



Date: 15 May 2017
Our ref: Overview & Scrutiny Panel/Agenda
Ask For: Charles Hungwe
Direct Dial: (01843) 577186
Email: charles.hungwe@thanet.gov.uk

OVERVIEW & SCRUTINY PANEL

23 MAY 2017

A meeting of the Overview & Scrutiny Panel will be held at **7.00 pm on Tuesday, 23 May 2017** in the Council Chamber, Council Offices, Cecil Street, Margate, Kent.

Membership:

Councillor D Saunders (Chairman); Councillors: G Coleman-Cooke (Deputy Chair), Ashbee, Campbell, Connor, Curran, Dennis, Dexter, Dixon, Falcon, Grove, Jaye-Jones, Martin, Parsons and Rusiecki

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 - 32)
To approve the Minutes of the Overview and Scrutiny Panel meeting held on 25 April 2017, copy attached.
4. **ESTABLISHING THE OSP WORK PROGRAMME FOR 2017/18** (Pages 33 - 44)
5. **PETITION ON 2017 PARKING CHARGES** (Pages 45 - 48)
6. **FUTURE OPTIONS FOR THE COUNCIL'S CLOSED CIRCUIT TELEVISION (CCTV) SERVICE** (Pages 49 - 58)
7. **FORWARD PLAN AND EXEMPT CABINET REPORT LIST FOR 10 MAY 2017 - 30 NOVEMBER 2017** (Pages 59 - 66)

Declaration of Interest form - back of agenda

Item
No

Subject



Please scan this barcode for an electronic copy of this agenda.

OVERVIEW & SCRUTINY PANEL

Minutes of the meeting held on 25 April 2017 at 7.00 pm in Council Chamber, Council Offices, Cecil Street, Margate, Kent.

Present: Councillor D Saunders (Chairman); Councillors Ashbee, Campbell, Connor, Curran, Dennis, Dexter, Falcon, Hayton, Jaye-Jones, Parsons and Rusiecki

In Attendance: Councillors L Fairbrass and M Saunders

107. APOLOGIES FOR ABSENCE

Apologies were received from Councillor Glenn Coleman-Cooke.

108. DECLARATIONS OF INTEREST

There were no declarations of interest.

109. MINUTES OF PREVIOUS MEETING

Councillor Campbell proposed, Councillor Connor seconded and Members agreed the minutes as a correct record of the meeting that was held on 14 February 2017.

110. MINUTES OF EXTRAORDINARY MEETING

Councillor Campbell proposed, Councillor Jaye-Jones seconded and Members agreed the minutes as a correct record of the extraordinary meeting that was held on 02 March 2017.

111. CABINET MEMBER PRESENTATION - THE NEW ANTI-SOCIAL BEHAVIOUR TOOLS

Councillor Lin Fairbrass, Deputy Leader and Cabinet Member for Community Services introduced the item and handed over to Jessica Bailey, Community Safety Team Leader to lead the discussion with a power-point presentation. Ms Bailey made the following points:

- The new Anti-Social Behaviour Tools and Powers were a welcome development of the legislation because they have helped streamline the enforcement process of antisocial behaviour regulations;
- When considering Anti Social Behaviour volumes, it was also important to consider the relationship alongside deprivation, population density and unemployment;
- Although Thanet had the highest incidents of reported antisocial behaviour cases in the county, the recent trend was showing a reduction in antisocial behaviour of 16% which was well above the county average of 8%;
- To better understand Thanet's performance, an analysis of most similar groups outside the county would show that when compared to areas of similar demographics, Thanet was showing stable figures over the last two years, since the new legislation, figures were slightly above average;
- Benchmarking with other Kent districts would show that Thanet District Council was ahead of other councils in terms of enforcement and use of the new tools and powers;
- Case study examples of how each tool and power had been utilised in Thanet were given and are set out below.

Community Triggers

- The new legislation also brought in 'right to review' cases of Anti Social Behaviour if the threshold was met. (3 reports made within a 6 month period);
- Thanet has only received 5 trigger applications and of those, only 1 out of 5 that were submitted met the threshold;
- 3 recommendations were then made.

Civil Injunctions

- There had been 5 successful applications to date;
- 4 such injunctions had been successfully enforced;
- 1 injunction was still going through the courts;
- There can be positive outcomes from enforcement using civil injunctions.

Criminal Behaviour Orders

- There were various enforcement actions that could be used and these included geographic restrictions, named and group non association restrictions, carrying items restrictions and alcohol consumption in public.

Communication Protection Notices

- This is a new flexible two stage notice issued by Council or Police officers;
- Unlike previous orders it can be issued by officers without having to go to court;
- If breached it enables the forfeiture or seizure of items being used to cause a nuisance;
- Warning notices are issued on the spot if required, and are then in place for up to six months;
- If breached then a formal notice is then issued, if this is breached then a fine can be issued and it becomes a criminal matter for further court prosecution;
- Currently this tool was eliciting a 90% positive response rate. This meant that the nuisances were often being resolved before further enforcement actions are required;
- 59 such notices had been issued so far (at the time of producing the presentation);
- This tool has also facilitated cross departmental working (for example working on an issue between Community Safety, Planning and Housing).

Premise Closure

- The Council and Police can apply for premises closures as a measure to tackle antisocial behaviour on premises being used to cause nuisance or disorder;
- To date the Police have had cause to issue two closures in Thanet.

Police Dispersal Powers

- 82 orders had been initiated (at the time of producing the presentation);
- These were effective for 48 hours and could be rolled over; but the requirement to case build and consult with the council was no longer in place;
- This enables a quicker response to get additional controls in place.

Public Space Protection Orders

- This tool will replace existing Designated Public Places Orders and Dog Control Orders and could be used to prevent alcohol consumption in public spaces;
- There had to be some evidence of the nuisance to justify such enforcement;
- Council would need to work closely with the Police to enforce such orders following a period of consultation;
- No orders are currently in place although evidence is being gathered to transition into the new arrangements.

Next Steps

- **Challenges:** There were some challenges during the transition from the old legislation to the new one, particularly as regards the transition of existing orders;
- The case law being used to amend these new powers are very new;
- These powers were still new to councils, courts and residents and it may take some time to familiarise with the legislation and understand the use and application of case law as changes were evolving;
- **Opportunities:** These powers were quicker and easier to enforce in order to change behaviours that were impacting on communities.

In response to the presentation Members of the Panel made some comments and raised questions as follows:

- Drinking, drug peddling and drug taking in some parts of the district were an issue of concern to the community. Was there any enforcement action that can be taken by the council?
- Was the new legislation more resource demanding for Councils?
- Was the public aware of the new legislation in particular the community trigger facility at their disposal?
- Could the PowerPoint presentation be circulated to Members?
- Could the new powers be used to tackle nuisances caused by excessive night time drinking?
- Could these powers be used to take parking on pavements enforcement?
- TDC should explore the option to come up with trades waste agreements with businesses which can bring in income for the council whilst managing waste in a more trade efficient way;

Ms Bailey gave the following responses:

- The new powers could be used for enforcement related to drug offences and alcohol misuse. However such actions would have to be based on evidence collection and be in consultation with Police in case criminal offences were being committed;
- The old legislation was more resource intensive compared to the new streamlined notices, particularly the Community Protection Notices. Previously the council had to build a case on collection of significant amounts of evidence and be reliant on the courts, where witnesses were reluctant to testify in some instances. Now councils can go ahead and enforce based on officer reports without the need for more lengthy court processes;
- The new powers and tools were widely publicised and adverts were put out by the Police & Crime Commissioner. Information relating to the Community Trigger, alongside how to apply, is on both the TDC and Community Safety Partnership web pages and was circulated at Neighbourhood engagement Meetings when it commenced;
- The presentation would be circulated to Members (**post meeting note: the presentation has been attached as an annex to this minute item**);
- The new powers could be used to serve a notice on an operator if evidence was collected that pointed to a nuisance as a result of excessive drinking;
- The council have signed up to be part of a network that shares best practice on the use and application of the new tools and powers;
- Parking on pavements was the responsibility for Operational Services (Enforcement). However Community Safety worked with the Operational Services directorate on such issues if the incidents were considered to be antisocial behaviour related (in their persistency).

Rob Kenyon, Director of Community Services added the following comments:

- With regard to excessive night time drinking, the Police and Community Safety Partnership were working on initiatives to identify the causes of the issues associated with this part of the night time economy and to find workable solutions;
- The issue of local trades waste agreement initiatives would be taken up with Operational Services for their consideration.

The Chairman thanked Jessica Bailey, Rob Kenyon and Councillor Lin Fairbrass for the presentation.

112. RESPONSES FROM CABINET TO OVERVIEW & SCRUTINY PANEL RECOMMENDATIONS

Members noted the report.

113. REVIEW OF PUBLIC SPEAKING AT OVERVIEW AND SCRUTINY PANEL MEETINGS

Nick Hughes, Committee Services Manager introduced the item. He reported that although there had not been a huge uptake for public speaking, when the facility had been used, the administration of the scheme had not been a burden on Democratic Services and the Panel had found the expression of views by the public useful.

Mr Hughes suggested that the pilot scheme could be renewed for another year and Communications could advertise the scheme via the Council's twitter account. Members suggested that the requirement to register in advance to speak should be made more flexible so that an individual could have until the point at which the item is due for discussion at the meeting to request to speak.

Members noted the report and agreed that the public speaking pilot scheme be extended for a further year, subject to Full Council approval.

114. REVIEW OF OSP WORK PROGRAMME 2016/17

Members agreed to drop the item on Winter Gardens from the list of issues under the Panel's watching brief. Members also noted the report.

115. FORWARD PLAN AND EXEMPT CABINET REPORT LIST FOR PERIOD 05 APRIL 2017 - 30 NOVEMBER 2017

Members requested that a report on one of the Forward Plan items, 'To decide on the future capital development of the Council's CCTV system,' be presented to the Panel on 23 May before Cabinet considered the issue on 15 June.

The Panel also requested that the item on 'New on and off street parking schemes,' which will be considered by Cabinet on 27 April 2017, be brought to the Panel after the anticipated public consultation had been concluded and before the issue was brought back to Cabinet.

Meeting concluded: 8.00 pm

Overview and Scrutiny Panel

25th April 2017

ASB tools and powers

Jessica Bailey : Community Safety Team Leader



Anti Social Behaviour

“Conduct that has causes, or is likely to cause, harassment, alarm or distress”

OR

“Conduct capable of causing housing related nuisance or annoyance”

(ASB, Crime and Policing Act 2014)

- ⇒ Neighbour nuisance
- ⇒ Street drinking
- ⇒ Flytipping

- ⇒ Graffiti
- ⇒ Misuse of public space
- ⇒ Nuisance dogs

What is NOT Anti-Social Behaviour?

- Occasional problems – eg. one off parties
- Day – to – day domestic activity
- Children playing in public



Anti Social Behaviour levels

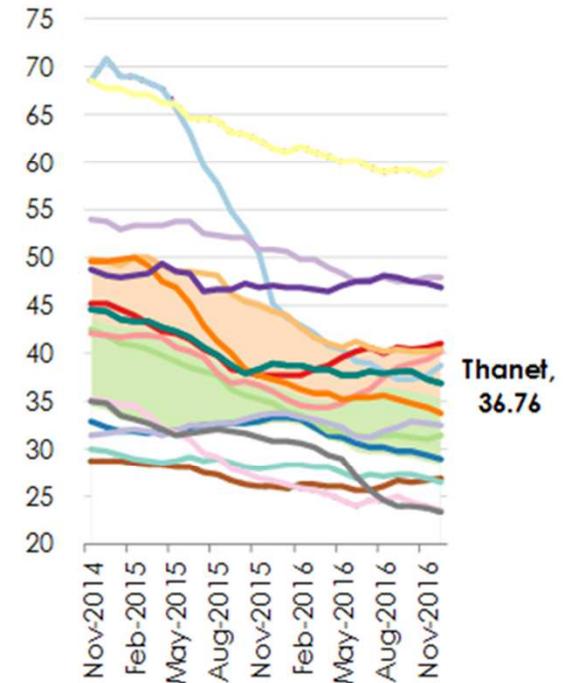
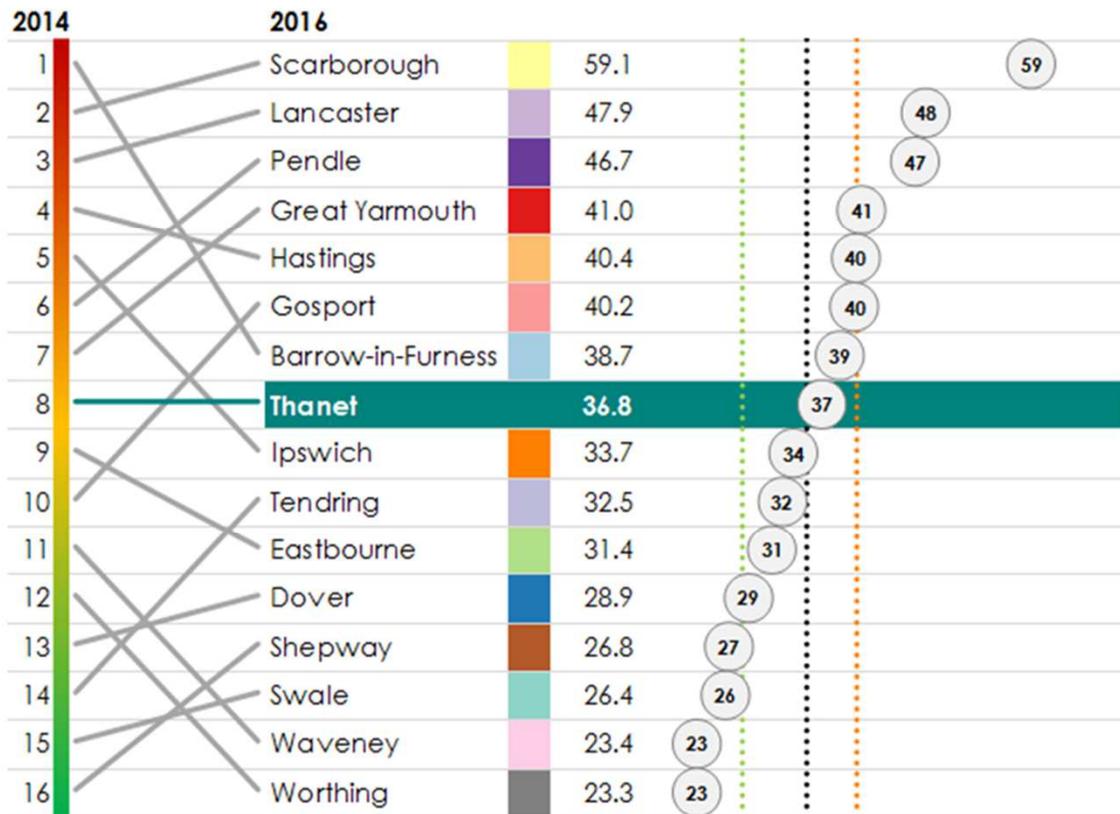
District	Oct-14	Trend	Dec-16	% change	Population	Rate per 1000 of the population					
						15	20	25	30	35	40
Ashford	1822		1920	5%	124,300	15	15				
Sevenoaks	2142		1953	-9%	118,400	16	16				
Tonbridge & Malling	2542		2358	-7%	125,700	19	19				
Tunbridge Wells	2331		2212	-5%	116,200	19	19				
Maidstone	3714		3680	-1%	164,500	22		22			
Canterbury	4395		3691	-16%	160,000	23		23			
FORCE	50133		46036	-8%	1,801,200	26		26			
Swale	4170		3803	-9%	142,400	27		27			
Shepway	3190		2983	-6%	110,000	27		27			
Dartford	2902		2945	1%	103,900	28		28			
Dover	3698		3295	-11%	113,200	29		29			
District Total	50042		45939	-8%	1,524,700	30		30			
Gravesham	3621		3257	-10%	106,300	31		31			
Medway council	9289		8640	-7%	276,500	31		31			
Thanet	6226		5202	-16%	139,800	37					37

Kent Police Published Data (Oct 14 - Dec 16)



Anti Social Behaviour – most similar group comparison

Anti-social behaviour - Crimes per 1,000 of the population - Ranking



Data

Crime Data

Source

<https://data.police.uk/data/>

Population Data

<https://www.ons.gov.uk/>

CIPFA Nearest Neighbour Benchmark

<http://www.cipfastats.net/resources/nearestneighbours/>

District Benchmarking – Use of ‘new’ ASB tools powers (where available)

	Thanet	Dover	Shepway	Swale	Canterbury	Maidstone
CPNW	72 (Council) 2 (Police)	10	4	5	40	4 (Police)
CPN	9 (Council)	0	2	1	13 (Police)	2 (Police)
Injunction	4	u/k	1	0	1	0
Closure	2	u/k	2	1	1	0
CBO	5 (Police) *	u/k	2	1	2	1
PSPO	0	1	2	0	0	1

* 2 Thanet Council applications : 1 pending, 1 refused



'New' ASB tools and powers

Recap

- ⇒ ASB Crime and Policing Act 2014
- ⇒ July 2015 guidance
- ⇒ Incremental approach
- ⇒ Task and Finish cross department officer group
- ⇒ Awareness inputs, staff and members briefings,
- ⇒ Back office work – administration, books, training
- ⇒ Processes agreed – cross district, cross agency
- ⇒ Expertise and best practice - Mallard Consultancy > case law



OLD

Anti-Social Behaviour Order (ASBO)
ASBO on Conviction
Drinking Banning Order (DBO)
DBO on Conviction
Anti-Social Behaviour Injunction (ASBI)
Individual Support Order (ISO)
Intervention Order



Civil Injunction
Criminal Behaviour Order (CBO)

Litter Clearing Notice
Street Litter Clearing Notice
Graffiti/Defacement Removal Notice
Designated Public Place Order
Gating Order
Dog Control Order
ASB Premises Closure Order
Crack House Closure Order
Noisy Premises Closure Order
Section 161 Closure Order



Community Protection Notice (CPN)
Public Spaces Protection Order (PSPO)
Closure Powers

Section 30 Dispersal Order
Section 27 Direction to Leave



Dispersal Powers

NEW



Community Trigger

- Right to apply for ASB case review
- Responsible authorities for case review :
Council, Police, Social Landlords, Clinical Commissioning Groups
- Agreed county process:
Threshold: 3 or more incidents reported to any of the agencies within 6 month period
- Review conducted within 25 days and recommendations made (if threshold met)

⇒ 5 applications

⇒ 1 met threshold

⇒ 3 recommendations made



Civil Injunctions

: To prevent individuals from engaging in ASB quickly, setting requirements through the court as boundaries, before behaviours escalate.

- February 2015
- Civil order (pre criminal) court decides
- Age 10+
- Lower level of proof
- Prohibitions and positive requirements
- Power of arrest can be attached
- Max penalty on breach: unlimited fine, 2 years imprisonment



Civil Injunctions: Case Study

5 successful applications : 5 applied for (1 Police 4 TDC)

⇒ 1 aged 16-18 , 4 over 25

⇒ All still current (2 years)

⇒ 1 breached and prosecuted : night in custody

⇒ Current application in court for 1, case builds on further 4

Types of requirements :

⇒ Geographical restrictions, restricting camping, street drinking, urinating in public, storing bedding in public, aggressive begging, alcohol consumption in public

+ To engage with service providers , turning point, drug, alcohol, dog warden,



Criminal Behaviour Orders

: To tackle serious ASB on the most persistent individuals, who are engaged in criminality

- October 2014
- Must be charged with any criminal offence to apply for CBO
- Court decides
- Can be applied to u18s
- Prohibitions and positive requirements
- Breach: 5 years imprisonment



Criminal Behaviour Orders

4 successful applications :

- ⇒ 7 applied for (5 Police 2 TDC – 1 currently in court)
- ⇒ 3 aged 16-20 , 1 over 50
- ⇒ 2 still current (2 expired after 12 months)
- ⇒ 2 breached and prosecuted
- ⇒ Current case builds on 5 further individuals

Types of requirements :

- ⇒ Geographical restrictions, named and group non associations
- ⇒ Restriction of carrying items, alcohol consumption in public
- + To engage with service providers to support desistance



Criminal Behaviour Order: Case Study

Nuisance youths – on Police conviction of public order offences

- Example requirements obtained:
 - ⇒ Not to be found drunk in a public place
 - ⇒ Not to be in possession of alcohol
 - ⇒ Not to enter specific places – defined by boundaries
 - ⇒ Not to associate with specified people
 - ⇒ Not to enter specific properties
 - ⇒ Not to congregate in a group of 4 or more
- Positive requirements:
 - ⇒ Engage with specified support services
 - ⇒ Attend educational provision
 - ⇒ To accept referral to addiction drug / alcohol support
 - ⇒ Attend early help sessions as specified



Community Protection Notice

: To tackle persistent ASB having a detrimental effect on quality of life

- October 2014
- Can be issued on individuals, businesses, property owners or organisations
- Formal notice issued by officers (Police or Council)
- Warning notice issued first
- Specifies requirements to stop and start doing
- Breach is a criminal offence
- FPN (up to £100 or court prosecution, up to £20,000 for businesses)
- Enables seizure of items or remedial action taken by Council



Community Protection

Warning

Final Notice

Kent Police 

COMMUNITY PROTECTION NOTICE (WARNING)
Pursuant to Section 43(5)(a) of the Anti-Social Behaviour, Crime and Policing Act 2014

THIS WARNING NOTICE IS ISSUED TO:

NAME: _____
ADDRESS/LOCATION: _____

ISSUING OFFICER

NAME: _____
AGENCY: _____
RANK: _____ DATE: _____

TAKE NOTICE This is a formal warning, given to advise you to **STOP** committing **Anti-Social Behaviour**, that is deemed to be having a detrimental impact on the quality of life of others.

The behaviour that you have engaged in is considered **persistent / continuing and unreasonable**

1) _____
2) _____
3) _____

This Notice means that by (Date) _____ Time) _____

You must cease the behaviour stated above

PLEASE NOTE: If you do not comply with this notice and cease the outlined actions you will be issued with a:

COMMUNITY PROTECTION NOTICE
in accordance with Section 43 of the Anti-Social Behaviour and Policing Act 2014.

If you fail to comply with a Community Protection Notice you will be committing further offences and be liable for further prosecution, which could include:

- A fixed Penalty Notice of £80
- Further prosecution and upon conviction liable:
 - To be charged for any repairs for damage caused
 - To forfeit or have assisting items confiscated or seized
 - A fine of up to £2,500 (Individual)
 - A fine of up to £20,000 (Business)

Direct Line: (01843) 577000
E-mail: community.safety@thanet.gov.uk
Our Ref: WK/201642887
Date: 23/09/16

Dear Mr 

Warning Notice

A COMMUNITY PROTECTION NOTICE COULD BE ISSUED AGAINST YOU
Pursuant to Section 43(5)(a) of the Anti-Social Behaviour, Crime and Policing Act 2014

Take notice that this letter has been sent to you as a warning that a Community Protection Notice may be issued against you following complaints of Anti-Social Behaviour and that Thanet District Council (The Council) is satisfied, on reasonable grounds, that the conduct of George Moses is having a detrimental effect on the quality of life of those living in the locality, and that said behaviour is continuing or of a persistent nature.

This conduct is unreasonable and **must stop immediately:**

- Work within the profession of building or maintenance, unless employed by a company which has been incorporated for at least 5 years.
- Entering residential properties without the consent of the owner.
- Carrying out works on residential properties without the consent of the owner.
- Being aggressive, abusive and causing harassment, alarm and distress to members of the public.

Failure to comply with the actions outlined below will result in The Council issuing you with a Community Protection Notice in accordance with Section 43 of the Anti-Social Behaviour and Policing Act 2014.

Action to be taken	You must do this by
To stop carrying out works on residential properties, 	Immediately
Engage with Turning Point regarding any alcohol or drug problems you may have until such time that Turning Point take a view that further treatment is not required or necessary.	Immediately
To stop entering residential properties in the district of Thanet without the express consent of the owner/occupier.	Immediately
To stop acting in a manner likely to cause harassment, alarm and distress to members of the public.	Immediately

Please do not ignore this letter. This warning provides you with an opportunity to rectify the situation or modify your behaviour before further legal action is taken against you.

Our Ref: WK/201702787



**YOU ARE NOW SUBJECT TO A
COMMUNITY PROTECTION NOTICE**
ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014 Section 43

Take notice that Thanet District Council is satisfied on reasonable grounds that the conduct of:


Of: 

Is having a detrimental effect, of a persistent or continuing nature, on the quality of life of those in the locality, and that the conduct is unreasonable.

A written warning was given to you on 20th January 2017 advising that a Community Protection Notice (CPN) will be issued if your conduct referred to above, does not cease. Thanet District Council is satisfied that, despite having had enough time to deal with the matter, the warning has not been adhered to and your behaviour and conduct is still having a detrimental effect.

The following has been witnessed on the 

- Loitering/sleeping in the Victorian Shelter Marine Drive, Margate, Kent, CT9 1DH
- Leaving items in your possession in the 
- Approaching individuals or groups of people for the purpose of requesting money or gifts.
- Being aggressive, abusive and causing nuisance or annoyance to any member of the public.
- Consuming alcohol in public places.

You are hereby required to comply with the following requirements immediately:

- Engage with the Gateway in Cecil Street, Margate or Porchlight regarding housing needs until such a time that you are in substantive accommodation.
- Engage with Turning Point regarding any alcohol or drug problems you may have until such time that Turning Point take a view that further treatment is not required or necessary.
- Not to enter for any purpose, the Victorian Shelter Marine Drive, Margate, Kent, CT9 1DH
- To not use offensive or aggressive words or behaviour or engage in any behaviours capable of causing nuisance or annoyance to others in the community
- To not encourage others or participate with others in behaviours capable of causing nuisance or annoyance to others in the community.
- To cease sleeping and/or storing belongings in any outdoor shelter or public place.
- To not urinate, defecate or otherwise deposit any bodily fluids in any public place save for designated toilets

It is a criminal offence to fail to comply with this Notice in accordance with Section 48 of the Anti-Social Behaviour, Crime and Policing Act 2014, which may result in a fine and / or further prosecution upon conviction.

Please be aware this act also gives powers to undertake remedial, seizure, confiscation or forfeiture activity as set out under sections 47 – 51.

Date: 26/01/17

Signed:

Designation

Community Protection Notices

⇒ **59 warnings issued** (All TDC : Community Safety & Streetscene)

- 32 : Neighbour disputes, illegal encampments, street drinking, absence of tenancy management!
- 27: Fly tipping , Rubbish contraventions

⇒ 90% compliance rate... so far!

⇒ Only 6 progressed to full notices

⇒ 4 notice breaches > further prosecution

⇒ First notices breaches still being prosecuted



Community Protection Notice: Case Study

- Historic problems with commercial and domestic waste in and around bin storage area.
- Numerous s46 EP Act 1990 Notices served
- Problem resolved for a short time only
- Numerous complaints from residents
- New approach....
- CPW served in November 2016 on and for:
 - ⇒ Public House, Restaurant, Letting Agents, Residents, Owner of the building



Community Protection Notice Issued

Action to be taken	You must do this by
Occupants are to place their domestic waste into the 1280 litre bin provided by Thanet District Council.	Immediately
Occupants are to refrain from dumping domestic waste or household goods into the public area outside your premise.	Immediately
Occupants are to stop dumping domestic waste, household waste onto the pavement outside your premise.	Immediately
Occupants are to stop dumping domestic waste onto the roof at the rear and into the rear garden areas of your premise.	Immediately
Resident domestic and household waste is to be checked for and dealt with immediately	Weekly Check

A Community Protection Notice is a legal sanction. If you fail to comply with the conditions attached to the Notice further action could be taken that may include;

- 1. A Fixed Penalty Notice of £80;**
- 2. Prosecution in the Magistrates Court which could result in;**
On summary conviction a fine not exceeding £2,500 for a person or £20,000 for a business.



Before... and after!



Premises Closure

: To enable Police or Council to quickly close premises which are being used, or likely to be used to commit nuisance or disorder

- Covers residential, business and licensed premises
- 2 stage process, closure notice then order
- Notice by senior officer, Order by court application within 48 hours
- If granted, prevents operation or inhabiting for up to 6 months
- Breach is criminal offence, imprisonment up to 6 months



Case Study: Closure Orders

- Significant calls to Police and Council
- Vulnerable persons address being used for criminal purposes
- Fear of reprisals
- To date, Police have closed **2 premises for 3 months**



Police Dispersal powers

: Police power, once initiated, requires a person to leave a designated area if they are committing or likely to commit ASB

⇒ 82 dispersals initiated

⇒ Solely Police power

⇒ No longer requirement to consult with Local Authority

⇒ 'Immediate', Inspector authority, no lengthy case build

⇒ Maximum of 48 hours (can be rolled over)



Public Spaces Protection Order

: Prohibits specific things done in a restricted area

To stop individuals or groups committing ASB in a public place

- ⇒ Can only be implemented by the Local Authority
- ⇒ Consult with Police and Police Crime Commissioner
- ⇒ Publicise to stakeholders
- ⇒ Can restrict access, associations or activities
- ⇒ Justified and proportionate
- ⇒ Need to ensure enforcement capability or pointless
- ⇒ 3 year duration (with one further 3 year extension only)
- ⇒ £100 'on the spot' FPN (up to £1000 if goes to court)



Public Spaces Protection Order

Will impact existing:

Dog Control Order(s)

- Fouling on any public land
- Taking dogs onto prescribed beaches (between 01 May – 30th Sept)
 - Minnis Bay, Birchington, Viking Bay, Walpole Bay, Cliftonville, Margate and Ramsgate Main sands (24 hrs)
 - Stone Bay, Louisa Bay, Westbrook , West Bay, Westgate and St Mildreds Bay (10am-6pm).



Designated Public Places Order (DPPO)

- Alcohol consumption (when likely to cause ASB & asked not to)
- Breach is criminal offence
- To be enforced by Council and Police



Next steps

Challenges

- ⇒ Transition of existing orders
- ⇒ Review of what's required, consultation, enforcement
- ⇒ New guidance restricts standard or blanket orders
- ⇒ Evolving case law & legal challenges

Opportunities

- ⇒ Quick and flexible to obtain and issue
- ⇒ Broader opportunities for increased use
- ⇒ Planned expansion across departments & other agencies



Questions ?



**ESTABLISHING THE OVERVIEW AND SCRUTINY PANEL
WORK PROGRAMME FOR 2017/18**

Overview & Scrutiny Panel **23 May 2017**

Report Author **Senior Democratic Services Officer**

Portfolio Holder **Councillor Crown-Brown, Cabinet Member for Corporate Governance**

Status **For Decision**

Classification: **Unrestricted**

Key Decision **No**

Ward: **Thanet Wide**

Executive Summary:

This report sets out possible activities of the Overview and Scrutiny Panel for 2017/18 and asks the Panel to determine the priority areas of work for the new municipal year.

Recommendations:

Members are requested to consider the following recommendations:

1. Political proportionality

The Panel:

- a) **Agrees** to establish the size and membership of sub groups with due regard to political proportionality (and with reference to proposed proportionality options in Table 1 in the report);

Or

- b) **Unanimously Agrees** to disregard political proportionality when setting up the sub committees.

2. Sub-Committees to be established

Determine which sub groups to establish; determine their composition between Political Groups (reflecting the decision above) and nominate Members to serve on them.

3. Terms of reference

- a) **Agree** terms of reference for any newly established sub-groups (*if applicable*);
- b) **Agree** the draft terms of reference for the re-constituted sub committees in Annex 2;
- c) **Agree** that before any consideration of substantive business any re-established Groups would be required to review their respective terms of reference at their first meeting and report any suggested changes to the next available Overview and Scrutiny Panel for approval;

d) **Agree** that before any consideration of substantive business all Groups would be required to complete the project template at their first meeting and report the details back to the next available Overview and Scrutiny Panel for approval.

CORPORATE IMPLICATIONS									
Financial and Value for Money	There are no financial implications arising directly from this report but elements of the suggested work programme may have financial and resource implications.								
Legal	There are no legal issues arising directly from this report. However a robust scrutiny function that is set up in a positive critical friend environment effective decision making and policy development.								
Corporate	<p>The work programme should help to deliver effective policy decision making by scrutinising executive decisions before, and at times after, implementation.</p> <p>The sub-committees assist the work of scrutiny as they would carry-out an in-depth study of any issue referred to the groups under their terms of reference. An active Scrutiny programme is part of good governance.</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" style="width: 100%; border-collapse: collapse; margin-top: 10px;"> <tr> <td colspan="2" style="padding: 2px;">Please indicate which aim is relevant to the report.</td> </tr> <tr> <td style="padding: 2px;">Eliminate unlawful discrimination, harassment, victimisation and other conduct prohibited by the Act,</td> <td style="text-align: center; padding: 2px;">✓</td> </tr> <tr> <td style="padding: 2px;">Advance equality of opportunity between people who share a protected characteristic and people who do not share it</td> <td style="padding: 2px;"></td> </tr> <tr> <td style="padding: 2px;">Foster good relations between people who share a protected characteristic and people who do not share it.</td> <td style="padding: 2px;"></td> </tr> </table> <p>No implications arise directly but the Council needs to retain a strong focus and understanding on issues of diversity amongst the local community and ensure service delivery matches these.</p> <p>It is important to be aware of the Council's responsibility under the Public Sector Equality Duty (PSED) and show evidence that due consideration had been given to the equalities impact that may be brought upon communities by the decisions made by Council.</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 This paper allows the Panel to establish and agree the Overview and Scrutiny Panel work programme for 2017/18. In scoping out its work, the Panel may wish to consider any outstanding work from 2016/17.
- 1.2 In 2016/17, the Panel work programme was carried through by the Community Safety Working Party, Corporate Performance Review Working Party and Electoral Registration Review Task & Finish Group.
- 1.3 Later in the year, the Panel agreed to stand down the Electoral Registration sub group and replaced it with the Dreamland Working Group. The Dreamland Working Group had set itself a deadline that they had to complete their work in four meetings. At the end of April 2017, the sub group met three times.

2.0 Setting up the Work Programme for 2017/18

- 2.1 Members may wish to reconstitute these sub groups whose membership size and terms of reference are highlighted in Annex 1 and Annex 2 to the report.
- 2.2 In setting up sub-committees, Members ought to decide the following membership structure for them:
 - a. Unanimously agree to disregard political proportionality in setting up membership size and political representation for the sub-committees;

Or

 - b. Agree political representation based on proportional political representation for each of the sub-committees to be established.
- 2.3 The political proportionality for sub group sizes between 5 and 15 members are shown in Table 1 below. As you will see, a sub-committee of 15 members would be necessary to ensure all parties were represented.

Table 1

Size of sub group	UKIP	Conservative	Labour	Independent Group
5	3	2	0	0
6	4	2	0	0
7	4	2	1	0
8	5	3	0	0
9	5	3	1	0
10	6	3	1	0
11	6	4	1	0
12	7	4	1	0
13	7	5	1	0
14	8	5	1	0
15	8	5	1	1

- 2.4 If Members opt to disregard political proportionality, the Panel can choose any size of sub group and populate it with any combination of members it wishes. In order to do this the panel must vote unanimously to disregard proportionality, if just one Member abstains or fails to vote then the proposal will fail and proportionality will have to be applied to the sub groups.
- 2.5 It is worth noting that in previous years, Members have opted to for political proportionality when setting up the sub committees, ensuring that that option adopted by the Panel enabled all political groups on the Panel to be represented on sub committees. This approach enabled all political groups to take part in scrutiny investigations. The Panel also agreed that non Panel Members could be appointed to the sub committees. However it was the expectation of the Panel that most of the members to the sub groups would be drawn from the Panel itself.
- 2.6 The Panel or any of sub committees can appoint up to three people who are not Members of the Council as non-voting co-optees as long as such individuals are not subject to circumstances that would disqualify them from being a councillor. They can also appoint up to three additional non Panel councillors with ‘a particular skill, knowledge or experience’ about the subject under review to assist with the scrutiny work.
- 2.7 Members are requested to consider whether to reconstitute the formal sub groups that had been undertaking scrutiny work in 2016/17 and whose work had not yet been completed. The structure of the previous year’s work programme is reflected in Table 1 in Annex 1 of the report.
- 2.8 On the other hand, if the Panel wishes to establish new sub groups, it will need to agree terms of reference that can govern the business of these sub-committees and consider the work of the officers supporting them; this may mean ending some other working parties, in order to accommodate the new ones.
- 2.9 Each sub group would need to prepare a programme of their work, indicating the issues to be considered (in accordance with their assigned terms of reference) and the timetable for completing their tasks, where applicable. However it is worth noting that Democratic Services can only support up to three sub groups due to limited resources.

3.0 Some outstanding issues from the previous municipal year

Watching Brief Issue: Proposed re-organisation of East Kent health services by East Kent Hospitals University Foundation Trust (EKHUFT)

- 3.1 The Leader of Council set up a QEQM Hospital Cabinet Advisory Group (CAG) on the subject and their first meeting was held on 21 April 2016. The sub group met again on 13 December 2016, and received further information on the public consultation before agreeing that officers submit a response on behalf of the council.
- 3.2 The Panel may still want to keep a watching brief on this issue as there may be further public consultation by EKHUFT in 2017 on service models to adopt. Indications had been made by the Thanet CCG and South Kent Coast CCG representative that the Cabinet Advisory Group would receive updates at key points in the critical paths of the consultation.

Contact Officer:	Charles Hungwe, Senior Democratic Services Officer, Ext: 7186
Reporting to:	Nick Hughes, Committee Services Manager, Ext 7208

Annex List

Annex 1	Table 1 – OSP Work Programme used in 2016/17
Annex 2	Working Parties draft terms of reference 2017/18

Background Papers

Title	Details of where to access copy
None	N/A

Corporate Consultation

Finance	Matthew Sanham, Corporate Finance Manager
Legal	Ciara Feeney, Head of Legal Services & Deputy Monitoring Officer

This page is intentionally left blank

Table 1 – Work Programme used in 2016/17

Issue	Size of Group in 2016/17	Lead Officer	Suggestions for the Overview and Scrutiny Panel
Date of Establishment 01.10.09 Community Safety Partnership Working Party	7	Penny Button Jessica Bailey	The role of scrutinising performance of the Community Safety Partnership is statutory one that has to be undertaken by the main Panel. However it is up to the Panel to delegate such function to a sub-committee during each municipal year as it sees fit.
Date of Establishment: 28.05.08 Corporate Performance Review Working Party	7	Tim Willis	The working party would need to continue to work through 2017/18 and provide recommendations to improve the performance of the Council and any joint arrangements/partnerships that council is a part of.
Date of Establishment 13.12.16 Dreamland Working Group	7	Madeline Homer Tim Howes	Dreamland Working Group was set up to review the report produced by East Kent Audit Partnership on the Dreamland. The sub group had set itself a deadline that they had to complete their work in four meetings. They had three meetings as at the end of April 2017.

This page is intentionally left blank

Draft

**COMMUNITY SAFETY PARTNERSHIP WORKING PARTY TERMS OF REFERENCE
FOR 2017/18**

A. TERMS OF REFERENCE

General

The purpose of the working party was to scrutinise key community safety issues in Thanet and make recommendations to the Community Safety Partnership through the Overview & Scrutiny Panel.

Membership, Chairmanship and Quorum

Number of Members	Seven
Political Composition	3 UKIP 2 Conservative 1 Labour 1 Independent Group
Substitute Members Permitted	Yes
Political Balance Rules apply	Yes
Appointments/Removals from Office	By the Overview and Scrutiny Panel
Restrictions on Membership	Non-Executive Members only
Restrictions on Chairmanship	None
Quorum	Four
Number of ordinary meetings per Council Year	Meetings will be called as required and as reflected in the work programme below

Terms of reference

The scope of the group for 2017/18 will be specifically to review the performance of the Community Safety Partnership with regards to implementing the following key priorities:

1. Safeguarding people vulnerable to committing or being a victim of crime;
2. Reducing Re-offending;
3. Tackling the drivers of crime and Anti-Social Behaviour;
4. Engaging with partners and the community.

Delegations

None

Notes

This working party was established in principle by the decision of the Overview & Scrutiny Panel on 01 October 2009. These terms of reference are to be considered by the Overview & Scrutiny Panel on 24 May 2016.

**CORPORATE PERFORMANCE REVIEW WORKING PARTY TERMS OF REFERENCE
FOR 2017/18**

General

A Sub-Committee of the Overview & Scrutiny Panel was established to review and scrutinise issues related to Corporate Performance and the Council Budget

Membership, Chairmanship and Quorum

Number of Members	Seven
Political Composition	3 UKIP 2 Conservative 1 Labour 1 Independent Group
Substitute Members Permitted	Yes
Political Balance Rules apply	Yes
Appointments/Removals from Office	By the Overview and Scrutiny Panel
Restrictions on Membership	Non-Executive Members only
Restrictions on Chairmanship	None
Quorum	Four
Number of ordinary meetings per Council Year	Meetings will be called as required and as reflected in the work programme below

Terms of Reference

1. To monitor half-yearly, the performance of the shared services or outsourced arrangements against set targets and conduct annual review of agreements for these arrangements to ensure value for money and savings; and propose action points for improvement;
2. To monitor the performance of the Medium Term Financial Plan;
3. To evaluate major projects Council is involved in;
4. To review the 2015-19 Corporate Plan to determine progress;
5. To review the strategies of Council to overcome the impact of lack of income and other revenue shortfalls in forward budget, debt management strategies and provision of services to residents;
6. To review the Council's progress against the Corporate Improvement Plan.

Delegations

Delegate authority by the Overview & Scrutiny Panel (on 13 January 2015) to make recommendations on the corporate performance report directly to Cabinet.

Draft

Notes

This working party was established in principle by the decision of the Overview & Scrutiny Panel on 28 May 2008. These terms of reference are to be considered by the Overview & Scrutiny Panel on 24 May 2016.

Draft

DREAMLAND WORKING GROUP TERMS OF REFERENCE FOR 2017/18

General

A Sub-Committee of the Overview and Scrutiny Panel was established to review the management of the Dreamland project.

Membership, Chairmanship and Quorum

Number of Members	Seven
Political Composition	3 UKIP 2 Conservative 1 Labour 1 Independent Group
Substitute Members Permitted	Yes
Political Balance Rules apply	Yes
Appointments/Removals from Office	By Overview and Scrutiny Panel
Restrictions on Membership	Non-Executive Members Only
Restrictions on Chairmanship	None
Quorum	Four
Number of ordinary meetings per Council Year	Meetings will be called as required

Terms of Reference

1. The East Kent Audit Partnership report that was presented to the Panel on 13 December 2016 is the framework for the terms of reference of the working group.

General

It was also agreed that the working group would aspire to conclude their work in four meetings.

Notes

This sub group was first established in principle by the decision of the Overview & Scrutiny Panel on 13 December 2016.

PETITION ON 2017 PARKING CHARGES

Overview & Scrutiny Panel **23 May 2017**

Report Author **Trevor Kennett, Interim Head of Operational Services**

Portfolio Holder **Councillor Brimm, Cabinet Member for Operational Services**

Status **For decision**

Classification: **Unrestricted**

Key Decision **No**

Ward: **Thanet Wide**

Executive Summary:

A petition containing 829 valid signatures has been received by the Council.

The Overview & Scrutiny Panel is asked to consider the petition and the officer responses in to the petition detailed in the report including the officer recommendations in the section below.

Recommendation(s):

1. To review and suggest any appropriate options around parking changes, free hours of parking and any other considered measures.
2. Forward a report on the petition to Full Council.

CORPORATE IMPLICATIONS

Financial and Value for Money	If any changes are made to the current parking charges then there will be a reduction in income, also there will be a cost to change the tariff software which is carried out by the machine supplier and our pay by phone provider.
Legal	This matter is dealt with under the Council's scheme for dealing with petitions from the public which is contained within the constitution. If the current charges are changed then the parking orders will need amending.
Corporate	In accordance with the Council's petition scheme if a petition has 650 but not more than 1,000 signatories, it will be referred to the Overview & Scrutiny Panel and thereafter to the next available ordinary Full Council meetings.
Equalities Act 2010 & Public Sector Equality Duty	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.

Agenda Item 5

	<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" style="width: 100%; border-collapse: collapse;"> <tr> <td colspan="2">Please indicate which aim is relevant to the report.</td> </tr> <tr> <td style="width: 80%;">Eliminate unlawful discrimination, harassment, victimisation and other conduct prohibited by the Act,</td> <td style="width: 20%;"></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>There are no specific equity and equalities issues arising from this report.</p> <p>However it is important to be aware of the Council's responsibility under the Public Sector Equality Duty (PSED) and show evidence that due consideration had been given to the equalities impact that may be brought upon communities by the decisions made by Council.</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 Under the terms of the Council's petitions scheme, petitions with more than 650 but less than 1,000 signatories need to be referred directly to the Overview & Scrutiny Panel for consideration. The petition organiser is permitted, in accordance with the Council's petition scheme to present the petition at an ordinary meeting of the Panel.
- 1.2 A council officer will be in attendance to respond to questions relating to this issue from the petitioner and Members of the Panel. Once a decision has been made a report will be forwarded to the next available ordinary Full Council meeting.

2.0 The Current Situation

- 2.1 A petition organised by Mr Roy Irving has been validly signed by 829 persons. The petition prayer reads:

"We the undersigned petition the council to We want Thanet District Council to reconsider their increase in parking charges for 2017. Especially in relation to the increase in off street car park charges. Thanet relies on tourism and visitors and the excessive price increases will have a detrimental effect on visitor numbers. The increase for the first hour of parking from £1.60 to £4.00 is not justified and as well as deterring visitors it may also stop people shopping locally where the car parks are in town centers. Thanet needs to encourage tourism and these new charges can only have a negative effect."

2.2 Mr Irving further provided the following justification for the petition that:

“Thanet depends on tourism and visitors, to increase car parking charges at main car parks throughout Thanet to the level proposed for 2017 will deter visitors and have a bad effect on number of visitors and income for Thanet. Businesses will also suffer from reduced visitor numbers. High St businesses will also loose local trade as people will not pay £4 to park and shop, but drive to Westwood Cross where they can park for free. I see no justification for a first hour parking fee of £4.”

2.3 Of the 829 signatories, 651 signatories provided local resident addresses, 51 had non-resident addresses and 127 did not provide their addresses (and therefore Council could not determine whether they were Thanet residents or non-residents). It should be noted however that the Council e-petition scheme does not require petitioners to provide residential addresses.

2.4 Mr Irving has taken up the opportunity as petition organiser to present the petition to the Panel and will have five minutes to make his presentation.

3.0 Officer Responses

3.1 The council review the parking charges every year. Prior to April 2016 the last significant increase in charges was in 2009, which means that the charges have not been increased although the cost of running the service has been increasing year on year.

3.2 We do benchmark our charges with our neighbouring authorities and with a number of other councils across the country prior to submitting a number of proposals for Cabinet to review before a final decision are made on which to take forward or adjust.

3.3 We have kept the increase in parking charges at a number of car parks across the district as low as possible to enable residents to park while going about their business. Car parks that are seasonal and close to attractions and the beaches across the district have been increased by a higher amount as they mainly affect the visitors to the area but still keeping the daily charge at a reasonable capped price.

3.4 Although the charges have increased there is still one car park in each town that is free to park in all day Saturdays. We have also extended the opening times of Leopold Street and Mill Lane multi-story car parks to 11.30pm throughout the summer.

3.5 The final decision on all the fees and charges (including parking) was made at full council as part of the budget setting meetings on the 1st December 2016.

3.6 If any changes are made to the current parking charges then our income will be affected, there will be a cost to change the tariff software which is carried out by the machine supplier and our pay by phone provider. Our parking order will also need amending.

4.0 Options

4.1 Do nothing and leave the parking charges as they currently stand.

4.2 To review and suggest any appropriate options around parking changes, free hours of parking and any other considered measures.

5.0 Decision Making Process

- 5.1 Once the Overview & Scrutiny Panel has taken a view on the matter, a report is then brought before the next available scheduled Full Council meeting advising Members about the petition and outcome from the Panel meeting.

Contact Officer:	Trevor Kennett, Interim Head of Operational Services, Ext 7015
Reporting to:	Gavin Waite, Director of Operational Services, Ext 7742

Annex List

None	N/A
------	-----

Background Papers

Title	Details of where to access copy
None	N/A

Corporate Consultation

Finance	Matt Sanham, Corporate Finance Manager
Legal	Ciara Feeney, Head of Legal Services & Deputy Monitoring Officer

Future Options for the Council’s Closed Circuit Television (CCTV) service

Overview & Scrutiny Panel	23rd May 2017
Report Author	Trevor Kennett, Operational Services Manager
Portfolio Holder	Councillor Brimm, Cabinet Member for Operational Services
Status	For Decision
Classification:	Unrestricted
Key Decision	Yes
Reasons for Key	Significant effect on communities
Ward:	All Wards

Executive Summary:

On the 13th November 2014 the Cabinet of the Council resolved that the control room be retained in the medium term at its current location but with financial provision made to co-locate it and a tender exercise undertaken for the replacement of the control system, cameras, and mobile CCTV equipment.

This report now seeks approval from Cabinet for the required option to achieve the above.

Recommendation(s):

To comment on which option should be pursued by officers for the future provision of the Council's CCTV service.

Officers would recommend Option 4 for adoption.

CORPORATE IMPLICATIONS

Financial and Value for Money	<p>There could be cost saving opportunities for capital and revenue budgets with a number of the options outlined in this report.</p> <p>Some options that have the potential for staff redundancy or relocation. Potential one-off redundancy costs would in the region of £46,000 plus actuarial strain for 2 members of staff, which would need to be further calculated.</p> <p>For some options there would be Transfer of Undertakings (Protection of Employment) Regulations 2006 (TUPE) as amended by the "Collective Redundancies and Transfer of Undertakings (Protection of Employment) (Amendment) Regulations 2014 requirements – The TUPE regulations will apply for outsourcing CCTV service activities to Canterbury City Council. Thanet District Council would undertake all cost implications for TUPE within a service level agreement.</p>
--------------------------------------	---

Legal	<p>Providing CCTV cameras throughout the district is not a statutory duty however section 17 of the Crime and Disorder Act 1998 states – ‘Duty to consider crime and disorder implications. Without prejudice to any other obligation imposed on it, it shall be the duty of each authority to which this section applies to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area’.</p> <p>Surveillance Camera code of Practice issued by the Surveillance Camera Commissioner and the Home Office. This code of practice is issued by the Secretary of State under Section 30 of the Protection of Freedom Act 2012 Act.</p> <p>The statutory code of practice has twelve principles, these are:</p> <ol style="list-style-type: none">1. Use of a surveillance camera system must always be for a specified purpose which is in pursuit of a legitimate aim and necessary to meet an identified pressing need.2. The use of a surveillance camera system must take into account its effect on individuals and their privacy, with regular reviews to ensure its use remains justified3. There must be as much transparency in the use of a surveillance camera system as possible, including a published contact point for access to information and complaints.4. There must be clear responsibility and accountability for all surveillance camera system activities including images and information collected, held and used.5. Clear rules, policies and procedures must be in place.6. No more images and information should be stored than that which is strictly required for the stated purpose of a surveillance camera system, any such images & information should be deleted when the purpose has been discharged.7. Access to retained images and information should be restricted and there must be clearly defined rules on who can gain access and for what purpose such access is granted. The disclosure of images should only be carried out for lawful purposes.8. Surveillance camera system operators should consider any approved operational, technical and competency standards relevant to a system and its purpose and work to meet and maintain those standards.9. Surveillance camera system images and information should be subject to appropriate security measures to safeguard against unauthorised access and use.10. There should be effective review and audit mechanisms to ensure legal requirements, policies and standards are complied with in practice, and regular reports should be published.11. When the use of a surveillance camera system is in pursuit of a legitimate aim, and there is a pressing need for its use, it should then be used in the most effective way to support public safety and law enforcement with the aim of processing images and information of evidential value.12. Any information used to support a surveillance camera system which matches against a reference database for matching purposes should be accurate and kept up to date.
--------------	---

Agenda Item 6

Corporate	<p>The priorities that have impact on the enforcement activities of Operational Services are:</p> <p>Priority 1, Clean and welcoming environment - Maintaining zero tolerance to encourage positive behaviour to help improve our environment</p> <p>Priority 2, Supporting neighbourhoods - Continuing to work with partners to improve community safety</p> <p>Priority 3: Promoting inward investment and job creation - Actively seeking inward investment, exploring the potential for using Enterprise Zones; encouraging new and existing businesses which support growth in the local and visitor economy. Working with partners to make the most of the buildings and land we own. Maximising commercial opportunities for key assets.</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" style="width: 100%; border-collapse: collapse;"> <tr> <td colspan="2">Please indicate which aim is relevant to the report.</td> </tr> <tr> <td style="width: 80%;">Eliminate unlawful discrimination, harassment, victimisation and other conduct prohibited by the Act,</td> <td style="width: 20%;"></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>It is the author's opinion that the Public Sector Equality Duty (PSED) is not engaged by the subject matter. In accordance with the continuing nature of the Duty the Council will keep the matter under review</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 & Background

- 1.1 The use of CCTV as a tool to deter, detect and assist operations against crime has grown enormously in recent years. There were now over 4 million CCTV cameras in operation within the UK and this number has trebled within the last 3 years. Whilst there were great expectations about the dramatic effect that they were likely to have

Agenda Item 6

on crime when they were first introduced during the early 1990s, there now appears to be a more realistic view of their likely contribution to reducing crime.

- 1.2 Thanet District Council commenced a CCTV service in 1997 through a combined resource of a government grant and parking revenue contributions. The service focussed initially on car parks with some on-street deployment. The system expanded over 19 years to its current capacity with around 100 fibre optic linked and 3 radio linked cameras.
- 1.3 The existing system has cameras located at Margate, Westbrook, Cliftonville, Ramsgate and Broadstairs. Birchington Parish Council has invested separately in a spate system although images can be viewed by the CCTV service. East Kent Housing also has CCTV cameras within their tower blocks which can also be viewed within the CCTV service
- 1.4 The owners and main funders of the CCTV system including staff are Thanet District Council. The total cash cost to the Council for this services is £352,130, with contributions from the on-street parking account of £37,920 and the housing revenue account of £42,660. Therefore the net cost is £252,580.
- 1.5 The current CCTV service has had little or no investment since its implementation in the late 1990s. This has resulted in much of the current equipment becoming obsolete or not being supported any longer by manufacturers. Unless significant investment is given to the current system urgently it is highly likely that parts of the network will stop working without the option to repair.
- 1.6 In November 2014 the Cabinet of the Council resolved that the CCTV control room be retained in the medium term at its current location but with financial provision made to co-locate the control centre and a tender exercise undertaken for the replacement of the control system, cameras, and mobile CCTV equipment.
- 1.7 There is a Capital budget of £409,000 available for the upgrading of the CCTV service and infrastructure, included in this figure is £33,000 set aside for mobile CCTV equipment.
- 1.8 There are currently 6 FTE CCTV operators (£167,000 including overtime) that work 8 hour shifts. They cover the control room 24 hours a day, 7 days a week. Whenever an operator is off sick or on annual leave, other operators' cover their shift's by each working 12 hour shifts. This incurs overtime to keep the 24 hour coverage.

2.0 Context

- 2.1 CCTV plays a vital part in the Council's responsibility to consider the reduction of crime and disorder in the delivery of its functions, as part of the Council's statutory obligations under section 17 of the Crime & Disorder Act 1998.
- 2.2 The current CCTV system is becoming obsolete, which affects its use and performance. In 2016 Kent Police made over 600 applications to view and seize evidential CCTV footage from the system. However only around 250 actual seizures of evidence took place, mainly because of the degradation and lack of clarity of the images.
- 2.3 The CCTV capital programme approval of £409,000 for upgrading the CCTV system gives the Council a unique and vital opportunity to secure the long-term needs of the CCTV service. For the CCTV to have a sustainable future solution we need to ensure that whatever option is pursued it ensures the Council is not in a similar position in

future years by having ageing, obsolete equipment in future years' time as further, substantial capital investment will be required again.

24. Options 3 & 4 could help future proof our CCTV system by ensuring we have sufficient capacity and capability for switching from analogue to digital recording methods. In addition, there is proper maintenance of equipment and transmission networks to ensure that they continue to work effectively in future years.

3.0 The Report Detail

- 3.1 There are four main options for the future provision of the Council's CCTV service as outlined below. The estimated capital and revenue financial breakdown for each option is in **Appendix 1**.

3.2 Option 1 – Decommission the CCTV system

Summary – To totally decommission and remove the entire CCTV system and network

- 3.2.1 The Council could decide to leave the current CCTV system and service as is. This option would ultimately end in de-commissioning the system as each piece of equipment fails, as the majority of the equipment is no longer supported or is obsolete.
- 3.2.2 The financial cost to the Council would be around £100,000 (capital) over a period of 12-18 months as we would simply not repair cameras and equipment when it stopped working. The system could last an unknown period of time but would ultimately have to be de-commissioned properly to remove street CCTV columns, cameras and BT transmission equipment.
- 3.2.3 The reputational cost would be high as it could appear to the public and police that the Council is not committed to crime reduction and the safety of the public. However many Councils are considering this option as no funding is available from central Government or the police to support the huge costs in running a CCTV system.
- 3.2.4 This option could involve the redundancy or relocating of 6 members of staff as outlined in the financial section of this report, over a period of time. (Circa £46,000)
- 3.2.5 This option would eventually release Hawley Square as a Council asset to be sold or reallocated to another service area. (Circa £300,000).
- 3.2.6 This option would give a capital saving in year-1 of £309,000 and potential substantial revenue savings of around £500,000 over 2-years and beyond as the service would end.

3.3 Option 2 – Relocate & upgrade systems

Summary – To move the existing CCTV 24/7 Control room totally out of its current location in Hawley Square and relocate it within the Council Offices at Cecil Street. Replace all of the current CCTV equipment, such as Cameras, recorders, matrix and control room monitoring equipment.

- 3.3.1 This option would through a procurement tendering project relocate and renew the entire CCTV control room and equipment to the Council's Civic Centre.

Agenda Item 6

- 3.3.2 All street town centre dome CCTV cameras (around 70 cameras) would be replaced as well as upgrades for the telecommunications matrix and the digital recording equipment.
- 3.3.3 This option would also release 40 Hawley Square as a Council asset that could be sold or reallocated to another service area. (Circa £300,000)
- 3.3.4 This option would see the CCTV operate as it does now, but with a new control centre and new CCTV equipment.
- 3.3.5 This option has no potential staff redundancies.
- 3.3.6 This option gives revenue financial savings of £65,000 in year-one only, as there would be no maintenance costs for the new equipment, which will be under warranty.
- 3.3.7 Of the 4 options this is the most financially expensive with a 2-year revenue cost of £556,000. This options also requires the total capital budget of £409,000
- 3.3.8 This option is a medium-term solution as although equipment will be updated and replaced the working life of mechanical CCTV equipment is around 5 to 7 years. This would mean that from 2023 further capital investment would be required.
- 3.4 Option 3 – Enter in to a partnership with Canterbury City Council to monitor our CCTV system and to upgrade the CCTV equipment as option 1

Summary - To move the existing CCTV 24/7 Control room totally out of its current location in Hawley Square and to get Canterbury City Council to monitor remotely our cameras in their control centre at Canterbury. Replace all of the current CCTV equipment, such as Cameras, recorders, matrix and control room monitoring equipment.

- 3.4.1 This option would mean that the 24/7 monitoring and management of the CCTV system would be undertaken by Canterbury City Council's CCTV control centre in Canterbury under a service level agreement.
- 3.4.2 This option would mean that the Council could de-commission the CCTV control room at Hawley Square releasing it as a corporate asset that could be sold or reallocated to another service area. (Circa £300,000).
- 3.4.3 This option could involve potential redundancies or relocation of 6 members of staff as outlined in the financial section of this report. (Circa £46,000) Transfer of Undertakings (Protection of Employment) Regulations 2006 (TUPE) as amended by the "Collective Redundancies and Transfer of Undertakings (Protection of Employment) (Amendment) Regulations 2014 will apply for outsourcing CCTV service activities to Canterbury City Council. Thanet District Council would undertake all cost implications for TUPE within a service level agreement.
- 3.4.4 £360,000 of the capital budget to upgrade the CCTV system network would need to be spent to ensure we had new cameras and equipment for monitoring. It would also include the transmission upgrades needed for Canterbury City Council to be able to monitor our system using their own equipment.
- 3.4.5 This option does not require any capital spend for a new control centre as our images would be monitored by Canterbury City Council in their control centre at Military Road, Canterbury.

Agenda Item 6

- 3.4.6 Of the 4 options this is the second most financially inexpensive option with a 2-year revenue cost of £411,000. This option also requires a capital budget of £360,000.
- 3.4.7 This option is a medium-term solution as although equipment will be updated and replaced the working life of mechanical CCTV equipment is around 5-7 years. This would mean that from 2023 further capital investment would be required.
- 3.4.8 This options gives a higher transmission cost in year 1 (£100,000) because of the new connection work that would be required to the Canterbury CCTV system network.
- 3.4.9 This option gives a financial saving of around £38,000 (revenue) and £49,000 (capital) in year-one, which is made up of no maintenance costs for the new equipment, which will be under warranty, no control centre refurbishment and salary savings less redundancy costs. In year-2 and beyond there would be financial revenue savings of around £105,000.

3.5 Option 4 - Managed Security system with British Telecom and Canterbury City Council

Summary – To go into a partnership with BT for them to be responsible for all camera upgrades including equipment and network, maintenance and transmission costs. Canterbury City Council to monitor our cameras in their control centre at Canterbury.

- 3.5.1 This proposal addresses Thanet District Council's requirements by offering an IP CCTV solution and town centre public Wi-Fi platform capable of being a starting point for future 'Smart City' developments.
- 3.5.2 This option would mean that the 24/7 monitoring and management of the CCTV system would be undertaken by Canterbury City Council's CCTV control centre in Canterbury.
- 3.5.3 For this option the procurement of goods/services will be subject to the Public Contract Regulations 2015 and TDC Contract Standing Orders. As there are existing government framework agreements (PCR2015 compliant) which extensively cover Network Services, these will be explored in the first instance as a preferred procurement route. Alternative to this, the Council will independently carry out a full EU Procurement.
- 3.5.4 This option would start to give the Council's BTs Smart City status to around 20 locations across the district, which includes Wi-Fi transmission points that utilises our existing network. This means that the Council would be able to offer free public Wi-Fi across the district. The Council could also utilise this development for other services areas such as parking. This Smart City development, which is included in the costs of BT upgrading our CCTV service would normally cost in the region of £200,000 if undertaken as a separate standalone project.
- 3.5.5 This option fixes all maintenance and transmissions costs for the CCTV system for a 10 year period, which gives the Council a more sustainable and stable cost base up until 2027.
- 3.5.6 Hawley Square would be released as a corporate asset, which could be sold or reallocated to another service area. (Circa £300,000).

Agenda Item 6

- 3.5.7 This option could involve the potential redundancies or relocation of 6 members of staff as outlined in the financial section of this report. (Circa £46,000) Transfer of Undertakings (Protection of Employment) Regulations 2006 (TUPE) as amended by the "Collective Redundancies and Transfer of Undertakings (Protection of Employment) (Amendment) Regulations 2014 will apply for outsourcing CCTV service activities to Canterbury City Council. Thanet District Council would undertake all cost implications for TUPE within a service level agreement.
- 3.5.8 This option would give revenue savings of around £10,000 after redundancy costs in year-1 and around £119,000 from year-2 onwards. This option requires £360,000 being spent from the capital project giving a one-off saving of £49,000.
- 3.5.9 This option is the most cost effective option from year 2 for the on-going delivery of CCTV services.

4.0 Conclusion

- 4.1 Decommissioning the CCTV is by far the cheapest financial option for the Council.
- 4.2 All other options require the majority of the identified Capital budget to be spent to upgrade the CCTV system and network. However for options 3 and 4 there could be capital savings if a competitive procurement tender exercise was undertaken on the CCTV cameras and equipment as no control centre upgrades would be required.
- 4.3 If option 2 were pursued there would potentially be further options available by mixing elements of the four main options outlined within this report or to change the service currently offered, such as reducing the hours of operation, such as reducing the hours covered by the CCTV operators and removing the overtime budget used for 24/7 coverage.
- 4.4 Officers would recommend that Option 4 is pursued as it provides the best value for money and the most stable and sustainable for the CCTV service over future years.

Contact Officer:	Trevor Kennett, Interim Head of Operational Services
Reporting to:	Gavin Waite, Director of Operational Services

Corporate Consultation

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

CCTV Options Estimated Costs

Estimated cost description	Option 1 - decommission the CCTV service	Option 2 - Relocate to Civic Centre and upgrade system	Option 3 - Partnership with Canterbury City Council and upgrade system	Option 4 - Managed Digital (IP) System (BT) with CCC monitoring and district wide free public Wi-Fi
----------------------------	---	--	--	---

Capital Expenditure

70 x CCTV Cameras	£0.00	£180,000.00	£180,000.00	£180,000.00
3 x Matrix's renewal	£0.00	£180,000.00	£180,000.00	£180,000.00
Decommission cameras	£100,000.00	£0.00	£0.00	£0.00
Control Room relocation and upgrade	£0.00	£49,000.00	£0.00	£0.00
Sub Total Capital Expenditure	£100,000.00	£409,000.00	£360,000.00	£360,000.00

Year 1 Revenue costs

Maintenance (Year-1 warranty)	£0.00	£0.00	£0.00	£0.00
Transmission	£0.00	£77,000.00	£100,000.00	£130,000.00
Operation	£0.00	£167,000.00	£60,000.00	£60,000.00
Redundancy costs (Year 1 only)	£46,000.00	£0.00	£46,000.00	£46,000.00
Revenue sub-total	£46,000.00	£244,000.00	£206,000.00	£236,000.00

Year 2 & future Revenue costs

Maintenance	£0.00	£65,000.00	£65,000.00	£0.00
Transmission	£0.00	£80,000.00	£80,000.00	£130,000.00
Operation	£0.00	£167,000.00	£60,000.00	£60,000.00
Revenue sub-total	£0.00	£312,000.00	£205,000.00	£190,000.00

FORWARD PLAN AND EXEMPT CABINET REPORTS LIST

Overview and Scrutiny Panel	23 May 2017
Report Author	Senior Democratic Services Officer
Portfolio Holder	Councillor Crow-Brown, Cabinet Member for Corporate Governance
Status	For Information
Classification:	Unrestricted
Key Decision	No
Ward:	Thanet Wide

Executive Summary:

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

Recommendation(s):

Members' instructions are invited.

CORPORATE IMPLICATIONS

Financial and Value for Money	There are no financial implications arising directly from this report.													
Legal	There are no legal implications arising directly from this report.													
Corporate	The Forward Plan is a publication of key decisions, policy framework.													
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" style="width: 100%; border-collapse: collapse;"> <tr> <td colspan="3">Please indicate which aim is relevant to the report.</td> </tr> <tr> <td style="width: 80%;">Eliminate unlawful discrimination, harassment, victimisation and other conduct prohibited by the Act,</td> <td style="width: 10%;"></td> <td style="width: 10%;"></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> <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> <td style="text-align: center;">✓</td> </tr> </table>		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.		✓												

Agenda Item 7

	There no equity and equalities issues arising directly from this report but the Council needs to retain a strong focus and understanding on issues of diversity amongst the local community and ensure that policy decisions being made and service delivery to residents match these.
--	--

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

Contact Officer:	Charles Hungwe, Senior Democratic Services Officer, Ext 7186
Reporting to:	Nick Hughes, Committee Services Manager, Ext 7208

Annex List

Annex 1	Forward Plan & Exempt Cabinet Reports List
---------	--

Background Papers

Title	Details of where to access copy
None	N/A

Corporate Consultation

Finance	Matt Sanham, Corporate Finance Manager
Legal	Ciara Feeny, Head of Legal Services & Deputy Monitoring Officer



FORWARD PLAN AND EXEMPT CABINET REPORT LIST

10 MAY 2017 TO 30 NOVEMBER 2017

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

Key decisions

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

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

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

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

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

Agenda Item 7

Annex 1

Reports to be considered in private session

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

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

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

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

Availability of documents

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

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

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

Councillor Chris Wells
Councillor Lin Fairbrass
Councillor Derek Crow-Brown
Councillor John Townend
Councillor Suzanne Brimm
Councillor Hunter Stummer-Schmertzing

Leader of the Council
Deputy Leader of the Council and Cabinet Member for Community Services
Cabinet Member for Corporate Governance
Cabinet Member for Financial Services and Estates
Cabinet Member for Operational Services
Cabinet Member for Regeneration and Enterprise Services

10 May 2017 to 30 November 2017

Decision to be Considered	What the Decision will mean	1. Decision Path/ 2. Lead Officer	Lead Cabinet Member	For Decision by (in case of O & S, consultation date)	Decision Type	Details of any information likely to be considered in private under Schedule 12A of the Local Government Act 1972	Documents submitted to the Decision Maker
To introduce a Risk Based Verification policy for the administration of Housing Benefit / Council Tax Support claims	TDC introducing a policy which governs the amount & type of information that a benefit applicant has to supply to evidence their claim when claiming HB/CTS based on risk factors.	1.Cabinet 2.Andrew Stevens, Assistant Director (Customer Delivery) EK Services Tel: 01227 862101	Councillor John Townend, Cabinet Member for Financial Services and Estates	15 Jun 17	Key	Part restricted and not for publication under Para 7 (information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime). The RBV policy contained with the Annex to the report must be confidential under instruction from the DWP.	Cabinet report

Decision to be Considered	What the Decision will mean	1. Decision Path/ 2. Lead Officer	Lead Cabinet Member	For Decision by (in case of O & S, consultation date)	Decision Type	Details of any information likely to be considered in private under Schedule 12A of the Local Government Act 1972	Documents submitted to the Decision Maker
To decide on the future capital development of the Council's CCTV system	To decide on which option should be pursued by officers for the future provision of the Council's CCTV service.	1.Cabinet 2.Trevor Kennett, Interim Head of Operational Services	Councillor Suzanne Brimm, Cabinet Member for Operational Services	15 Jun 17	Non-Key	Commercially sensitive information from suppliers on costings for development of the system	Cabinet report
2016/17 Performance report	Out turn report for the financial year	1.Corporate Performance Review Working Party Cabinet 2.Tim Willis, Director of Corporate Resources and S151 Officer	Councillor Derek Crow-Brown, Cabinet Member for Corporate Governance Services	27 Jun 17 27 Jul 17	Non-Key		CPRWP report Cabinet report
2016/17 Finance report	Out turn report for the financial year	1.Cabinet 2.Tim Willis, Director of Corporate Resources and S151 Officer	Councillor John Townend, Cabinet Member for Financial Services and Estates	27 Jul 17	Non-Key		Cabinet report
Quarter 1 Budget monitoring report	Update on the budget position and forecast for the year	1.Cabinet 2.Tim Willis, Director of Corporate Resources and S151 Officer	Councillor John Townend, Cabinet Member for Financial Services and Estates	27 Jul 17	Non-Key		Cabinet report

Decision to be Considered	What the Decision will mean	1. Decision Path/ 2. Lead Officer	Lead Cabinet Member	For Decision by (in case of O & S, consultation date)	Decision Type	Details of any information likely to be considered in private under Schedule 12A of the Local Government Act 1972	Documents submitted to the Decision Maker
Quarter 2 Budget monitoring report	Update on the budget position and forecast for the year	1. Cabinet 2. Councillor John Townend, Cabinet Member for Financial Services and Estates	Councillor John Townend, Cabinet Member for Financial Services and Estates	16 Nov 17	Non-Key		Cabinet report

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.