are no direct equalities implications to this report as although there are Councillors from the protected groups, the allowances scheme applies to all Councillors equally.
- 4.4.3 Although it does not directly relate to protected groups, the draft scheme contains the ability to pay a dependent carers allowance to Councillors. This contributes to aims 1 and 2 of the Equality Act as it removes barriers to Councillors standing who have relatives that may be in need of dependent care.

## **5.0 Recommendation(s)**

- 5.1 Council should either:
  - a) Adopt the draft 2014/15 Members allowances scheme as set out at annex 1 to this report and to refer the scheme to EKJIRP for them to consider, with any comments from EKJIRP being reported back to Council.
  - b) Suggest amendments to the draft 2014/15 Members allowances scheme and to adopt the amended allowances scheme and to refer the scheme to EKJIRP for them to consider, with any comments from EKJIRP being reported back to Council. It should be noted that there is provision within the budget for the rates of Members' Allowances to be increased by up to 1% for the 2014/15 financial year.

## **6.0 Decision Making Process**

- 6.1 It is for Council to agree the Members' Allowances Scheme. However, any changes to the scheme would need to be the subject of consultation with the East Kent Joint Independent Remuneration Panel.



Contact Officer:	Harvey Patterson, Corporate and Regulatory Services Manager
Reporting to:	Sue McGonigal, Chief Executive

***Annex List***

Annex 1	Draft 2014/15 Members' Allowances Scheme
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***Background Papers***

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

***Corporate Consultation Undertaken***

Finance	Sarah Martin, Financial Services Manager and Deputy S.151 Officer
Legal	Harvey Patterson, Corporate and Regulatory Services Manager

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# Draft Members' Allowances Scheme

## Members' Allowances Scheme 2014/2015

### Introduction

- 1.1 This scheme is made in exercise of the powers conferred by The Local Authorities (Members' Allowances) (England) Regulations 2003 and of all other enabling powers, the Council having had regard to the recommendations made to it by an independent remuneration panel.
- 1.2 This scheme shall take effect on and from the 1 April 2014 and shall remain effective for the purposes of the determination and payment of any allowances to Members until it is next reviewed by Council.
- 1.3 Where a Member of the Council is also a Member of another authority, that Member may not receive allowances from more than one authority in respect of the same duties.
- 1.4 This scheme shall be construed in accordance with the meanings contained within the above Regulations.

### Basic Allowance

- 1.5 The annual entitlement to Basic Allowance for each Member is the amount detailed in **Schedule 1**.

### Special Responsibility Allowance

- 1.6 The annual entitlement to a Special Responsibility Allowance for each Member having a special responsibility is the relevant amount in relation to that responsibility detailed in **Schedule 1**.
- 1.7 Where a Member would otherwise be entitled to claim more than one Special Responsibility Allowance only one shall be payable, normally the higher unless the member gives notice in writing to the Democratic Services and Scrutiny Manager that he or she wishes to receive the lower.
- 1.8 Where Members of the Council are divided into at least two political groups and a majority belong to the same political group a Special Responsibility Allowance shall be paid to at least one person who is not a member of the controlling group.

### Dependants' Carers' Allowance

- 1.9 Members are entitled to claim Dependants' Carers' Allowance for expenses necessarily incurred in arranging care on account of any 'Approved Duty'. The current allowance is included in **Schedule 1**.
- 1.10 The definition of a dependant for the purpose of payment of this allowance is that used in S57A (3) of the Employment Rights Act 1996. This is a spouse or partner, a child, a parent, a person who lives in the same household but who is not an employee, tenant, lodger or boarder.

- 1.11 Additionally the secondary carer must not be a member of the claimant's immediate family i.e. spouse or partner, other children of the Member or the Member's spouse or any member of the Member's family who lives at the same address as the Member. Nor can it be an employee, tenant, lodger or boarder who lives at that address.
- 1.12 Payment of Dependants' Carers' Allowances will be on the production of invoices and is limited to no more than one hundred hours per quarter. [Note: To avoid excess administration in processing claims, these should be submitted on a quarterly basis.]

### **Travelling and Motor Mileage Allowances**

- 1.13 Members will be reimbursed car mileage only from their home to place of duty and return in respect of attendance at Approved Duties, or as the Council's representative, in accordance with the rates set out in **Schedule 1**.
- 1.14 If a Member visits the vicinity of the place of duty for some other purpose and then goes directly to the approved duty, a claim should not be made.
- 1.15 Subject to paragraph 1.16 below, for journeys outside the District, car mileage reimbursement will be capped at the cost of an equivalent journey by public transport (meaning the standard open rail fare together with reasonable taxi/bus fares, parking charges and underground fares incurred, or which would have been incurred if the Member had travelled by public transport). If, however, the costs of an equivalent journey by public transport equals or exceeds car mileage costs, full mileage costs will be reimbursed.
- 1.16 Notwithstanding that the cost of car mileage reimbursement would exceed the cost of an equivalent journey by public transport, a Member will nevertheless be entitled to claim mileage for out of district travel:-
- (i) If he or she car shares with either an officer or one or more members, any of whom would have been entitled to make a mileage claim had they travelled independently; or
  - (ii) If the Democratic Services and Scrutiny Manager agrees in writing that the meeting, seminar, conference, event, presentation, service or other approved duty that necessitated the journey was not reasonably practical to make by public transport due to any or a combination of the following factors:-
    - the distance from the members home to the nearest railway station;
    - the location of the meeting;
    - the start or finish time of the meeting;
    - the amount of luggage to be taken; and
    - the overall journey time on public transport compared to travel by car
- 1.17 The written agreement of the Democratic Services and Scrutiny Manager under paragraph 1.16 above should normally be sought in advance of the intended journey but in exceptional circumstances may be obtained subsequently. In addition, where it is likely that a Member will be travelling to

the same destination one more than one occasion, the Democratic Services & Scrutiny Manager shall be entitled to give the Member his agreement in writing to all such journeys.

- 1.18 Travelling and motor mileage allowances may be payable for attendance at any official meetings of the Council to which members of more than one party are invited to attend and also for representation on those bodies included in **Schedule 2**.

#### **Subsistence**

- 1.19 Payment of subsistence allowances in connection with any approved duty shall be in accordance with the provisions, including the maximum amounts payable, set out in **Schedule 1**.

#### **Explanation of "Approved Duty"**

- 1.20 Approved Duties comprise the following:-
- a) a meeting of the authority or of any committee or sub-committee of the authority, or of any other body to which the authority makes appointments or nominations, or of any committee of such a body;
  - b) any other meeting, the holding of which is authorised by the authority, or a committee or sub-committee of the authority, or a joint committee of the authority and one or more other authorities, or a sub-committee of such a joint committee, provided that –
    - i) where the authority is divided into two or more political groups, it is a meeting to which members of at least two such groups have been invited, or
    - ii) if the authority is not so divided, it is a meeting to which at least two members of the authority have been invited;
  - c) a meeting of any association of authorities of which the authority is a member.
  - d) the carrying out of any other duty approved by the Council, or any duty of a class so approved, for the purpose of or in connection with the discharge of the functions of the Council or any of its committees or sub committees. [Attendances at meetings of the bodies listed in Schedule 2 have been approved.]
  - e) There is also a general duty permitting the Leader or nominated deputy to represent the Council at formal meetings not specified elsewhere, with other authorities, official bodies or agencies for the purposes of any function of the Council, but excluding meetings organised by private individuals or commercial organisations.
- 1.21 Scrutiny Panel Members attending meetings of the Cabinet and the Non-Executive Functions Committee are entitled to claim travelling allowance and any Member speaking on an issue relevant to their Ward at a meeting of the Cabinet with the consent of the Leader or in accordance with Council rules is also entitled to claim travelling allowance.
- 1.22 If any Overview or Scrutiny Panel requires a Member of the Cabinet to attend before it in relation to matters within that Member's remit, then that Member is entitled to claim travelling expenses.

- 1.23 Where Cabinet Members attend non-executive meetings to observe only this is not deemed to be an approved duty and travelling expenses will not be paid.
- 1.24 Where any Member attends any Committee to speak on an item with the Chairman's consent, this attendance will be an approved duty for payment of travelling expenses.
- 1.25 Members are entitled to claim travelling expenses for Committee briefings and for all Partnership meetings or Chairman and Vice-Chairman meetings with the Lead Officer and these meetings are therefore approved duties.
- 1.26 This Scheme does not allow for travelling expenses to be paid to individual Members arranging meetings with officers as this is deemed to be part of the Member's role and Members' allowances paid are calculated to reflect these extra duties.
- 1.27 For any other ad hoc briefings e.g. on major developments, Members from all political groups with in excess of 5 Members will need to be invited to these briefings in order for travelling allowances to be paid.
- 1.28 No allowance shall be payable if such payment would be contrary to provision made by or under any enactment.
- 1.29 Members who attend committee meetings of which they are not a member (under Council Procedure Rule 24(1)) shall be entitled to claim travelling expenses.
- 1.30 Co-opted and Independent members shall be treated as Members of the Council for the purposes of Approved Duties.

### **Renunciation**

- 1.31 A Member may, by notice in writing given to the Democratic Services and Scrutiny Manager, elect to forego any part of his/her entitlement to an allowance under this scheme.

### **Part Year Entitlements**

- 1.32 The provisions of this paragraph shall have effect to regulate the entitlements of a Member to Basic and Special Responsibility Allowances where in the course of the year
- The Scheme is amended; or
  - That Member becomes, or ceases to be, a Member, or
  - He/she accepts or relinquishes a special responsibility in respect of which a Special Responsibility Allowance is payable
- 1.33 If an amendment, or amendments, to this scheme change(s) the amount of the Basic Allowance or a Special Responsibility Allowance to which a Member is entitled, then for each period in a particular year during which the relevant amounts are applicable, the entitlement to such allowance(s) shall be calculated on the basis of the equivalent daily rate(s) that is/are applicable to the relevant periods.
- 1.34 Where the term of office of a Member begins or ends at any time other than at the beginning or end of a year, the entitlement of that Member to a Basic

Allowance shall be calculated on the basis of the equivalent daily rate that is applicable to the relevant period.

- 1.35 Where both:
- this Scheme is amended as described in sub-paragraph 1.32; and
  - the term of office of a Member begins and/or ends as described in paragraph 1.33; then
  - the entitlement of any such Member to a basic allowance shall be calculated on the basis of the equivalent daily rate that is applicable to the relevant periods.
- 1.36 Where a Member has during part of, but not throughout, a year such special responsibilities as entitle him/her to one or more Special Responsibility Allowances, that Member's entitlement shall be calculated on the basis of the equivalent daily rate(s) that is/are applicable to the relevant periods.
- 1.37 Where this scheme is amended as mentioned in paragraph 1.32 and a Member has during part, but does not have throughout the whole, of any period mentioned in paragraph 1.33 any such special responsibilities as entitle him/her to one or more Special Responsibility Allowances, that Member's entitlements shall be calculated on the basis of the equivalent daily rate(s) that is/are applicable to the relevant periods.

#### **Repayment and Withholding of Allowances**

- 1.38 Where payment of any Basic Allowance or Special Responsibility Allowance has already been made in respect of any period during which the Member concerned is suspended or partially suspended from their responsibilities or duties as a Member, ceases to be a Member of the Council or is in any other way not entitled to receive any such allowance in respect of that period, the Council may require that such part of the allowance as relates to any such period be repaid.
- 1.39 Where a Member is suspended or partially suspended from their responsibilities or duties as a Member, the part of Basic Allowance and/or Special Responsibility Allowance in respect of the period of suspension may be withheld by the Council as may any travelling or subsistence allowance in respect of such responsibilities or duties (and, for the avoidance of doubt, any of the same may be withheld if a Member ceases to be a Member of the Council or is in any other way not entitled to receive any such allowance).

#### **Payments and Claims**

- 1.40 Allowances will be paid in instalments of one-twelfth of the amounts specified in this scheme by BACS transfer on the 19<sup>th</sup> of the month, one month in arrears.
- 1.41 Where a payment of one-twelfth of the amount specified in this scheme in respect of a Basic Allowance or a Special Responsibility Allowance would result in the Member receiving more than the amount to which, by virtue of paragraph 1.33, he/she is entitled, the payment shall be restricted to such amount as will ensure that no more is paid than the amount to which he/she is entitled.
- 1.42 Claims for Dependants' Carers' Allowances, Travel and Subsistence Allowances and Co-optee's Allowance (if applicable) shall be made within

three months from the date on which an entitlement arises.

- 1.43 Nothing in the above paragraph shall prevent the Council from making a payment where an allowance is not claimed within that period.

### **Pensions**

- 1.44 It is hereby provided, the Independent Remuneration Panel having recommended that all Members of the Council should be eligible for pensions, that:-

- a) As from 1<sup>st</sup> May 2003, all Members of the Council are to be entitled to pensions in accordance with a scheme made under Section 7 of the Superannuation Act 1972; and
- b) Both Basic Allowance and Special Responsibility Allowance shall be treated as amounts in respect of which such pensions are payable in accordance with a scheme made under Section 7 of the said Act of 1972.

With effect from the 1st day of April 2008 pursuant to a resolution of the Thanet District Council passed on the 8 May 2008.



## SCHEDULE 1

### MEMBERS' ALLOWANCES SCHEME – 2014/2015

#### Basic Allowance

£4,570 each Member x 56 = £255,920

#### Special Responsibility Allowances

Position	Number	Allowance £	Possible maximum expenditure £
<b>Executive</b>			
Leader	1	18,082	18,082
Deputy Leader	1	10,776	10,776
Cabinet Portfolio Holder	4	7,990	31,960
<b>Non-Executive</b>			
Chairman of Council	1	2,188	2,188
Vice Chairman of Council	1	1,530	1,530
Opposition Group Leader	1	5,204	5,204
Opposition Deputy Group Leader	1	2,304	2,304
Shadow Cabinet	4	2,304	9,216
Overview and Scrutiny Committee Chairman	1	7,990	7,990
Overview and Scrutiny Committee Vice-Chairman	1	3,216	3,216
Planning Committee Chairman	1	5,204	5,204
Planning Committee Vice-Chairman	1	1,216	1,216
Licensing Committee Chairman	1	3,216	3,216
Licensing Committee Vice-Chairman	1	805	805
Governance and Audit Committee - Chairman	1	5,204	5,204
Governance and Audit Committee – Vice-Chairman	1	1,216	1,216
Standards Committee - Chairman	1	1,216	1,216

<b>Position</b>	<b>Number</b>	<b>Allowance £</b>	<b>Possible maximum expenditure £</b>
Standards Committee – Vice-Chairman	1	400	400
Standards Committee – other Independent Member	2	250	500
“Independent Person”	1	250	250
Substitute “Independent Person”	1	100	100
JTB Chairman	1	1,216	1,216
<b>TOTAL SRAs only</b>			<b>113,009</b>

Total basic + SRAs = £368,929

(1) Co-optees and "independent" Members shall be treated as Members of Thanet District Council for this purpose

#### **Dependants' Carers' Allowances**

An allowance for any approved duty of ~~£6.19~~ £6.31 per hour (or the national minimum wage whichever is higher) subject to the conditions set out in paragraph 4 of the 'Members' Allowances Scheme'.

#### **Motor Mileage Allowance**

Payable in accordance with the Mileage rates as set out in the TDC staff travel plan:

For the duration of this scheme the rates are as follows:

- (i) For journeys within the District (casual user rate)  
21.69 pence per mile
- (ii) In exceptional circumstances and provided approval of the Democratic Services and Scrutiny Manager is obtained prior to the journey (see paragraph 1.16 of the Scheme) for journeys outside the District (essential user rate)  
45 pence per mile\*
- (iii) Journeys by rail outside the District  
standard open class rail fare
- (iv) Cycling Allowance (HMRC Guidance)  
20.4p per mile

\* Normally for journeys outside of the district the equivalent of a standard open class rail will be paid.

### **Subsistence Allowances**

Subsistence allowances will be payable to Members who are prevented by their official duties from taking a meal at their home, or place of work where they normally take their meals, and thereby incur additional expenditure. A Member will be required to submit receipts in order for reimbursement to be made.

### **Overnight Accommodation**

Members who are required to make overnight stays in the performance of their official duties should, whenever possible, pre-book accommodation of an appropriate standard and obtain approval from the Head of Legal and Democratic Services. Arrangements should be made for an invoice to be submitted directly to the Council. If this is not possible, a detailed VAT receipt MUST be obtained to substantiate the claim.

### **Out of Pocket Expenses**

Expenses are claimable if a Member is required to stay away from home overnight. They cover such items as newspapers and personal telephone calls.

**Allowances payable as at 01/04/14** (These rates reflect those advised by South East Employers and will be reviewed annually. [No guidance has been provided yet on the rates that should apply for 2014/15.](#))

	<b>Subsistence Allowances</b>	
	<b>(£)</b>	
<b>Subsistence</b>	Breakfast	7.36
	Lunch	10.17
	Tea	4.03
	Evening	12.59
	Meal	
<b>Out of pocket expenses</b>	Per night	5.73
	Per week	22.90

**DUTIES WHICH ARE APPROVED FOR THE PURPOSE OF  
CLAIMING TRAVELLING & SUBSISTENCE**

**Representation on the following bodies**

Action with Communities in Rural Kent (T)  
Age UK: Thanet (T)  
British Ports Association (TS)  
British Resorts Association (AGM, Annual Conference and Executive meetings) (TS)  
Campaign to Protect Rural England (T)  
Canterbury Festival (T)  
Citizens' Advice Bureau, Thanet (T)  
Community Safety Partnership (T)  
Domestic Violence Forum (T)  
East Kent Housing Board (T)  
East Kent Housing Area Board (T)  
East Kent Opportunities Ltd  
East Kent Relate (T)  
East Kent Spatial Development Company  
Friends of Margate Cemetery (T)  
Kent and Medway Independent Persons Forum (T)  
Kent International Airport Consultative Committee (T)  
Kent Police and Crime Panel (T)  
Local Government Association Coastal Special Interest Group (TS)  
Local Government Association Strategic Aviation Specialist Interest Group (TS)  
Local Government Association District Council's Network (TS)  
Local Government Association (General Assembly) (TS)  
LGA (Rural Commission) (TS)  
Margate Town Partnership (T)  
Millmead Children's Centre Partnership  
Multiple Sclerosis Society (T)  
Parking and Traffic Regulation Outside London (Adjudication Joint Committee) (T)  
Powell Cotton Museum and Quex House (T)  
River Stour (Kent) Internal Drainage Board (T)  
Sandwich and Pegwell Bay National Nature Reserve Steering Group (T)  
South East England Councils (SEEC)  
Supporting People in Kent Commissioning Body (T)  
Thanet Countryside Trust (T)  
Thanet Harbour Users' Groups (T)  
Thanet Quality Bus Partnership (T)  
Thanet Rural Regeneration Group (T)  
Your Leisure Thanet Sub-Group (T)  
Thanet Sports Network (T)  
Thanet Volunteer Bureau (T)  
Trust for Thanet Archaeology (T)  
Tourism South East (T)  
Youth Advisory Group (T)

(TS) Travel and Subsistence allowance may be claimed.

(T) Travel allowance only may be claimed.

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**SOCIAL MEDIA GUIDANCE FOR COUNCILLORS**

To: **Council – 24 April 2014**

By: **Justine Wingate, Corporate Information & Communications Manager**

Classification: **Unrestricted**

Ward: **N/A**

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**Summary: To Consider Social Media Guidance for Councillors**

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**1.0 Introduction and Background**

- 1.1 Social media is fast becoming the channel of choice for our residents and as such it is vital that the council actively engages with this to remain relevant to them.
- 1.2 Councillors' use of social media can help support dialogue between them and their constituents, community groups and partner agencies which helps to support the council's values of openness and transparency.
- 1.3 Although social media is an informal method of communication it is not without some significant risks. Users need to be aware of what these are and how to avoid them however the council currently offers no guidance on this.

**2.0 The Current Situation**

- 2.1 Some councillors are already actively using social media to create dialogue with their constituents. This should be encouraged however the use of Social Media does come with associated risks, some of which are considered criminal offences and carry significant penalties; data protection; harassment; incitement; discrimination; defamation and copyright.
- 2.2 Inappropriate use of social media could also have a detrimental effect on both the Council's and individual's reputations. Once a comment is posted it can be read and resent many times in seconds and so is almost impossible to remove or delete.
- 2.3 To specifically support councillors in their use of social media, guidelines, as outlined at Annex 1, have been developed to highlight the benefits and risks and how to get the most from their online interactions.

**3.0 Options**

- 1. To approve the Social Media Guidance for Councillors attached at Annex 1 and agree to include it in Part 5 – Codes and Protocols of the Council's Constitution.
- 2. To recommend amendments to the Social Media Guidance for Councillors.
- 3. To not approve the Social Media Guidance for Councillors.

#### **4.0 Recommendation of Standards Committee**

4.1 At its meeting on 1 April 2014, Standards Committee AGREED TO RECOMMEND to Council:

4.1.1 THAT the Social Media Guidance for Councillors, as attached at Annex 1, be approved and included in Part 5 [Codes and Protocols] of the Council's constitution.

#### **5.0 Corporate Implications**

##### **5.1 Financial and VAT**

5.1.1 None

##### **5.2 Legal**

5.2.1 None

##### **5.3 Corporate**

5.3.1 The use of social media carries with it a risk of damage to corporate reputation if it is used inappropriately. This guidance outlines these risks and how to avoid them.

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

5.4.1 The Social Media Guidance for Councillors references the Equality Act and abiding by equalities legislation as well as the criminal repercussions of discrimination against protected characteristics.

#### **6.0 Recommendation**

6.1 THAT, following the recommendation of Standards Committee, the Social Media Guidance for Councillors, as attached at Annex 1, be approved and included in Part 5 [Codes and Protocols] of the Council's constitution.

#### **7.0 Decision Making Process**

7.1 This is a decision for Council to take.

Contact Officer:	<i>Justine Wingate, Communications Manager</i>
Reporting to:	<i>Sue McGonigal, Chief Executive</i>

#### **Annex List**

Annex 1	Social Media Guidance for Councillors
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#### **Corporate Consultation Undertaken**

Finance	<i>n/a</i>
Legal	<i>Harvey Patterson, Corporate &amp; Regulatory Services Manager and Monitoring Officer, Ext 7005</i>



# **Social Media Guidance for Councillors**

February 2014

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# Introduction

Social media has changed the way communicate. Channels such as Facebook, Twitter and blogs are an easy and fast way to converse and find out what our communities care about. The way that online information is created and owned, and the speed at which it is shared has changed.

The important thing to remember about social media is that it is social; it's about communication. Social media is designed to be shared meaning that it is very easy for people to forward, link to or republish comments with a potentially very wide audience. It has put the transformative power of the printed press into the hands of the people. Now anyone can publish and share their views and engage in conversation with others about those views.

Taking part in social media is now, and will continue to be a major activity in our communities. Local government needs to be involved in order to fulfil its leadership role, understand its communities and remain relevant to its stakeholders. Residents and service users are increasingly expecting a greater say in how things happen in their neighbourhood and are already discussing these issues online via social media. Engaging with these conversations can help to shape policy, support local democracy and improve our relationships and services with the customer at the heart of our decisions.

This guidance is for Councillors who would like to use social media as a tool to share information, open new dialogues with the people in their community and beyond and engage their electorate in productive two-way conversation.

# What is social media?

Social media is a blanket term applied to a range of online multimedia tools that are used for creating content and two-way communication. They can be accessed via your smartphone, PC, laptop, tablet or smart TV. All social media accounts are free of charge and can be set up quickly and easily from an Internet page. Although this guide will focus on Facebook and Twitter, some useful examples of social media include:

**Blogs** which are like an online diary journal where you can share information. Examples are Wordpress, Blogger, SimpleSite.

## Top tip:

Share your thoughts and activities, and comment on the issues that mean the most to you. Encourage feedback and create dialogue to help your blog evolve.

**Micro blogs** allow users to share shorter pieces of information. **Twitter** is an example of a micro-blog. Short messages which you post on Twitter are called “Tweets” – they are each limited to 140 characters (letters, numbers and spaces). Tweets are not a private means of communication and can be seen by anyone who is “following” you. Twitter also has a message facility where you can send messages directly to other Twitter users. However, all such personally directed messages can also be viewed by all of your other followers. You can even forward other Twitter users’ Tweets to your own followers, by using the Re-Tweet function. Tweeting is a good way of promoting local events, live tweeting and to give links to other online content.

## Top tip:

Follow and be followed. Twitter is a great tool for finding out what is happening, what people think of local and global issues. Listen first and then simply join in the conversation.

**Social Networks** such as **Facebook** are like having your own small website which can include pictures and text and can provide information and photos. Typically these sites allow you to update people on what you are doing or thinking through a ‘status’ update and allow you to talk about who you are, what’s important to you, what you have done and your plans. You can invite people to be your ‘friends’ and also set different levels of access to your account, so some people can see all the information about you or you can make less detail available to others. You can also use Facebook to communicate with groups or individuals. People who find your page, comments or proposals of interest can “like” you, which encourages further use, and is a useful way of taking a straw poll of your ideas.

**Linked-IN** is a professional equivalent of Facebook. You can provide information about your career history and skills, and people with whom you are “linked” can endorse you for particular skills. This is a handy site for finding expertise and keeping up-to-date with business developments in your ward or area.

**Flickr, Vimeo, Instagram** and **YouTube** are examples of platforms for sharing videos and photographs. Don't forget to seek permission before taking photos to upload to, or copying images from these sites. **Snapchat** is a photo messaging application for photo, video, drawing and text.

**Communities of Practice** are a way of like minded people joining a community where they can share knowledge and discuss issues relevant to the Community for example the LGA Knowledge Hub.

## So what are the benefits to councillors of using social media?

- Social media will allow you to open new conversations with the people you represent.
- Increasing numbers of people are using Twitter and Facebook, as their preferred method of communication. If you have a presence on these platforms you have the potential to establish two- way communication with all of them.
- It's a useful way of finding out what people are talking about locally, their concerns and interests.
- It's useful for finding out about breaking news, the latest research or publication or the latest policy announcements from political parties.
- It's a good way of making the electorate more aware of the work you do personally.
- Social media allows you to have a conversation with a range of people that you would never be able to physically meet and who do not traditionally seek out their local representatives.
- Social media allows for immediate communication. You can pass on information and receive opinions in minutes. You can forward information from other people equally quickly. “Going Viral” is not necessarily a bad thing, and refers to a mass spreading of a piece of information, potentially around the world.
- Social media is mobile. You can take it around your community, on the train, to an event or meeting.
- You can upload pictures and videos, showing for example your role in local events, area regeneration projects or images of Thanet - a picture tells a thousand words.
- It's free, accounts cost nothing and you probably already have the equipment you need. All you need is time.

- You can receive immediate feedback on your ideas and manifesto to allow you to modify your proposals in line with local thinking.
- Above all, it can be a lot of fun!

## How to use Social Media effectively

Choose your medium and sign up. This is very straightforward and will take you less than five minutes.

Facebook and Twitter are good places to start. You might want to begin with a trial personal account (rather than calling yourself “Councillor Jones”) and experiment with family and friends. Make sure that you understand how people find you and who can access your material.

Remember:

- On Facebook you can control who has access to different parts of your account. You can manage what the world sees and what your “friends” see.
- On Twitter the whole world can see everything you Tweet. Even the messages that you Tweet directly to other people can be viewed by anyone unless you have locked down your account to followers.
- When you are ready to set up your final account, consider the identity you use. The name you give yourself online is important as it allows people to find you. Prefacing your Twitter account with ‘Cllr’ lets people know exactly who you are and indicates that the **Code of Conduct** will apply.
- You might want to consider setting up a separate personal and “professional” account - you can talk about the amazing food in the restaurant around the corner to your friends and followers in your informal account, and the plans for a new development to your friends and followers on your professional account. However, many councillors think that some of their personal comments about food, places they’ve visited, football matches or TV helps break down perceptions of councillors and proves that they are just like everyone else.
- Make it easy for people to find you online. Many people will start their search for the area that you represent, so make sure you mention your location frequently as this will then be picked up by search engines. You will also want to make sure that your social media account details are on your business cards, posters and flyers.
- On Twitter, sign up to Tweety Hall and other sites where councillors can be found by their electorate.
- Increase your web presence by linking to other people and sites, leave comments on others’ posts and encourage others to link with you. The more you are mentioned, the more people will find you.
- Choose your friends on Facebook and who you would like to follow on Twitter carefully. Bear in mind that people know who follows them and will often follow you in

return.

- Find people on Twitter with links to your community, county or region by searching using the 'hashtag'(#) symbol to prefix your search term for example #Ramsgate, #Margate, #Broadstairs, #Thanet
- Be disciplined about making time available to write new content and answer your "friends" and "followers"; a regular time each week to update your Facebook status and throughout the day to check Twitter.
- Decide on what you are going to talk about and how. This could be:
  - Weekly updates of your own activities as a councillor - don't forget your pictures! This works better on Facebook as you can include more detail. Remember a Twitter 'Tweet' is only 140 characters and tends to be more instant and timely.
  - Regular updates on council policies and actions of interest to your community.
  - Links and re-tweets of other relevant national activities.
  - Issues on which you would like feedback from the community.
  - Notice of events and public meetings.

**Remember** using social media is all about two-way communication, it's good for providing information to your community, but it's better as a tool to get useful feedback. You **will** get feedback and you should expect some people to challenge your ideas or enter into a debate with you online. This is part and parcel of social media.

## Etiquette and style

- Keep your communications clear, positive, polite and professional. Plain language helps.
- Many people use abbreviations on Twitter – you'll pick these up as you go along.
- Avoid being ironic or sarcastic, it can be misinterpreted.
- On Facebook, you will need to monitor and, if necessary, censor the contributions that other people make to your site; delete them if they do not match your required standards of behaviour or language. **Defamatory and offensive language will be attributed to the publisher as well as the original author and could incur financial liability.**
- It is up to you to decide if you want to remove posts that disagree with your political position, however if you do remove them you may be accused or censoring contributions on political grounds.
- On Twitter, you can block people who are habitually offensive or vexatious. Remember however, blocking them only stops them engaging directly with you, their tweets will continue to be public to all of their followers.

- Bear in mind that constituents may find party political point scoring tedious and prefer to hear information about what you are achieving.
- If you don't have anything to say...don't say anything. Even though it's tempting to let your followers know how busy you are they will soon become bored with constant updates on your day without some relevant or interesting information.

## Support from the Council

You do not need the council to set you up with a personal social media account but you should take advantage of any training or guidance provided to help you use it properly.

It's worth remembering that the council is responsible for any information provided on its website and is subject to legal responsibilities. **You** are personally responsible for the material that you broadcast via your own social media accounts or websites.

Advice will be available to you from a number of council officers. The Monitoring Officer, Democratic Services Manager and the Communications Team can offer useful advice.

## Social Media and council meetings

Recently, there has been an increase in interest in the use of Twitter in council meetings. Other than what your constitution or social media policy says, there is no legal reason why you shouldn't use social media from meetings. However, some common sense does need to apply.

- Tweeting on meeting progress and receiving comments from the community can be helpful for transparency and engagement BUT excessive use of Twitter may give people the impression that you are not concentrating on the business in hand or are even relying on guidance from outside the meeting. For that reason, it is probably sensible not to use Twitter during a planning or licensing debate. Committee chairs may want to decide how to address this in their meetings and you should abide by the rules set out in the constitution.
- Remember, you may not need to tweet about the detail of a meeting –TDC's Full Council meetings are filmed and published on YouTube and the communications team have an "official" twitter feed during the meeting.
- Remember that you should not tweet or communicate in any way the content of exempt or confidential business dealt with in closed session such as when making formal appointments.

# Golden rules

Think before you tweet or post on Facebook. Do not say anything, post views or opinions that you would not be prepared to:

- **Discuss face to face with the person you are speaking about.**
- **Write on a placard and carry down your high street and discuss and defend with anyone who sees it.**
- **Be prepared to have minuted in a public meeting – remember Twitter or Facebook effectively publicly minutes everything for you as you go along.**

Remember that once you have said something it may be seen by millions - friends, supporters, political opponents and the press and could be re-tweeted around the world in minutes.

Keep your messages professional, polite and positive.

Remember to try to keep tweets and texts separate – many people tweet comments that they would previously have texted someone privately; this may be about meeting up later through to 'in' jokes that could be misinterpreted.

Don't follow an individual unless you know them or have a good reason for doing so. Some people, such as constituents or council employees, might find it uncomfortable to have their local councillor hanging on their every word.

If you make a mistake - admit it. Mistakes happen so don't try to cover it up as there will always be a record of what you've said.

Don't enter into unhelpful online arguments; remember all of your followers or friends will be witnessing this online. Ignore people or block them if they persist in vexatious comments.

Don't tweet or post on Facebook when you are tired. It's probably sensible to turn off your phone at any time when you think your judgement may be impaired.

Bear in mind that it is possible for your followers and friends to be seen. If you follow or are Facebook "friends" with council employees, contractors who have been procured to provide services to the council, a company or member of the public making a planning application or pressure groups, this might be construed as having a close personal association with them and therefore a personal interest.

As with your own leaflets or newsletters, always ask permission before taking a picture that you intend to use. NEVER take photos of children without the express permission of their parents based on an understanding of what you intend to use the picture for.

Do not allow anyone else access to your social media accounts, protect your passwords, especially if you use a public computer.

Just like email, you can get spam in social media. Be wary about direct messages via Twitter, even from people you know, with messages such as 'Hi, have you seen this photo of you on Twitter?' Delete these before opening, as the spam could then be sent to all of the people you are following.

# The Law

Councillors new to social media tend to be concerned about the legal implications. It is an important consideration, and some councillors and other politicians have fallen foul of the law, but with careful use and following some ground-rules you will be fine.

The style of communication employed in the social media environment tends to be fast and informal. Messages can appear lightweight and transitory.

Whenever you post something on social media, it becomes a publication, you have effectively made a broadcast. As it is now in the public domain, it is subject to both the **Code of Conduct** and to various **Laws**.

## Code of Conduct

If you conduct yourself on Twitter or Facebook as you would in person on the street then you will be fine.

Remember that according to guidance from the Ombudsman, the Code of Conduct applies to you whenever you are “Conducting the business of your authority, acting, claiming to act or give the impression you are acting in your official capacity as a member or representative of your authority” Also the Code applies if you “Conduct yourself in a manner which could reasonably be regarded as bringing your office or your authority into disrepute” If you can be identified as a councillor when you are using social media, either by your account name or how you describe yourself or by what you comment upon and how you comment, the requirements of the Code of Conduct apply. Also if you say something that could be regarded as bringing your office or authority into disrepute the Code applies even if you are not apparently acting in your official capacity or do not identify yourself as a member.

Remember that the Ombudsman’s guidance states that “Making unfair or inaccurate criticism of your authority in a public arena might well be regarded as bringing your authority into disrepute”

In the same way that you are required to act in council meetings or in communities you should:

- **Show respect for others** - do not use social media to be rude or disrespectful.
- **Not disclose confidential information about people or the council.**
- **Not bully or intimidate others** - repeated negative comments about or to individuals could be interpreted as bullying or intimidation.
- **Not try to secure a benefit for yourself or a disadvantage for others.**
- **Abide by the laws of equality** – do not publish anything that might be seen as racist, sexist, ageist, homophobic or anti faith. Even as a joke or “tongue in cheek”



## Predetermination

As a councillor, you are aware that when you act in a quasi-judicial capacity, for example on a planning or licensing committee, you should not make up your mind about an issue that is to be formally decided upon before you have heard all the relevant information. You are allowed to be predisposed to a particular view but not to have gone so far as to have predetermined your position. It is important to remember therefore that anything relevant you might have said about particular issues on social media could be used as evidence of your having made up your mind in advance of hearing all the relevant information.

## Criminal Offences

These generally apply to you already in your conduct as a councillor, but it is worth considering them as they apply to social media:

**Harassment** - It is a criminal offence to repeatedly pursue a campaign against someone where this is likely to cause alarm, harassment nuisance or distress.

**Data Protection** - It is illegal to publish personal data about individuals unless they have given you their permission. As a councillor you are a data controller in your own right and therefore personally responsible for what you publish.

**Incitement** - It is a criminal offence to incite any criminal act.

**Discrimination and Racially Aggravated Offences (or any other protected Characteristic)** - It is a criminal offence to make a discriminatory remark about anyone based on a "Protected Characteristic" as defined in The Equality Act ( such as their race, religion, sexual orientation etc).

**Malicious & Obscene Communications** - It is a criminal offence to send malicious or obscene communications.

## Civil Law

**Defamation** - It is against the law to make a false statement about someone which damages their personal or professional reputation. Crucially - even if you simply retweet or pass on information originally posted by others, you may still be held equally as responsible as the original commentator. This can also apply to publishing images. If you're found liable to another person, you could be ordered to pay large sums of money as damages.

### Recent high profile example of defamation via social media:

"High Court: Sally Bercow's Lord McAlpine tweet was libel"

<http://www.bbc.co.uk/news/world-22652083>

**Copyright** - The legal ownership of the contents of documents, photos, videos and music belong to the person who created them. You could be in breach of copyright if you reproduce such material without the owner's permission. Always ask for written consent before you use someone else's material.

**Political Comment and Electioneering** - Remember that although it is acceptable to make political points or canvass votes via your own social media accounts this will not be permissible if you are using this via council supplied computer equipment, certainly in the run-up to elections. The Electoral Commission has further information about the return on expenditure that candidates need to provide on advertising or campaign literature.

## Further Information, Interesting Sites and Sources of Help

Bear in mind that information, sites and terminology change quickly. Facebook is already reporting a drop in users.

Here are some current examples of information and useful sites but bear in mind that they may be quickly out of date.

Sign on to **Twitter** here

<https://twitter.com/>

Twitter Guide - -How To, Tips and Instructions

<http://mashable.com/guidebook/twitter/>

Sign up to **Facebook** here

<https://en-gb.facebook.com/>

Facebook Guide – How To, Tips and Instructions

<http://mashable.com/guidebook/facebook/>

### **Tweety Hall.**

A platform that gathers all the Councillors that have Twitter accounts in the UK together so that all their posts can be read in one place and the public can easily find their local councillor. All you have to do to join them is send them a Tweet.

<http://tweetyhall.co.uk/>

### **Twenty-first century councillors**

<http://socialmedia.21st.cc/>

Useful guidance for members using social media.

**LGA's Knowledge Hub** is an example of a community of practice. This one was set up specifically for people working in and with local government and has online forums, libraries full of materials and details of events. <https://knowledgehub.local.gov.uk/>

### **Social Media and Online Collaboration Community.**

Join this Community of the KnowledgeHub to talk to other councillors and officers working with Social Media.

## **Glossary**

### **Blog**

Term derived from Weblog i.e an internetlog or diary

### **Blogosphere**

All the Blogs on the Internet

### **Community of Practice**

Group of people who are members of an online 'club' because they have a role or an interest in an area of work

### **Direct Message**

A message sent via Twitter to someone who follows you or who you follow.

### **Facebook**

An example of social networking

### **Flickr**

Photo sharing site

### **Follower**

Someone who has chosen to follow you on Twitter

### **Friend**

Someone you have allowed to access your Facebook page.

### **Forum**

A virtual discussion area

### **#Hashtag**

A hashtag or # is a way of denoting a keyword which can be used as a search term on Twitter.

### **Instagram**

A platform for sharing photos and videos

### **Instant Messaging**

A conversation with one other person via for example Microsoft Live Messenger or Yahoo Messenger. A conversation which, if you indicate that you are available for a chat is more immediate than e mail and easier to type than a text

### **Microblog**

Short blog e.g. Twitter using a maximum of 140 characters

### **Pintrest**

A virtual pinboard for creating and sharing images

### **RebelMouse**

A free service that connects to your accounts at services such as Facebook, Twitter and/or Instagram. It integrates all your SM Tweets, postings and blogs automatically into one page,

boosting your SM presence without you doing anything extra as it 'runs in the background'. It will save you having to tweet your blogs etc. to get more prominence on search engines.

**Retweet**

To forward a Tweet received on Twitter

**RSS feeds or Really Simple Syndication feeds**

Messages from websites informing you that new information is available so that you don't have to keep checking the website for updates

**Social Bookmarking**

A way of saving and sharing all your favourite sites on the web, for example, **Delicious**

**Social networking**

Facebook etc

**Snapchat**

A photo messaging application for photos, videos, drawings and text

**Spam**

Electronic junk mail

**Trending**

Current popular people or conversations as in trending on Twitter now...

**Troll**

Someone who disrupts online communities or discussions through unhelpful, malicious or irrelevant posts

**Tweet**

A message sent on Twitter

**Tweety Hall**

A virtual gathering place for councillors with Twitter accounts

**Twitter**

An example of microblogging

**Vimeo**

A platform for sharing videos and photographs

**Wiki**

A tool which enables anyone to add or edit content on a website

**Wikipedia**

Online Encyclopaedia which works using this method and is therefore not always accurate

**You Tube**

A platform for sharing videos and photographs

Credits: WLGA 2013

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**CIPFA CODE OF PRACTICE ON TREASURY MANAGEMENT (2011 EDITION)**

To: **Council – 24 April 2014**

Main Portfolio Area: **Finance**

By: **Sarah Martin – Financial Services Manager and Deputy S151 Officer**

Classification: **Unrestricted**

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**Summary:** **This report makes recommendations in line with the CIPFA Code of Practice on Treasury Management (2011 Edition)**

**For Decision**

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**1.0 Introduction and Background**

- 1.1 The Local Authorities (Capital Finance and Accounting) (England) Regulations 2003 in paragraph 24 require local authorities to have regard to the Chartered Institute of Public Finance & Accountancy (CIPFA) Code of Practice on Treasury Management (2011 edition) (the Code).
- 1.2 The Code also has the support of a wide range of organisations. For example, the Local Government Association has expressed strong support for the Code and encourages the good practice set out in the Code.
- 1.3 This Council follows the Code.

**2.0 Formal Requirements/Procedures**

- 2.1 As set out in the annex to this report, the Code recommends that certain clauses/delegations are confirmed by Council and that a policy statement and treasury management practices are confirmed by the Governance & Audit Committee.
- 2.2 The delegation of responsibility for the implementation and regular monitoring of treasury management policies and practices to the Governance & Audit Committee is consistent with the existing terms of reference of the Governance & Audit Committee as set out in the Council's constitution, in particular its authority:
  - 2.2.1 To consider the Council's arrangements for governance and agreeing necessary actions to ensure compliance with best practice; and
  - 2.2.2 To consider the Council's compliance with its own and other published standards and controls.
- 2.3 The delegation of responsibility for the execution and administration of treasury decisions to the s151 officer is consistent with the existing authority of the Chief Executive as Financial officer as set out in the Council's constitution, in particular her authority to:

- 2.3.1 Conduct and carry out the functions and responsibilities of the Chief Financial Officer pursuant to the Local Government Finance Act 1988 and to be the person with responsibility for the administration of the Council's financial affairs pursuant to Section 151 of the Local Government Act 1972 including the provision of proper and effective systems of accountancy, treasury management and internal audit (delegation number CFO201C);
- 2.3.2 Deal with the management of all transactions relating to the cash and financing resources of the Council in accordance with recognised practices (delegation number CFO202C); and
- 2.3.3 Arrange for the investment of the Council's funds in accordance with annually approved Treasury Management Code of Practice and to be responsible for the Council's banking arrangements including authority to act in all dealings with the Council's bankers (delegation number CFO205CE).

### **3.0 Recommendations of Standards Committee and Cabinet**

- 3.1 At their respective meetings on 1 April and 3 April 2014, Standards Committee and Cabinet AGREED TO RECOMMEND:-
  - 3.1.1 THAT the clauses as set out in Annex 1 to the report be approved;
  - 3.1.2 THAT the consequential changes to the responsibilities of the Section 151 Officer in relation to Treasury Management, as set out at Annex 2 to the report, be approved.

### **4.0 Corporate Implications**

#### **4.1 Financial**

- 4.1.1 There are no financial implications arising directly from this report.

#### **4.2 Legal**

- 4.2.1 There are no legal implications arising directly from this report.

#### **4.3 Corporate**

- 4.3.1 This report evidences that the Council continues to carefully manage its treasury function in line with best practice.

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

- 4.4.1 There are no equity or equality issues arising from this report.

### **5.0 Recommendation(s)**

- 5.1 THAT the clauses as set out in Annex 1 to the report be approved;
- 5.2 THAT the consequential changes to the responsibilities of the Section 151 Officer in relation to Treasury Management, as set out at Annex 2 to the report, be approved.

## 6.0 Decision Making Process

This is a decision for Council to take.

Contact Officer:	Sarah Martin, Financial Services Manager extn 7617
Reporting to:	Sue McGonigal, Chief Executive and S151 Officer

### Annex List

Annex 1	CIPFA Code of Practice on Treasury Management (2011 Edition)
Annex 2	Extract from Financial Procedure Rules Appendix C: Financial Procedure Note: Risk Management and Control of Resources – Section 9, Treasury Management

### Corporate Consultation Undertaken

Finance	N/A
Legal	Harvey Patterson, Corporate & Regulatory Services Manager

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**Annex 1: CIPFA Code of Practice on Treasury Management (2011 Edition)****Clause Adoption (for approval by G&A Committee, Cabinet & Council)**

*CIPFA recommends that all public service organisations adopt, as part of their standing orders, financial regulations, or other formal policy documents appropriate to their circumstances, the following four clauses.*

1. This organisation will maintain, as the cornerstones for effective treasury management:
  - a treasury management policy statement, stating the policies, objectives and approach to risk management of its treasury management activities.
  - suitable treasury management practices (TMPs), setting out the manner in which the organisation will seek to achieve those policies and objectives, and prescribing how it will manage and control those activities.

The content of the policy statement and TMPs will follow the recommendations contained in Sections 6 and 7 of the CIPFA Code of Practice on Treasury Management, subject only to amendment where necessary to reflect the particular circumstances of this organisation. Such amendments will not result in the organisation materially deviating from the Code's key principles.

2. This organisation (ie full council) will receive reports on its treasury management policies, practices and activities, including, as a minimum, an annual strategy and plan in advance of the year, a mid-year review and an annual report after its close, in the form prescribed in its TMPs.
3. This organisation delegates responsibility for the implementation and regular monitoring of its treasury management policies and practices to the Governance & Audit Committee, and for the execution and administration of treasury management decisions to the s151 officer (the responsible officer), who will act in accordance with the organisation's policy statement and TMPs and, if he/she is a CIPFA member, CIPFA's Standard of Professional Practice on Treasury Management.
4. This organisation nominates the Governance & Audit Committee to be responsible for ensuring effective scrutiny of the treasury management strategy and policies.

**Policy Statement (for approval by G&A Committee)**

*CIPFA recommends that an organisation's treasury management policy statement adopts the following forms of words to define the policies and objectives of its treasury management activities:*

1. This organisation defines its treasury management activities as:  
The management of the organisation's investments and cash flows, its banking, money market and capital market transactions; the effective control of the risks associated with those activities; and the pursuit of optimum performance consistent with those risks.
2. This organisation regards the successful identification, monitoring and control of risk to be the prime criteria by which the effectiveness of its treasury management activities will be measured. Accordingly, the analysis and reporting of treasury

management activities will focus on their risk implications for the organisation, and any financial instruments entered into to manage these risks.

3. This organisation acknowledges that effective treasury management will provide support towards the achievement of its business and service objectives. It is therefore committed to the principles of achieving value for money in treasury management, and to employing suitable comprehensive performance measurement techniques, within the context of effective risk management.
4. This organisation sets parameters/policies for its borrowing and investments as described in its annual Treasury Management Strategy Statement.

### **Treasury Management Practices (for approval by G&A Committee)**

*CIPFA recommends that an organisation's treasury management practices (TMPs) include those of the following that are relevant to its treasury management powers and the scope of its treasury management activities:*

*TMP1 Risk management*

*TMP2 Performance measurement*

*TMP3 Decision-making and analysis*

*TMP4 Approved instruments, methods and techniques*

*TMP5 Organisation, clarity and segregation of responsibilities, and dealing arrangements*

*TMP6 Reporting requirements and management information arrangements*

*TMP7 Budgeting, accounting and audit arrangements*

*TMP8 Cash and cash flow management*

*TMP9 Money laundering*

*TMP10 Training and qualifications*

*TMP11 Use of external service providers*

*TMP12 Corporate governance*

#### **TMP1 Risk management**

##### **General statement**

The responsible officer will design, implement and monitor all arrangements for the identification, management and control of treasury management risk, will report at least annually on the adequacy/suitability thereof, and will report, as a matter of urgency, the circumstances of any actual or likely difficulty in achieving the organisation's objectives in this respect, all in accordance with the procedures set out in *TMP6 Reporting requirements and management information arrangements*.

##### **[1] credit and counterparty risk management**

This organisation regards a key objective of its treasury management activities to be the security of the principal sums it invests. Accordingly, it will ensure that its counterparty lists and limits reflect a prudent attitude towards organisations with whom funds may be deposited, and will limit its investment activities to the instruments, methods and techniques referred to in *TMP4 Approved instruments, methods and techniques*. It also recognises the need to have, and will therefore maintain, a formal counterparty policy in respect of those organisations from which it may borrow, or with whom it may enter into other financing or derivative arrangements.

## **[2] liquidity risk management**

This organisation will ensure it has adequate though not excessive cash resources, borrowing arrangements, overdraft or standby facilities to enable it at all times to have the level of funds available to it which are necessary for the achievement of its business/service objectives.

This organisation will only borrow in advance of need where there is a clear business case for doing so and will only do so for the current capital programme or to finance future debt maturities.

## **[3] interest rate risk management**

This organisation will manage its exposure to fluctuations in interest rates with a view to containing its interest costs, or securing its interest revenues, in accordance with the amounts provided in its budgetary arrangements as amended in accordance with TMP6 Reporting requirements and management information arrangements.

It will achieve this by the prudent use of its approved instruments, methods and techniques, primarily to create stability and certainty of costs and revenues, but at the same time retaining a sufficient degree of flexibility to take advantage of unexpected, potentially advantageous changes in the level or structure of interest rates. This should be the subject to the consideration and, if required, approval of any policy or budgetary implications.

It will ensure that any hedging tools such as derivatives are only used for the management of risk and the prudent management of financial affairs and that the policy for the use of derivatives is clearly detailed in the annual strategy.

## **[4] exchange rate risk management**

It will manage its exposure to fluctuations in exchange rates so as to minimise any detrimental impact on its budgeted income/expenditure levels.

## **[5] refinancing risk management**

This organisation will ensure that its borrowing, private financing and partnership arrangements are negotiated, structured and documented, and the maturity profile of the monies so raised are managed, with a view to obtaining offer terms for renewal or refinancing, if required, which are competitive and as favourable to the organisation as can reasonably be achieved in the light of market conditions prevailing at the time.

It will actively manage its relationships with its counterparties in these transactions in such a manner as to secure this objective, and will avoid overreliance on any one source of funding if this might jeopardise achievement of the above.

## **[6] legal and regulatory risk management**

This organisation will ensure that all of its treasury management activities comply with its statutory powers and regulatory requirements. It will demonstrate such compliance, if required to do so, to all parties with whom it deals in such activities. In framing its credit and counterparty policy under TMP1[1] *credit and counterparty risk management*, it will ensure that there is evidence of counterparties' powers, authority and compliance in respect of the transactions they may effect with the organisation, particularly with regard to duty of care and fees charged.

This organisation recognises that future legislative or regulatory changes may impact on its

treasury management activities and, so far as it is reasonably able to do so, will seek to minimise the risk of these impacting adversely on the organisation.

#### **[7] fraud, error and corruption, and contingency management**

This organisation will ensure that it has identified the circumstances which may expose it to the risk of loss through fraud, error, corruption or other eventualities in its treasury management dealings. Accordingly, it will employ suitable systems and procedures, and will maintain effective contingency management arrangements, to these ends.

#### **[8] market risk management**

This organisation will seek to ensure that its stated treasury management policies and objectives will not be compromised by adverse market fluctuations in the value of the principal sums it invests, and will accordingly seek to protect itself from the effects of such fluctuations.

#### **TMP2 Performance measurement**

This organisation is committed to the pursuit of value for money in its treasury management activities, and to the use of performance methodology in support of that aim, within the framework set out in its treasury management policy statement.

Accordingly, the treasury management function will be the subject of ongoing analysis of the value it adds in support of the organisation's stated business or service objectives. It will be the subject of regular examination of alternative methods of service delivery, of the availability of fiscal or other grant or subsidy incentives, and of the scope for other potential improvements.

#### **TMP3 Decision-making and analysis**

This organisation will maintain full records of its treasury management decisions, and of the processes and practices applied in reaching those decisions, both for the purposes of learning from the past, and for demonstrating that reasonable steps were taken to ensure that all issues relevant to those decisions were taken into account at the time.

#### **TMP4 Approved instruments, methods and techniques**

This organisation will undertake its treasury management activities by employing only approved instruments, methods and techniques, and within the limits and parameters defined in TMP1 *Risk management*.

Where this organisation intends to use derivative instruments for the management of risks, these will be limited to those set out in its annual treasury strategy. The organisation will seek proper advice and will consider that advice when entering into arrangements to use such products to ensure that it fully understands those products.

#### **TMP5 Organisation , clarity and segregation of responsibilities, and dealing arrangements**

This organisation considers it essential, for the purposes of the effective control and monitoring of its treasury management activities, for the reduction of the risk of fraud or error, and for the pursuit of optimum performance, that these activities are structured and managed in a fully integrated manner, and that there is at all times a clarity of treasury management responsibilities.

The principle on which this will be based is a clear distinction between those charged with setting treasury management policies and those charged with implementing and controlling these policies, particularly with regard to the execution and transmission of funds, the recording and administering of treasury management decisions, and the audit and review of the treasury management function.

If and when this organisation intends, as a result of lack of resources or other circumstances, to depart from these principles, the responsible officer will ensure that the reasons are properly reported in accordance with TMP6 Reporting requirements and management information arrangements, and the implications properly considered and evaluated.

The responsible officer will ensure that there are clear written statements of the responsibilities for each post engaged in treasury management, and the arrangements for absence cover. The responsible officer will also ensure that at all times those engaged in treasury management will follow the policies and procedures set out.

The responsible officer will ensure there is proper documentation for all deals and transactions, and that procedures exist for the effective transmission of funds.

The responsible officer will fulfil all such responsibilities in accordance with the organisation's policy statement and TMPs and, if a CIPFA member, the *Standard of Professional Practice on Treasury Management*.

### **TMP6 Reporting requirements and management information arrangements**

This organisation will ensure that regular reports are prepared and considered on the implementation of its treasury management policies; on the effects of decisions taken and transactions executed in pursuit of those policies; on the implications of changes, particularly budgetary, resulting from regulatory, economic, market or other factors affecting its treasury management activities; and on the performance of the treasury management function.

As a minimum:

The organisation (ie full council) will receive:

- an annual report on the strategy and plan to be pursued in the coming year
- a mid-year review
- an annual report on the performance of the treasury management function, on the effects of the decisions taken and the transactions executed in the past year, and on any circumstances of non-compliance with the organisation's treasury management policy statement and TMPs.

The committee/board/council will receive regular monitoring reports on treasury management activities and risks.

The body responsible for scrutiny, which is the Governance & Audit Committee, will have responsibility for the scrutiny of treasury management policies and practices.

Local authorities should report the treasury management indicators as detailed in their sector-specific guidance notes.

## **TMP7 Budgeting, accounting and audit arrangements**

The responsible officer will prepare, and this organisation will approve and, if necessary, from time to time will amend, an annual budget for treasury management, which will bring together all of the costs involved in running the treasury management function, together with associated income. The matters to be included in the budget will at minimum be those required by statute or regulation, together with such information as will demonstrate compliance with TMP1 *Risk management*, TMP2 *Performance measurement*, and TMP4 *Approved instruments, methods and techniques*. The responsible officer will exercise effective controls over this budget, and will report upon and recommend any changes required in accordance with TMP6 *Reporting requirements and management information arrangements*.

This organisation will account for its treasury management activities, for decisions made and transactions executed, in accordance with appropriate accounting practices and standards, and with statutory and regulatory requirements in force for the time being.

## **TMP8 Cash and cash flow management**

Unless statutory or regulatory requirements demand otherwise, all monies in the hands of this organisation will be under the control of the responsible officer, and will be aggregated for cash flow and investment management purposes. Cash flow projections will be prepared on a regular and timely basis, and the responsible officer will ensure that these are adequate for the purposes of monitoring compliance with TMP1[1] *liquidity risk management*.

## **TMP9 Money laundering**

This organisation is alert to the possibility that it may become the subject of an attempt to involve it in a transaction involving the laundering of money. Accordingly, it will maintain procedures for verifying and recording the identity of counterparties and reporting suspicions, and will ensure that staff involved in this are properly trained.

## **TMP10 Training and qualifications**

This organisation recognises the importance of ensuring that all staff involved in the treasury management function are fully equipped to undertake the duties and responsibilities allocated to them. It will therefore seek to appoint individuals who are both capable and experienced and will provide training for staff to enable them to acquire and maintain an appropriate level of expertise, knowledge and skills. The responsible officer will recommend and implement the necessary arrangements.

The responsible officer will ensure that board/council members tasked with treasury management responsibilities, including those responsible for scrutiny, have access to training relevant to their needs and those responsibilities.

Those charged with governance recognise their individual responsibility to ensure that they have the necessary skills to complete their role effectively.

## **TMP11 Use of external service providers**

This organisation recognises that responsibility for treasury management decisions remains with the organisation at all times. It recognises that there may be potential value in employing external providers of treasury management services, in order to acquire access to specialist skills and resources. When it employs such service providers, it will ensure it does so for reasons which have been submitted to a full evaluation of the costs and benefits. It will

also ensure that the terms of their appointment and the methods by which their value will be assessed are properly agreed and documented, and subjected to regular review. And it will ensure, where feasible and necessary, that a spread of service providers is used, to avoid overreliance on one or a small number of companies. Where services are subject to formal tender or re-tender arrangements, legislative requirements will always be observed. The monitoring of such arrangements rests with the responsible officer.

### **TMP12 Corporate governance**

This organisation is committed to the pursuit of proper corporate governance throughout its businesses and services, and to establishing the principles and practices by which this can be achieved. Accordingly, the treasury management function and its activities will be undertaken with openness and transparency, honesty, integrity and accountability.

This organisation has adopted and has implemented the key principles of the CIPFA Code of Practice on Treasury Management. This, together with the organisation's other treasury arrangements, are considered vital to the achievement of proper corporate governance in treasury management, and the responsible officer will monitor and, if and when necessary, report upon the effectiveness of these arrangements.

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## 9.0 Treasury Management

### 9.1 General

Many millions of pounds pass through the Council's books each year. To ensure proper control the Codes of Practice aim to provide assurances that the Council's money is properly managed in a way that balances risk with return, but with the overriding consideration being given to the security of the Council's money. The Council has adopted the CIPFA "Code of Practice on Treasury Management".

### 9.2 Responsibilities of Section 151 Officer – Treasury Management and Banking:

- To arrange the borrowing and investments of the Council in such a manner as to comply with the CIPFA "Code of Practice on Treasury Management" and the Council's Treasury Management policy statement and strategy, CIPFA's Standard of Professional Practice on Treasury Management and the Council's agreed Treasury Management practices.
- To report to **Council** annually **on treasury management policies, practices and activities, including, as a minimum:**
  - (a)**A report for the previous year,**
  - (b)**A strategy and plan for the forthcoming year, and**
  - (c)**A mid-year review.**
- To open, operate and close such bank accounts as are considered necessary.

### 9.3 Responsibilities of Directors of Services – Treasury Management and Banking:

- To follow the instructions on banking issued by the Section 151 Officer .

### 9.4 Responsibilities of Section 151 Officer – Investments and Borrowing:

- To ensure that all investments of money are made in the name of the Council or in the name of nominees approved by Full Council.
- To ensure that all securities that are the property of the Council or its nominees and the title deeds of all property in the Council's ownership are held in the custody of the appropriate Director of Services.
- To effect all borrowings in the name of the Council.
- To act as the Council's registrar of stocks, bonds and mortgages and to maintain records of all borrowing of money by the Council.

### 9.5 Responsibilities of Directors of Services – Investments and Borrowing:

- To ensure that loans are not made to third parties and that interests are not acquired in companies, joint ventures or other enterprises without the approval of Full Council, following consultation with the Section 151 Officer .

### 9.6 Responsibilities of Directors of Services– Trust Funds and Funds Held for Third Parties:

- To arrange for all Trust Funds to be held, wherever possible, in the name of the Council. All officers acting as trustees by virtue of their official position shall deposit securities, etc relating to the trust with the Section 151 Officer unless the deed otherwise provides.

- To arrange, where funds are held on behalf of third parties, for their secure administration, approved by the Section 151 Officer , and to maintain written records of all transactions.
- To ensure that Trust Funds are operated within any relevant legislation and the specific requirements for each trust.

#### **9.7 Responsibilities of the Section 151 Officer – Imprest Accounts:**

- To provide employees of the Council with cash or bank imprest accounts to meet minor expenditure on behalf of the Council and to prescribe rules for operating these accounts. Expenditure should not exceed the prescribed amount.
- To determine the petty cash limit and to maintain a record of all transactions and petty cash advances made, and periodically to review the arrangements for the safe custody and control of these advances.
- To reimburse imprest holders as often as necessary to restore the imprests, but normally less than monthly.

#### **9.8 Responsibilities of Directors of Services – Imprest Accounts:**

- To ensure that employees operating an imprest account:
  - (a) obtain and retain vouchers to support each payment from the imprest account. Where appropriate, an official receipted VAT invoice must be obtained.
  - (b) make adequate arrangements for the safe custody of the account.
  - (c) produce upon demand the cash and all vouchers to the total value of the imprest amount.
  - (d) record transactions promptly.
  - (e) reconcile and balance the account at least monthly; reconciliation sheets to be signed and retained by the imprest holder.
  - (f) provide the Section 151 Officer with a certificate of the value of the account held at 31 March each year.
  - (g) ensure that the float is never used to cash personal cheques or to make personal loans and that the only payments into the account are the reimbursement of the float and change relating to purchases where an advance has been made.
  - (h) on leaving the Council's employment or otherwise ceasing to be entitled to hold an imprest advance, an employee shall account to the Section 151 Officer for the amount advanced to him or her.

## **10.0 Staffing**

### **10.1 General**

In order to provide the highest level of service, it is crucial that the Council recruits and retains high calibre, knowledgeable staff, qualified to an appropriate level. The statutory posts of Head of Paid Service, Monitoring Officer and Section 151 Officer must be established within the Council.

### **10.1 Responsibilities of the Chief Executive:**

- To provide overall management to staff.

### **10.3 Responsibilities of the: Section 151 Officer:**

- To ensure that budget provision exists for all existing and new employees.

#### **10.4 Responsibilities of Directors of Services:**

- To produce an annual staffing budget.
- To ensure that the staffing budget is an accurate forecast of staffing levels and is equated to an appropriate revenue budget provision (including on-costs and overheads).
- To monitor staff activity to ensure adequate control over such costs as sickness, overtime, training and temporary staff.
- To ensure that the staffing budget is not exceeded without due authority and that it is managed to enable the agreed level of service to be provided.
- To ensure that the Chief Executive and the Section 151 Officer are immediately informed if the staffing budget is likely to be materially over or underspent.
- To adhere to the Authority's approved Human Resources policies and practices.
- To ensure that all records relating to sums payable to employees as remuneration or allowances are authorised and to provide specimen signatures to the Section 151 Officer of all officers to whom this responsibility is delegated.

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**RECORDED VOTES AT BUDGET MEETINGS OF THE COUNCIL – TO AMEND COUNCIL PROCEDURE RULE NO. 21**

To: **Council – 24 April 2014**  
 By: **Democratic Services and Scrutiny Manager**  
 Classification: **Unrestricted**  
 Ward: **N/A**

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**Summary:** **To amend Council Procedure Rule 21 in order to comply with the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014 which require a recorded vote on decisions of the Council, approving the budget or setting the council tax**

**For Decision**

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**1.0 The Current Situation**

1.1 By virtue of the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014, which came into force on 25 February 2014, the Council is required to take recorded vote on decisions which approve the budget or set the council tax.

1.2 Currently, a recorded vote is required in the following situations:

**1.2.1 Council Procedure Rule No. 21.4**

***“Recorded vote***

*If a majority of members present at the meeting demand it before the vote is taken, the names for and against the motion or amendment or abstaining from voting will be taken down in writing and entered into the minutes.”*

**1.2.2 Council Procedure Rule 21.5**

***“Right to require individual vote to be recorded***

*Where any member requests it immediately after the vote is taken, their vote will be so recorded in the minutes to show whether they voted for or against the motion or abstained from voting.”*

1.3 In order to comply with the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014, it is suggested that:

1.3.1 A new Council Procedure Rule 21.6 be inserted as follows:

***“21.6 Recorded votes at Council budget decision meetings***

***A recorded vote will be required at a meeting of the Council on motions, amendments or substantive motions relating to the approval of the***

***budget or setting of council tax, whereby there shall be recorded in the minutes the names of the Members who cast a vote for the motion/ amendment or against the motion/amendment or who abstained from voting. As this is a mandatory standing order under the Local Authorities (Standing Orders) Regulations 2001, it cannot be suspended under Council Procedure Rule 29.1”***; and

1.3.2 Council Procedure Rule 21.3 be amended as follows:

**“21.3 Show of hands**

*Unless a recorded vote is demanded under Rule 21.4 **or required under Rule 21.6**, the Chairman will take the vote by show of hands (and a count if requested), or by means of an electronic voting system, or if there is no dissent, by the affirmation of the meeting.”*

**2.0 Recommendation of Standards Committee**

2.1 At its meeting held on 1 April 2014, Standards Committee AGREED TO RECOMMEND to Council that the amendments as set out at paragraphs 1.3.1 and 1.3.2 be approved.

**3.0 Corporate Implications**

**3.1 Financial and VAT**

3.1.1 None arising

**3.2 Legal**

3.2.1 The constitution requires to be amended to reflect any new legal requirements in relation to council procedures.

**3.3 Corporate**

3.3.1 The recording of votes, as required by the new regulations, will provide members of the public an opportunity of seeing how councillors voted on all decisions of Council relating to the setting the budget or council tax.

**3.4 Equity and Equalities**

3.4.1 None arising

**4.0 Recommendation**

4.1 THAT, following the recommendation of Standards Committee, the following amendments to Council Procedure Rule 21 be approved:-

**4.1.1 New Council Procedure Rule 21.6**

**“21.6 Recorded votes at Council budget decision meetings**

***“A recorded vote will be required at a meeting of the Council on motions, amendments or substantive motions relating to the approval of the budget or setting of council tax, whereby there shall be recorded in the***

*minutes the names of the Members who cast a vote for the motion/ amendment or against the motion/amendment or who abstained from voting. As this is a mandatory standing order under the Local Authorities (Standing Orders) Regulations 2001, it cannot be suspended under Council Procedure 29.1.”*

**4.1.2 Amended Council Procedure Rule 21.3**

**“21.3 Show of hands**

*Unless a recorded vote is demanded under Rule 21.4 **or required under Rule 21.6**, the Chairman will take the vote by show of hands (and a count if requested), or by means of an electronic voting system, or if there is no dissent, by the affirmation of the meeting.”*

**5.0 Decision Making Process**

5.1 This is a decision for Council to take.

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

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**TO REVIEW COUNCIL PROCEDURE RULE 2.0 IN RELATION TO BUSINESS CONSIDERED AT BUDGET-SETTING MEETINGS OF THE COUNCIL**

To: **Council – 24 April 2014**

By: **Democratic Services & Scrutiny Manager**

Classification: **Unrestricted**

Ward: **Not applicable**

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**Summary: To review Council Procedure Rule 2.0 in relation to business transacted at budget-setting meetings of Council**

**For Decision**

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**1.0 The Current Situation**

- 1.1 As from 2012, the Council has held an additional meeting, either in late January or early February, for the purpose of setting the budget. In 2012, this was an extraordinary meeting. In 2013 and 2014, it was an ordinary meeting and on that basis, the usual items of business transacted at ordinary meetings were placed on the agenda; for example:
- Announcements
  - Petitions from the public
  - Questions from the press and public
  - Motions on notice
  - Leader's Report
- 1.2 Prior to the budget meeting taking place on 6 February 2014, the Political Group Leaders reached an informal agreement whereby Members did not submit questions or notices of motion to the meeting, given that they could be submitted to a different Council meeting only a few weeks later (on 27 February). The underlying purpose of that arrangement was to enable more time to be devoted to consideration of the budget at the meeting. Additionally, and for the same reason, the Leader of Council declined to present the Leader's report.
- 1.3 In a similar vein, a question was received from a member of the public that would ordinarily have been presented to the meeting on the 6th. The member of the public was asked if they were willing to defer the question until the meeting on 27 February, which they agreed to.
- 1.4 At a recent meeting involving all Group Leaders, they seemed to wish to formally restrict the number of agenda items that could be considered at the budget setting meeting, for the same reason – allowing maximum time for a debate on budget setting for the year ahead.
- 1.5 As the budget-setting meeting is essentially an “extra meeting”, followed by a further ordinary meeting (at which the council tax is agreed) three to four weeks later, it is not considered that the opportunities for transaction of other ordinary business (which do

not relate to the budget) are significantly affected by excluding that business from the agenda.

- 1.6 Online research has been carried out with a view to determining whether any other councils exclude non-budget business from their budget setting meetings. Table 1 provides some examples of items of business that are not permissible.

Table 1

<b>Council</b>	<b>Items excluded from a budget setting meeting of council</b>
Birmingham	Public questions
Cardiff	Members' questions Members' notices of motion
Lambeth	Members' questions Reports from Cabinet and other council committees Members' motions
Norfolk	Everything "... except the budget and associated items, subject to the Chairman having discretion to accept additional items other than those relating to the budget; but only in exceptional or urgent circumstances."
Medway	Petitions Public questions Leader's report Report on Overview & Scrutiny activity Members' questions Members' motions

- 1.7 Members may wish to note that in the case of Birmingham and Cardiff, council meetings are generally held on a monthly basis; in the case of Norfolk, an ordinary meeting takes place a month before and a month after the budget meeting; in the case of Lambeth an ordinary meeting takes place a month before and 6-7 weeks after the budget meeting; and, finally, in the case of Medway, an ordinary meeting takes place a month before and 2 months after the budget meeting.

## 2.0 Options

- 2.1 **Option 1** - exclude from the budget-setting meeting agendas all items that do not relate to the budget, with the exception of the essential items of apologies for absence, minutes of previous meeting and declarations of interests, subject to a qualification similar to that used by Norfolk council as follows:

- *subject to the Chairman having discretion to accept additional items; but only in exceptional or urgent circumstances.*

- 2.2 **Option 2** - only exclude from the budget-setting meeting agendas some or all of the items of business listed at paragraph 1.1 above, but also with the qualification above regarding exceptional or urgent items;

2.3 **Option 3** - do not exclude any items of business from the budget-setting meeting agenda.

2.4 How the adoption of options at paragraphs 2.1 or 2.2 could affect the wording of Council Procedure Rule 2.0 is illustrated at Annex 1.

### **3.0 Recommendation of the Standards Committee**

3.1 At its meeting held on 1 April 2014, Standards Committee AGREED TO RECOMMEND to Council:

3.1.1 THAT Option 1 be adopted;

3.1.2 THAT the suggested amendment to Council Procedure Rule 2.0 to take account of that option, as set out at Annex 1 to the report, be approved.

### **4.0 Corporate Implications**

#### **4.1 Financial and VAT**

4.1.1 None

#### **4.2 Legal**

4.2.1 Any changes to the types of business transacted at ordinary budget meetings must be reflected in the Council's constitution.

#### **4.3 Corporate**

4.3.1 Whereas it could be considered that the opportunity afforded to members of the public to participate in council meetings would be diminished by the exclusion of public petitions and questions from the agenda of an ordinary budget setting meeting, this must be weighed against the close proximity that now exists between the ordinary budget setting meeting and the ordinary Council meeting that follows it.

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

4.4.1 None arising directly from this report.

### **5.0 Recommendations**

5.1 THAT, following the recommendation of Standards Committee, Option 1 be adopted, namely, to exclude from the budget-setting meeting agendas all items that do not relate to the budget, with the exception of the essential items of apologies for absence, minutes of previous meeting and declarations of interests, subject to a qualification as follows:

- *subject to the Chairman having discretion to accept additional items; but only in exceptional or urgent circumstances*

5.2 THAT the suggested amendment to Council Procedure Rule 2.0 to take account of option 1, as set out at Annex 1, be approved.

### **6.0 Decision Making Process**

6.1 This is a decision for Council to take.

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

### Annex List

Annex 1	Suggested changes to CPR 2.0 to take account of Options 1 & 2
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### Background Papers

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

### Corporate Consultation Undertaken

Finance	<i>n/a</i>
Legal	<i>Harvey Patterson, Corporate &amp; Regulatory Services Manager and Monitoring Officer, Ext 7005</i>

PROPOSED AMENDMENTS IF EITHER OF THE  
OPTIONS AT PARAGRAPHS 5.1.1 AND 5.1.2 OF THE REPORT ARE ADOPTED**COUNCIL PROCEDURE RULE 2.0****2.0 Ordinary Meetings****2.1 Order of Business**

Ordinary meetings of the Council shall commence at 7.00 pm unless otherwise agreed with the Chairman and will take place on a Thursday in accordance with a programme decided at the Council's annual meeting. **Subject to rule 2.5**, ordinary meetings will:

- (i) elect a person to preside if the Chairman and Vice Chairman are not present;
- (ii) deal with any business required by statute to be done before any other business;
- (iii) approve the minutes of the last meeting;
- (iv) receive any announcements from the Chairman, Leader, members of the Cabinet or the Head of Paid Service;
- (v) receive any declarations of interest from members;
- (vi) receive petitions from the public;
- (vii) receive questions from, and provide answers to, the public in relation to matters which in the opinion of the person presiding at the meeting are relevant to the business of the meeting;
- (viii) deal with any business from the last Council meeting;
- (i) receive reports from the Cabinet Leader, Members of the Cabinet and the Council's Committees etc;

Except for items under (i), (ii) or (iii) of Rule 2.1 the order of business may be varied at the Chairman's discretion or by a resolution passed on a motion that has been moved and seconded which shall be put without discussion.

**2.2 Leaders Report**

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

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

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

The Leader of the Council, the Leader of the Opposition 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.

### 2.3 Related Items

The Chairman shall also have discretion to decide that related items of business may be dealt with in accordance with such procedure as the Chairman shall consider is most conducive to the despatch of business.

### 2.4 Application to Committees

The Chairman of any Committee or Sub-Committee shall have the discretion to vary the order of business and decide on related items of business in accordance with such procedure as the Chairman shall consider is most conducive to the despatch of business.

## EITHER

*[ SUGGESTED AMENDMENT IF OPTION AS SET OUT AT PARAGRAPH 2.1 OF THE REPORT IS ADOPTED ]*

### **2.5 Budget-setting meetings of the Council**

**With the exception of the essential items of apologies for absence, minutes of previous meeting and declarations of interest, the only items that will be considered at budget-setting meetings of the Council will be the budget and associated items, subject to the Chairman of Council having discretion to accept additional items; but only in exceptional or urgent circumstances.**

## OR

*[ SUGGESTED AMENDMENT IF OPTION AS SET OUT AT PARAGRAPH 2.2 OF THE REPORT IS ADOPTED ]*

### **2.5 Budget-setting meetings of the Council**

**At budget-setting meetings of the Council, the following items of business will be excluded from the agenda:**

**XX**

**YY**

**ZZ;**

**subject to the Chairman of Council having discretion to accept any of those items; but only in exceptional or urgent circumstances.**

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**TO REVIEW APPOINTMENT OF SUBSTITUTES TO ATTEND MEETINGS**

To: **Council – 24 April 2014**

By: **Democratic Services & Scrutiny Manager**

Classification: **Unrestricted**

Ward: **N/A**

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**Summary:** **To consider whether a substitute appointed to attend a meeting of a body should be from the same political group as the member of the body who is being substituted**

**For Decision**

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**1.0 The Current Situation**

- 1.1 Members of the Standards Committee reviewed the position regarding the size and political composition of the pool of substitute members of the Planning Committee at its meeting on 30 October 2013. Standards Committee agreed to recommend that the status quo be retained in relation to the size and political composition of the pool; i.e. that the size and composition continue to mirror exactly those of the committee. That recommendation was adopted by Council on 5 December 2013.
- 1.2 Additionally, Standards Committee considered the establishment of a pool of substitutes for the Governance & Audit Committee at its meeting on 4 September 2013 and agreed to recommend that a pool be set up to replicate the size and political proportionality of the committee. This was followed by a Council resolution on 3 October 2013 that there be named substitutes, appointed in accordance with the principles of political proportionality.
- 1.3 As the respective pools for the Planning Committee and Governance & Audit Committee are politically balanced, it could be expected that the appointment from the pools of substitutes to attend meetings would also be such so as to maintain political balance at meetings.
- 1.4 Regarding the Council bodies, apart from Planning and Governance & Audit, which are politically balanced under the provisions of the Local Government and Housing Act 1989 and the Local Government (Committees and Political Groups) Regulations 1990, the position is that, with the exception of the Licensing Board, for which no substitutes are permissible, any Member who is not a member of a body can be appointed as substitute to attend a meeting of that body.
- 1.5 In the interests of maintaining political balance as far as possible at meetings of council bodies, whose composition is politically proportional, it is suggested that Members of those bodies appoint as substitutes only Members of the same political group to which they belong.

## **2.0 How do Members Register a substitute?**

- 2.1 Currently any Member may contact Democratic Services and give their apologies for a meeting and give details of a substitute. In addition in accordance with the Council Procedure Rules a substitute can also be appointed anytime up to the start of an item of business.
- 2.2 At its meeting on 1 April 2014, Standards Committee considered whether the rules on who can register a substitute should be amended to allow for either individual substitution or substitution by the group whip

## **3.0 Recommendations of Standards Committee**

- 3.1 On 1 April 2014, Standards Committee AGREED TO RECOMMEND to Council:
  - 3.1.1 THAT Council Procedure Rule 5 and Clause 9 of the Protocol for the guidance of Planning Committee members and Officers be amended, as indicated at Annexes 1 and 2 respectively;
  - 3.1.2 THAT the existing rules on who can register substitutes remain the same.

## **4.0 Corporate Implications**

### **4.1 Financial and VAT**

- 4.1.1 None arising

### **4.2 Legal**

- 4.2.1 The Council must observe rules concerning political balance of council bodies, as provided for within the Local Government & Housing Act 1989 and the Local Government (Committees and Political Groups) 1990. The suggested modular council procedural rule 1.2 "Selection of Councillors on Committees and Outside Bodies states that: "At the annual meeting, the council ... will ... (iii) decide the allocation of seats [and substitutes] to political groups in accordance with political balance rules".

### **4.3 Corporate**

- 4.3.1 None arising

### **4.4 Equity and Equalities**

- 4.4.1 None arising

## **5.0 Recommendation**

- 5.1 That, following the recommendation of Standards Committee, Council Procedure Rule 5 and Clause 9 of the Protocol for the Guidance of Planning Committee Members and Officers be amended, as indicated at Annexes 1 and 2 respectively.



## 6.0 Decision Making Process

6.1 This is a decision for Council to take.

Contact Officer:	<i>Glenn Back, Democratic Services &amp; Scrutiny Manager, ext 7187</i>
Reporting to:	<i>Harvey Patterson, Corporate &amp; Regulatory Services Manager and Monitoring Officer, ext 7005</i>

### Annex List

Annex 1	CPR 5 – Appointment of Substitute Members of Committees, Sub-Committees and Working Parties
Annex 2	Clause 9, Protocol for the Guidance of Planning Committee Members and Officers, “Membership of Planning Committee and Substitutions

### Background Papers

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

### Corporate Consultation Undertaken

Finance	<i>n/a</i>
Legal	<i>Harvey Patterson, Corporate &amp; Regulatory Services Manager and Monitoring Officer Ext 7005</i>

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## COUNCIL PROCEDURE RULE 5

### 5.0 Appointment of Substitute Members of Committees, Sub-Committees and Working Parties

#### 5.1 Allocation

The Council will appoint as substitute members of Committees and Sub-Committees those members nominated by each political group. Political groups may nominate every other member of the group provided that neither the Chairman nor Vice-Chairman of Council nor any member of the Cabinet shall be eligible to be a substitute member at any Committee or Sub-Committee on which either the Chairman or Vice-Chairman or a member of the Cabinet may not sit.

#### 5.2 Powers and duties

Substitute members will have all the powers and duties of any ordinary member of the Committee but will not be able to exercise any special powers or duties exercisable by the person they are substituting.

#### 5.3 Substitution

- (i) It shall be the duty of Groups themselves to arrange for the attendance of substitute Members. **As far as committees and sub-committees to which political balance rules apply, the substitute Member appointed shall be a member of the same political group as the Member being substituted.**
- (ii) The Member Services Officer must be notified of the attendance of a substitute member before the commencement of any item of business.
- (iii) If a substitute Member is present at any meeting and the appointed Member subsequently attends during the course of the proceedings, the substitute Member shall withdraw from taking any further part in the meeting at the conclusion of the item under discussion.
- (iv) No substitute Member should be eligible to Chair a meeting if an appointed Member of the Committee or Board is present and willing to take the Chair.
- (v) In relation to the determination of any applications made under the Licensing Act 2003, no Member shall be eligible to be a substitute on the Licensing Board or on a sub-committee established by it.

#### 5.4 Working Parties.

These rules shall also apply to Working Parties.

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## **Clause 9, Protocol for the Guidance of Planning Committee Members and Officers**

### **9.0 Membership of Planning Committee and Substitutions**

- 9.1 The Planning Committee consist of 15 members reflecting the representation that the party groups have on full Council. A system of substitution also applies to the Planning Committee, meaning that a committee member who is unable to attend a meeting can appoint another member to attend the meeting in his or her place. Substitutions at a Planning Committee shall only be permitted from a designated pool of substitute Members to be agreed at the Annual Meeting of Council each year (and updated as required at subsequent meetings of Council).
- 9.2 It shall be the responsibility of the Member unable to attend the Planning Committee meeting to appoint a substitute Member from the pool and inform the Democratic Services & Scrutiny Manager, in accordance with the Council's Constitution.
- 9.3 **As the pool of substitutes for the Planning Committee is politically balanced, the substitute Member must be a member of the same Political Group as the Member being substituted.**

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**REGISTER OF INTERESTS, GIFTS AND HOSPITALITY FOR OFFICERS – TO AMEND FINANCIAL PROCEDURE RULES TO REFLECT CURRENT PRACTICE**

To: **Council – 24 April 2014**

By: **Democratic Services & Scrutiny Manager**

Classification: **Unrestricted**

Ward: **N/A**

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**Summary:** **To approve an amendment to the Financial Procedure Rules to reflect current practice in relation to the maintenance of a register of interests, gifts and hospitality for officers**

**For Decision**

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**1.0 Current situation**

- 1.1 It is the current practice for the Monitoring Officer to maintain the register of interests, gifts and hospitality for officers.
- 1.2 Consequently, the responsibilities, as set out at Clause 5.0 relating to, “Preventing Fraud and Corruption” [*Appendix C to the Financial Procedure Rules: Financial Procedure Note: Risk Management and Control of Resources*] require to be updated to reflect this practice.

**2.0 Recommendation of Standards Committee**

- 2.1 At its meeting on 1 April 2014, Standards Committee AGREED TO RECOMMEND to Council that the suggested amendment as shown at Annex 1 to this report be approved.

**3.0 Corporate Implications**

**3.1 Financial and VAT**

- 3.1.1 None arising

**3.2 Legal**

- 3.2.1 The constitution of the Council should be kept up to date to reflect current practices. This avoids confusion.

**3.3 Corporate**

- 3.3.1 None directly arising

**3.4 Equity and Equalities**

- 3.4.1 None arising

#### 4.0 Recommendation

4.1 THAT, following the recommendation of Standards Committee, the amendment as shown at Annex 1 to the report be approved by Council.

#### 5.0 Decision Making Process

5.1 This is a decision for Council to take.

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

#### Annex List

Annex 1	Extract of Financial Procedure Rules Annexe C: "Preventing Fraud and Corruption"
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#### Background Papers

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

#### Corporate Consultation Undertaken

Finance	<i>n/a</i>
Legal	<i>n/a</i>



## Extract from Financial Procedure Rules

### Appendix C: Financial Procedure Note: Risk Management and Control of Resources

#### 5.0 Preventing Fraud and Corruption

##### 5.1 General

The Council will not tolerate fraud and corruption in the administration of its responsibilities, whether from inside or outside the Council. The Council's expectation of propriety and accountability is that Members and staff at all levels will lead by example in ensuring adherence to legal requirements, rules, procedures and practices.

The Council also expects that individuals and organisations (eg suppliers, contractors, service providers) with whom it comes into contact will act towards the Council with integrity and will take reasonable actions to prevent fraud and corruption.

##### 5.2 Responsibilities of the Section 151 Officer:

- To develop and maintain an anti-fraud and anti-corruption policy.
- To maintain adequate and effective internal control arrangements.
- To ensure that all confirmed irregularities are reported to the Head of Paid Service, the Cabinet and any committee with responsibility for audit.

##### 5.3 Responsibilities of Directors of Services:

- To ensure that all suspected irregularities are reported to the Section 151 Officer.
- To instigate the Council's disciplinary procedures where the outcome of an audit investigation indicates improper behaviour.
- To ensure that where financial impropriety is discovered, the Section 151 Officer is informed, and where sufficient evidence exists to believe that a criminal offence may have been committed, the police are called in to determine with the Crown Prosecution Service whether any prosecution will take place.
- ~~To maintain a departmental register of interests, gifts and hospitality.~~

##### 5.4 Responsibilities of Monitoring Officer:

- To maintain a register of interests, gifts and hospitality.

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**REPORT BACK TO COUNCIL – PLEASURAMA SITE, RAMSGATE**

To: **Council – 24 April 2014**

By:

Classification: **Unrestricted**

Ward: **Eastcliff**

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Summary: **To report back to Council on two petitions received by Council relating to the Pleasurama Site, Ramsgate**

**For Information**

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**1.0 Introduction and Background**

1.1 Council will recall receiving two petitions relating to the Pleasurama Site at Ramsgate:

1.2 The first petition, containing 1,072 signatures, was received on 18 April 2013:

**Wording of petition no. 1**

“We the undersigned believe the proposed sale of the Pleasurama freehold to the current developer is an unacceptable solution, since this developer has lost public trust and confidence and this proposal will not achieve the stated aim, of regenerating the Ramsgate Seafront. We now call on Thanet District Council to dismiss this developer and this proposal on the following grounds:”

1.3 The second petition, containing 1,056 signatures, was received on 11 July 2013:

**Wording of petition no. 2**

“We wish TDC to explicitly reassure Friends of Ramsgate Seafront that under no circumstances will a discretionary extension of the practical completion date be given to SFP Ventures (UK) Ltd or any developer of Royal Sands before or after 22<sup>nd</sup> May 2013. Should SFP Ventures (UK) Ltd fail to meet this deadline, TDC must act immediately and restore the site to the People of Ramsgate to implement their own Vision for the Future.

“We, the undersigned, believe extensions to deadlines for the uncompleted work on the Pleasurama site will only compound the problems and leave the people of Ramsgate with a useless eyesore for many years to come.”

1.4 Council resolved to refer the first petition to the Overview & Scrutiny Panel, and a report was brought back to Council on 11 July 2013, informing it that the Panel had decided to set up a Pleasurama Site Development Task & Finish Group.

1.5 The terms of reference of that Task and Finish Group were later formalised as follows:

1. To review due diligence undertaken by the Council on the current developer;
2. To consider the options available to the Council with regard to the future of the development agreement with SFP Ventures (UK) Ltd;
3. To assess the commercial and legal implications of these options using external professional advice if necessary'
4. To consider future options for the Pleasurama site in general and make recommendations to Cabinet;
5. To produce a final report with recommendations for submission to the Overview and Scrutiny Panel and then to Cabinet.

1.6 After meeting on several occasions, the Task & Finish Group made recommendations to the Overview & Scrutiny Panel, who, in turn, made recommendations to Cabinet.

1.7 On 20 February, Cabinet considered the recommendations of the Panel, and RESOLVED the following:

**Cabinet decision – 20 February 2014**

1. That the recommendations of the Overview & Scrutiny Panel be received and adopted.  
These were:-:
  - a. The current development agreement and leases be terminated;
  - b. There be no re-negotiation of the current development agreement;
  - c. The previous advice from Eversheds Solicitors be reviewed to determine why the development agreement did not contain a longstop date entitling the Council to terminate the agreement if the development was not completed by that date;
  - d. As part of the preparatory steps to terminate the development agreement, a rigorous development programme be established in consultation with a construction expert to include clear milestones for all phases of the construction work necessary to complete the development;
  - e. The construction expert appointed by the Council to advise on the development programme be retained to support the officers in monitoring of the development programme;
  - f. The quality of the existing construction work (including the foundation structure) be checked to confirm that it remains fit for purpose as a basis for further planned construction;
2. That the request of the Developer for an extension of time be refused;
3. That the power to implement the recommendations of the Overview & Scrutiny Panel be delegated to the Cabinet Member for Financial Services and such power to be enacted by a published decision notice following consultation with the Chief Executive.

1.8 All reports and cabinet decision notices associated with this issue, can be viewed on the Council's website, [www.thanet.gov.uk](http://www.thanet.gov.uk).

## **2.0 Corporate Implications**

### **2.1 Financial and VAT**

3.1.1 As stated in the report to Cabinet on 20 February 2014

### **3.2 Legal**

3.2.1 As stated in the report to Cabinet on 20 February 2014

### **3.3 Corporate**

3.3.1 As stated the report to Cabinet on 20 February 2014

### **3.4 Equity and Equalities**

3.4.1 As stated the report to Cabinet on 20 February 2014

## **4.0 Recommendations**

4.1 This report is for Council to note.

## **5.0 Decision Making Process**

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

Contact Officer:	Harvey Patterson, Corporate & Regulatory Services Manager, ext 7005
Reporting to:	Dr Sue McGonigal, Chief Executive, ext 7002

### **Annex List**

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

<b>Title</b>	<b>Details of where to access copy</b>
Petition – presented to Council on 18 April 2013 Petition – presented to Council on 11 July 2013	Democratic Services

### **Corporate Consultation Undertaken**

Finance	n/a
Legal	n/a

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**REPORT BACK TO COUNCIL – PETITION RELATING TO LICENSING OF STREET TRADERS**

To: **Council – 24 April 2014**

By: **Regulatory Services Manager**

Classification: **Unrestricted**

Wards: **All**

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Summary: **To report back to Council on a petition relating to licensing of street traders**

**For Information**

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**1.0 Introduction and Background**

- 1.1 The following petition, containing 475 signatures, was presented to Council on 5 December 2013.

“We the undersigned hereby affirm that we want to see changes made to how Thanet District Council currently allow Street Traders to work around the general public with no background checks in place. Many Street Traders are in close contact with children and vulnerable people.

“Many other councils in the UK license Street Traders and protect society – we see this as a loop hole in the system and we the undersigned demand that street traders in Thanet Kent become licensed and have background checks for previous convictions before being allowed to work so closely with the public.”

- 1.2 The Licensing Board, having the power to license street trading, considered the petition on 18 February 2014.
- 1.3 The officer’s report to the Board, which can be viewed on the Council’s website, [www.thanet.gov.uk](http://www.thanet.gov.uk), included the following points:
- 1.3.1 Designating streets in Thanet as licensed streets would not achieve the petition objective of enabling the Council to carry out criminal record checks on applicants for a street trading licence.
- 1.3.2 Central Government would need to amend or create new legislation to ensure that criminal record checks are undertaken in respect of street traders.
- 1.4 The Licensing Board AGREED that no streets in Thanet be designated licensed streets.

### **3.0 Corporate Implications**

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

3.1.1 As stated in the report to the Licensing Board.

#### **3.2 Legal**

3.2.1 As stated in the report to Licensing Board.

#### **3.3 Corporate**

3.3.1 As stated the report to Licensing Board.

#### **3.4 Equity and Equalities**

3.4.1 As stated the report to Licensing Board.

### **4.0 Recommendations**

4.1 This report is for Council to note.

### **5.0 Decision Making Process**

5.1 The Licensing Board's decision is being reported to Council for information.

Contact Officer:	Philip Bensted, Regulatory Services Manager, Ext 7630
Reporting to:	Harvey Patterson, Corporate & Regulatory Services Manager, Ext. 7005

#### **Annex List**

<i>None</i>	N/A
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#### **Background Papers**

<b>Title</b>	<b>Details of where to access copy</b>
Petition	Democratic Services

#### **Corporate Consultation Undertaken**

Finance	N/A
Legal	N/A



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**REPORT BACK TO COUNCIL – PETITION RELATING TO PLAY AREA AT BROADSTAIRS MEMORIAL RECREATION GROUND**

To: **Council – 24 April 2014**

By: **Martyn Cassell, Community Safety and Leisure Manager**

Classification: **Unrestricted**

Ward: **Bradstowe**

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Summary: **To report back to Council on a petition relating to play area at Broadstairs Memorial Recreation Ground**

**For Information**

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**1.0 Introduction and Background Information**

1.1 On 27 February 2014, full Council received the following petition, containing 1,760 signatures, and resolved that it be referred to Cabinet for determination or report.

“We the undersigned petition the Council to undertake major improvements to the play area at the Broadstairs Memorial Recreation Ground (behind the station) for the following reasons:

- It is currently in a pitiful state
- The children and visitors of Broadstairs deserve an updated play area like the rest of Thanet have received
- Its position is in a lovely green space, central to many homes, schools, the library and the station
- There is poor access for wheelchair and buggy users
- The playground needs to become a safe, dog-free area with equipment for children of all ages and abilities.”

**2.0 The Current Situation**

2.1 Cabinet considered the petition at its meeting on 3 April 2014 and AGREED:

2.1.2 “To add the Memorial Park playground to the existing tender for playground improvements and for the Lead Officer to consult with the local resident group.”

2.2 The report to Cabinet and notice of decision can be viewed on the website, [www.thanet.gov.uk](http://www.thanet.gov.uk)

### **3.0 Corporate Implications**

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

3.1.1 As stated in the report to Cabinet.

#### **3.2 Legal**

3.2.1 As stated in the report to Cabinet.

#### **3.3 Corporate**

3.3.1 As stated in the report to Cabinet.

#### **3.4 Equity and Equalities**

3.4.1 As stated the report to Cabinet.

### **4.0 Recommendations**

4.1 This report is for Council to note.

### **5.0 Decision Making Process**

5.1 Cabinet's decision in relation to this executive function is being reported to Council for information purposes.

Contact Officer:	Martyn Cassell, Community Safety and Leisure Manager, Ext. 7367
Reporting to:	Madeline Homer, Director of Community Services, Ext 7123

#### **Annex List**

<i>None</i>	N/A
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#### **Background Papers**

<b>Title</b>	<b>Details of where to access copy</b>
Petition	Democratic Services

#### **Corporate Consultation Undertaken**

Finance	N/A
Legal	N/A

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**REPORT BACK TO COUNCIL – MOTION ON NOTICE – ARTICLE 4 DIRECTION**

To: **Council – 24 April 2014**

By: **Director of Community Services**

Classification: **Unrestricted**

Ward: **All Wards**

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**Summary:** **To inform Council of the decision of Cabinet following Council’s referral of the motion on notice relating to the operation of the Article 4 Direction in respect of houses in multiple occupation for between 3 to 6 residents**

**For Information**

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**1.0 Introduction and Background**

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

“THAT This Council calls upon the cabinet to review the operation of the Article 4 direction as used within the planning department of Thanet District Council. To residents of St Peter’s ward, it is quite clear that the Article 4 direction powers are not properly applied; lack coherence and application on the ground; and are not being used in the way other councils apply them to the advantage of residents who need family homes rather than back door entry points for HMO’s, which change the character and nature of the area.”

1.2 Council referred this motion without debate to Cabinet for determination or report.

**2.0 The Current Situation**

2.1 Upon considering the motion at its meeting on 3 April 2014, Cabinet RESOLVED

2.1.1 “THAT Cabinet invites the University to comment on residents’ concerns and will keep the situation under review both now and until it is covered by a policy in the new local plan”.

2.2 The report to Cabinet, which explained the background to and effect of the existing Article 4 Direction relating to Houses in Multiple Occupation in Thanet for between 3-6 people, set out the new interim approach to interpreting policy H11 and explained work in progress in reviewing the position as part of a new local plan, can be viewed on the Council’s website, [www.thanet.gov.uk](http://www.thanet.gov.uk), as can the notice of Cabinet’s decision.

### **3.0 Corporate Implications**

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

3.1.1 As stated in the report to Cabinet

#### **3.2 Legal**

3.2.1 As stated in the report to Cabinet

#### **3.3 Corporate**

3.3.1 As stated in the report to Cabinet

#### **3.4 Equity and Equalities**

3.4.1 As stated in the report to Cabinet

### **4.0 Recommendation(s)**

4.1 This report is for Council to note.

### **5.0 Decision Making Process**

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

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

#### **Annex List**

None	
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#### **Background Papers**

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

#### **Corporate Consultation Undertaken**

Finance	N/A
Legal	N/A

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**REPORT BACK TO COUNCIL – MOTION ON NOTICE – INTRODUCTION OF A LOCAL LEVY**

To: **Council – 24 April 2014**

By: **Financial Services Manager**

Classification: **Unrestricted**

Ward: **All Wards**

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**Summary:** **To inform Council of the decision of Cabinet following Council’s referral of a notice of motion relating to the introduction of a local levy**

**For Information**

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**1.0 Introduction and Background**

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

“That council request cabinet to support a proposal under the Sustainable Communities Act – ‘That the Secretary of State:-

A. Give local authorities the power to introduce a local levy of up to 8.5 of the rate on large supermarkets or large retail outlets in this area with an annual rateable value not less than 500,000; and

B. Requires that the new revenue from this levy be retained by the local authority in order to improve local communities in the areas promoting local economic activity, local services and facilities, social and community wellbeing and environmental protection.”

1.2 Council referred the motion without debate to Cabinet for determination and report.

**2.0 The Current Situation**

2.1 Upon considering the motion at its meeting on 3 April 2014, Cabinet AGREED to support the motion.

2.2 The report to Cabinet and the notice of Cabinet's decision can be viewed on the Council's website, [www.thanet.gov.uk](http://www.thanet.gov.uk)

### **3.0 Corporate Implications**

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

3.1.1 As stated in the report to Cabinet.

#### **3.2 Legal**

3.2.1 As stated in the report to Cabinet.

#### **3.3 Corporate**

3.3.1 As stated in the report to Cabinet.

#### **3.4 Equity and Equalities**

3.4.1 As stated in the report to Cabinet.

### **4.0 Recommendation**

4.1 This report is for Council to note.

### **5.0 Decision Making Process**

5.1 The decision of Cabinet is being reported to Council for information.

Contact Officer:	Sarah Martin, Financial Services Manager and Deputy S.151 Officer, Ext. 7617
Reporting to:	Sue McGonigal, Chief Executive and S.151 Officer, Ext 7002

#### **Annex List**

None	
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#### **Background Papers**

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

#### **Corporate Consultation Undertaken**

Finance	N/A
Legal	N/A

## THANET DISTRICT COUNCIL DECLARATION OF INTEREST FORM

### Do I have a personal interest?

You have a **personal interest** in any business of your authority where it relates to or is likely to affect:

- a) An interest you must **register**.
- b) An interest that is not on your register, but where the well-being or financial position or you, members of your family (spouse; partner; parents; in laws; step/children; nieces and nephews), or people with whom you have a close association (friends; colleagues; business associates and social contacts that can be friendly and unfriendly) is likely to be affected by the business of your authority more than it would affect the majority of:
  - Inhabitants of the ward or electoral division affected by the decision (in the case of the authorities with electoral divisions or wards.)
  - Inhabitants of the authority's area (in all other cases)

These two categories of personal interests are explained in this section. If you declare a personal interest you can remain in the meeting, speak and vote on the matter, unless your personal interest is also a prejudicial interest.

### Effect of having a personal interest in a matter

You must declare that you have a personal interest, **and the nature of that interest**, before the matter is discussed or as soon as it becomes apparent to you except in limited circumstances. Even if your interest is on the register of interests, you must declare it in the meetings where matters relating to that interest are discussed, unless an exemption applies.

### When an exemption may be applied

An exemption applies where your interest arises solely from your Membership of, or position of control or management on:

1. Any other body to which you were appointed or nominated by the authority.
2. Any other body exercising functions of a public nature (e.g. another local authority)

### Is my personal interest also a prejudicial interest?

Your personal interest will also be a **prejudicial interest** in a matter if all of the following conditions are met:

- a) The matter does not fall within one of the **exempt categories** of decisions
- b) The matter affects **your financial interests** or relates to a **licensing or regulatory matter**.
- c) A member of public, who knows the relevant facts, would **reasonably think your personal interest is so significant** that it is likely to prejudice your judgement of the public interest.

### What action do I take if I have a prejudicial interest?

- a) If you have a **prejudicial interest** in a matter being discussed at a meeting, you must declare that you have a prejudicial interest as the nature of that interest becomes apparent to you.
- b) You should then leave the room, **unless members of the public are allowed to make representations, give evidence or answer questions about the matter**, by statutory right or otherwise. If that is case, you can also attend the meeting for that purpose.
- c) However, you must immediately leave the room once you have finished or when the meeting decides that you have finished (if that is earlier). You cannot remain in the public gallery to observe the vote on the matter.

d) In addition you must not seek to **improperly influence** a decision in which you have a prejudicial interest.

**This rule is similar to your general obligation not to use your position as a Member improperly to your or someone else's advantage or disadvantage.**

**What if I am unsure?**

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

**DECLARATION OF PERSONAL AND, PERSONAL AND PREJUDICIAL INTERESTS**

**MEETING** .....

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

**IS YOUR INTEREST:**

**PERSONAL**

**PERSONAL AND PREJUDICIAL**

**NATURE OF INTEREST:**

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

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

**SIGNATURE:** .....

Please detach and hand this form to the Committee Clerk when you are asked to declare any interests.

