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Date: 18 April 2017
Our ref: Cabinet/Agenda
Ask For: Charles Hungwe
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CABINET

27 APRIL 2017

A meeting of the Cabinet will be held at **7.00 pm on Thursday, 27 April 2017** in the Council Chamber, Council Offices, Cecil Street, Margate, Kent.

Membership:

Councillor Wells (Chairman); Councillors: L Fairbrass, Brimm, Crow-Brown, Stummer-Schmertzling and Townend

AGENDA

Item
No

Subject

1. **APOLOGIES FOR ABSENCE**
2. **DECLARATIONS OF INTEREST**
To receive any declarations of interest. Members are advised to consider the advice contained within the Declaration of Interest form attached at the back of this agenda. If a Member declares an interest, they should complete that form and hand it to the officer clerking the meeting and then take the prescribed course of action.
3. **MINUTES OF PREVIOUS MEETING** (Pages 3 - 6)
To approve the summary of recommendations and decisions of the Cabinet meeting held on 09 March 2017, copy attached.
4. **NEW ON AND OFF STREET PARKING SCHEMES** (Pages 7 - 44)
5. **ESTABLISHMENT OF A GOOD CAUSES LOTTERY IN THANET** (Pages 45 - 76)
6. **ASSET DISPOSAL PROGRAMME 2017-18** (Pages 77 - 98)

Declaration of Interest form - back of agenda



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Public Document Pack Agenda Item 3

CABINET

Minutes of the meeting held on 9 March 2017 at 7.00 pm in Council Chamber, Council Offices, Cecil Street, Margate, Kent.

Present: Councillor Wells (Chairman); Councillors L Fairbrass, Brimm, Crow-Brown and Stummer-Schmertzing

In Attendance: Councillors: Bayford, Campbell, Connor, Game, I Gregory, K Gregory, Savage, Taylor-Smith, D Saunders and M Saunders

411. APOLOGIES FOR ABSENCE

Apologies were received from Councillor Townend.

412. DECLARATIONS OF INTEREST

There were no declarations of interest.

413. MINUTES OF PREVIOUS MEETING - 31 JANUARY 2017

Councillor Crow-Brown proposed, Councillor Brimm seconded and Members agreed the minutes as a correct record of the meeting held on 31 January 2017.

414. MINUTES OF EXTRAORDINARY MEETING - 16 FEBRUARY 2017

Councillor Lin Fairbrass proposed, Councillor Stummer-Schmertzing seconded and Members agreed the minutes as a correct record of the extraordinary meeting held on 16 February 2017.

415. BUSINESS CASE, SINGLE EAST KENT COUNCIL

Cabinet debated the report on the Business Case for the proposed Single East Kent Council. Members acknowledged the comments that were forwarded to Cabinet by the Overview & Scrutiny Panel. Cabinet further provided a response to recommendations from the Panel.

Councillor Campbell and Councillor Bayford spoke under Council Procedure Rule 20.1.

Councillor Wells proposed, Councillor L. Fairbrass seconded and Cabinet agreed that in making final recommendations to council and Members took into account the comments of the Overview and Scrutiny Panel and thereafter agreed the following:

1. That having considered the business case it becomes the policy of this Council to explore further the abolition of the local government district areas of Canterbury, Dover, Shepway and Thanet and the constitution of a new local government district area of East Kent comprising the areas of those districts;
2. That the unspent balance of the £20,000 previously agreed by the Council to fund the preparation of the business case be made available to fund a consultation and public engagement exercise;
3. That the Cabinet be requested to ensure an appropriate consultation and public engagement exercise is undertaken to ascertain views on the proposal set out in 1 above;

4. That a further report be submitted to the Council prior to the making of any submission to the Secretary of state.

And

5. In response to recommendations from the Overview & Scrutiny Panel, Cabinet confirmed that with respect to recommendations 1, 2 and 4, in accordance with the Council decision of the 14th July 2016, the strategy to implement any proposed merger is part of our budget and policy framework and therefore a final decision will be made by Full Council.

In addition the Overview and Scrutiny Panel forms a vital part of the budget and policy framework procedure and must be given the opportunity to look at and make recommendations on the final report prior to it being considered by Full Council. Therefore, the generic timetable for Thanet will be amended accordingly;

6. And whilst not specifically referred to in the report, Recommendation 3 which states that 'If there was an early recognition that the timescale for implementing the project was slipping, an early decision should be made by each of the participating councils to seek permission from the Department of Communities and Local Government to extend the current administration by a year' is accepted and will be taken on board in future discussions by Officers and the Leader moving forward.

Cabinet also thanked the Overview and Scrutiny Panel for their positive input into this matter.

416. Q3 CORPORATE PERFORMANCE MONITORING REPORT 2016/17

Cabinet received the corporate performance report for quarter 3. In the main the report received positive feedback and Members noted the improvements and challenges.

The following Members spoke under Council Procedure Rule 20.1:

Councillor Game;
Councillor Campbell;
Councillor Taylor-Smith.

Councillor Crow-Brown proposed, Councillor Brimm seconded and Cabinet agreed to note the Council's performance for the period up to 31 December 2016.

417. BUDGET MONITORING REPORT NO 3 2016-17

Cabinet noted that the overall General Fund revenue forecast was going to break even, although there were some pressures, which need to be managed. The General Fund capital programme was now funded, following Cabinet's decisions on 17th January to amend the programme and its funding.

The main risk regarding the capital programme was the ability to spend the budget for vehicle replacements. There was a risk that the expenditure would fall in the next financial year, if the vehicles were delivered after 31st March. Funding would still be available, but the level of forecast capital expenditure in this report would not be achieved.

The Housing Revenue Account was forecast to overspend by £120,000. However this was an improvement on the forecast overspend in quarter two.

Councillor I. Gregory spoke under Council Procedure Rule 20.1.

Councillor L. Fairbrass proposed, Councillor Wells seconded and Members agreed the following:

1. That Cabinet notes the forecast position for 2016-17 for the General Fund;
2. That Cabinet notes the current Housing Revenue Account position;
3. That Cabinet notes the General Fund and Housing Revenue Account Capital Programmes and agree the budget changes detailed as per Annex 1 and Annex 3 for the General Fund capital and HRA.

418. ACCESS TO HODGES GAP PROMENADE CAR PARK

Cabinet agreed the need for Council to promote and manage the public message around antisocial behaviour as part of civic duty responsibility and a responsibility for the safe use of all the promenades under Council's control.

Councillor Brimm proposed, Councillor Crow-Brown seconded and Cabinet agreed that the barriers should remain locked unless the concession in situ is open and trading to allow daytime vehicular access to the lower promenade at both Palm/Walpole Bay areas.

419. STRATEGIC ASSET MANAGEMENT PLAN 2017-2021

Members discussed the Strategic Asset Management Plan and agreed that it was a key corporate strategic tool which set out the Council's property objectives, focussing on how the Council intends to utilise its asset base to deliver its Corporate Plan over the next five years.

Members were further advised that the council would be establishing a centralised corporate landlord function to create the capacity and expertise to prioritise resources, manage risks and obtain greater value from the council's estate. It was hoped that this would provide support for the implementation of the Medium Term Financial Strategy (MTFS).

The following Members spoke under Council Procedure Rule 20.1:

Councillor Campbell;
Councillor Bayford;
Councillor I. Gregory.

Councillor L. Fairbrass proposed, Councillor Stummer-Schmertzling seconded and Cabinet agreed the Strategic Asset Management Plan.

420. OVERVIEW & SCRUTINY PANEL RECOMMENDATIONS TO CABINET

Cabinet considered the recommendations from the Overview and Scrutiny Panel on suggestions from the Community Safety Partnership Working Party regarding the provision of appropriate services for victims of violent crime in the district.

Councillor Campbell and Councillor Game spoke under Council Procedure Rule 20.1.

Councillor Lin Fairbrass proposed, Councillor Wells seconded and Cabinet approved the following recommendations that:

- 1) Thanet District Council approach town councils in Thanet to request funding of £188 to finance one day per week, of EK Rape Crisis Centre counselling services if Thanet District Council will provide a room for the counselling sessions on a match funding basis;

- 2) Approaches are made to the 'Place2Be' to provide their free children services to schools in Thanet;
- 3) A letter be written to the Police Crime Commissioner (PCC) to raise concern about the changes to policing in the area and write a letter advising the PCC that approaches were being made to town councils in Thanet to support the EK Rape Crisis Centre and inquire if the Commissioner was willing to work with town councils in this effort.

And the following recommendation from Officers:

- 4) Authorise officers to submit an application on behalf of council for funding from the Police and Crime Commissioners (PCC) victims specialist service grant. If successful, organise the funding arrangements for the counselling services with the other sub district councils.

421. COMMUNITY SAFETY PARTNERSHIP PLAN 2017-2020

The draft Community Safety Plan was drawn up after a public engagement event was held and survey conducted to understand the areas of concern for the local residents. A practitioner event was also held where good practices and ideas for the next year's action plan were shared by participants.

Councillor Game and Councillor Campbell spoke under Council Procedure Rule 20.1.

Councillor L. Fairbrass proposed, Councillor Wells seconded and Cabinet agreed to recommend to Council that the Thanet Community Safety Partnership approve the proposed draft Thanet Community Safety Plan for 2017-20.

Meeting concluded: 7.44 pm

New On and Off Street Parking Schemes

Cabinet	27th April 2017
Report Author	Robin Chantrill-Smith, Civil Enforcement Manager
Portfolio Holder	Cllr S Brimm, Cabinet Member for Operational Services
Status	For Decision
Classification:	Unrestricted
Key Decision	No
Ward:	Across the District - Various

Executive Summary:

Currently there are a number of free car parks and some on street parking areas that could be changed to pay and display also a number of areas that new resident schemes could be explored. These schemes would give a better turnover of vehicles within these car parks and on street areas which would benefit residents and local business. Additional income generated from these schemes could be used to invest into further parking schemes, help maintain our current parking stock and give investment to use existing and new technology for our current parking provision.

Recommendation(s):

That all these new areas for on and off street parking go out to public consultation and are implemented in accordance with the phased approach.

CORPORATE IMPLICATIONS

Financial and Value for Money	<p>Parking and waiting restrictions are funded, managed and enforced by the Thanet District Council using the decriminalisation budget. Any additional income from new on street parking schemes will be paid into the decriminalisation budget and any set up costs will be taken from this account.</p> <p>Any income from any new off street schemes will be paid into the councils general fund however set up costs will be taken from the decriminalisation budget.</p> <p>No additional staffing resources are proposed for the first phase as the areas are currently covered within our existing patrols. However additional staff could be required when further phases commence. These additional posts would be funded from the decriminalisation budget as most of their work would be as a result of the new on street schemes and therefore there would be no financial implications arising directly from this report directly to council budgets.</p> <p>The proposed changes in Phase 1 will contribute towards the income generation targets built in to the 2017-18 budgets.</p>
Legal	There are no legal implications directly arising from this report.

Corporate	New on and off street parking schemes will bring in new income which could be used to invest in further new schemes and helping maintain our current parking service. These schemes fit in with the council's corporate priorities and values of delivering value for money and promoting inward investment.								
Equalities Act 2010 & Public Sector Equality Duty	<p>Members are reminded of the requirement, under the Public Sector Equality Duty (section 149 of the Equality Act 2010) to have due regard to the aims of the Duty at the time the decision is taken. The aims of the Duty are: (i) eliminate unlawful discrimination, harassment, victimisation and other conduct prohibited by the Act, (ii) advance equality of opportunity between people who share a protected characteristic and people who do not share it, and (iii) foster good relations between people who share a protected characteristic and people who do not share it.</p> <p>Protected characteristics: age, gender, disability, race, sexual orientation, gender reassignment, religion or belief and pregnancy & maternity. Only aim (i) of the Duty applies to Marriage & civil partnership.</p> <table border="1" data-bbox="432 741 1402 983"> <tr> <td colspan="2">Please indicate which aim is relevant to the report.</td> </tr> <tr> <td>Eliminate unlawful discrimination, harassment, victimisation and other conduct prohibited by the Act,</td> <td></td> </tr> <tr> <td>Advance equality of opportunity between people who share a protected characteristic and people who do not share it</td> <td>✓</td> </tr> <tr> <td>Foster good relations between people who share a protected characteristic and people who do not share it.</td> <td></td> </tr> </table> <p>Some proposals will improve sightlines for drivers and pedestrians. Additionally, some waiting restrictions on corners and at junctions will discourage inconsiderate parking and improve pedestrian access to footways which can cause particular difficulties for those with restricted mobility, wheelchair users and parent with pushchairs or prams. This will be of benefit to both able bodied and disabled road users.</p> <p>The proposals allows for disabled badge holders to park within any pay and display bay by using their blue badge meeting the needs of persons with a protected characteristic.</p> <p>If any changes are made to the current legislation, parking areas or representations are received with a relevance to the Public Sector Equality Duty we will review our impact assessment. Officers will review consultation feedback for any comments relevant to the Equality Act 2010 and Public Sector Equality Duty.</p>	Please indicate which aim is relevant to the report.		Eliminate unlawful discrimination, harassment, victimisation and other conduct prohibited by the Act,		Advance equality of opportunity between people who share a protected characteristic and people who do not share it	✓	Foster good relations between people who share a protected characteristic and people who do not share it.	
Please indicate which aim is relevant to the report.									
Eliminate unlawful discrimination, harassment, victimisation and other conduct prohibited by the Act,									
Advance equality of opportunity between people who share a protected characteristic and people who do not share it	✓								
Foster good relations between people who share a protected characteristic and people who do not share it.									

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

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

1.0 Introduction and Background

- 1.1 There are currently 5 off street car parking areas that are free of charge. By changing these areas to pay and display with an hourly charge in line with other areas additional revenue would be generated. Charging also helps with better turnover of vehicles and marked parking bays helps to deal with inconsiderate parking. Any revenue received would help with the running and maintenance costs of these areas.
- 1.2 There are a number of on street parking areas around the district that could benefit by having a resident's parking scheme, pay and display or both. Some of these areas are currently time limited bays. Enforcement of these time limited bays is drawn out as officers need to return to check vehicles, which is not the most effective use of their time.
- 1.3 Charging for these bays will give a better turnover of vehicles and gives availability of spaces which will help support businesses and make it easier for residents to park. It also helps with inconsiderate parking and gives local residents parking. Paid or residents parking is a more effective use of enforcement officers time as they simply need to check for a valid ticket/permit. Charging at some on street locations will help encourage drivers to park within the off- street car parks as they allow longer parking sessions than on street.
- 1.4 All set up costs for the new on and off street parking schemes will be paid for out of the decriminalisation budget. The Council has a partnership arrangements with Kent County Council to operate the on-street parking schemes on their behalf. The Decriminalisation budget is made up from the income received from on-street parking charges and can be used to support improvements in relation to parking management.
- 1.5 Additional staff will be required when further phases commence. These additional posts will be funded from the decriminalisation budget and there would be no financial implications arising directly from this Report directly to the council budgets.

2.0 The Phased Proposal

- 2.1 It is proposed that the following off street areas be changed to pay and display and the following areas on street be changed to pay and display, a resident's scheme or a mixture of both depending on the location in 3 phases.

Phase 1 – 2017 - 2018					
Location	Roads/Location Included	Maximum Day Rate	Hours of Operation	Hourly charge	Phase
Barnes Car Park, Westbrook	Car Park on Seafront	£1.50	7am – 10pm	30p	1
Hartsdown Sports Centre, Margate	Hartsdown Sport Centre Car Parks	£3.20	7am – 10pm	60p	1
High Street, Minster	Car Park in Minster High Street	£2.50	7am – 10pm	50p	1
Monkton Road, Minster	Car Park in Monkton Road	£2.50	7am – 10pm	50p	1
Winter Gardens, Margate	Parking at the rear of the Winter Gardens	£2.50	7am – 10pm	50p	1

Joss Bay, Broadstairs	Elmwood Avenue, Broadstairs. Seasonal only charges.		9am – 6pm	£2.00	1
Westbrook, Margate	Canterbury Road, Royal Crescent, Buenos Ayres, Station Road, Albert Road, Crescent Road, Garfield Road, Hatfeild Road, Seaview Terrace, Westbrook Road and Westbrook Cottages..		8am – 6pm	Residents Parking with some pay and display as per that years agreed fees and charges	1
Phase 2					
Westgate Central, Westgate	St Mildreds Road, Station Road and Cuthbert Road, Westgate		8am – 6pm	Residents Parking with some pay and display as per that years agreed fees and charges	2
Birchington East	Station Approach, Eastfield Road and Paddock Road		8am – 6pm	Extension of the existing Residents Parking with some additional pay and display as per that years agreed fees and charges	2
Margate Old Town, Margate	The Parade, New Street, Fort Road, Broad Street, Lombard Street and New Cross Street, Margate		8am – 6pm	Residents Parking with some pay and display as per that years agreed fees and charges	2
Broadstairs Victoria	Victoria Parade, Queens Gardens and West Cliff Avenue, Broadstairs		8am – 6pm	Extension of the existing Residents Parking	2

				with some additional pay and display as per that years agreed fees and charges	
Phase 3					
Ramsgate Harbour, Ramsgate	Cliff Street, Rose Hill, Sion Hill, Prospect Terrace, Nelson Crescent and Paragon, Ramsgate		8am – 6pm	Residents Parking with some pay and display as per that years agreed fees and charges	3
Ramsgate Eastcliff, Ramsgate	Wellington Crescent, Ramsgate		8am – 6pm	Residents Parking with pay and display as per that years agreed fees and charges	3
Minnis Bay, Birchington	The Parade, Birchington. Seasonal only charges.		9am – 6pm	£2.00	3
Botany Bay, Broadstairs	Car Park and possible extension and upgraded of parking on Marine Drive. Seasonal only charges.		7am – 10pm	On Street and Off Street pay and display as per that years agreed fees and charges	3

- 2.2 The newly proposed phase 1 off street schemes will bring in additional annual revenue of £90k and the proposed future phases for on street schemes could bring in additional annual revenue of approximately £300k per year.
- 2.3 Due to the number of schemes the phased approach is proposed with the first schemes going live in the financial year 2017 – 2018, with phase 2 and 3 being implemented over the next 12 to 18 months.
- 2.4 Following the public consultation, the Council will commence charges immediately, as per the proposed charges per hour for these parking areas for phase 1. For future

phases these will be included within the fees and charges agreed budget report for that financial year. Enforcement will operate as normal around the hours of operation as they currently do.

- 2.5 Residents permits are currently £70 per annum for the schemes that are already in place this allows the holder of a permit to park free within the time limited bays that are within the scheme without any time restriction.

3.0 Conclusion

- 3.1 The Council could do nothing and leave the parking free of charge in all these areas. However, not implementing phase 1 will result in a £90,000 budget gap for the financial year 2017-2018.
- 3.2 As the Council remains under pressure to balance its budget in future year's phases 2 & 3 will bring in additional income of around £300,000 up to the financial year 2019-2020 and beyond.

Contact Officer:	Robin Chantrill-Smith, Civil Enforcement Manager
Reporting to:	Trevor Kennett, Interim Head of Operational Services

Annex List

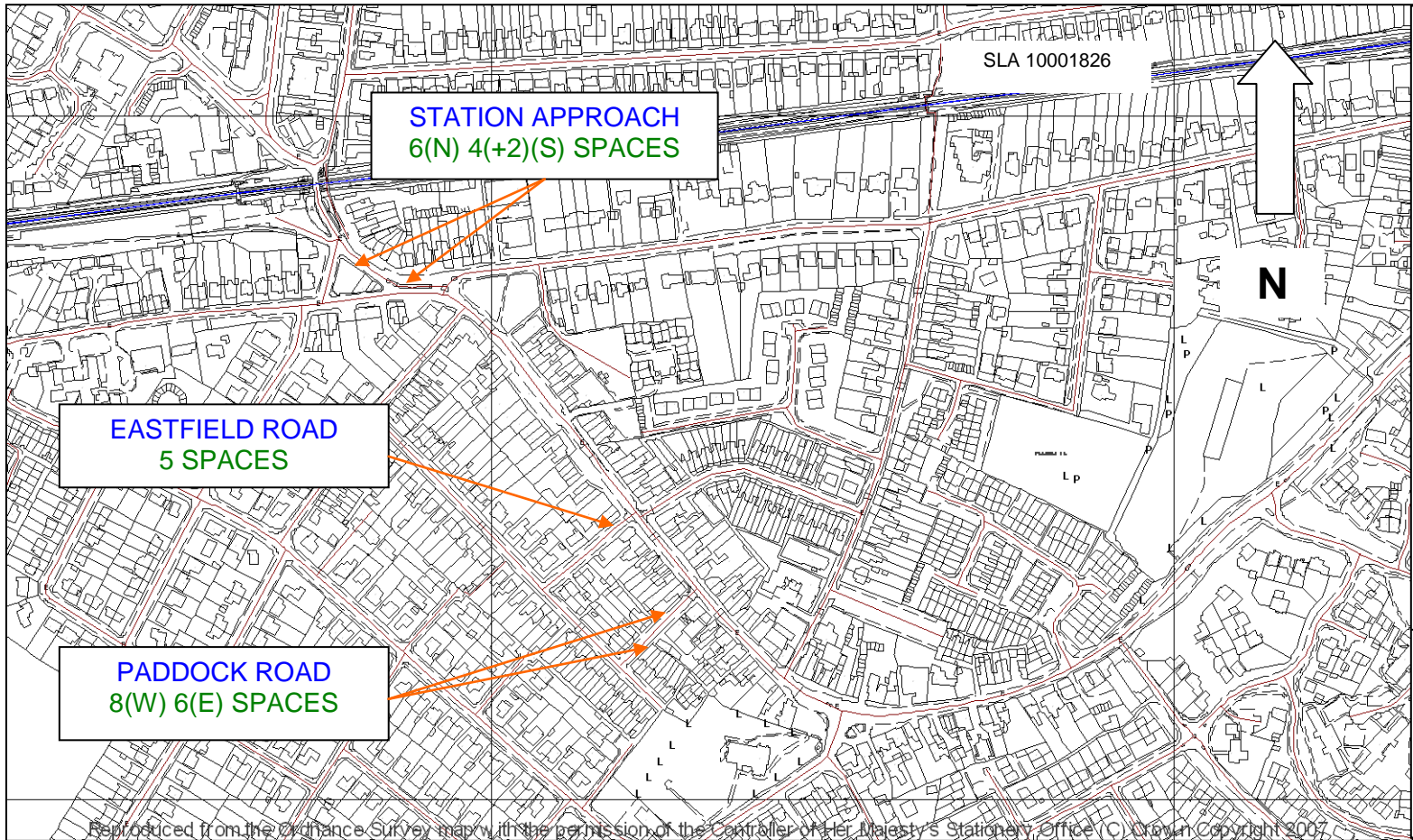
Annex 1	New Scheme Map 1 Birchington
Annex 2	New Scheme Map 2 Minnis Bay Birchington
Annex 3	New Scheme Map 3 Botany Bay Broadstairs
Annex 4	New Scheme Map 4 Marine Drive Broadstairs
Annex 5	New Scheme Map 5 Queens Gardens Broadstairs
Annex 6	New Scheme Map 6 Joss Bay Broadstairs
Annex 7	New Scheme Map 7 Old Town Margate
Annex 8	New Scheme Map 8 Barnes Car Park Westbrook Margate
Annex 9	New Scheme Map 9 Hartsdown Park Car Park Margate
Annex 10	New Scheme Map 10 Westbrook Margate
Annex 11	New Scheme Map 11 Winter Gardens Margate
Annex 12	New Scheme Map 12 Ramsgate Harbour
Annex 13	New Scheme Map 13 Ramsgate Eastcliff
Annex 14	New Scheme Map 14 High Street Minster Car Park Ramsgate
Annex 15	New Scheme Map 15 Monkton Road Minster Car Park Ramsgate
Annex 16	New Scheme Map 16 Westgate

Background Papers

Title	Details of where to access copy
None	N/A

Corporate Consultation

Finance	Matthew Sanham, Corporate Finance Manager
Legal	Colin Evans, Assistant Litigation Solicitor



POTENTIAL EXTENSION
OF RESIDENTS SCHEME

BIRCHINGTON (E)

PARKING

NOTES
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THE PARADE
130 SPACES + NEW
MARKED SPACES

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THE PARADE
60 SPACES



POTENTIAL NEW P&D
SCHEME

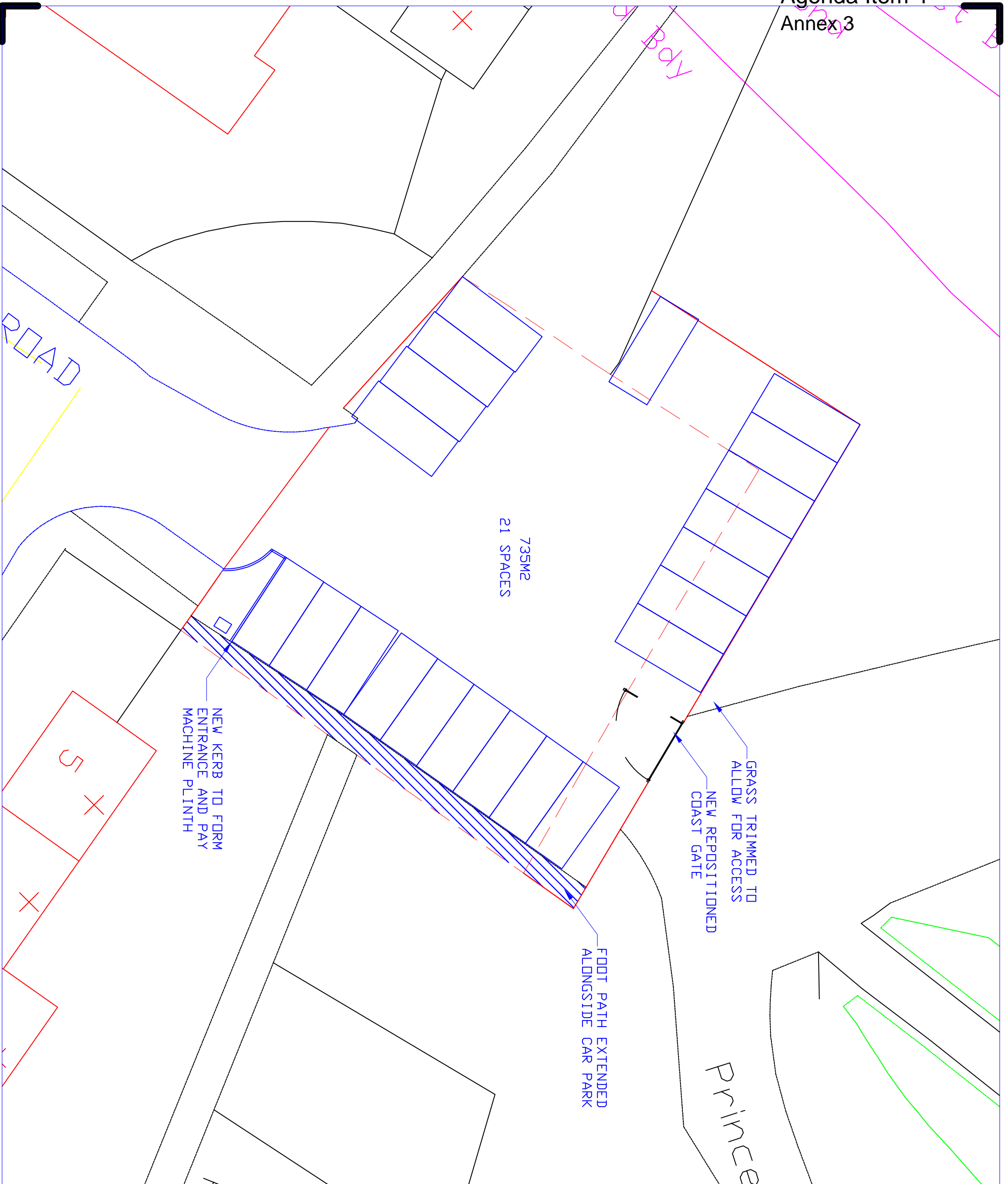
MINNIS BAY
BIRCHINGTON (W)

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CECIL STREET, MARGATE
KENT CT9 1XZ
Telephone: (01843) 577000
Fax: (01843) 292120
www.thanet.gov.uk

REGENERATION SERVICES,
PROPERTY MANAGEMENT SECTION.

job title
BOTANY BAY
PROPOSED CAR PARK

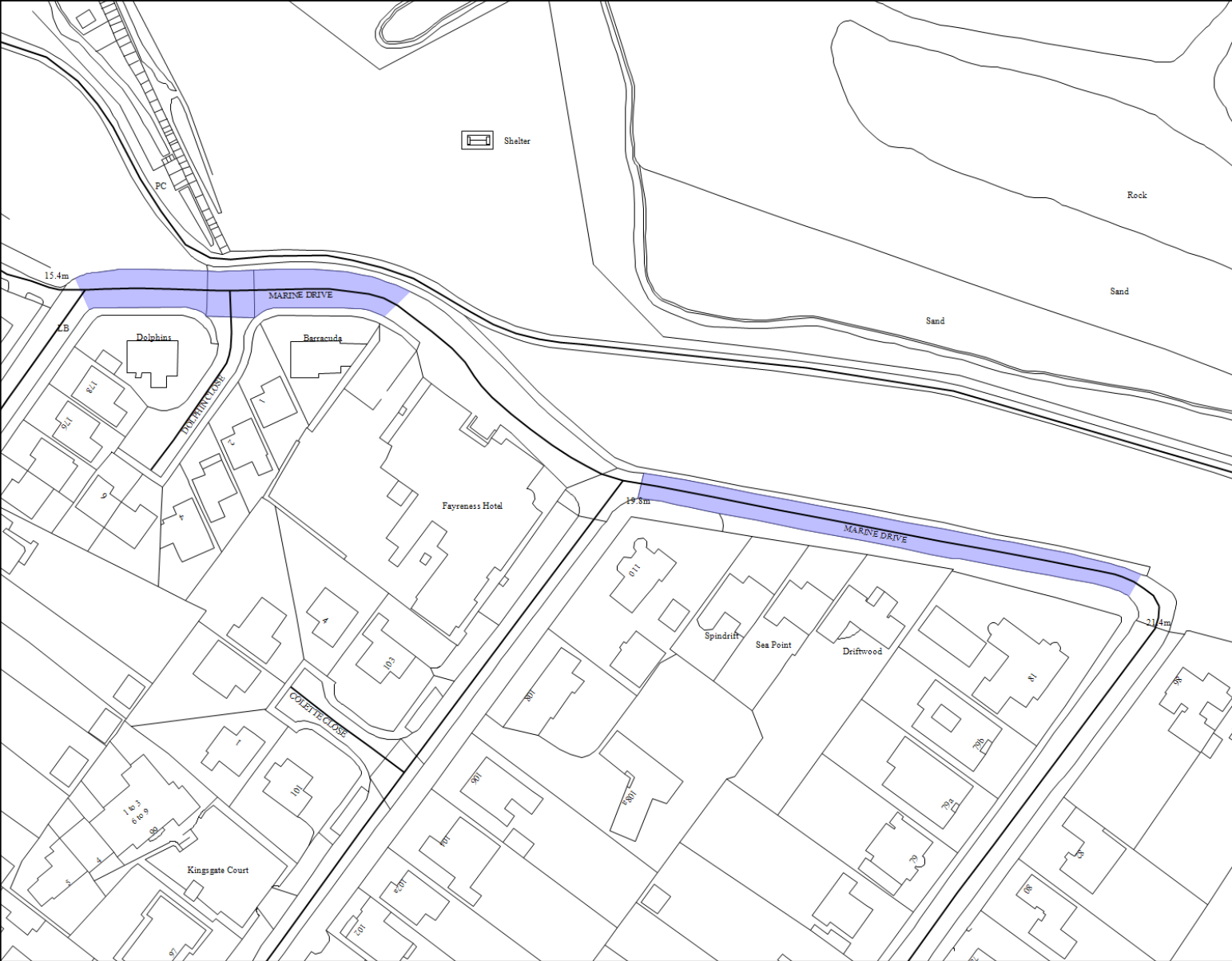
drawing title
21 PARKING BAYS PLAN

north point	scale 1:200
drawn LG	ckd
date 20-06-13	

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Marine Drive, Broadstairs



Proposed Pay & Display
either side of Botany Bay
Hotel Un adopted land



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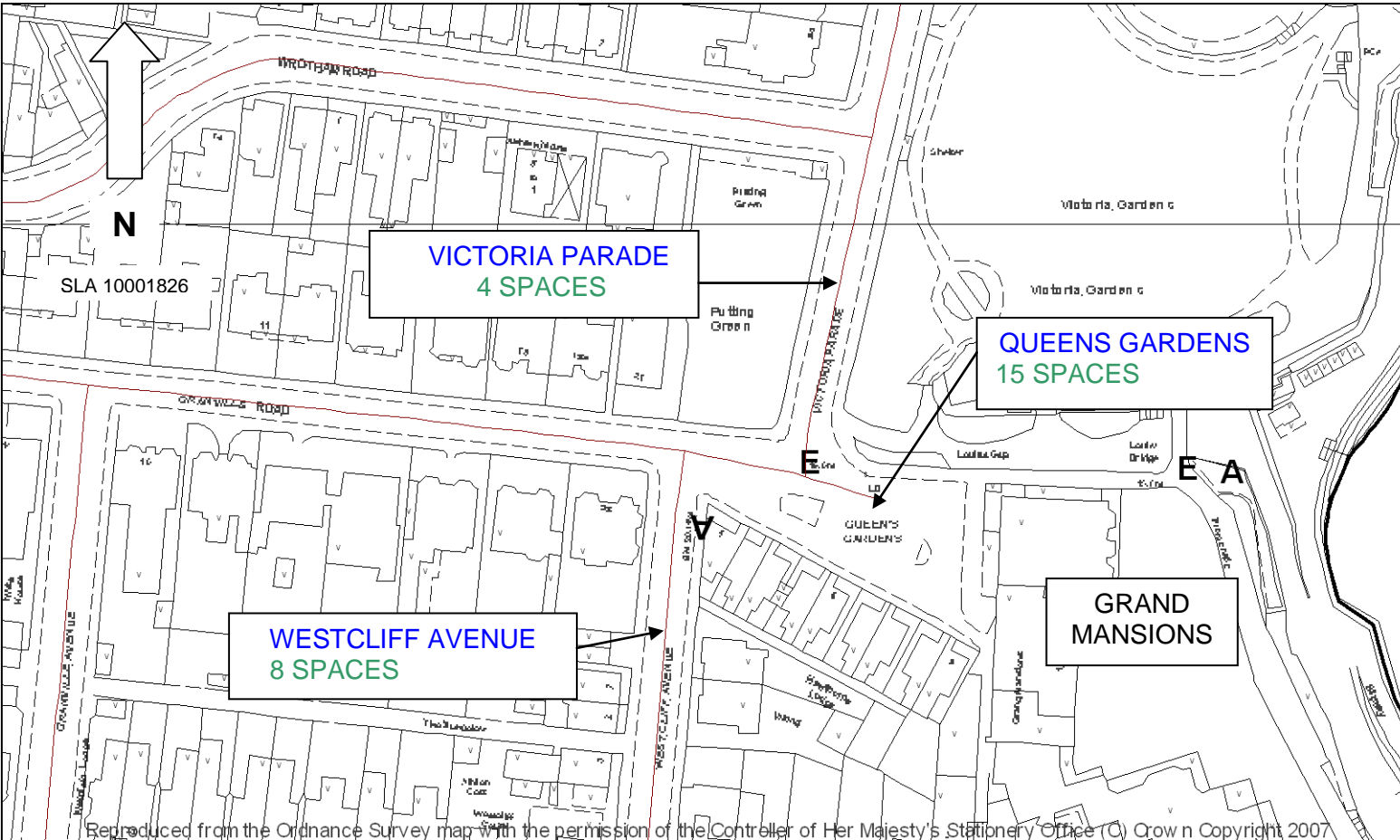
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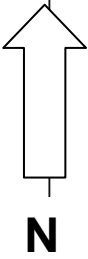
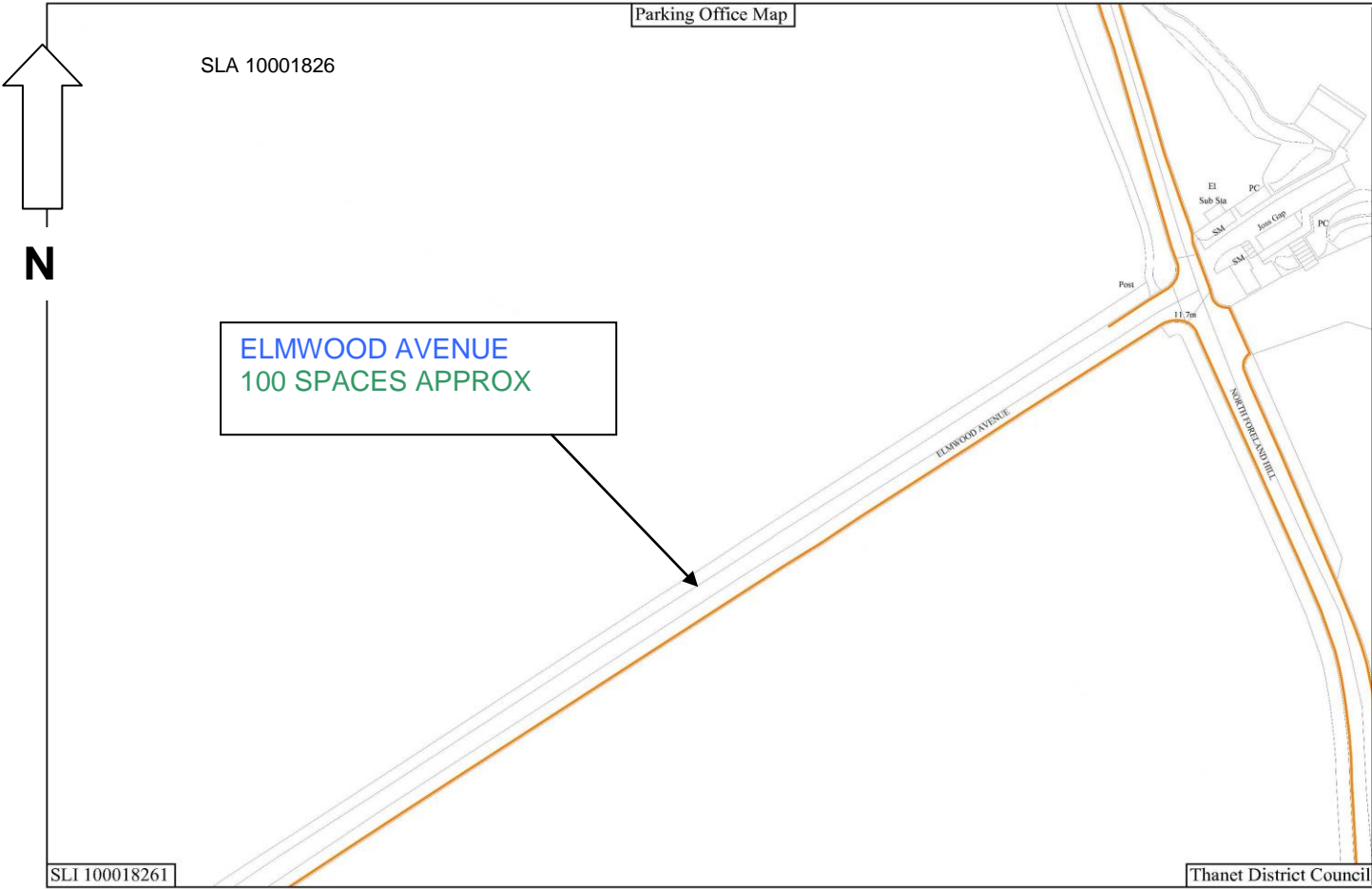
POTENTIAL EXTENSION
OF RESIDENTS AND P&D
SCHEME

QUEENS GARDENS
BROADSTAIRS

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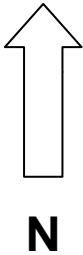
BROADSTAIRS JOSS BAY

PARKING

NOTES

CREAT NEW SPACES

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THE PARADE
14 SPACES

FORT ROAD
4(W) 11(E) SPACES

THE PARADE
4 SPACES

BROAD STREET
5(W) 5(S) 2(E) SPACES

LOMBARD ST.
6(N) 7(S) SPACES

NEW STREET
7 SPACES

NEW CROSS ST
3(W) 3(E) SPACES



POTENTIAL NEW
RESIDENTS & 'P & D'
SCHEME

MARGATE OLD TOWN

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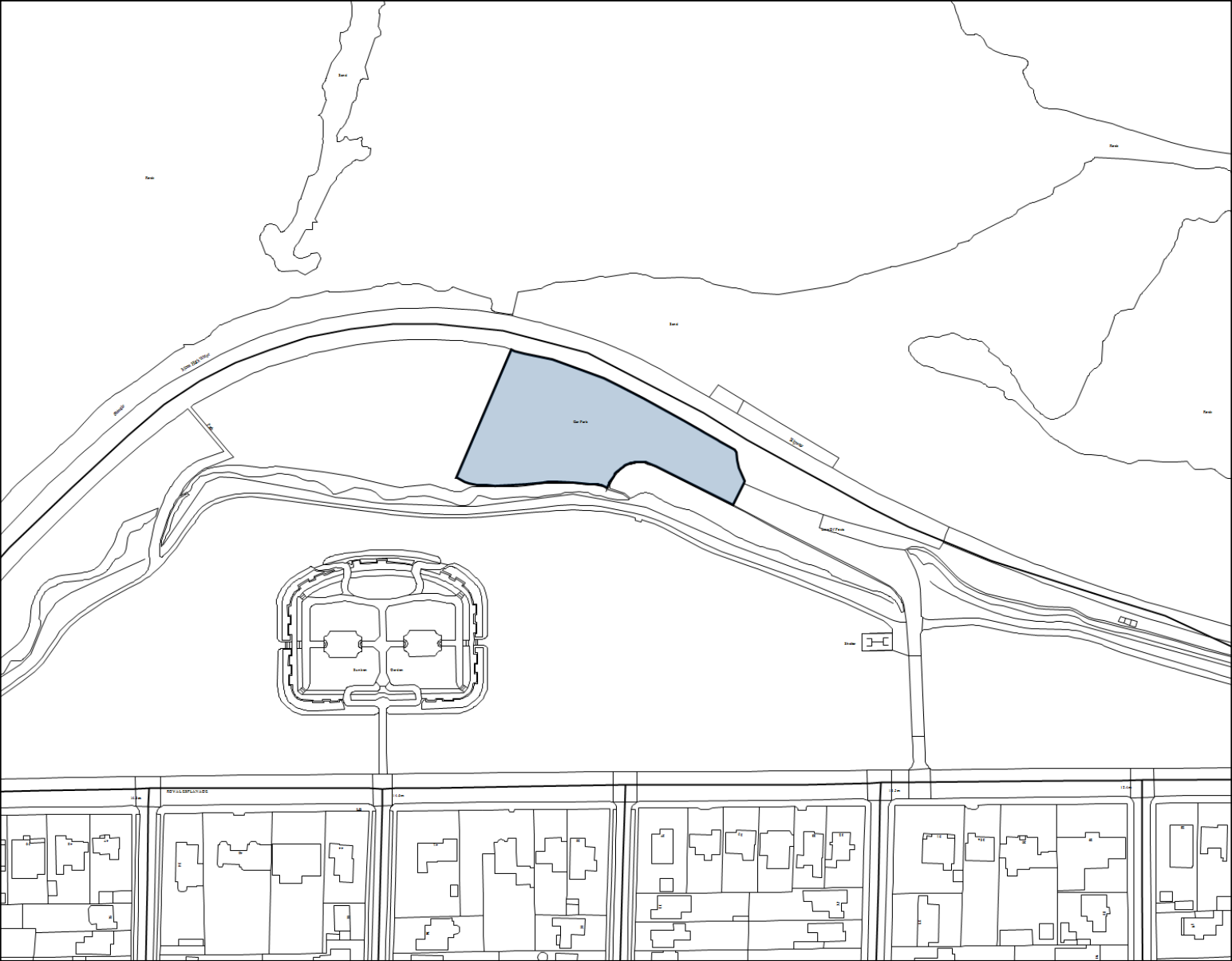
NOTES

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Barnes Car Park, Westbrook



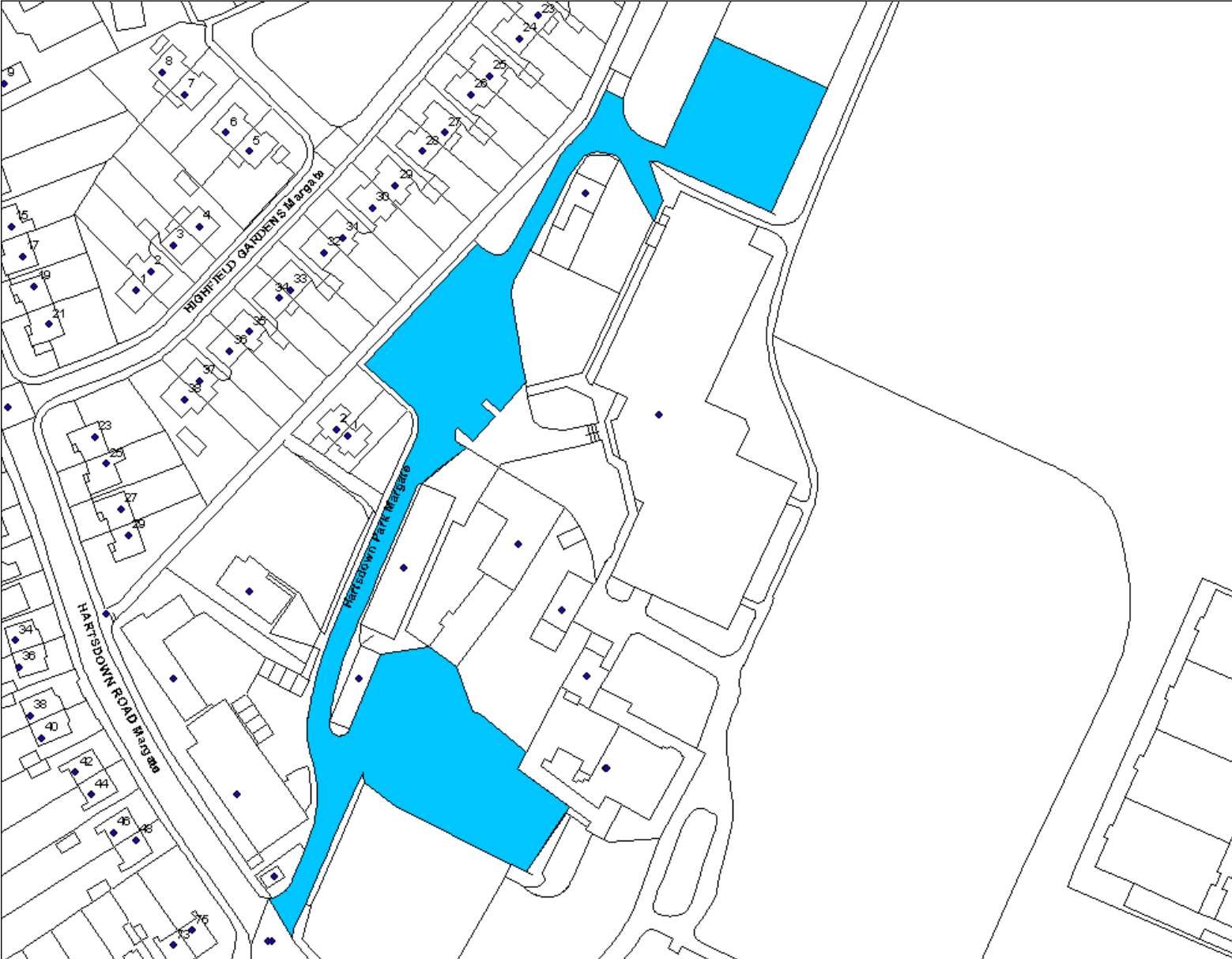
Barnes Car Park Westbrook
P&D 130 Spaces



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Hartsdown Park Car Park

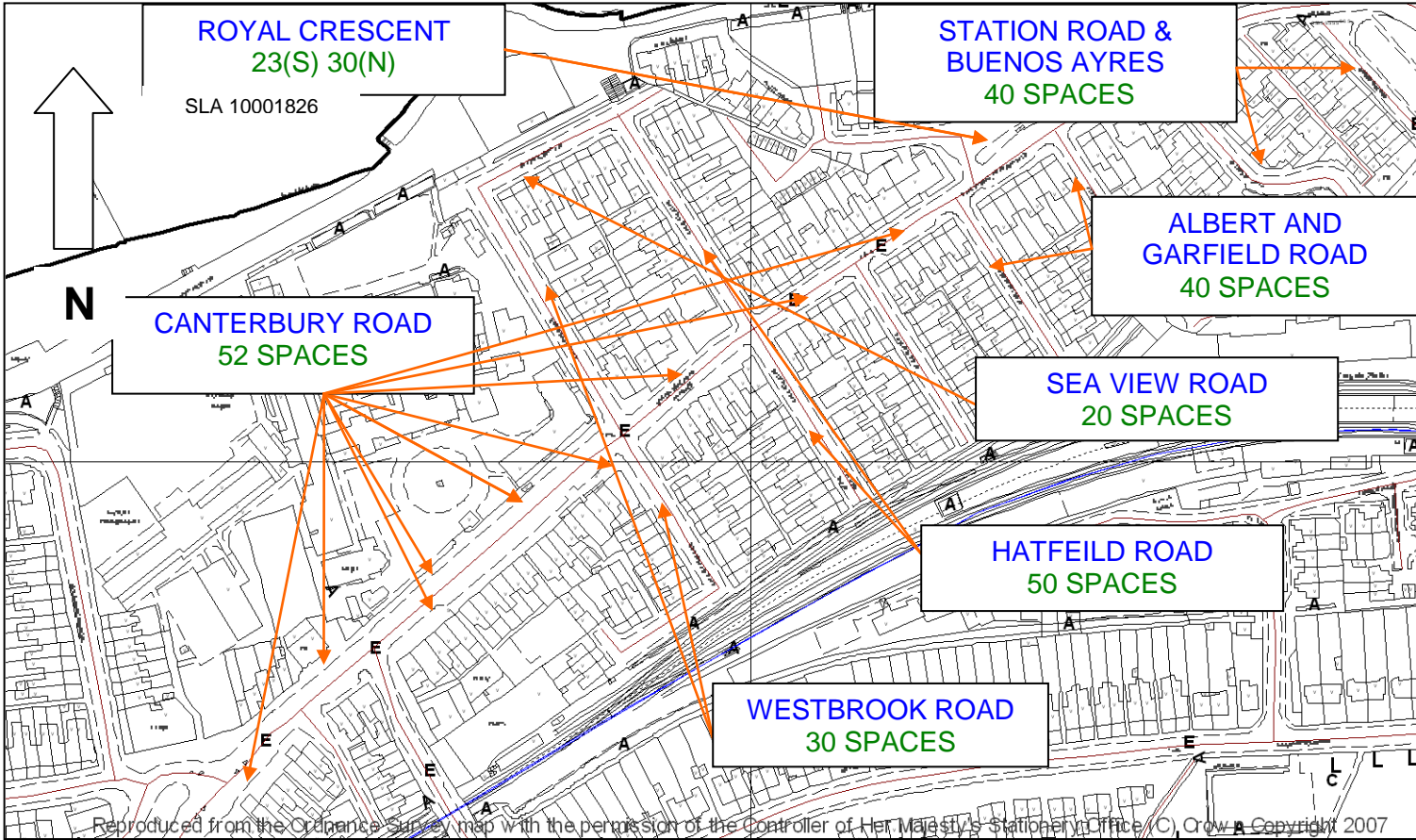


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POTENTIAL NEW RESIDENTS AND 'P & D' SCHEME

WESTBROOK

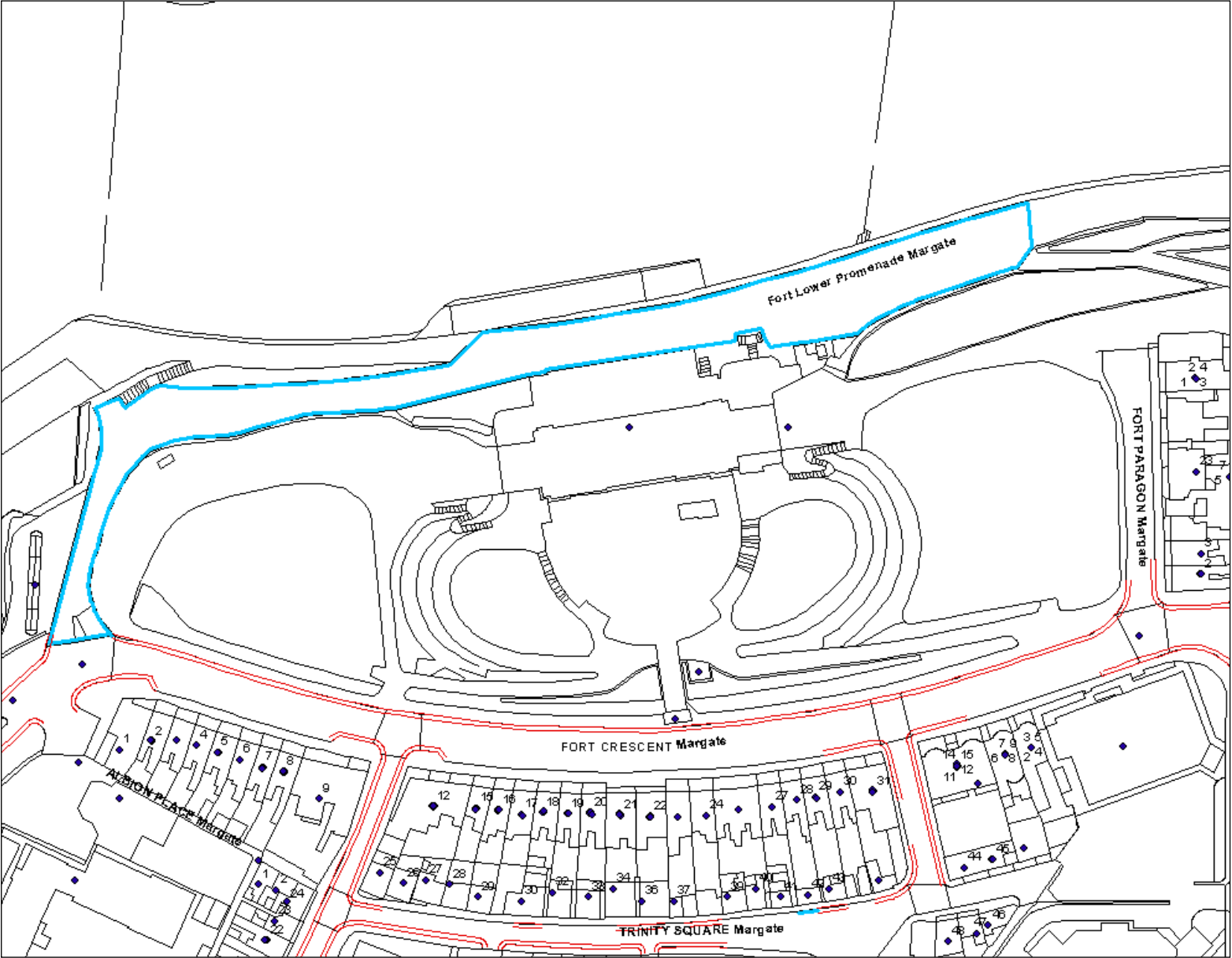
PARKING

NOTES
 SPACES BASED ON EXISTING PARKING PROVISION
 COULD INCLUDE RESIDENTS PARKING SCHEME

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Winter Gardens Margate

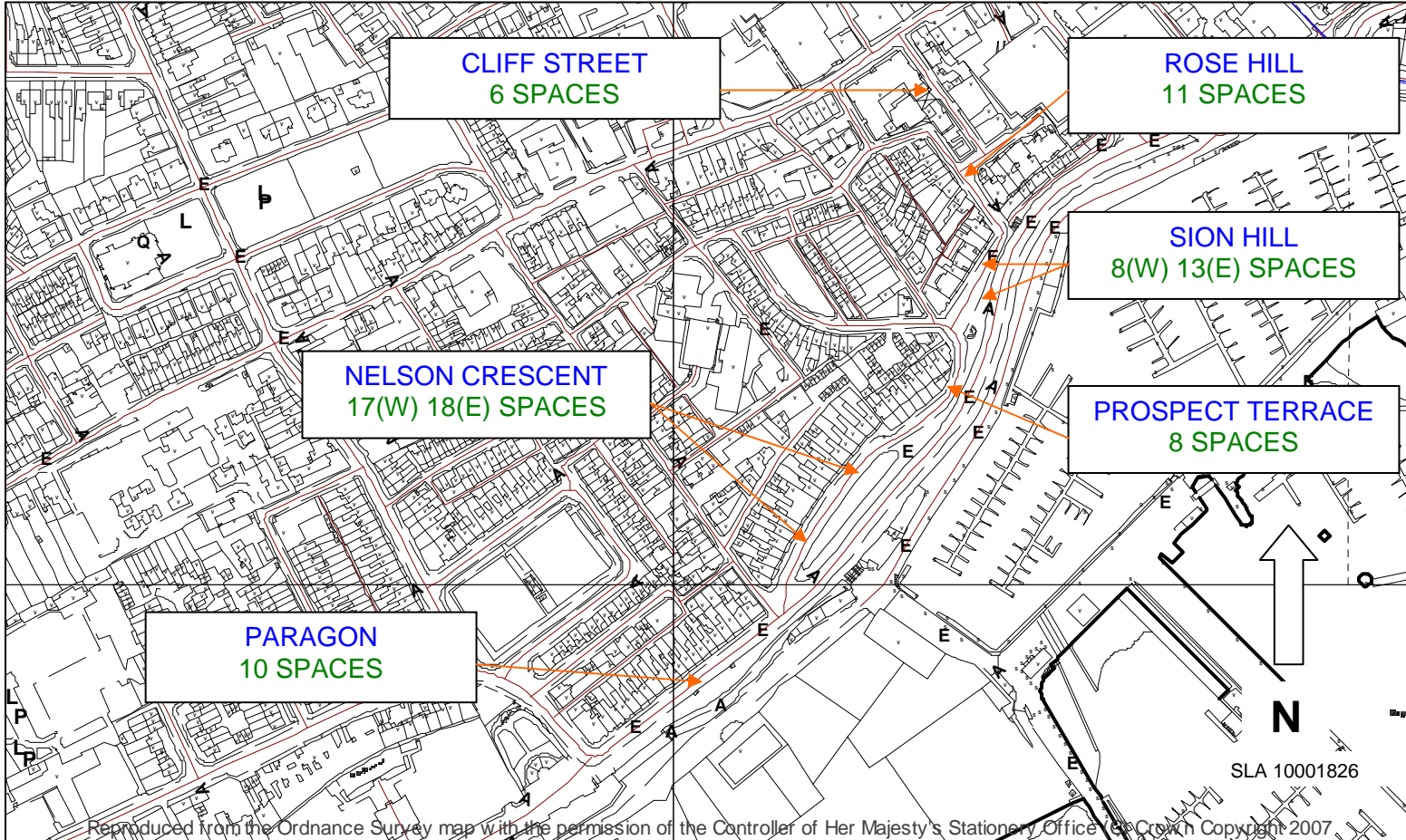


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POTENTIAL NEW RESIDENTS
'P & D' SCHEME

RAMSGATE HARBOUR

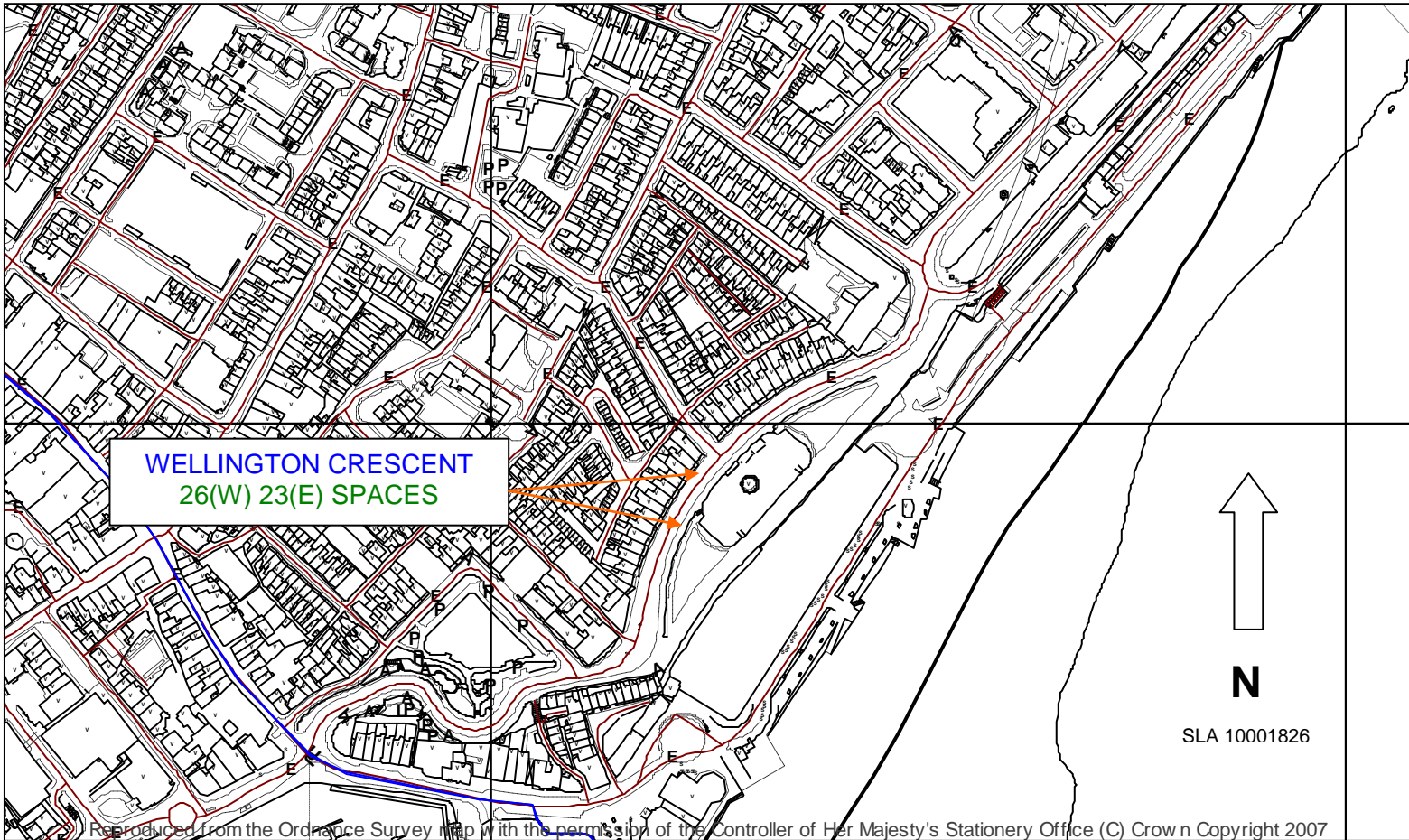
PARKING

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SPACES BASED ON EXISTING PARKING
PROVISION

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POTENTIAL NEW 'P & D'
WITH RESIDENTS

RAMSGATE EASTCLIFF

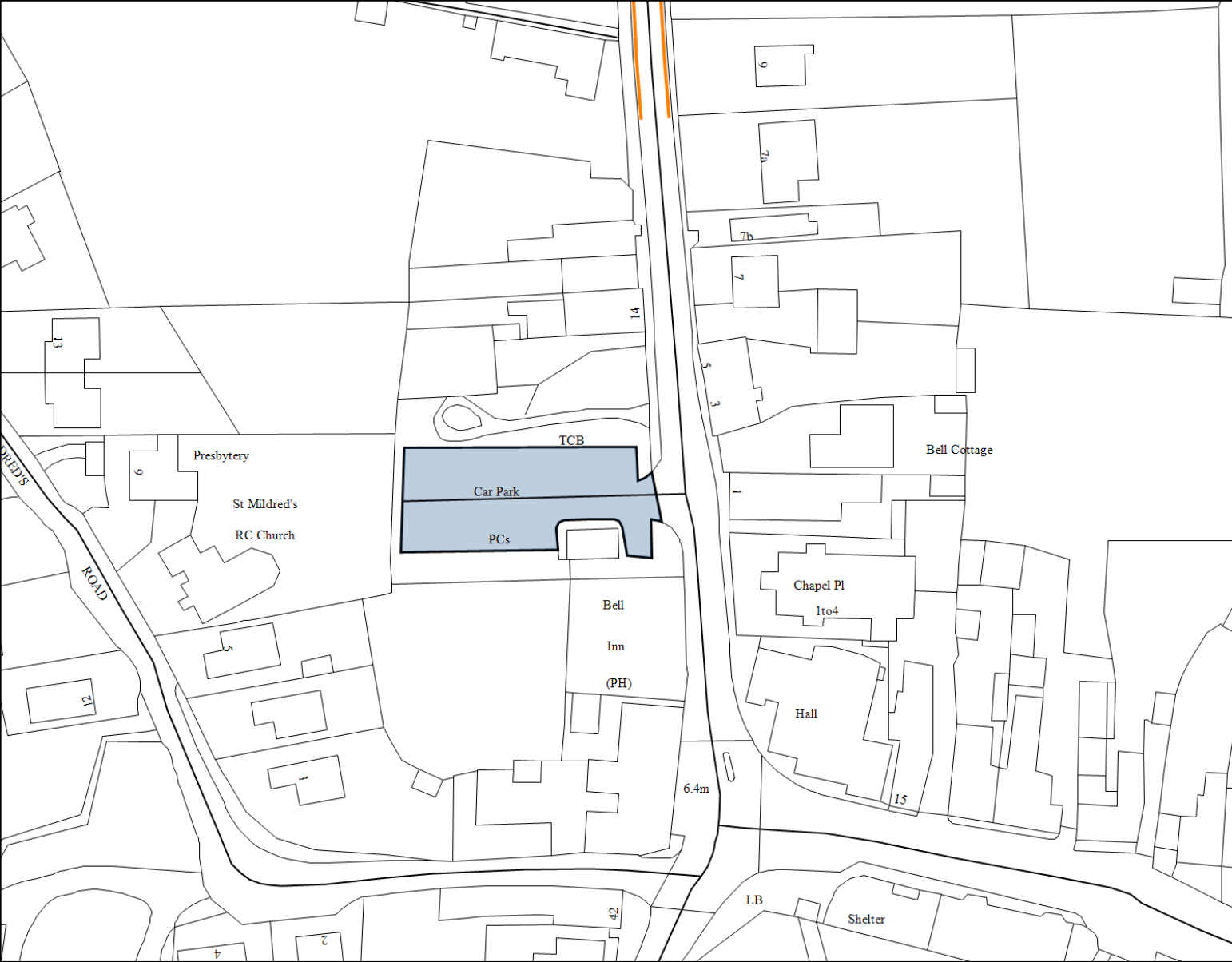
PARKING

NOTES

SPACES BASED ON EXISTING
PARKING PROVISION

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High Street, Minster, Ramsgate



High Street Minster Car Park
P&D 20 Spaces



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Monkton Road, Minster, Ramsgate

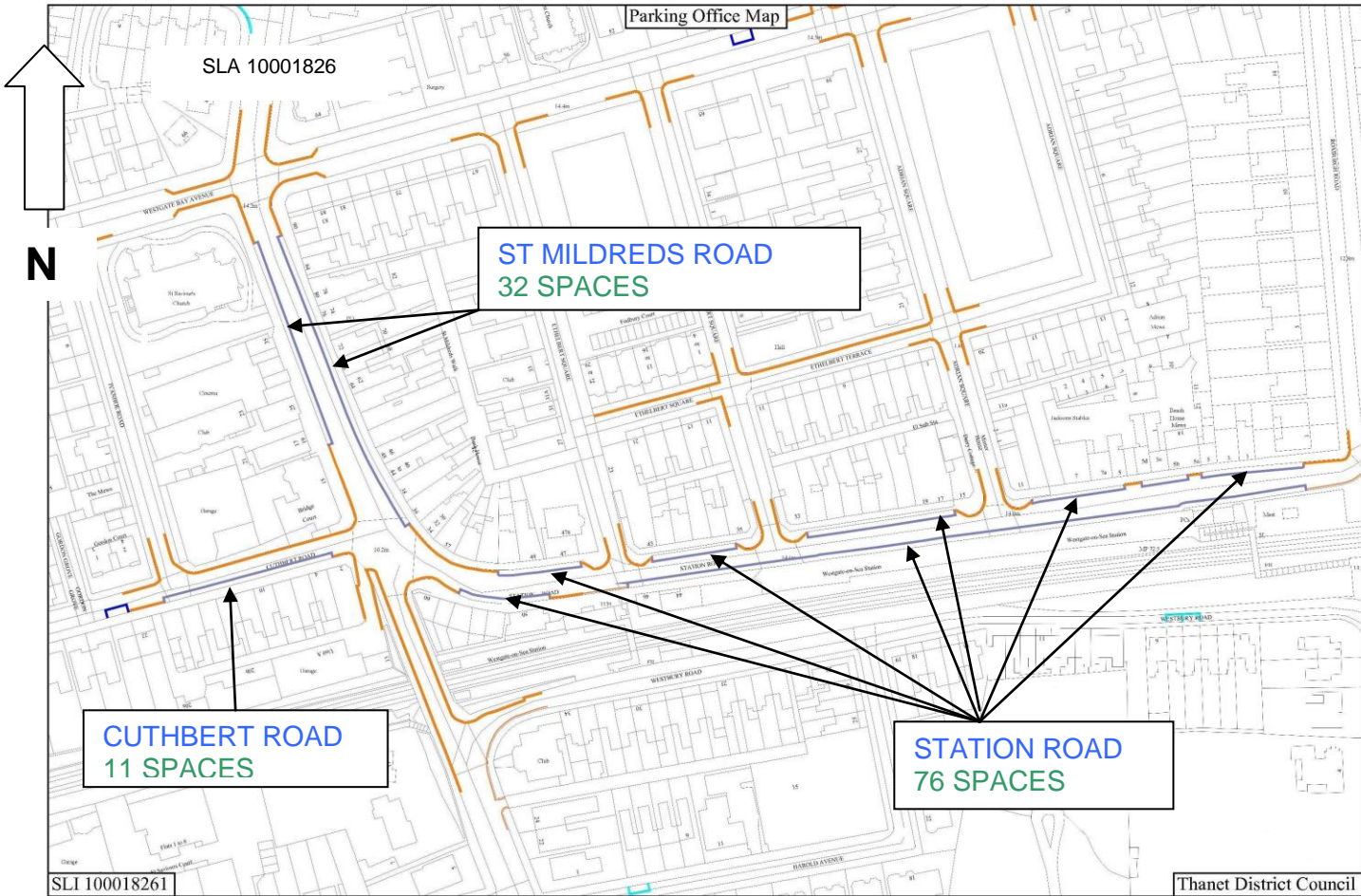


Monkton Road Car Park
P&D 32 Spaces



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POTENTIAL RESIDENTS & 'P & D' SCHEME
WESTGATE
PARKING

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Establishment of a Good Causes Lottery in Thanet

Cabinet	27 April 2017
Report Author	Tim Willis, Director of Corporate Resources & Section 151 Officer
Portfolio Holders	Cllr John Townend, Portfolio Holder for Financial Services and Estates
Status	For Decision
Classification:	Unrestricted
Key Decision	No

Executive Summary:

This report sets out the features of the Thanet Lottery and the processes required prior to the first draw of the lottery in September / October 2017.

Recommendation:

1. That Cabinet approves the process to establish a Good Causes Lottery in Thanet in accordance with the 9 February Council decision regarding the budget for 2017-18.
2. That the purpose of the Lottery is to raise funds for local Good Causes which benefit Thanet residents.
3. That the Director of Corporate Resources & Section 151 Officer be given delegated authority to appoint an External Lottery Manager (ELM) subject to due diligence and appropriate procurement activity.
4. That all income and expenditure in relation to the lottery be administered within a lottery reserve, administered by the S151 Officer.
5. That the Director of Corporate Governance & Monitoring Officer be given delegated authority to promote and operate the lottery on behalf of the council and establish personal licence holders as part of the internal governance arrangements.

CORPORATE IMPLICATIONS

Financial and Value for Money	<p>The Medium Term Financial Strategy and the 2017-18 Budget include the establishment of a lottery as part of income generating schemes with target income of £30,000 which will be used to support good causes.</p> <p>The support of good causes is included in the budget, i.e. if the lottery does not generate the £30,000 net income then the funding of £30,000 to good causes will be in jeopardy.</p> <p>Examples of good causes currently supported by the council include:</p>
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	<p>Thanet Citizens Advice Bureau; Town Teams in Broadstairs, Margate & Ramsgate; Nature reserves in Pegwell and Monkton; Community associations in Birchington and Westgate and East Kent MENCAP</p> <p>The direct costs of this project including the set-up of a lottery website, managed and hosted by the ELM are containable within the projections that support the budget.</p> <p>The management contract with the ELM will set out how the costs (including prizes) and income from ticket sales will be administered and distributed.</p>
Legal	<p>Section 151 of the 1972 Local Government Act requires a suitably qualified named officer to keep control of the Council's finances. For this Council, it is the Director of Corporate Resources (S151 Officer), and this report is helping to carry out that function.</p> <p>The Gambling Act 2005 (The Act) includes as a permitted category; a 'local authority lottery'. Such lotteries must be licenced and regulated by the Gambling Commission and the council may use the net proceeds of the lottery for any purpose for which they have power to incur expenditure.</p> <p>A local authority licensed by the Gambling Commission is required to have at least one Personal Management Licence holder and as a safeguard on all future draws it is best practice to have a minimum of 2 such licence holders in the council.</p> <p>Additional information on the Act and local authority lotteries is attached in Annex 1.</p> <p>The contract for engagement of an ELM will be procured in accordance with Thanet Contract Standing Orders and all other regulatory provisions applicable in this case. No lottery manager services shall commence until a signed legal agreement has been completed between the council and its chosen Manager; this Agreement will include special conditions to be drafted by external solicitors with specialist knowledge of contract subject matter.</p> <p>Special conditions of contract will be formulated following external legal advice, costs of which are included in the budget for the project.</p>
Equalities Act 2010 & Public Sector Equality Duty	<p>Members are reminded of the requirement, under the Public Sector Equality Duty (section 149 of the Equality Act 2010) to have due regard to the aims of the Duty at the time the decision is taken. The aims of the Duty are: (i) eliminate unlawful discrimination, harassment, victimisation and other conduct prohibited by the Act, (ii) advance equality of opportunity between people who share a protected characteristic and people who do not share it, and (iii) foster good relations between people who share a protected characteristic and people who do not share it.</p> <p>Protected characteristics: age, gender, disability, race, sexual orientation, gender reassignment, religion or belief and pregnancy & maternity. Only aim (i) of the Duty applies to Marriage & civil partnership.</p>

Please indicate which aim is relevant to the report.	
Eliminate unlawful discrimination, harassment, victimisation and other conduct prohibited by the Act,	
Advance equality of opportunity between people who share a protected characteristic and people who do not share it	✓
Foster good relations between people who share a protected characteristic and people who do not share it.	✓
A preliminary assessment has been completed and all actions identified will be carried out as part of the project implementation plan.	

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

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

1.0 Introduction and Background

- 1.1 The establishment of a local lottery is a concept being explored by a number of local authorities across the country. At a time when there are increasing pressures on resources, lotteries are seen as a way of providing supplementary funding.
- 1.2 Aylesbury Vale was the first to launch an online local authority lottery (Vale Lottery) in November 2015. Since then, local authority lotteries are known to have started in Tonbridge and Malling, Portsmouth and Mendip, with others in the process of being set up, including Melton and Rushmoor.
- 1.3 The Vale Lottery is selling approximately 2,200 tickets a week to a population of approximately 190,000 (1.2%) and is expected to donate circa £65,000 to good causes. It is very hard to project sales in advance, but an equivalent performance in Thanet would generate sufficient proceeds to cover the budgeted target of £30,000.

2.0 Lottery Operation

- 2.1 The options for managing a local authority lottery include running it in-house, or to procure the services of an External Lottery Manager (ELM), on contract terms to be agreed. To run a lottery in-house would require staffing, including a lottery manager and the purchase and running of software systems. The costs of this have been explored in detail by other local authorities and found to be prohibitive in the short term. If the council were to engage an ELM, other than initial start-up costs, the operation of the lottery would be fully funded through the ticket proceeds and would bring in the skills and expertise to run all elements of the lottery process.
- 2.2 It is considered that appointing an ELM would be the most cost-effective solution to operating a lottery and this is consistent with the approach of other local authority lotteries.
- 2.3 The ELM will be fully insured in respect of the prize fund commitments and the good causes proceeds from ticket sales.

3.0 The Role of the Council

- 3.1 In order to operate a local authority lottery, the council will need to apply for a Local Authority Lottery Licence from the Gambling Commission. There will need to be a contractual arrangement with an ELM (who must also be licensed) to run the lottery although the council would retain obligations to the Gambling Commission, including policies on fair and open gambling and regular reports on activity.
- 3.2 The council will also promote and launch the Lottery, authorise payments to good causes and complete monthly returns to the Gambling Commission.
- 3.3 Personal Management License Holders will be senior officers who take overall management responsibility for the promotion and proper management of the lottery and for compliance with the regulatory regime as a whole.
- 3.4 The council will define eligibility criteria against which applications from good causes wishing to join the lottery will be assessed. It is proposed that these criteria be approved by Cabinet.

4.0 Next Steps

- 4.1 All dates are subject to Cabinet approval on 27 April 2017. Procurement activities in respect of defining the scope of the project and the legal framework in which the lottery will operate have been completed. Quotation documentation will be issued week commencing 1 May 2017 and contract award is anticipated week commencing 26 June 2017.
- 4.2 The proposed contract will be subject to special conditions (to be drafted by external lawyers with specialist knowledge and expertise in this field) including clauses in respect of early exit from the contract in the event of low participation and security of good causes funds in the event the ELM is wound up or goes into administration.
- 4.3 Gambling Commission licence application information is being collated and the application will be made following approval to proceed. The minimum timescale for issuing the licence is likely to be 8 weeks and maximum is 16 weeks. Application for personal management licence holders will be carried out as part of this process.
- 4.4 ELM system live date is forecast for the end of August and a first draw date will be subject to this milestone being met. The first draw date will also be subject to a review of market intelligence including projected ticket sales and is currently envisaged to take place in early October.
- 4.5 Marketing and promotion activities will commence in May 2017 which will include establishment of the initial good causes after selection criteria are agreed, market research on the name of the lottery, registration of a domain name for the website and set up of initial promotional channels. All activities will be in line with corporate objectives with constant reference to Responsible Gambling.

Contact Officer:	Ken Trotter, interim Head of Finance
Reporting to:	Tim Willis, Director of Corporate Resources, s151 Officer

Annex List

Annex 1	Gambling Commission Guidance
Annex 2	Equalities Impact Assessment
Annex 3	Draft guidelines and selection criteria

Background Papers

Title	Details of where to access copy
None	N/A

Corporate Consultation

Legal	Ciara Feeney, Head of Legal Services
Finance	Tim Willis, Director of Corporate Resources

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Annex 1



Promoting society and local authority lotteries

Advice for society and local authority lotteries which require a licence or registration

September 2014

1 Introduction

1.1 Lotteries are illegal unless they fall into one of the categories specifically permitted by law. Apart from the National Lottery (which has its own dedicated legislation), the relevant law is contained in the Gambling Act 2005 (the Act). The Act creates eight categories of permitted lottery. Three of these categories (small and large society lotteries and local authority lotteries) require either a licence from the Gambling Commission (the Commission) if they are a large society or local authority lottery, or registration with a licensing authority if they are a small society lottery. This advice relates to these lotteries. Advice on the remaining five categories can be found in a separate document called Organising small lotteries (Gambling Act 2005).

1.2 This advice is not comprehensive or a binding interpretation of the law and anyone intending to run a lottery should refer to the Act and if necessary seek independent legal advice to ensure that they conform to the law before proceeding. Separate advice has been issued to local authorities in respect of small society lotteries under their jurisdiction.

1.3 The Act has three licensing objectives that are central to the regulatory regime and underpin the functions that the Commission and licensing authorities perform in respect of all types of gambling, including lotteries. These are:

- preventing gambling from being a source of crime or disorder, being associated with crime or disorder, or being used to support crime
- ensuring that gambling is conducted in a fair and open way
- protecting children and other vulnerable people from being harmed or exploited by gambling.

2 Definition of a lottery

2.1 In simple terms a lottery is a kind of gambling that has three essential elements:

- payment is required to participate
- one or more prizes are awarded

- those prizes are awarded by chance.

This is set out more formally in the Act which defines two types of lottery, a simple lottery and a complex lottery.

2.2 An arrangement is a simple lottery if:

- people are required to pay to participate in the arrangement
- in the course of the arrangement one or more prizes are allocated to one or more people in a class
- the prizes are allocated by a process which relies wholly on chance.

2.3 An arrangement is a complex lottery if:

- people are required to pay to participate in the arrangement
- in the course of the arrangement one or more prizes are allocated to one or more people in a class
- the prizes are allocated by a series of processes
- the first of those processes relies wholly on chance.

2.4 In addition, section 14(5) of the Act stipulates that, for the purpose of these definitions, a process that requires people to exercise skill or judgment or display knowledge is to be treated as relying wholly on chance if:

- the requirement cannot reasonably be expected to prevent a significant proportion of people who participate in the arrangement from receiving a prize
- it cannot reasonably be expected to prevent a significant proportion of people who wish to participate in the arrangement from doing so.

3 Meaning of society and local authority lotteries

Society lotteries

3.1 Society lotteries are lotteries promoted for the benefit of a non-commercial society. Such societies are organisations that have distinct aims and objectives and meet the definition of a non-commercial society set out in the Act.

3.2 A society is non-commercial if it is established and conducted:

- for charitable purposes
- for the purpose of enabling participation in, or of supporting, sport, athletics or a cultural activity
- for any other non-commercial purpose other than that of private gain.

Local authority lotteries

3.3 Local authority lotteries are lotteries promoted by local authorities themselves. These differ from

society lotteries registered with a licensing authority. Authorities may use the net proceeds of such lotteries for any purpose for which they have power to incur expenditure.

4 Large society and local authority lottery licensing requirements

4.1 A society lottery is a large lottery and may only be run under an operating licence issued by the Commission if the arrangements for that lottery are such that total proceeds (ticket sales) from it:

- may in a single society lottery exceed £20,000,
- or the proceeds of previous lotteries in the same calendar year have already reached or may, taking into account the lottery in question reach £250,000 in one calendar year.

4.2 If a society promotes a lottery which, applying the above rules, is a large lottery (the first lottery) then every subsequent lottery it promotes in that year and in the following three years will also be a large lottery and will require the society to hold a lottery operating licence issued by the Commission.

4.3 All local authority lotteries must be run under an operating licence issued by the Commission.

4.4 Societies and local authorities that allow players to participate in their lotteries by means of remote communication (internet, telephone etc) will be required to hold a remote lottery operating licence, whether or not their activities also require them to hold a non remote lottery operating licence.

4.5 General information about the Commission's licensing requirements is given in this document. Specific guidance is available on the Commission's website.

5 Small society lotteries

5.1 Societies that run small society lotteries, that is to say lotteries in which no more than £20,000 worth of tickets are put on sale and where the society's aggregate proceeds from lotteries do not exceed £250,000 a year may operate without a Commission licence provided they register with their licensing authority. Where it becomes apparent that a small society lottery will exceed either of the monetary limits, it is the responsibility of the society to ensure they apply to the Commission for a licence, before the limit is exceeded.

5.2 The promoting society of a small society lottery must, throughout the period during which the lottery is promoted, be registered with a licensing authority in England and Wales or a licensing board in Scotland.

5.3 The societies are required to be registered with their licensing authority in the area where their principal office is located. If the local authority believes that the society's principal office is situated in another area it should inform the society as soon as possible and if possible inform that other authority.

5.4 Details of registration requirements and procedures can be obtained from the licensing

department of the relevant local authority.

5.5 Societies that run small society lotteries under registration with a licensing authority and that sell tickets by means of remote communication (internet, telephone etc) are not required to hold a remote gambling licence issued by the Commission.

6 Personal Management Licences

6.1 A society or local authority licensed by the Gambling Commission is required to have at least one Personal Management Licence (PML) holder if they have more than three people in qualifying positions.

6.2 A qualifying position is one where an individual by the terms of their appointment has primary responsibility for:

- the management of the licensed activity (ie the lottery)
- the financial affairs of the society
- ensuring the society complies with the requirements of the Gambling Act
- the marketing of the lottery
- management of the IT used in connection with the lottery.

6.3 In deciding who should hold the PML a society or local authority should identify the relevant senior individual who takes overall management responsibility for the promotion and proper management of the lottery and for compliance with the regulatory regime as a whole. The PML holder must be a trustee or officer of an unincorporated society, a director of a corporate society or a partner where the society is a partnership. In the case of a local authority lottery the PML holder must be someone in a senior management post who holds the relevant delegated authority from the licensing authority.

6.4 If a society has three or fewer people in qualifying positions they will qualify as a small scale operator and will be exempt from the need to have a PML holder. In those circumstances one individual from the society who is identified as the senior person responsible for the overall conduct of the lottery (usually the chief executive, a trustee, director or member of the senior management board) must complete the personal declaration (Annex A) of the Operating Licence application form and submit it to the Commission along with a Criminal Records Bureau form.

6.5 A society must not operate any lottery unless it has at least one PML holder or at least one Individual who has submitted an Annex A and is named on the operating licence. If the people holding PMLs or the people who have previously submitted Annex A Personal Declarations under the small scale operator exemption change, the society must notify the Commission as soon as possible. If departures leave the society without a PML holder or anyone who has submitted an Annex A, then a new individual needs to make an application for a PML, or in the case of those operators subject to the small scale operator exemption, submit an Annex A. The latter will also require an amendment to the operating licence. Both instances will require a Criminal Records Bureau check as well as appropriate payment.

6.6 Detailed guidance on PMLs and the small scale operator exemption are available on the Commission's website.

7 External Lottery Managers

7.1 A licensed or registered society or local authority may employ an external lottery manager (ELM) to manage all or part of its lottery. An ELM is defined in section 257 of the Act as someone that is a person or a body who makes arrangements for a lottery on behalf of a society or local authority but is not a member, officer or employee of the society or authority.

7.2 All ELMs must hold a lottery manager's operating licence issued by the Commission before they can manage a licensed society or local authority lottery or a society lottery registered with a local authority. It is the responsibility of the society or local authority to ensure that before employing anyone to manage all or part of their lottery that person or body holds a valid lottery manager's operating licence issued by the Commission. A list of licensed ELMs is available on the Commission's website.

7.3 The fact that a society or local authority may employ a licensed ELM to manage all or part of its lottery does not absolve the society or local authority from its responsibility for ensuring that the lottery is conducted in such a way as to ensure that it is lawful and fully complies with all licence conditions and the codes of practice. Both the society or local authority and the ELM require an operating licence from the Commission.

7.4 ELMs are also required to hold Personal Management Licences for a range of directors and senior managers, including the managing director, chief executive, finance director, compliance manager, marketing manager and IT manager.

7.5 ELMs also need to hold a remote gambling licence if they intend to sell tickets by means of remote communication (internet, telephone etc.).

8 External Lottery Managers and service providers

8.1 Uncertainty can arise as to whether services provided to societies or local authorities amount to the promotion or facilitation of a lottery, in which case the provider needs an ELM licence if they are to avoid committing an offence, or instead amount to the provision of services which do not amount to promotion or facilitation, in which case no licence is needed. The following paragraphs give some guidance on the distinction. But anyone who is uncertain whether the services provided require the provider to hold an ELM licence should contact the Commission for advice.

8.2 Under section 252 of the Act, a person promotes a lottery if they make or participate in making the arrangements for a lottery. It says further that a person promotes a lottery in particular if they:

- make arrangements for the printing of tickets
- make arrangements for the printing, publication and distribution of promotional material
- make arrangements to advertise a lottery
- invite an individual to participate in a lottery

- sell or supply tickets
- offer to sell or supply tickets
- use premises for the purpose of allocating prizes or for any other purpose connected with the administration of a lottery.

Promotional material is defined as a document that advertises, invites participation, contains information about how to participate, or lists winners, in a particular lottery.

8.3 A person commits an offence under the Act if they carry out any of these activities on behalf of a society or local authority unless:

- they are an officer, employee or a member of a licensed or registered society or local authority
- or they are a licensed ELM directed by a society or local authority to run all or part of its lottery.

8.4 Under section 259, a person facilitates a lottery if they:

- print lottery tickets for a specified lottery
- print promotional material for a specified lottery
- advertise a specified lottery.

A person commits an offence of facilitating a society or local authority lottery unless they act in accordance with an operating licence.

8.5 Whether or not a person or body carrying out activities on behalf of a society or local authority requires licensing as an ELM will depend on the activities they conduct and whether they amount to either promoting or facilitating a lottery and, if so, the circumstances in which they carry out those activities. For instance companies which print tickets for or which advertise lotteries under direction from licensed or registered societies or licensed ELMs do not themselves require a licence because, although they are facilitating a lottery, they are acting in accordance with a licence held by someone else.

8.6 To take another example, direct mailing companies employed by society lotteries may be classed as either a service provider or ELM, depending on the functions they carry out. If their only role is to post tickets to people to participate in the lottery from a list provided by the society or ELM, the Commission does not think they are doing any of the things that fall into the definition above of promoting a lottery. However, where a person or body is responsible for and manages part or all of the lottery and decides issues such as where to target promotional material, sources people to enter the lottery and deals with ticket transactions, they are carrying out functions that are caught by the definition of promoting a lottery and require a licence.

8.7 The Commission considers that the Act provides a comprehensive definition of what amounts to promoting or facilitating a lottery for the purpose of determining whether an ELM licence is needed for people or bodies providing services to societies or local authorities. In cases where there is doubt whether or not a person or body is acting in the role of an ELM, the Commission will have regard to the overall management and degree of control of the lottery undertaken by the society and the

other party in question. Where the person or body making any of the arrangements for a society or local authority lottery, for example, has control of how the lottery is promoted and managed, the Commission's view is that they will be acting as an ELM and will need to hold the relevant operating licence issued by the Commission if they are to avoid committing an offence under the Act. Key indicators the Commission uses in reaching a conclusion include:

- who decides how the lottery scheme will operate and when changes to the scheme should be made
- who controls the promotion, marketing and advertising of the lottery
- who sells the tickets
- who pays the prizes
- who appoints and manages sub-contractors
- banking arrangements and the process for handling the proceeds of the lottery
- the contractual agreements between the society and the other party.

9 Remote lotteries

9.1 Section 4 of the Gambling Act specifies that remote gambling means gambling in which people participate by the use of remote communication including the internet, telephone, television, radio or any other electronic or technological method of communication. Normal letter post is not a form of remote communication for the purposes of the Act.

9.2 Societies and local authorities requiring licensing by the Commission and which allow players to participate in their lotteries by means of remote communication will be required to hold a remote lottery operating licence. For example, those accepting payments by telephone, or over the internet, will require a remote operating licence.

9.3 Holders of a remote lottery operating licence will be required to comply with the technical standards and the other specific licence conditions and codes of practice issued by the Commission that relate to remote gambling. Only remote lottery operating licence holders that accept more than £250,000 worth of entries by remote means per year will be required to meet the full testing and third party security audit requirements. Further details are available on the Commission's website.

9.4 Societies registered with licensing authorities that allow people to participate in their lottery by way of remote communication are not required to hold a remote lottery operating licence.

10 Gambling Commission licence conditions and codes of practice

10.1 All societies and local authorities licensed by the Commission to run lotteries are required to comply with the specific licence conditions and codes of practice relevant to them. The specific licence conditions are set out at the time a licence is issued.

10.2 Some of the licence conditions and requirements of the codes of practice are referred to below. Specific details are contained in the Commission's Licence Conditions and Codes of Practice, which is

available on the Commission's website.

11 Society and local authority lotteries - proceeds and other monetary limits

11.1 A society or local authority lottery must apply a minimum of 20% of the gross proceeds of each lottery directly to the purposes of the society or in the case of a local authority a purpose for which the authority has power to incur expenditure.

11.2 Up to a maximum of 80% of the gross proceeds of each lottery may be divided between prizes and the expenses of the lottery.

11.3 In a single large society or local authority lottery the maximum value of tickets that can be sold is £4 million. The maximum aggregate value of lottery tickets that can be sold in any calendar year is £10 million.

11.4 The maximum prize in a single lottery is £25,000 in the case of a small society lottery and £25,000 or 10% of the proceeds (gross ticket sales), whichever is greater, in the case of a large society or local authority lottery. Therefore, a society that sells the maximum number of tickets in a single large lottery (£4 million) could award a maximum top prize of £400,000.

11.5 Rollovers are permitted provided the maximum single prize limit is not breached.

11.6 Every ticket in the lottery must be the same price and the cost of purchased tickets must be paid to the society before entry into the draw is allowed.

11.7 There is no maximum price of a lottery ticket.

11.8 No lottery organised by a large society or local authority may operate in such a way that a player can win a prize greater than the statutory prize limit of £400,000.

11.9 No lottery organised by a large society or local authority may be linked to any other lottery in such a way that a person who wins a prize in one also wins a prize in another, unless the aggregate of those prizes is less than or equal to the statutory prize limit of £400,000.

11.10 Where separate lotteries have a feature that allows a player to win a larger prize than the statutory maximum of £400,000 by selecting the same numbers in different lotteries and these lotteries are decided by the same draw, no advertisement or other marketing of the lotteries may refer to this feature. A lottery cannot be linked to a prize competition or free draw if the maximum amount which a person can win is more than £400,000 in aggregate.

12 Ticket information

12.1 All tickets in a society lottery licensed by the Commission or registered with a local authority must state:

- the name of the society on whose behalf the lottery is being promoted
- the price of the ticket
- the name and address of the member of the society responsible for the promotion of the lottery.

In the case of a small society lottery run under local authority registration the name and address of the ELM if there is one may be given as an alternative

- the date of the draw, or the means by which the date may be determined
- the fact, where that is the case, that the society is licensed by the Commission
- the website address of the Commission, if licensed by the Commission.

12.2 Tickets that are issued through a form of remote communication or any other electronic manner must specify the information above to the purchaser of the ticket and ensure that the message can be either retained (saved) or printed.

13 Sale of tickets

13.1 Tickets in society and local authority lotteries promoted under licence from the Commission must not be sold to anyone in a street. Tickets may be sold by a person in a static structure such as a kiosk or display stand, from a shop premises in a street, or door to door. For this purpose a 'street' includes any bridges, road, lane, footway, subway, square, court, alley or passage (including passages through enclosed premises such as shopping malls) whether a thoroughfare or not. Society lotteries and/or the responsible ELM must also ensure that they have any necessary local authority permissions, such as a street trading licence. The Commission has recommended to licensing authorities that they also apply this restriction to small society lotteries. Small societies should check with the licensing authority they are registered with.

13.2 Lottery tickets must not be sold to, or by, those under the age of 16.

13.3 Society lottery tickets may be sold from vending machines. These machines may be sited anywhere that a society lottery ticket can be sold (see 13.1). They are not subject to restrictions on the number that can be sited and no licence is required to site or supply them. However, licensed operators (societies and/or ELMs) must ensure that they fulfil their social responsibility duties under the licence conditions and codes of practice in respect of preventing underage play and problem gambling. In the case of lottery ticket vending machines the operator may wish to ensure that the machine is located in a supervised area or that some other arrangements are put in place to prevent underage and problem gambling.

13.4 To minimise the risk of fraud, societies licensed by the Commission should adopt one or more of the following measures when sending unsolicited mailings of lottery tickets:

- prohibit the unsolicited mailing of lottery tickets to non-members of the promoting society
- limit the value of tickets sent to any one address which is not that of a member of the promoting society to £20
- maintain records of tickets distributed and not returned. The Commission recommends that these records should include details of the address to which the tickets have been sent, their total value and their serial number. Information on unsold tickets not returned by the date of the lottery draw should be retained for at least six months.

13.5 Society lottery operator licences (remote and non-remote) from the Commission allow societies to sell lottery tickets within Great Britain (England, Scotland, and Wales). If you wish to sell lottery tickets outside of Great Britain you will need to check the laws that apply in that jurisdiction.

14 Financial requirements

14.1 For society and local authority lotteries promoted under licence from the Commission, accounting records must be retained for a minimum of three years from the date of any lottery to which they relate and they must be made available for inspection by the Commission on request. These records must contain, in respect of each lottery, details of the:

- the total proceeds;
- the amount allocated to prizes;
- the amount of proceeds allocated to expenses, and details of those expenses;
- the amount applied directly to the purposes of the society or the purposes for which the local authority has power to incur expenditure as the case may be; and
- the number of sold and unsold tickets in each lottery.

14.2 Where the cumulative proceeds of lotteries promoted by a society or local authority exceed £1,000,000 in a calendar year, the Commission must be sent a written confirmation from a statutory auditor that the proceeds of those lotteries have been fully accounted for in annual audited accounts. Such confirmation must be provided within ten months of the end of the period to which the accounts relate.

14.3 A statutory auditor is someone who is eligible for appointment as a company auditor under section 1210 of the Companies Act 2006 but is not, in the case of a society:

- a) a member of the society
- b) a partner, officer or employee of such a member
- c) a partnership of which a person falling within (a) or (b) is a partner.

15 Lottery submissions

15.1 Every society and local authority licensed by the Commission must provide a submission for each lottery. This must show the total proceeds and how they have been distributed between prizes and expenses and the amount applied directly to the society's purposes, or purpose for which the local authority has power to incur expenditure.

15.2 A licensed society's or local authority's submission must be sent to the Gambling Commission no later than three months after the date of the lottery draw or in the case of an instant (scratchcard) lottery within three months of the last date on which tickets in the lottery were on sale. At the time it is submitted each submission must be verified by a Personal Management Licence holder, a qualified person in the case of a small scale operator or the person (in the case of societies) named on the lottery tickets as being responsible for the promotion of the lottery.

15.3 Submissions can be sent to the Commission on-line using the relevant form or the form can be downloaded and sent through the post.

15.4 Every society registered with a local authority to run small society lotteries must submit a statement providing the following information:

- the date on which tickets were available for sale or supply and the date of the draw
- the total proceeds of the lottery (remote and non-remote)
- the amounts deducted by promoters of the lottery in providing prizes, including rollovers
- the amounts deducted by the promoters of the lottery in respect of costs incurred in organising the lottery
- the amount applied directly to the purpose for which the promoting society is conducted or for which the local authority has power to incur expenditure (at least 20% of the gross proceeds)
- whether any expenses incurred in connection with the lottery were not paid for by deduction from the proceeds, and, if so, the amount of expenses and the sources from which they were paid.

15.5 A registered society's statement must be sent to the local authority within three months beginning on the day the draw (or last draw) in the lottery took place. It must be signed by two members of the society appointed in writing for that purpose by the society's governing body and accompanied by a copy of that appointment.

16 Social responsibility

16.1 Lotteries are a form of gambling and as such societies and local authorities are required to ensure that children and other vulnerable people are not exploited by their lottery.

16.2 The minimum age for participation in a society or local authority lottery is 16 years of age. A person commits an offence if they invite or allow a child to enter such a lottery. Licensed societies and local authorities running lotteries must have written policies and procedures in place to help prevent and deal with cases of under-age play.

16.3 Licence holders must take all reasonable steps to ensure that information about how to gamble responsibly and how to access information and help in respect of problem gambling is readily available.

16.4 Further information about social responsibility requirements is contained in the Commission's Licence Conditions and Codes of Practice document.

17 B3A lottery machines

17.1 Section 235(2)(d) of the Act and Regulations under that section define a B3A machine as one where the results of the lottery are determined by the machine and/or the machine displays the results of the lottery without an interval of at least one hour between the sale of the ticket and the announcement of the result. These machines can only be sited in a members' club or miners' welfare institute holding a club gaming or club machine permit issued by the licensing authority.

Clubs and institutes are entitled to site one category B3A machine on the premises.

18 Proceeds and profits

18.1 Section 254 of the Act clarifies what is meant by 'proceeds' and 'profits' of a lottery.

18.2 'Proceeds' are the total amount paid for tickets before any deductions.

18.3 'Profits' are the amount of proceeds less any deductions for prizes, rollovers, and reasonable expenses incurred in connection with running the lottery.

19 Misusing profits of lotteries

19.1 Under section 260 of the Act it is an offence to use or permit profits from a large society or local authority lottery to be used for any purposes other than for the purpose for which the lottery was permitted or promoted. Section 261 applies the same offence to small society lotteries.

20 Contacts

Gambling Commission

www.gamblingcommission.gov.uk

Department for Culture Media and Sport

www.culture.gov.uk

The Lotteries Council

www.lotteriescouncil.org.uk

Hospice Lotteries Association

www.hospicelotteries.org.uk

Gamcare

www.gamcare.org.uk

Responsible Gambling Trust

www.responsiblegamblingtrust.org.uk

Charity Commission for England & Wales

www.charity-commission.gov.uk

Office of the Scottish Charities Regulator

www.oscr.gov.uk

Trading Standards

www.tradingstandards.gov.uk

Local Government Regulation

www.local.gov.uk

Institute of Fundraising

www.institute-of-fundraising.org.uk

Charity Law Association

www.charitylawassociation.org.uk

Committee of Advertising Practice

www.cap.org.uk

National Lottery Commission www.natlotcomm.gov.uk

Keeping gambling fair and safe for all

For further information or to register your interest in the Commission please visit our website at:

www.gamblingcommission.gov.uk

Gambling Commission

Victoria Square House

Victoria Square

Birmingham B2 4BP

T 0121 230 6666

F 0121 230 6720

E info@gamblingcommission.gov.uk ADV 14/10

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Customer Impact Screen

Topic	Local Authority Lottery
For decision by (name and date)	Cabinet – 27 th April 2017
Date of screening assessment	January 2017
Author	Helen Efemini



Introduction to the proposal and background	<p>The establishment of a local lottery is a concept being explored by a number of local authorities across the country. At a time when there are increasing pressures on resources, lotteries are seen as a way of providing supplementary funding.</p> <p>Thanet District Council (TDC) is committed to continuing to support the local voluntary and community sector and with the establishment of a “Good Causes Lottery “ will seek to maximise benefits to the community, deliver the proceeds locally, have local lottery winners, minimise operational costs, and help raise awareness of the value and importance of local good causes.</p> <p>A lottery is a form of gambling and is run within the framework set out by the Gambling Commission and Gambling Act 2005 . Under the licensing objectives set out in the Gambling Act, operators are required to ensure they protect children and other vulnerable persons from being harmed or exploited by gambling. Any form of gambling has some risk to the residents of Thanet , however it is regarded as one of the lowest forms of risk to the protected groups identified within this assessment.</p>
----------------------------------------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

	Negative Impact		Benefits		Evidence
	Yes	No	Yes	No	
protected characteristics					
Age	✓		✓		The lottery, being an age restricted practice will need careful marketing and protective measures to ensure those under 16 cannot purchase a ticket. 'Good Cause' groups that benefit could include those that provide services or deliver projects that benefit different age groups. Enforcing the policies and procedures required by the Act 2005 for a licenced Operator will mean mitigation has been put in place to reduce the impact.
Gender (Sex)		✓	✓		'Good cause' groups that benefit could include those that provide services or deliver projects that benefit different gender groups.
Disability	✓		✓		The council is mindful of issues such as gambling addiction, this will be explored in greater detail in the full assessment. 'Good cause' groups that benefit could include those that provide services or deliver projects that benefit disability groups.
Race		✓	✓		'Good cause' groups that benefit could include those that provide services or deliver projects that bring communities together.
Sexual Orientation		✓	✓		'Good cause' groups that benefit could include those that provide services or deliver projects in this area.
Gender Reassignment		✓	✓		'Good cause' groups that benefit could include those that provide services or deliver projects in this area.
Pregnancy & Maternity		✓	✓		'Good cause' groups that benefit could include those that provide services or deliver projects in this area.
Religion & Belief		✓		✓	Religious, political and faith groups are not expected to be listed as a 'good cause' , this is to maintain the council impartiality . Some religions do not permit gambling.
Marriage & Civil Partnership		✓		✓	Not considered applicable to this analysis.
Socio-economic/ social inclusion		✓	✓		'Good cause' groups that benefit could include those that provide services or deliver projects in this area. The lottery is expected to increase activity to bring together community/groups and further the aims of the council to promote activities that improve the wellbeing of residents. There will be social economic benefits which will only be determined once the Good Causes are known. This area will continue to be considered and monitored throughout the life of the Lottery.
Final recommendation arising from the screening process.					To explore age and disability issues in greater detail as part of a full analysis. To consider how 'good causes' who will benefit and can help the council discharge its equality duties through their work funded by this lottery , this will be addressed once the Good Causes are known.

Customer Impact Assessment

Topic	TDC Lottery
For decision by (name and date)	Cabinet – 27 th April 2017
Date of this assessment	March 2017
Author	Helen Efemini
Assessment Team	Helen Efemini and Claire Grant

Detailed analysis

Issue 1	Preventing under-age participation and protecting vulnerable groups
Stakeholders/interested parties	<p>Internal stakeholders: Information Governance and Equality Officer, Communications, Legal, Licensing, CMT, Finance, Members and Personal Licence holder.</p> <p>External stakeholders: Other Local authorities in Kent and neighbouring counties, Gambling Commission http://www.gamblingcommission.gov.uk , approved 'good causes' who offer services or deliver projects to under 16's, External lottery Manager and residents.</p>

Consultation & Engagement	<p>All communications to residents and good causes will emphasise the strict age limits associated with taking part in a lottery and the importance of only taking part if you are able to afford the ticket.</p> <p>The Lottery will work with ‘good causes’ especially those who provide and deliver services/ projects to under 16s, to ensure that their marketing is aimed at parents, family members and friends over the age of 16. The lottery administration will continue to look closely at this issue during the life of the project.</p>
Data sources and evidence	<p>http://www.gamblingcommission.gov.uk/PDF/survey-data/Young-people-and-gambling-2016.pdf</p> <p>Subject Specific Legislation –Gambling Act 2005 section 24 and 82(1), the operating licence must comply with social responsibility code provision 3.2.13(Licence Conditions and Code of Practice (LCCP))</p> <p>Gambling Act 2005 section 83(1), which covers the returning of lottery ticket money if received from a child. When a licensee becomes aware that a child has taken part in the lottery it must return any money paid by the child as soon as is reasonably practicable. It also states that no prize can be given to the child.</p> <p>Any other relevant data – As part of the social responsibility code provisions, of the licence, (section 3) requires policies & procedures designed to prevent underage gambling, and to regularly monitor effectiveness. Compliance with the code is a condition of the operating licence. A breach of these will lead the Gambling Commission to review the Operator’s licence with a view to suspension, revocation or the imposition of a financial penalty and would also expose the Operator to the risk of prosecution</p>

Protected Characteristic(s) affected	The focus for this issue is the protected characteristic of age (under age gambling)
Impacts Identified	Mitigating the potential for underage participation and protecting vulnerable groups.
Mitigation options, reasonable adjustments and potential solutions	<ol style="list-style-type: none"> 1. The types of policies and procedures to reduce the risk of participation will cover ; <ol style="list-style-type: none"> a) Warning Potential customers that underage gambling is an offence; b) Requiring customers to affirm that they are of legal age; c) Regularly reviewing age verification systems and implementing all reasonable improvements that may be made as technology advances and as information improves; d) Ensuring that relevant staff are properly trained in the use of age verification procedures ; in particular the ELM staff trained in the use of secondary forms of identification when initial verification procedures fail to prove that an individual is of a legal age; e) Enabling the Good Causes Lottery website to permit filtering software to be used by adults (such as parents or within schools) in order to restrict access to relevant pages of the site; f) Conduct random checks of users who have self-verify for compliance with age restrictions; g) Verifying additional information about the customer , such as carrying out searches of credit reference and other databases that list names and addresses of individuals over the age of 16 ; h) Gambling management tools and responsible gambling information i) Employment of children and young persons (16 and 17 years) – are made aware that the law prohibits underage gambling , and that lottery tickets may only be sold to persons aged 16 or over. j) Identification of individual customers – identifying separate accounts which are held by the same individual k) The use of credit cards – accept only when made by a customer account, 2. Carefully planned and targeted communications , working with partners to draw attention to parental responsibility as part of purchasing a lottery ticket when using a mobile phone and interactive television 3. Working closely with approved ‘good causes’ to help ensure that the targeting of their marketing is responsible and aimed at those over the age of 16 years. This will form part of the criteria for acceptance to be a Good Cause and will be monitored and managed by the ELM 4. Protection of under 16s criteria will form part of the specification for the tender process of the External Lottery Manager (ELM).

	<p>5. Key officers will receive training in social responsibility requirements contained within LCCP and the ELM staff will be expected to be trained in the social responsibility requirements and this will be checked additionally through several measures , one being test purchasing;</p> <p>6. As part of the operating licence the council will be subject to regular monitoring through returns and audits</p>
Final recommendation for this issue	Progress the Good Causes Lottery with the above safeguards.
Opportunities to further the aims of the PSED	
<p>1. Eliminate Unlawful discrimination, harassment, victimisation & any other conduct prohibited by the Act.</p> <p>2. Advance Equality of Opportunity</p> <p>3. Foster good relations</p>	The mitigation proposed for this issue will meet aim two of the Duty by meeting the needs of younger people and disabled persons putting safeguards in place.

Issue 2	Gambling Addiction (or risk of)
Stakeholders/interested parties	<p>Internal stakeholders: Information Governance and Equality Officer, Communications, Legal, Licensing, CMT, Members and Personal Licence holder.</p> <p>External stakeholders: Other Local authorities in Kent and neighbouring counties, Gambling Commission http://www.gamblingcommission.gov.uk , approved 'good causes' who offer services or deliver projects to under 16's, External lottery Manager and residents.</p>

Consultation & Engagement	<p>Discussions with various council departments including Legal, Finance, community services and communications have commenced and will continue during the life of the project. The project lead is also working closely with information governance and equality to ensure all policies and procedures are current, effective and lawful.</p> <p>Discussions are ongoing with other local authorities where similar projects are in progress to ensure best practice is embodied in the lottery at all times. Consultation with residents took place as part of the budget setting process and this will provide the platform for additional consultation on good causes in the future.</p> <p>The lottery website will also signpost those customers to Gamble aware and Gam care websites which provide general information about gambling, including how to gamble safely and where to get help if you or someone you know has problems with their gambling. It will also make it clear on how to self- exclude directing to organisation such as “ Count Me Out “ , “Gam block”,</p>
Data sources and evidence	<p>http://www.gamblingcommission.gov.uk/site-elements/images/stats-graphics/Participation-graphic-2016.png</p> <p>http://www.gamblingcommission.gov.uk/PDF/survey-data/Stats-online-behaviour-graphic-2016.pdf</p> <p>http://www.gamblingcommission.gov.uk/PDF/survey-data/Gambling-participation-in-2016-behaviour-awareness-and-attitudes-technical-annex.pdf</p> <p>http://www.gamblingcommission.gov.uk/PDF/survey-data/Gambling-participation-in-2016-behaviour-awareness-and-attitudes.pdf</p>
Protected Characteristic(s)	<p>Although not necessarily a disability, the assessment team believe that there is a link between addiction and mental health which if lasting more than 12 months would engage the PSED under the protected characteristic of disability.</p>

affected	
Impacts Identified	Potential risk to those with gambling addiction.
Mitigation options, reasonable adjustments and potential solutions	<ol style="list-style-type: none"> 1. All Promotional channels including direct advertising, web sites will incorporate messages promoting Responsible gambling. 2. Signposting to organisations linked with gambling addiction services (Gam Care ,and Gamble aware) and general messages on the ELM hosted lottery home page will further promote responsible gambling including links back to the council web site to promote the gambling policy of TDC which gives an overview and guidance. 3. There will be a direct link to the Gambling Commissions list of organisations that help with addition and it results http://www.gamblingcommission.gov.uk/for-the-public/Safer-gambling/Getting-help-to-control-your-gambling.aspx#Organisations_that_provide_help 4. Combating problem gambling- promoting socially responsible gambling and must make annual financial contribution to one or more organisation (s) which between them research into the prevention and treatment of gambling –related harm, develop harm prevention approaches and identify and fund treatment to those harmed by gambling 5. Customers interaction – where there are concerns that a customer’s behaviour may indicate problem gambling, the types of behaviour will be logged/reported to the appropriate level of staff and which may trigger customer interaction at an appropriate moment 6. Self-Exclusion options, and it will have procedures to ensure that all reasonable steps to refuse service or to otherwise prevent an individual who has entered a self –exclusion agreement from participating in gambling. 7. There will be information provided to help individuals monitor or control their gambling, such as restricting the duration of a gambling session or the amount of money they can spend. This can be done by providing a maximum amount of lottery tickets an individual can purchase for each lottery draw.
Final recommendation for this issue	Progress the Good Cause Lottery with the above safeguards.

Opportunities to further the aims of the PSED	
<p>1. Eliminate Unlawful discrimination, harassment, victimisation & any other conduct prohibited by the Act.</p> <p>2. Advance Equality of Opportunity</p> <p>3. Foster good relations</p>	<p>The mitigation proposed for this issue will meet aim two of the Duty by safeguarding those with addiction issues (falling under the protected characteristic of disability).</p>

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Annex 3

Draft Guidelines and selection criteria

Guidelines for organisations

- Be set up locally and operating for the benefit of residents in Thanet on a not for profit basis
- Be a registered charity *or* a Community Interest Company *or* have a constitution / set of rules that have community or social objectives
- Have a bank account in the name of the organisation with **Two** signatories
- Maintain transparency and accountability of financial assistance at all times
- Have no undue restrictions on membership of the organisation
- Are not groups promoting religious, faith or political ideology

Selection criteria will expand on the general guidelines and incorporate the following policies:

- The council will reserve the right to reject an application for any reason, with no right of appeal.
- Applications for financial support to be limited to 1 per organisation in a rolling 6 month period
- The council will reserve the right to cease to licence or support any organisation for any reason, with a minimum notice period of 7 days
- The council will cease to licence or support any organisation where fraudulent or illegal activity is suspected.
- The council will reserve the right to pursue repayment of any financial assistance where fraudulent or illegal activity is suspected.
- The council will review and agree all promotional activity in respect of the lottery to ensure responsible guidelines on gambling are met.

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ASSET DISPOSAL PROGRAMME 2017-18

Cabinet	27 April 2017
Report Author	Matthew Hill, Head of Asset Management
Portfolio Holder	Cllr John Townend, Portfolio Holder (Finance & Estates)
Status	For Decision
Classification:	Unrestricted
Key Decision	Yes
Reasons for Key (if appropriate)	The decision affects more than one ward
Ward:	All

Executive Summary:

This report details the proposed asset disposals and asset transfers for 2017/18 and those to be considered for the future.

Recommendation(s):

- | |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <ol style="list-style-type: none"> 1. To proceed with the disposal of assets listed in Annex 1 with sale proceeds being used to fund the asset management and capital programme; 2. To proceed with the transfer of assets listed in Annex 2 to Parish & Town Councils and eligible Community Groups to ensure their continued use for the benefit of the community; 3. To agree to further investigations being undertaken in respect of further properties to be listed and brought forward for disposal in the future. |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

CORPORATE IMPLICATIONS

Financial and Value for Money	<p>The capital programme is part-funded from capital receipts generated from the sale of assets. These disposals are required to enable the continued investment in council assets.</p> <p>The disposal of the assets listed in this report will not only generate capital receipts but will also reduce ongoing maintenance costs and reduce the risk of incurring future capital expenditure. In the short term, however, there will be a reduction in revenue in the amount of £4,345 per annum.</p>
Legal	<p>The council may dispose of land held in any manner it wishes but the council shall not dispose of land, otherwise than by way of a short tenancy, for a consideration less than the best that can reasonably be obtained.</p> <p>There is an exception to this general rule where the council is able to sell a site for less than its market value, but it must seek statutory consent to do so. Specific consent is not needed where the council can demonstrate the land sale will help to secure the improvement of the economic, social or environmental wellbeing of the local area, and the undervalue is only up</p>

	to £2m less than market value.								
Corporate	<p>The disposals programme is proposed to ensure the delivery of the Medium Term Financial Strategy and funding of the Capital Programme. It is to be delivered within the parameters of the existing Asset Management Plan and disposals policy and will continue under the new Asset Management Plan that was approved by cabinet on Thursday 9th March 2017.</p> <p>It is possible that, due to a variety of factors, not every one of the assets listed in Annex 1 will be disposed of in 2017-18. The Portfolio Holder (Finance & Estates) has authority to vary the disposals, following the existing disposals policy contained in the Corporate Property Asset Management Strategy 2014-2019, that can be accessed through the link below:</p> <p>http://tdc-mgapp-01:9070/ieListDocuments.aspx?CId=151&MID=3451#AI18751</p>								
Equalities Act 2010 & Public Sector Equality Duty	<p>Members are reminded of the requirement, under the Public Sector Equality Duty (section 149 of the Equality Act 2010) to have due regard to the aims of the Duty at the time the decision is taken. The aims of the Duty are: (i) eliminate unlawful discrimination, harassment, victimisation and other conduct prohibited by the Act, (ii) advance equality of opportunity between people who share a protected characteristic and people who do not share it, and (iii) foster good relations between people who share a protected characteristic and people who do not share it.</p> <p>Protected characteristics: age, gender, disability, race, sexual orientation, gender reassignment, religion or belief and pregnancy & maternity. Only aim (i) of the Duty applies to Marriage & civil partnership.</p> <table border="1" data-bbox="432 1227 1401 1469"> <tr> <td colspan="2">Please indicate which aim is relevant to the report.</td> </tr> <tr> <td>Eliminate unlawful discrimination, harassment, victimisation and other conduct prohibited by the Act,</td> <td style="text-align: center;">✓</td> </tr> <tr> <td>Advance equality of opportunity between people who share a protected characteristic and people who do not share it</td> <td style="text-align: center;">✓</td> </tr> <tr> <td>Foster good relations between people who share a protected characteristic and people who do not share it.</td> <td></td> </tr> </table> <p>Are there any assets that are proposed to be disposed of that are used by staff or the public. No</p> <p>Do they offer facilities which, if removed as a result of disposal, reduce overall access to services for people with protected characteristics? No</p> <p>Might the transfer of responsibility for managing an asset increase or decrease access to services for people with protected characteristics? No</p> <p>Would there be consequences for staff or customers if an asset isn't disposed of and deteriorates through lack of funding? Potentially</p>	Please indicate which aim is relevant to the report.		Eliminate unlawful discrimination, harassment, victimisation and other conduct prohibited by the Act,	✓	Advance equality of opportunity between people who share a protected characteristic and people who do not share it	✓	Foster good relations between people who share a protected characteristic and people who do not share it.	
Please indicate which aim is relevant to the report.									
Eliminate unlawful discrimination, harassment, victimisation and other conduct prohibited by the Act,	✓								
Advance equality of opportunity between people who share a protected characteristic and people who do not share it	✓								
Foster good relations between people who share a protected characteristic and people who do not share it.									

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

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

1.0 Introduction and Background

- 1.1 The Medium Term Financial Strategy assumes ongoing cost savings in the maintenance of assets to be achieved by rationalising the asset base. In addition the capital programme requires funding from receipts generated from asset disposal.

2.0 The proposed disposal s programme

- 2.1 The Council uses its property assets for a range of purposes including direct delivery of services, revenue generation and supporting corporate plan objectives. The current general fund portfolio is divers and is reviewed regularly in relation to maintenance liability, revenue generation and capital appreciation. The assets listed in Annex 1 have been identified as surplus and suitable for disposal.
- 2.2 The assets in Annex 2 have been identified as being suitable for Community Asset Transfer to Parish and Town Councils or eligible community organisations.
- 2.3 More investigations need to be carried out in respect of further properties to be listed and brought forward for disposal in the future.

3.0 Options

- 3.1 Members could choose to not dispose of assets in Annex 1. Failure to generate the receipts from disposals could cause the capital programme to be curtailed, leading to reduced investment in assets.
- 3.2 Members could choose not to transfer the assets in Annex 2.

4.0 Next Steps

- 4.1 Assets approved for disposal should be progressed through the adopted disposal framework as soon as practicable.
- 4.2 Further investigations should be carried out in relation to other TDC properties to identify those suitable for future disposal.
- 4.3 All assets should be continually reviewed to ensure the Council is making best use of its resources by rationalising or disposing of surplus or under-performing assets.

Contact Officer:	Matthew Hill, Head of Asset Management, Tel: 01843 577646
Reporting to:	Tim Howes, Director of Corporate Governance, Tel: 01843 577071

Annex List

Annex 1	Proposed list of asset disposals 2017-18
Annex 2	List of assets to be transferred to Paris & Town Councils and eligible community groups. (annex to follow)

Background Papers

Title	Details of where to access copy
None	N/A

Corporate Consultation

Finance	Ken Trotter, Interim Head of Financial Services
Legal	Tim Howes, Director of Corporate Governance

Agenda Item 6

Annex 1

Name and address of land/property	Land at Phase 2 - Eurokent Business Park
Current Description	Unused open land of New Haine Road
rental received p.a. / gross yield	Nil

Current use of land/property	<ul style="list-style-type: none"> Vacant land which previously had planning consent for offices
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Use, condition and maintenance issues	<ul style="list-style-type: none"> Ground maintenance costs
----------------------------------------------	----------------------------------------------------------------------------

Alternatives	<ul style="list-style-type: none"> Site could be developed
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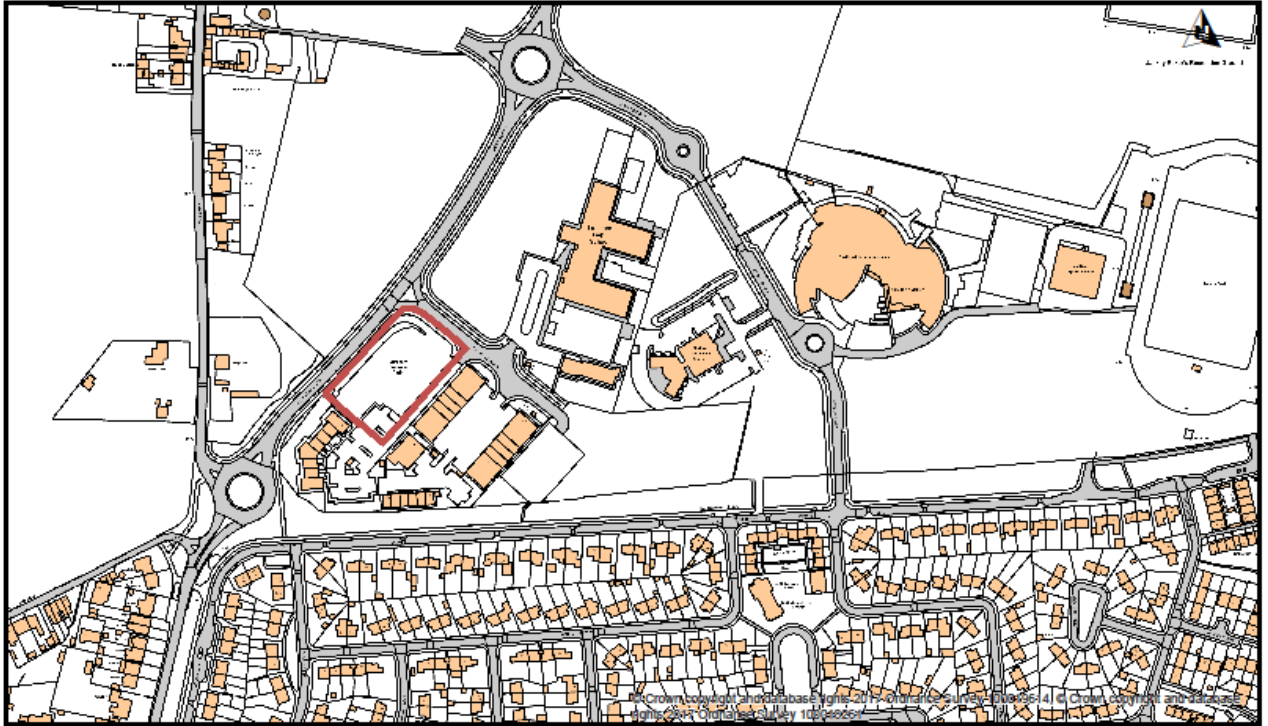
Advantages / Case for disposal of the land/property	<ul style="list-style-type: none"> Disposal would raise a capital receipt and would meet demand for development land in the area.
------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------------------------------------

Issues which may inhibit disposal of the land/property	<ul style="list-style-type: none"> None identified.
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Recommendation	<ul style="list-style-type: none"> That the land is progressed through the disposal framework.
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PLAN





Title: Eurokent Business Park - Phase 2

Author: Thanet District Council

Scale 1:3,000

Date: 19/04/2017

Thanet District Council
Cecil Street
Margate
Kent
CT19 1XZ



Name and address of land/property	Phase 1 – Eurokent Business Park
Current Description	Industrial & Office Development
rental received p.a. / gross yield	£2,065

Current use of land/property

- Majority of properties have been sold on long leasehold and one is let.
- Site was developed in a joint venture with Homes and Communities Agency

Use, condition and maintenance issues

- The majority of the property is sold on long leasehold so there is little income from the development but significant costs are incurred in managing the site.

Alternatives

- Property could be retained.

Advantages / Case for disposal of the land/property

- Disposal would realise a capital receipt and would reduce costs.

Issues which may inhibit disposal of the land/property

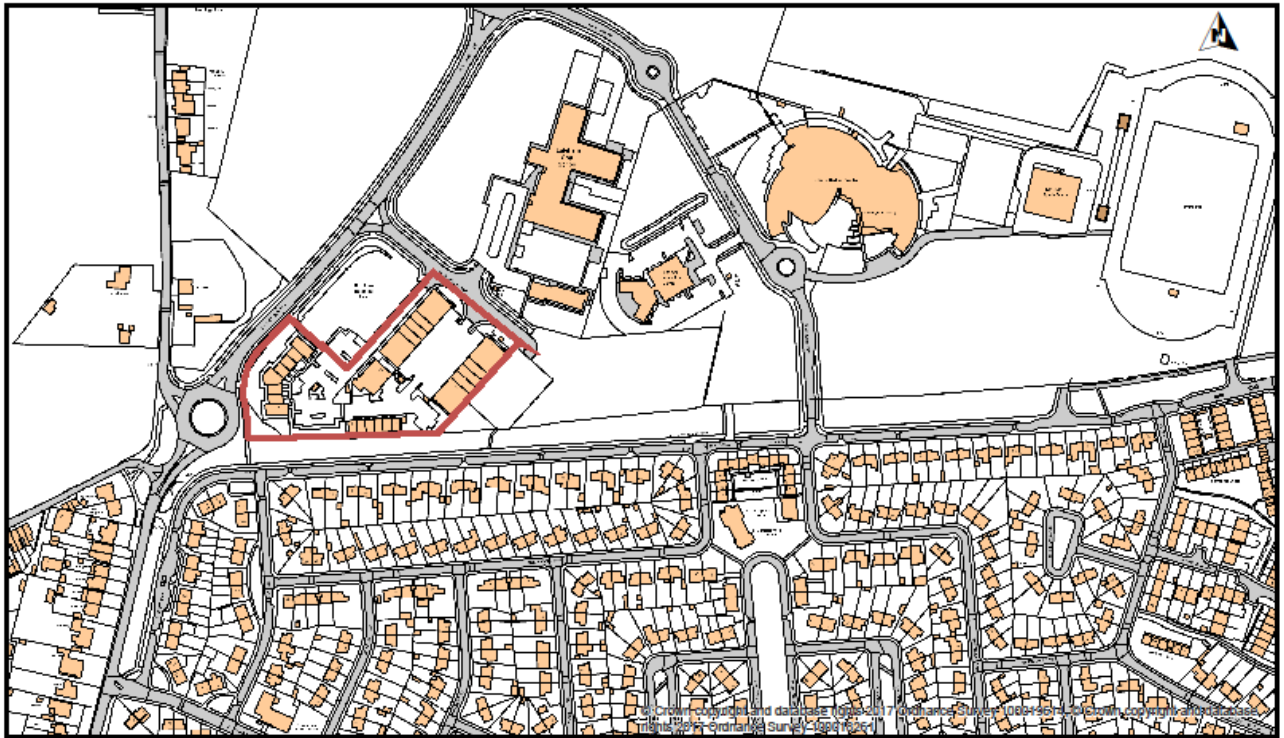
- None identified.

Recommendation

- That the land is progressed through the disposal framework.

PLAN





Title: Eurokent Business Park - Phase 1

Author: Thanet District Council

Scale 1:3,000

Date: 19/04/2017

Thanet District Council
Cecil Street
Margate
Kent
CT19 1XZ



Name and address of land/property	Land adjacent to 2 Park Place, Margate
Current Description	Unused grassed area at the end of a terrace of houses.
rental received p.a.	Nil.

Current use of land/property
<ul style="list-style-type: none"> Vacant and unused.

Income Loss: None

Use, condition and maintenance issues
<ul style="list-style-type: none"> Grounds maintenance liability.

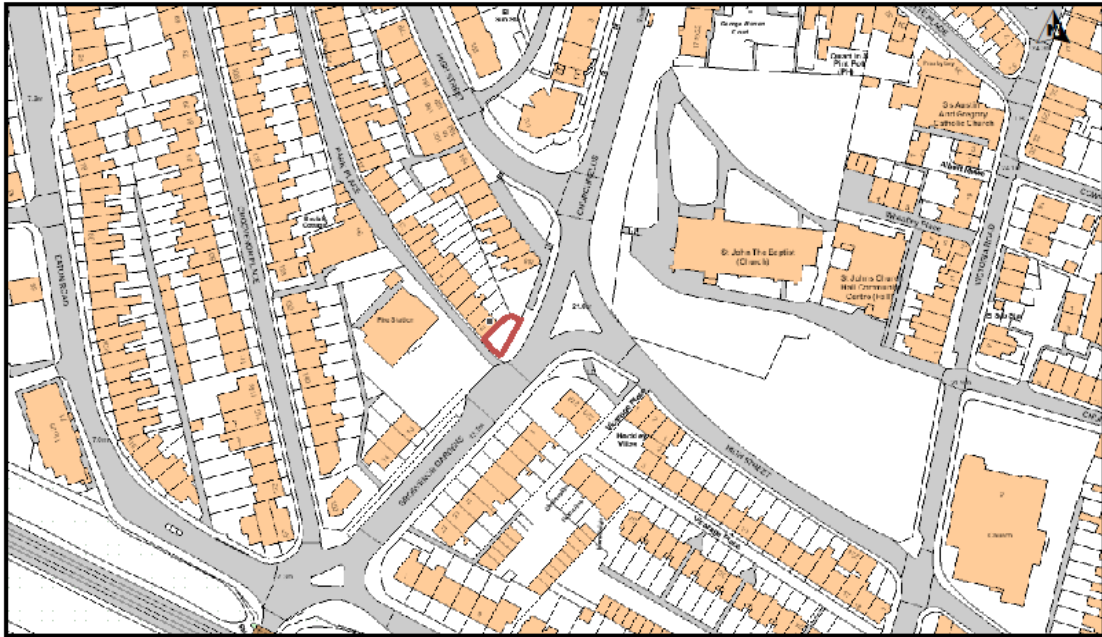
Alternatives
<ul style="list-style-type: none"> Retain as amenity land.

Advantages / Case for disposal of the land/property
<ul style="list-style-type: none"> Adjoining owner has expressed an interest in purchasing as garden land. A potential development plot Savings on grounds maintenance costs. A disposal would yield a capital receipt for the Council

Issues which may inhibit disposal of the land/property
<ul style="list-style-type: none"> None identified.

Recommendation
<ul style="list-style-type: none"> That the land is progressed through the disposal framework.

PLAN



Title: Land adj 2 Park Place Margate
Author: Thanet District Council

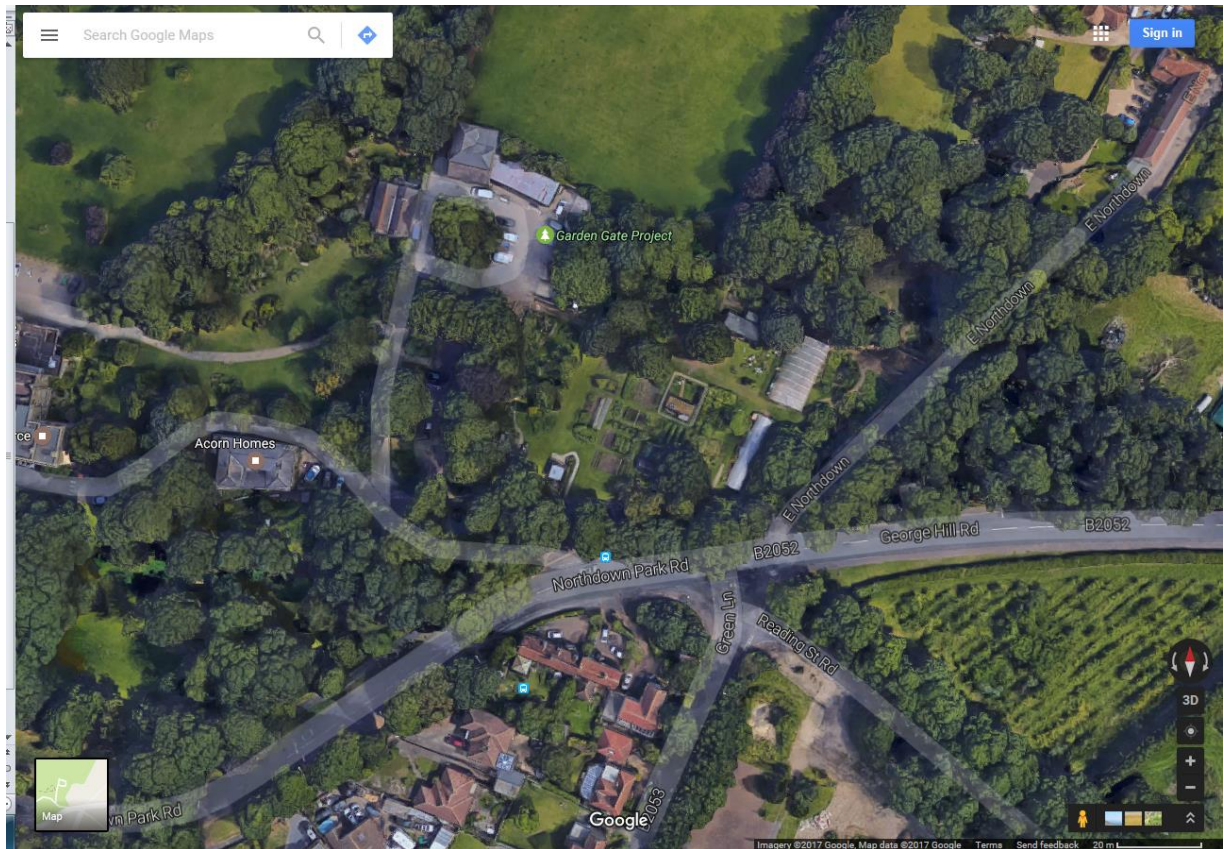
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Date: 08/08/2016

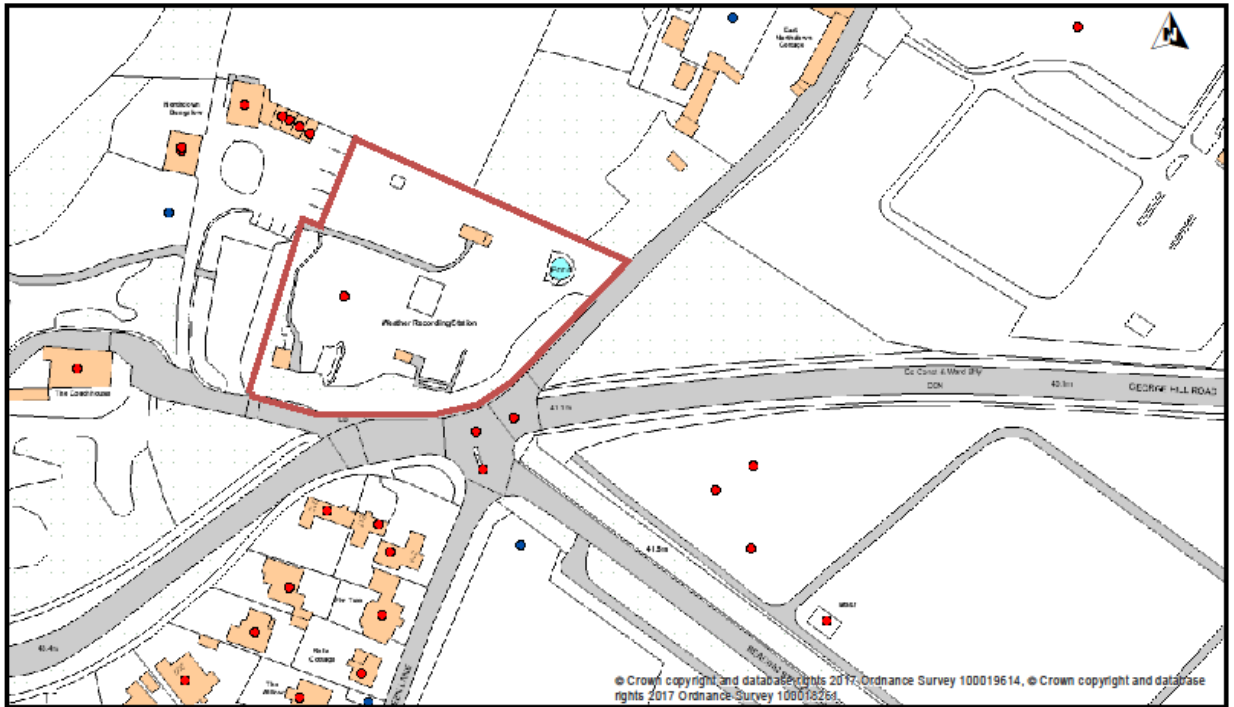
Thanet District Council
Cecil Street
Margate
Kent
CT19 1XZ



Name and address of land/property	Land at Eastern Entrance to Northdown Park, Margate.
Current Description	
rental received p.a. / gross yield	Nil
Current use of land/property	
•	
Income Loss	
None	
Use, condition and maintenance issues	
•	
Alternatives	
•	
Advantages / Case for disposal of the land/property	
•	
Issues which may inhibit disposal of the land/property	
• None identified.	
Recommendation	
• That the land is progressed through the disposal framework.	

PLAN





Title: 36 Land Eastern Entrance Northdown Park
Author: Thanet District Council
Scale: 1:1,250
Date: 19/04/2017

Thanet District Council
Cecil Street
Margate
Kent
CT19 1XZ



Name and address of land/property	Land at Hengist Road, Minnis Bay, Birchington
Current Description	Open space.
rental received p.a. / gross yield	Nil

Current use of land/property
<ul style="list-style-type: none"> Open space

Income Loss
None

Use, condition and maintenance issues
<ul style="list-style-type: none"> Maintained as open space. Grounds maintenance liability.

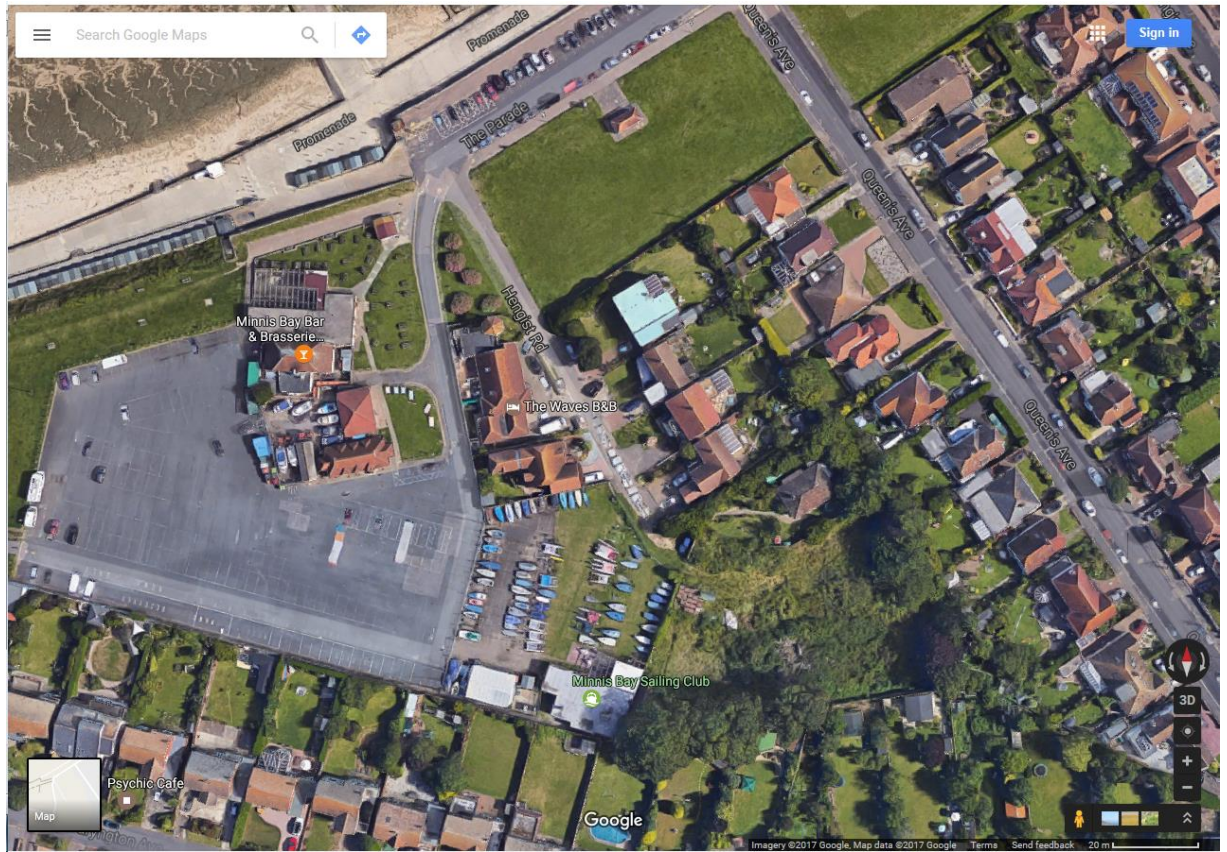
Alternatives
<ul style="list-style-type: none"> Retain as open space.

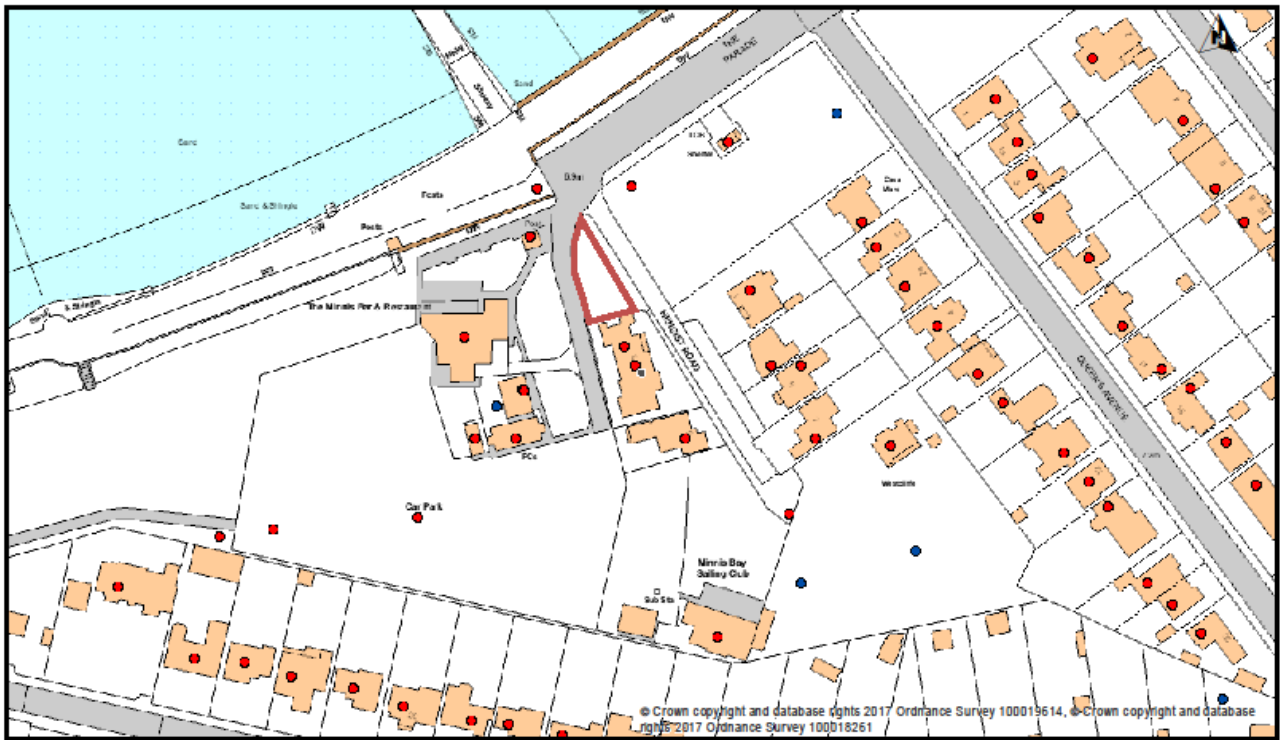
Advantages / Case for disposal of the land/property
<ul style="list-style-type: none"> Adjoining owner has expressed an interest in the land. Savings on grounds maintenance costs. A disposal would yield a capital receipt for the Council.

Issues which may inhibit disposal of the land/property
<ul style="list-style-type: none"> None identified.

Recommendation
<ul style="list-style-type: none"> That the land is progressed through the disposal framework.

PLAN





Title: Land at Hengist Road Minnis Bay

Author: Thanet District Council

Scale 1:1,250

Date: 10/04/2017

Thanet District Council
Cecil Street
Margate
Kent
CT19 1XZ



Name and address of land/property	Northdown Garages and Store
Current Description	Garages and Store
rental received p.a. / gross yield	£1400.00

Current use of land/property
<ul style="list-style-type: none"> Storage

Income Loss
£1400.00

Use, condition and maintenance issues
<ul style="list-style-type: none">

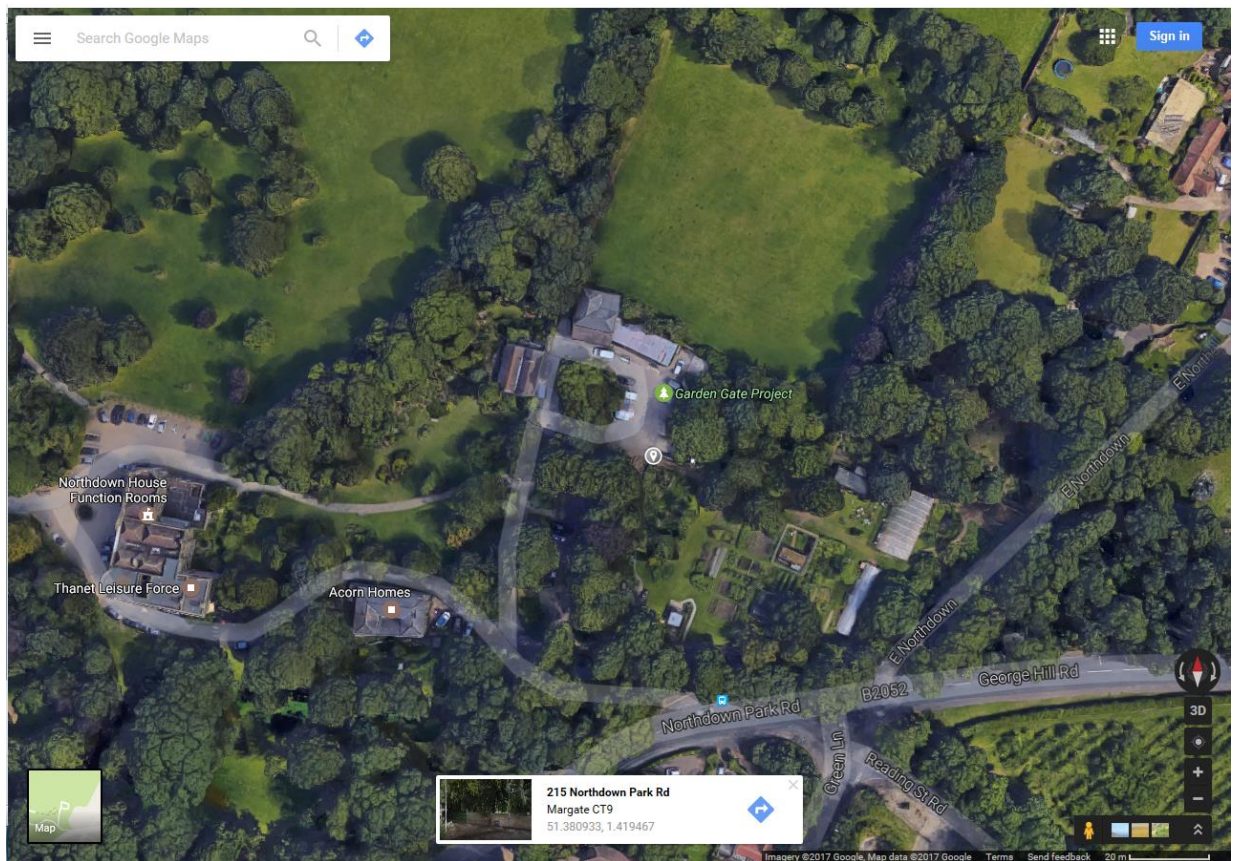
Alternatives
<ul style="list-style-type: none">

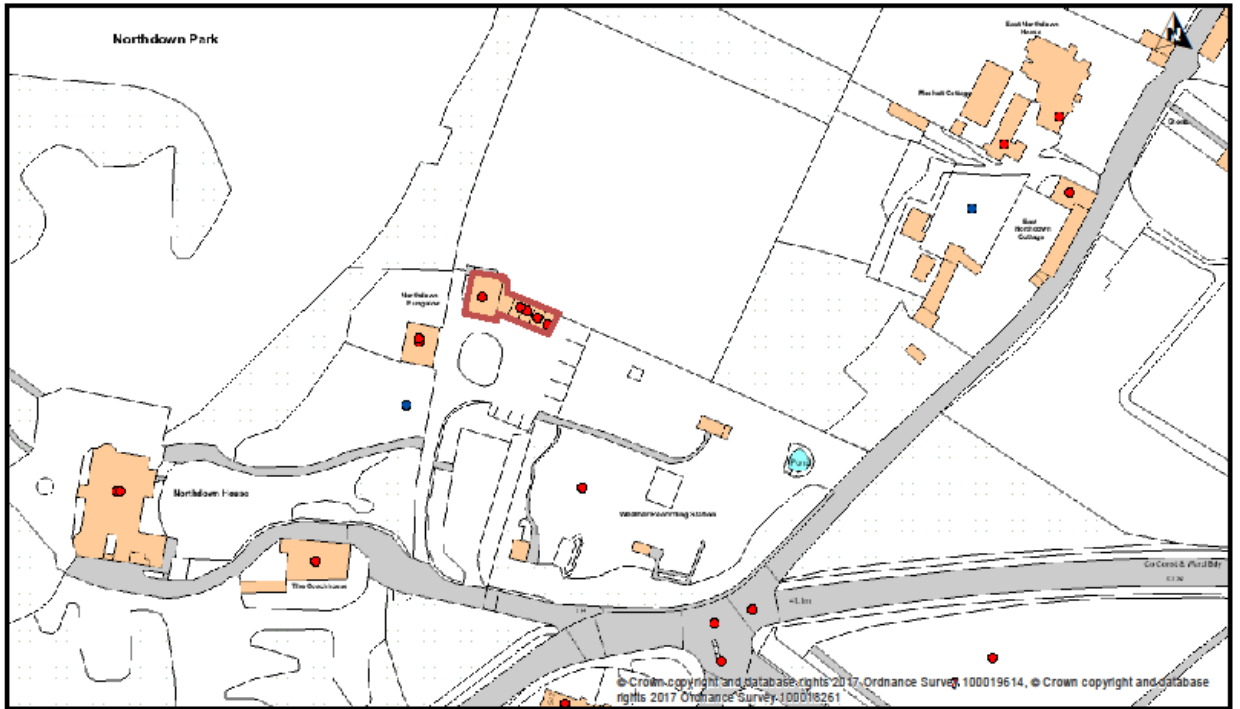
Advantages / Case for disposal of the land/property
<ul style="list-style-type: none">

Issues which may inhibit disposal of the land/property
<ul style="list-style-type: none"> None identified.

Recommendation
<ul style="list-style-type: none"> That the land is progressed through the disposal framework.

PLAN





Title: 45 Northdown Garages & Store
Author: Thanet District Council
Scale: 1:1,250
Date: 19/04/2017

Thanet District Council
Cecil Street
Margate
Kent
CT19 1XZ



Name and address of land/property	Palm Bay Coach Park
Current Description	Tarmaced & fenced site
Date of previous Cabinet Decision	N/A
rental received p.a. / gross yield	Nil

Current use of land/property
<ul style="list-style-type: none"> Temporary storage

Use, condition and maintenance issues
<ul style="list-style-type: none"> Previously a coach park but underused due to location remote from coach drop offs

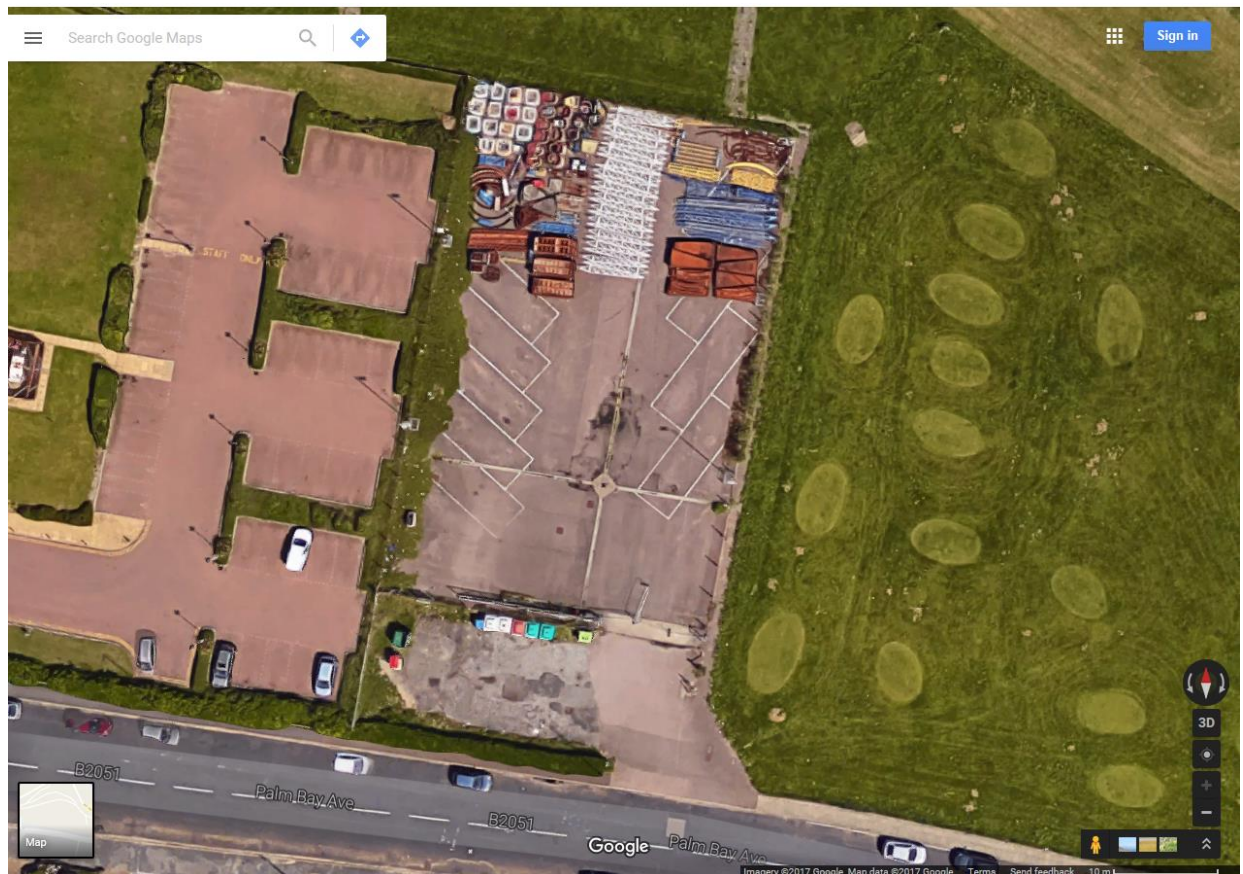
Alternatives
<ul style="list-style-type: none"> Retain as a coach park

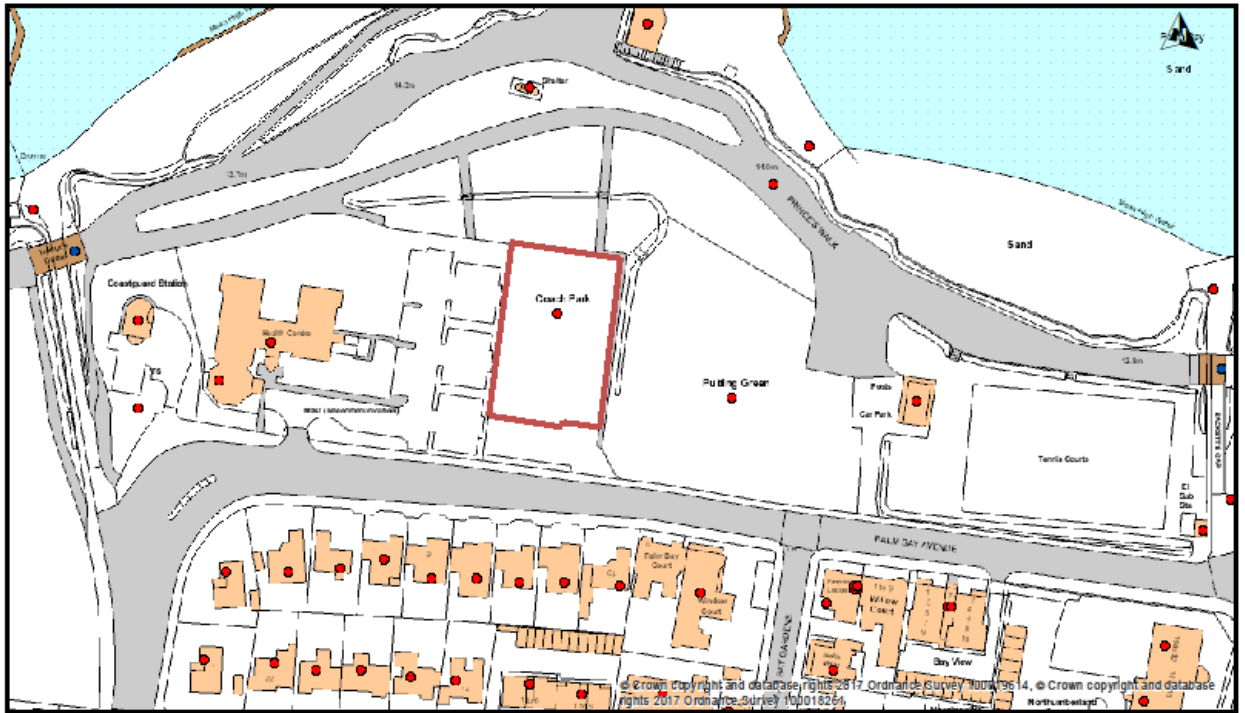
Advantages / Case for disposal of the land/property
<ul style="list-style-type: none"> Disposal will result in a capital receipt which would support the Council's Capital Expenditure Programme and would reduce ongoing liabilities. Adjoining owner has expressed an interest in purchasing the site.

Issues which may inhibit disposal of the land/property
<ul style="list-style-type: none"> None identified.

Recommendation
<ul style="list-style-type: none"> That the land is progressed through the disposal framework.

PLAN





Title: Coach Park Palm Bay
 Author: Thanet District Council
 Scale 1:1,250
 Date: 19/04/2017

Thanet District Council
 Cecil Street
 Margate
 Kent
 CT19 1XZ



Name and address of land/property	Quarterdeck, Zion Place, Margate
Current Description	Land currently leased to KCC
Date of previous Cabinet Decision	N/A
rental received p.a. / gross yield	£500 p.a.

Current use of land/property
<ul style="list-style-type: none"> Ground on long leasehold to KCC who built the property

Use, condition and maintenance issues
<ul style="list-style-type: none"> None

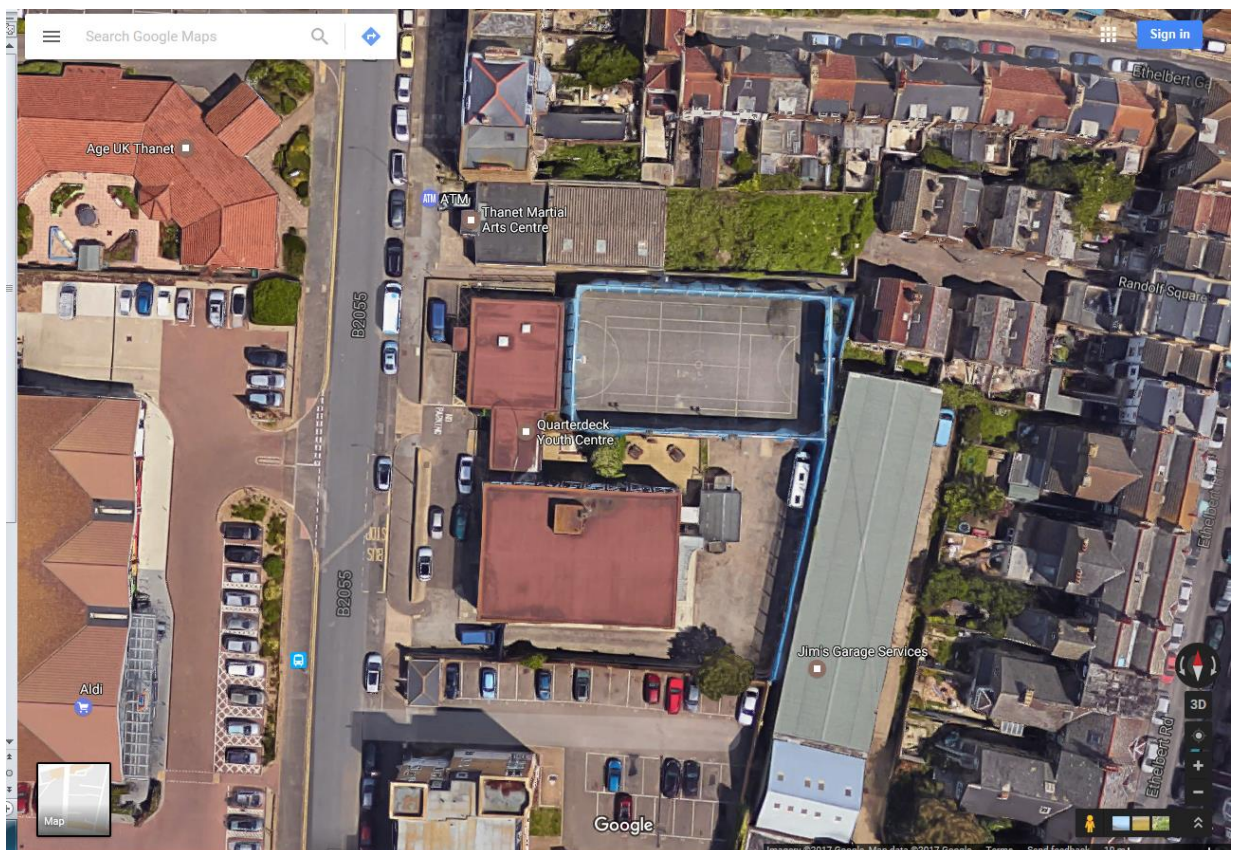
Alternatives
<ul style="list-style-type: none"> Retain for income which is limited and not subject to review

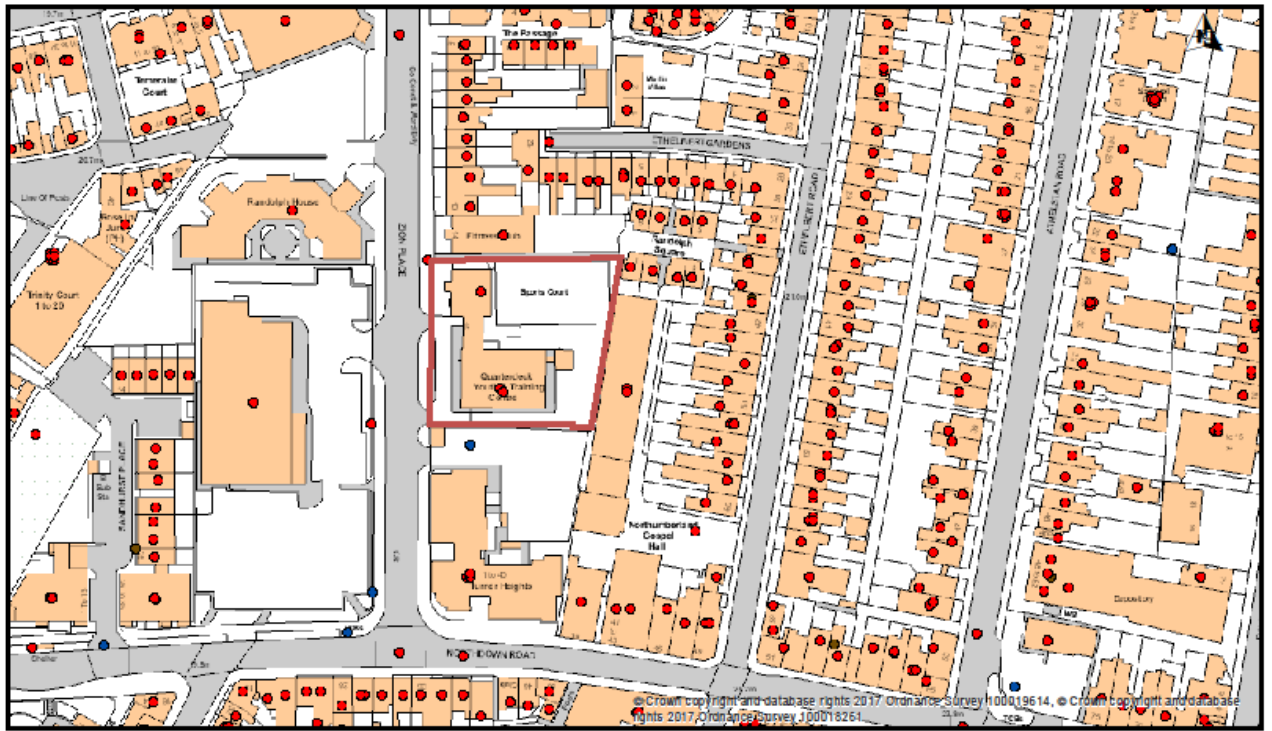
Advantages / Case for disposal of the land/property
<ul style="list-style-type: none"> Disposal would realise a capital receipt.

Issues which may inhibit disposal of the land/property
<ul style="list-style-type: none"> None identified.

Recommendation
<ul style="list-style-type: none"> That the land is progressed through the disposal framework.

PLAN





Title: Quarter Deck Zion Place
 Author: Thanet District Council
 Scale 1:1,250
 Date: 19/04/2017

Thanet District Council
 Cecil Street
 Margate
 Kent
 CT19 1XZ



THANET DISTRICT COUNCIL DECLARATION OF INTEREST FORM

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

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

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

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

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

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

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

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

An associated person is defined as:

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

An Authority Function is defined as: -

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

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

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

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

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

Gifts, Benefits and Hospitality

Councillors must declare at meetings any gift, benefit or hospitality with an estimated value (or cumulative value if a series of gifts etc.) of £25 or more. You **must**, at the commencement of the meeting or when the interest becomes apparent, disclose the existence and nature of the gift, benefit or hospitality, the identity of the donor and how the business under consideration relates to that person or body. However you can stay in the meeting unless it constitutes a significant interest, in which case it should be declared as outlined above.

What if I am unsure?

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

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

MEETING

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

DISCRETIONARY PECUNIARY INTEREST

SIGNIFICANT INTEREST

GIFTS, BENEFITS AND HOSPITALITY

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

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

NAME (PRINT):

SIGNATURE:

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