

MEETING OF THE COUNCIL



Thursday, 7th February, 2019

7.00 pm

**Council Chamber
Thanet District Council
Margate**

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01843 577000**



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Date: 30 January 2019
Ask For: James Clapson
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You are hereby summoned to attend the meeting of the Thanet District Council to be held in the Council Chamber, Council Offices, Cecil Street, Margate, Kent on Thursday, 7 February 2019 at 7.00 pm for the purpose of transacting the business mentioned below.

Timothy Howes

Director of Corporate Governance

To: The Members of Thanet District Council

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

AGENDA

Item
No

1. **APOLOGIES FOR ABSENCE**

2. **MINUTES OF THE EXTRAORDINARY MEETING** (Pages 5 - 6)

To approve the Minutes of the extraordinary meeting of Council held on 27 November 2018, copy attached.

3. **MINUTES OF PREVIOUS MEETING** (Pages 7 - 12)

To approve the Minutes of the meeting of Council held on 6 December 2018, copy attached.

4. **ANNOUNCEMENTS**

To receive any announcements from the Chairman, Leader, Members of the Cabinet or Chief Executive in accordance with Council Procedure Rule 2.2 (iv).

5. **DECLARATIONS OF INTEREST**

To receive any declarations of interest from Members in accordance with Council Procedure rule 2.2 (v)

Item
No

Subject

6. **BUDGET 2019-20 REPORT**

Report to follow.

7. **TREASURY MANAGEMENT STRATEGY AND ANNUAL INVESTMENT STRATEGY – MID YEAR REVIEW REPORT 2018-19** (Pages 13 - 30)

8. **MEMBERS ALLOWANCES SCHEME 2019/20** (Pages 31 - 44)

Declaration of Interests Form

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COUNCIL

Minutes of the meeting held on 27 November 2018 at 7.00 pm in Council Chamber - Council Offices.

Present: Councillor David Saunders (Chairman); Councillors Ashbee, Bambridge, Bayford, Brimm, Buckley, K Coleman-Cooke, Connor, Constantine, Crow-Brown, Dawson, Dexter, Edwards, Evans, Falcon, Fenner, Game, I Gregory, Grove, Hayton, Jaye-Jones, Johnston, Matterface, Messenger, L Piper, S Piper, L Potts, Rusiecki, M Saunders, Savage, Shonk, Stummer-Schmertzing, Taylor, Taylor-Smith, Tomlinson and Wells.

1. APOLOGIES FOR ABSENCE

Apologies were received from Councillors: Braidwood, Campbell, G Coleman-Cooke, Curran, Day, Dennis, Dixon, J Fairbrass, L Fairbrass, Larkins, Martin, Parsons, R Potts, Pugh, Rogers, Townend and Wright.

2. DECLARATIONS OF INTEREST

There were no declarations of interest.

3. EXCLUSION OF PUBLIC AND PRESS

It was proposed by the Chairman and seconded by the vice Chairman, that Members agree the recommendation within the report, namely that:

‘That the public and press be excluded from the meeting for agenda item 4 as it contains exempt information as defined in Paragraphs 1, 2 and 5 of Part 1 of Schedule 12A of the Local Government Act 1972 (as amended).’

Upon being put to the vote, the motion was declared lost.

4. THE MONITORING OFFICER'S REPORT

It was proposed by the Chairman and seconded by the vice Chairman, that Members agree the recommendations within the report, namely that:

‘1 - The Council consider the report by the Monitoring Officer, and

2 - The Council declare a vacancy in the office of councillor for the Margate Central ward’

An amendment was proposed by Councillor Wells and seconded by the Leader that the first recommendation be removed. Therefore Members were asked to agree that:

‘The Council declare a vacancy in the office of councillor for the Margate Central ward’

Upon being put to the vote, the amended motion was declared carried.

Meeting concluded: 7.40 pm

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COUNCIL

Minutes of the meeting held on 6 December 2018 at 7.00 pm in Council Chamber, Council Offices, Cecil Street, Margate, Kent.

Present: Councillor David Saunders (Chairman); Councillors Ashbee, Bayford, Brimm, Buckley, Campbell, G Coleman-Cooke, K Coleman-Cooke, Constantine, Crow-Brown, Dawson, Day, Dellar, Dexter, Edwards, J Fairbrass, L Fairbrass, Falcon, Fenner, Game, I Gregory, G Hillman, Jaye-Jones, Johnston, Larkins, Martin, Matterface, Parsons, L Piper, S Piper, L Potts, Pugh, Rogers, Rusiecki, M Saunders, Savage, Stummer-Schmertzling, Taylor, Taylor-Smith, Tomlinson, Townend and Wright.

1. APOLOGIES FOR ABSENCE

Apologies were received from Councillors Bambridge, Braidwood, Connor, Curran, Dennis, Dixon, Evans, Hayton, Messenger, R Potts, Shonk and Wells.

2. MINUTES OF THE PREVIOUS MEETING 11 OCTOBER 2018

It was proposed by the Chairman, seconded by the Vice-Chairman and agreed, that the minutes of the Council meeting held on 11 and 15 October 2018 be approved and signed by the Chairman.

3. MINUTES OF THE EXTRAORDINARY MEETING 6 NOVEMBER 2018

It was proposed by the Chairman, seconded by the Vice-Chairman and agreed, that the minutes of the Extraordinary Council meeting held on 6 November 2018 be approved and signed by the Chairman.

4. ANNOUNCEMENTS

Mr Marie, an Enforcement Officer at TDC, was awarded with an Acknowledging Excellence certificate by the Chairman in recognition of his professional response to a very challenging situation. Members applauded Mr Marie as a sign of their appreciation of his conduct.

Members congratulated Mr Davies, an Empty Homes Officer at TDC, who had recently won the Rising Star award at the Empty Homes Awards. This was a national award that recognised new empty homes practitioners who had made a significant contribution.

The Chairman invited all Members to join him for a Christmas drink and mince pies after the meeting.

5. DECLARATIONS OF INTEREST

There were no declarations of interest.

6. PETITIONS

(a) Petition regarding the Margate Museum and the Mayor's Parlour

Mr Smith-Stewart presented the petition to Council. Members noted that the following petition which contained 94 valid signatures, had been received:

“We the undersigned petition the council to reaffirm that there will be no sale or disposal of the buildings known as Margate Museum and the Mayor's Parlour.

The Museum is ideally placed on its existing site, and only requires an extension into the Mayor's Parlour where a lift was to be installed to comply with the Disability Discrimination Act.

The Mayor's Parlour also known originally as a municipal building was funded by the widow of Mayor Kendall and must continue for mayoral use.

The Tudor House and Maltings are not suitable to take all the museum artefacts, a heritage lottery bid needs to be revisited for all for these buildings as a matter of urgency.”

In accordance with the Council's Petition Scheme, the petition was referred to Cabinet without debate for report back to the Council within three ordinary meetings.

(b) **Petition regarding the Port of Ramsgate**

Mr Coombes presented the petition to Council. Members noted that a paper petition containing 1119 signatures and an e-petition containing 154 valid signatures with the following prayer, had been received:

“We the undersigned petition the council to accept we have no confidence in the Council's operation of the Royal Harbour and Port. So we demand that Thanet District Council create an independent working party to investigate the losses and bring forward a comprehensive regeneration plan within six months”

Following debate by Members it was agreed that;

“The petition would be referred to Cabinet as the petition related to an executive function.

Cabinet should consider the inclusion of independent expert advisors in the membership of the Port and Harbour Working Party.”

7. QUESTIONS FROM THE PRESS AND PUBLIC

(a) **Question No.1 - Regarding RiverOak Strategic Partnership's DCO application**

Mr Green asked Councillor Bayford the following question:

“Highways England, Historic England, Natural England, Public Health England, KCC, CCC, and 1100 Thanet residents, have registered concerns regarding RSP's DCO application. Could he detail how the Council has engaged the applicant to produce a SoCG and LIR, what issues have been discussed, and included in a section 106 agreement”

Councillor Bayford responded with the following points:

- The Council engaged with the applicant on the planning matters raised in the pre-application letter and relevant representation, This was published on the Council's website and on the Planning Inspectorate's website. It discussed how the Council and the applicant could work to resolve as many of the issues raised in those documents as possible, to inform the Council's Local Impact Report and any Statement of Common Ground produced.
- It would be a decision for the Planning Inspectorate, as the examining authority, whether a Section 106 Agreement would be required in addition to a Development Consent Order if granted.

(b) **Question No. 2 - Regarding Ramsgate Port and Harbour**

Mr Wise asked Councillor Bayford the following question:

“Ramsgate port/harbour is said to have lost c£20m since 2010. Will you please list the services, council jobs and grants to organisations such as the Citizens Advice Bureau that have been lost as a result of the Council's failure to manage this loss-making TDC infrastructure”

Councillor Bayford responded with the following points:

- Ramsgate Port and Harbour had operated at a loss since 2010.
- Since taking control the Leader had made it clear that the Port and Harbour was a top priority to the administration.
- Much of the costs connected to the Port were the result of maintaining readiness for a ferry operator. Discussions with a potential operator were positive and ongoing.
- There could come a time in the future when a different strategy was required that looked at other options for the Port area.
- It was impossible to establish causality in order to answer the question directly.

8. QUESTIONS FROM MEMBERS OF THE COUNCIL

No questions from Members of the Council have been received in accordance with council procedure rule 14.

9. NOTICE OF MOTION

No motions on notice have been received in accordance with council procedure rule 3.

10. LEADERS REPORT

During his report the Leader covered the following areas:

- The Draft Local Plan had been submitted to the Secretary of State. It was available to view on the Council's website, in the Gateway Library and at a number of other locations across the District.
- Government would invest a significant amount of money in the Port of Ramsgate as part of resilience planning for Brexit.
- The number of rough sleepers within the District had dropped from 45 to 23 over the past year. It was expected that the recently established RISE (Rough Sleeper Intervention, Support and Empowerment) team would help to continue this trend.
- The Winter Shelter was now open and was supported by the Salvation Army, TDC and a number of Churches.
- There had been a recent visit by delegates from Ards and North Down Borough Council in Northern Ireland, they were interested in the Council's role in the regeneration of Thanet.
- A guide to housing services had been created by the Housing team and had been distributed across the District.
- The Council had successfully bought another 40 empty homes back into use, and congratulations were offered to Mr Davies the Council's empty homes officer in winning the Rising Star award.
- There would be a digital parking pilot project taking place across the District.
- The Leader attended a meeting of the Thames Gateway Strategic Group which considered its response to the Thames Estuary Commission 2050 Vision Report. It was proposed that a Thames Estuary Prosperity Board be set up as a single voice to Government for the Thames Estuary.
- The Thanet Parkway project continued to be supported by Kent County Council and it was hoped that funding would be secured by 2019.

In the absence of Councillor Wells, Councillor L Fairbrass as deputy leader of the Independent and UKIP Group, made the following points:

- The reduction in the number of rough sleepers was good, however there was still lots of work to be done.
- The opening of the Winter Shelter was good.
- Congratulations were offered to Mr Davies.

Councillor Reverend Piper as Leader of the Thanet Independent Councillors Group made the following points:

- There should be acknowledgment of the work by the Council officers who put the draft Local plan together for submission.
- He hoped to hear news of a successful development at Ramsgate Port in the near future.
- Thanks were offered to everyone involved in the Winter Shelter project.
- The Housing team do excellent work.
- On behalf of the Thanet Independent Councillors Group, everyone was wished a Merry Christmas and a happy new year.

The Leader replied to Councillor Reverend Piper's comments to say that he also wished everyone a Merry Christmas.

Councillor Matterface as Leader of the Labour Party Group made the following points:

- It was good to highlight the amazing work done by the RISE team and those involved in the Winter Shelter. Councillors also played a role in helping to prevent homelessness.
- There was a lack of mental health and rehabilitation facilities available locally, many rough sleepers had mental health issues.
- Housing benefit should be separated from Universal Credit, as a delay in receipt of housing benefit could lead to homelessness.
- More affordable housing was needed in the District including a hostel that was open all year to keep rough sleepers off the streets.
- How many empty properties were there in the District?
- What more could be done to bring empty homes back into use?
- How Many people had been put into temporary accommodation outside of the District?
- How would the Leader guarantee secure employment for local people if the port reopened full time?
- Could the Leader provide an update on the East Kent Housing situation?

The Leader replied to Councillor Matterface's comments to say that he would get back to her with answers to the questions she had raised.

11. REPORT OF THE CHAIRMAN OF THE EXECUTIVE, POLICY AND COMMUNITY SAFETY SCRUTINY PANEL

Councillor G Coleman-Cooke, the Chairman of the Executive, Policy and Community Safety Scrutiny Panel, presented his report and the following points were noted:

- The Panel met on 13 November to review the work programme and consider a report on crime statistics from Kent Police.
- The Panel made recommendations to Cabinet regarding the Housing Allocations Policy, and the Food Law Service Plan and Enforcement Policy.
- The digital parking pilot project was 'called in' by the panel and following a briefing which provide additional information, it was agreed that no further action was needed by the Panel.
- The Chairman of the Panel offered to follow up the request for an update from Cabinet in relation to money bequeathed to Dickens House.

- The Chairman of the Panel agreed to consider having a report on crime statistics for rape, sexual assault and violence against women at a future meeting of the Board.

Members noted the report

12. REPORT OF THE CHAIRMAN OF THE FINANCE, BUDGET AND PERFORMANCE SCRUTINY PANEL

Councillor L Piper, the Chairman of the Finance, Budget and Performance Scrutiny Panel, presented her report and the following points were noted:

- The Panel had met twice since the last meeting of Council. A key item for consideration had been a presentation on the performance of Ramsgate Port and Harbour from the Leader. It was agreed that the Port and Harbour topic would be included at a future Members Briefing.
- The Panel considered the 2019/20 Council Fees and Charges and made recommendations to Cabinet.

Members noted the report.

13. 2019-20 FEES AND CHARGES

It was noted that in accordance with council procedure rule 17.6, a recorded vote would be taken on the motion or any amendments and substantive motions.

It was proposed by Councillor Gregory and seconded by the Leader that:

“Council approve the Fees and Charges as listed in Annex 1 of the report, subject to the removal of cremation fees for those up and including 17 years of age.

An all party Cabinet Advisory Group would be created to consider future fees and charges.”

The Monitoring Officer conducted a recorded vote on the motion as follows:

42 Members voted in favour the motion: Councillors Ashbee, Bayford, Brimm, Buckley, Campbell, G Coleman-Cooke, K Coleman-Cooke, Constantine, Crow-Brown, Dawson, Day, Dellar, Dexter, Edwards, J Fairbrass, L Fairbrass, Falcon, Fenner, Game, Gregory, Grove, Hillman, Jaye-Jones, Larkins, Martin, Matterface, Parsons, L Piper, S Piper, L Potts, Pugh, Rogers, Rusiecki, D Saunders, M Saunders, Savage, Stummer-Schmertzing, Taylor, Taylor-Smith, Tomlinson, Townend and Wright.

0 Members voted against the motion.

1 Member abstained from voting on the motion: Councillor Johnston.

The motion was carried.

14. FOOD LAW SERVICE PLAN AND ENFORCEMENT POLICY 2018-2020

It was proposed by Councillor Game, seconded by Councillor Savage and Members agreed the Food Law Service Plan and Enforcement Policy 2018-2020.

15. CHANGES TO COMMITTEES, PANELS AND BOARDS - 2018/19

The Leader proposed, Councillor Matterface seconded and Members agreed option two as detailed at paragraph 2.6.1 of the report, namely;

Agenda Item 3

“That a seat is removed from the Boundary and Electoral Arrangements Working Party and the Labour Group loses that seat.”

Meeting concluded: 8.20pm

**MID YEAR REVIEW 2018-19: TREASURY
MANAGEMENT AND ANNUAL INVESTMENT
STRATEGY**

Meeting	Council – 7 February 2019
Report Author	Tim Willis, Deputy Chief Executive & Section 151 Officer
Portfolio Holder	Councillor Ian Gregory, Cabinet Member for Financial Services and Estates
Status	For Decision
Classification:	Unrestricted
Key Decision	No

Executive Summary:

This report summarises treasury management activity and prudential/ treasury indicators for the first half of 2018-19.

Recommendation(s):

That council approves this report and the prudential and treasury indicators that are shown.

CORPORATE IMPLICATIONS	
Financial and Value for Money	The financial implications are highlighted in this report.
Legal	Section 151 of the 1972 Local Government Act requires a suitably qualified named officer to keep control of the council's finances. For this council, this is the Deputy Chief Executive, and this report is helping to carry out that function.
Corporate	Failure to undertake this process will impact on the council's compliance with the Treasury Management Code of Practice.
Equalities Act 2010 & Public Sector Equality Duty	There are no equity and equalities implications 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 service delivery matches these. 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.

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 communications	open

1 Introduction and Background

1.1 This report has been written in accordance with the requirements of the Chartered Institute of Public Finance and Accountancy (CIPFA) Code of Practice on Treasury Management (revised 2017).

1.2 Treasury management is defined as:

“The management of the local authority’s borrowing, investments and cash flows, its banking, money market and capital market transactions; the effective control of the risks associated with those activities; and the pursuit of optimum performance consistent with those risks.”

1.3 The primary requirements of the Code include receipt by the full council of an annual Treasury Management Strategy Statement (including the Annual Investment Strategy and Minimum Revenue Provision Policy) for the year ahead, a **Mid-year Review Report** and an Annual Report (stewardship report) covering activities during the previous year.

1.4 This mid-year report has been prepared in compliance with CIPFA’s Code of Practice on Treasury Management, and covers the following:

- An economic update for the first half of the 2018-19 financial year;
- A review of the Treasury Management Strategy Statement and Annual Investment Strategy;
- The council's capital expenditure (see also the Capital Strategy) and prudential indicators;
- A review of the council’s investment portfolio for 2018-19;
- A review of the council’s borrowing strategy for 2018-19;
- A review of any debt rescheduling undertaken during 2018-19;
- A review of compliance with Treasury and Prudential Limits for 2018-19.

1.5 The Treasury Management Strategy was agreed by council on 8 February 2018, and the Capital Strategy and Non-Treasury Investment Report were both agreed by Cabinet on 18 September 2018. As at 30 September 2018, there have been no key changes to these documents.

2 Treasury Management Strategy Statement and Annual Investment Strategy Update

- 2.1 The Treasury Management Strategy Statement (TMSS) for 2018-19, which includes the Annual Investment Strategy, was approved by the council on 8 February 2018. There are no policy changes to the TMSS; the details in this report update the position in the light of the updated economic position and budgetary changes already approved.

3 The Council's Capital Position (Prudential Indicators)

- 3.1 This part of the report is structured to update:
- The council's capital expenditure plans;
 - How these plans are being financed;
 - The impact of the changes in the capital expenditure plans on the prudential indicators and the underlying need to borrow; and
 - Compliance with the limits in place for borrowing activity.

3.2 Prudential Indicator for Capital Expenditure

This table shows the revised estimates for capital expenditure and the changes since the capital programme was agreed at the Budget.

The revised estimate includes net reprofiling of £7.2m General Fund and £3.5m HRA.

Capital Expenditure	2018-19 Original Estimate £m	Current Position – Actual at 30-09-18 £m	2018-19 Revised Estimate £m
General Fund	4.689	5.974	13.512
HRA	4.484	2.218	7.408
Total	9.173	8.192	20.920

3.3 Changes to the Financing of the Capital Programme

The table below draws together the main strategy elements of the capital expenditure plans (above), highlighting the original supported and unsupported elements of the capital programme, and the expected financing arrangements of this capital expenditure. The borrowing element of the table increases the underlying indebtedness of the council by way of the Capital Financing Requirement (CFR), although this will be reduced in part by revenue charges for the repayment of debt (the Minimum Revenue Provision). This direct borrowing need may also be supplemented by maturing debt and other treasury requirements.

Capital Expenditure	2018-19 Original Estimate £m Total	Current Position – Actual at 30-09-18 £m	2018-19 Revised Estimate £m GF	2018-19 Revised Estimate £m HRA	2018-19 Revised Estimate £m Total
Total spend	9.173		13.512	7.408	20.920
Financed by:					
Capital receipts	0.941		4.161	0.655	4.816
Capital grants	3.425		4.511	1.857	6.368
Reserves	4.257		0.202	4.486	4.688
Revenue	0.300		0.006	0.410	0.416
Total financing	8.923		8.880	7.408	16.288
Borrowing need	0.250		4.632	0.000	4.632

3.4 Changes to the Prudential Indicators for the Capital Financing Requirement, External Debt and the Operational Boundary

The table shows the CFR, which is the underlying external need to incur borrowing for a capital purpose. It also shows the expected debt position over the period, which is termed the Operational Boundary.

Prudential Indicator – Capital Financing Requirement

We are on target to achieve the forecast Capital Financing Requirement.

Prudential Indicator – the Operational Boundary for external debt

	2018-19 Original Estimate £m	Current Position – Actual at 30-09-18 £m	2018-19 Revised Estimate £m
Prudential Indicator – Capital Financing Requirement			
CFR – non housing	29.850		27.086
CFR – housing	26.321		20.786
Total CFR	56.171		47.872
Net movement in CFR	11.572		3.273
	2018-19 Original Indicator £m	Current Position – Actual at 30-09-18 £m	2018-19 Revised Indicator £m
Prudential Indicator - the Operational Boundary for External Debt			
Borrowing	55.000	30.771	55.000
Other long term liabilities*	22.000	2.447	22.000
Total debt	77.000	33.218	77.000

* Any 'on balance sheet' PFI schemes and finance leases etc (including the leisure centre deferred credit). Both the Operational Boundary and

Authorised Limit Indicators include an estimate for the recognition of leases under International Financial Reporting 16 (IFRS 16). The impact of IFRS 16 has not been reflected in the Actual or elsewhere in this report, pending further information from CIPFA.

3.5 Limits to Borrowing Activity

The first key control over the treasury activity is a prudential indicator to ensure that over the medium term, borrowing will only be for a capital purpose. Gross external borrowing should not, except in the short term, exceed the total of CFR in the preceding year plus the estimates of any additional CFR for 2018-19 and next two financial years. This allows some flexibility for limited early borrowing for future years. The council has approved a policy for borrowing in advance of need which will be adhered to if this proves prudent.

	2018-19 Original Estimate £m	Current Position – Actual at 30-09-18 £m	2018-19 Revised Estimate £m
Gross borrowing	41.274	30.771	35.133
Plus other long term liabilities*	2.290	2.447	2.277
Total gross borrowing	43.564	33.218	37.410
CFR (year end position)	56.171		47.872

The Section 151 Officer reports that no difficulties are envisaged for the current or future years in complying with this prudential indicator.

A further prudential indicator controls the overall level of borrowing. This is the Authorised Limit which represents the limit beyond which borrowing is prohibited, and needs to be set and revised by Members. It reflects the level of borrowing which, while not desired, could be afforded in the short term, but is not sustainable in the longer term. It is the expected maximum borrowing need with some headroom for unexpected movements. This is the statutory limit determined under section 3 (1) of the Local Government Act 2003.

Authorised limit for external debt	2018-19 Original Indicator £m	Current Position – Actual at 30-09-18 £m	2018-19 Revised Indicator £m
Borrowing	60.000	30.771	60.000
Other long term liabilities*	27.000	2.447	27.000
Total	87.000	33.218	87.000

** Any 'on balance sheet' PFI schemes and finance leases etc (including the leisure centre deferred credit). Both the Operational Boundary and*

Authorised Limit Indicators include an estimate for the recognition of leases under International Financial Reporting 16 (IFRS 16). The impact of IFRS 16 has not been reflected in the Actual or elsewhere in this report, pending further information from CIPFA.

4 Investment Portfolio 2018-19

- 4.1 In accordance with the Code, it is the council's priority to ensure security of capital and liquidity, and to obtain an appropriate level of return which is consistent with the council's risk appetite. As shown by forecasts in Annex 1, it is a very difficult investment market in terms of earning the level of interest rates commonly seen in previous decades as rates are very low and in line with the current 0.75% Bank Rate. The continuing potential for a re-emergence of a Eurozone sovereign debt crisis, and its impact on banks, prompts a low risk and short term strategy. Given this risk environment and the fact that increases in Bank Rate are likely to be gradual and unlikely to return to the levels seen in previous decades, investment returns are likely to remain low.
- 4.2 The council held £47.497m of investments as at 30 September 2018 (£40.882m at 31 March 2018) and the investment portfolio yield for the first six months of the year is 0.60% against a benchmark (average 7-day LIBID rate) of 0.44%. The constituent investments are:

Sector	Country	Up to 1 year £m	1 year – 370 days £m	Total £m
Banks	UK	13.771	0.000	13.771
Banks	Sweden	4.516	0.000	4.516
Money Market Funds	UK	29.210	0.000	29.210
Total		47.497	0.000	47.497

- 4.3 The Section 151 Officer confirms that the approved limits within the Annual Investment Strategy were not breached during the first six months of 2018-19.
- 4.4 The council's budgeted investment return for 2018-19 is £0.062m and performance for the first half of the financial year is above budget at £0.136m.

4.5 Investment Risk Benchmarking

Investment risk benchmarks were set in the 2018-19 Treasury Management Strategy Statement (TMSS) for security, liquidity and yield. The mid-year position against these benchmarks is given below.

4.5.1 Security

The council's maximum security risk benchmark for the current portfolio, when compared to historic default tables, is:

- 0.05% historic risk of default when compared to the whole portfolio.

The security benchmark for each individual period is:

	370 days	2 years	3 years	4 years	5 years
Maximum	0.05%	0.00%	0.00%	0.00%	0.00%

Note: This benchmark is an average risk of default measure, and would not constitute an expectation of loss against a particular investment.

The Section 151 Officer can report that the investment portfolio was maintained within this overall benchmark for the first half of this financial year.

4.5.2 Liquidity

In respect of this area the council seeks to maintain:

- Bank overdraft - £0.5m
- Liquid short term deposits of at least £10m available with a week's notice.
- Weighted Average Life benchmark is expected to be 0.5 years, with a maximum of 1.0 year.

The Section 151 Officer can report that liquidity arrangements were adequate for the first half of this financial year.

This authority does not currently place investments for more than 370 days due to the credit, security and counterparty risks of placing such investments.

4.5.3 Yield

Local measures of yield benchmarks are:

- Investments – Internal returns above the 7 day LIBID rate

The Section 151 Officer can report that the yield on deposits for the first half of the financial year is 0.60% against a benchmark (average 7-day LIBID rate) of 0.44%.

4.6 Investment Counterparty criteria

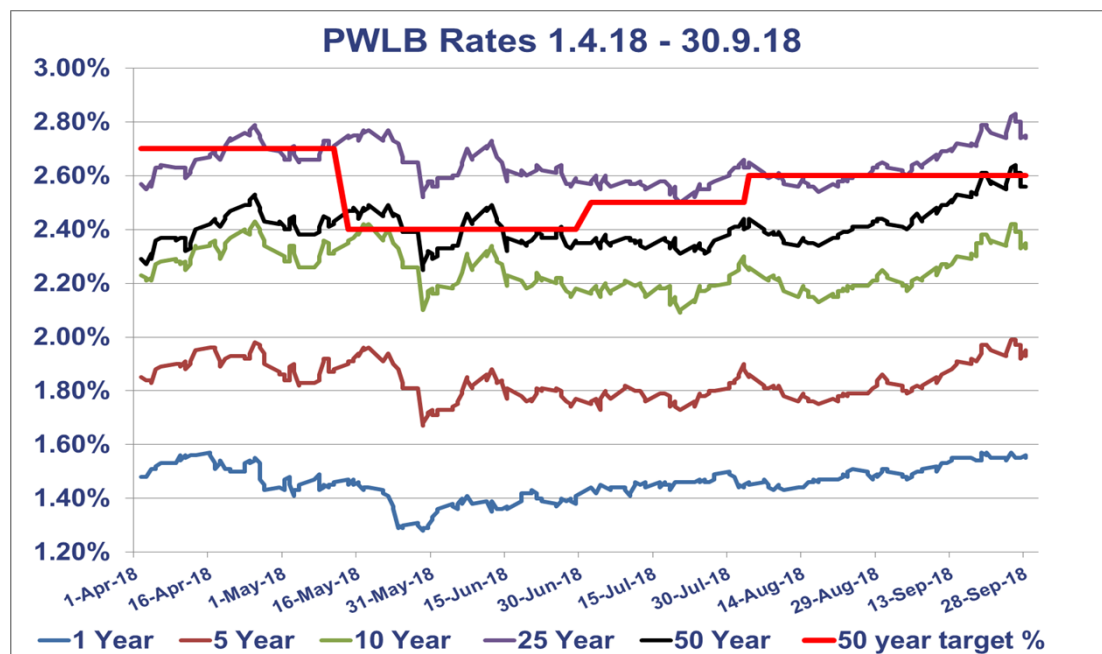
The current investment counterparty criteria selection approved in the TMSS is meeting the requirement of the treasury management function.

5 Borrowing

- 5.1 The council's capital financing requirement (CFR) original estimate for 2018-19 is £56.171m. The CFR denotes the council's underlying need to borrow for capital purposes. If the CFR is positive the council may borrow from the PWLB or the market (external borrowing) or from internal balances on a temporary basis (internal borrowing). The balance of external and internal borrowing is generally driven by market conditions. The council has borrowings of £30.771m (table 3.5) and has utilised an estimated £25.400m of cash flow funds in lieu of borrowing. This is a prudent and cost effective approach in the current economic climate but will require ongoing monitoring in the event that upside risk to gilt yields prevails.

- 5.2 No new external borrowing was undertaken from the PWLB during the first half of this financial year.
- 5.3 Borrowing may be undertaken during the second half of this financial year and options will be reviewed in due course in line with market conditions.
- 5.4 The graph and table below show the movement in PWLB certainty rates for the first six months of the year to 30 September 2018.

5.5 PWLB certainty rates, half year ended 30th September 2018



	1 Year	5 Year	10 Year	25 Year	50 Year
3.4.18	1.48%	1.84%	2.22%	2.55%	2.27%
30.9.18	1.55%	1.93%	2.33%	2.74%	2.56%
Low	1.28%	1.67%	2.09%	2.50%	2.25%
Date	01/06/2018	29/05/2018	20/07/2018	20/07/2018	29/05/2018
High	1.57%	1.99%	2.43%	2.83%	2.64%
Date	17/04/2018	25/09/2018	25/04/2018	25/09/2018	25/09/2018
Average	1.46%	1.84%	2.25%	2.64%	2.41%

- 5.6 Debt rescheduling opportunities have been very limited in the current economic climate given the consequent structure of interest rates, and following the increase in the margin added to gilt yields which has impacted PWLB new borrowing rates since October 2010. No debt rescheduling has therefore been undertaken to date in the current financial year. The council is currently under-borrowed to address investment counterparty risk and the differential between borrowing and investment interest rates. This position is carefully monitored.
- 5.7 The council's budgeted debt interest payable for 2018-19 is £1.507m and performance for the first half of the financial year is below budget at £0.576m. The revised estimate for 2018-19 is £1.206m.

6 Treasury Management Indicators

6.1 Ratio of financing costs to net revenue stream

This indicator identifies the trend in the cost of capital (borrowing and other long term obligation costs net of investment income) against the net revenue stream.

%	2018-19 Original Indicator	2018-19 Revised Indicator
Non-HRA	10.5%	8.6%
HRA	7.6%	6.0%

6.2 Upper Limits on Variable Rate Exposure – This identifies a maximum limit for variable interest rates based upon the debt position net of investments.

Upper Limits on Fixed Rate Exposure – Similar to the previous indicator, this covers a maximum limit on fixed interest rates.

Both of these are shown in the below table:

	2018-19 Original Indicator £m	Current Position – Actual at 30-09-18 £m	2018-19 Revised Indicator £m
Upper limits on fixed interest rates			
Debt only	87.000	30.771	87.000
Investments only	45.000	13.381	45.000
Upper limits on variable interest rates			
Debt only	87.000	0.000	87.000
Investments only	50.000	34.116	50.000

6.3 Maturity Structures of Borrowing

These gross limits are set to reduce the council's exposure to large fixed rate sums falling due for refinancing.

	2018-19 Original Upper Limit	Current Position – Actual at 30-09-18	2018-19 Revised Upper Limit
Maturity structure of fixed rate borrowing			
Under 12 months	50%	20%	50%
1 year to under 2 years	50%	15%	50%
2 years to under 5 years	50%	16%	50%
5 years to under 10 years	55%	9%	55%
10 years to under 20 years	50%	21%	50%
20 years to under 30 years	50%	10%	50%
30 years to under 40 years	50%	6%	50%
40 years to under 50 years	50%	3%	50%
50 years and above	50%	0%	50%

The current position shows the actual percentage of fixed rate debt the authority has within each maturity span. None of the upper limits have been breached.

7 UK Banks - Ring Fencing

- 7.1 The largest UK banks, (those with more than £25bn of retail / Small and Medium-sized Enterprise (SME) deposits), are required, by UK law, to separate core retail banking services from their investment and international banking activities by 1st January 2019. This is known as “ring-fencing”. Whilst smaller banks with less than £25bn in deposits are exempt, they can choose to opt up. Several banks are very close to the threshold already and so may come into scope in the future regardless.
- 7.2 Ring-fencing is a regulatory initiative created in response to the global financial crisis. It mandates the separation of retail and SME deposits from investment banking, in order to improve the resilience and resolvability of banks by changing their structure. In general, simpler, activities offered from within a ring-fenced bank, (RFB), will be focused on lower risk, day-to-day core transactions, whilst more complex and “riskier” activities are required to be housed in a separate entity, a non-ring-fenced bank, (NRFB). This is intended to ensure that an entity’s core activities are not adversely affected by the acts or omissions of other members of its group.
- 7.3 While the structure of the banks included within this process may have changed, the fundamentals of credit assessment have not. The council will continue to assess the new-formed entities in the same way that it does others and those with sufficiently high ratings, (and any other metrics considered), will be considered for investment purposes.

8 Options

- 8.1 The recommended option (to ensure regulatory compliance as set out in section 1 of this report) is that council approves this report and the prudential and treasury indicators that are shown.
- 8.2 Alternatively, council may decide not to do this and advise the reason(s) why.

9 Disclaimer

- 9.1 This report (including annexes) is a technical document focussing on public sector investments and borrowings and, as such, readers should not use the information contained within the report to inform personal investment or borrowing decisions. Neither Thanet District Council nor any of its officers or employees makes any representation or warranty, express or implied, as to the accuracy or completeness of the information contained herein (such information being subject to change without notice) and shall not be in any way responsible or liable for the contents hereof and no reliance should be placed on the accuracy, fairness or completeness of the information contained in this document. Any opinions, forecasts or estimates herein constitute a judgement and there can be no assurance that they will be consistent with future results or events. No person accepts any liability whatsoever for any loss howsoever arising from any use of this document or its contents or otherwise in connection therewith.

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Contact Officer:	Tim Willis, Deputy Chief Executive & Section 151 Officer
Reporting to:	Madeline Homer, Chief Executive

Annex List

Annex 1	Economic Update, Interest Rate Forecast and Debt Maturity
Annex 2	Guidance on the Treasury Management Strategy Statement and Annual Investment Strategy – Mid Year Review Report 2018-19

Corporate Consultation Undertaken

Finance	Gary Whittaker, Interim Head of Financial Services
Legal	Tim Howes, Director of Corporate Governance & Monitoring Officer

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ANNEX 1 – ECONOMIC UPDATE, INTEREST RATE FORECAST AND DEBT MATURITY

1.0 Link's Economic Update (issued by Link on 3 October 2018)

- 1.1 **UK:** The first half of 2018-19 has seen UK economic growth post a modest performance, but sufficiently robust for the Monetary Policy Committee, (MPC), to unanimously (9-0) vote to increase Bank Rate on 2nd August from 0.5% to 0.75%. Although growth looks as if it will only be modest at around 1.5% in 2018, the Bank of England's August Quarterly Inflation Report forecast that growth will pick up to 1.8% in 2019, albeit there were several caveats – mainly related to whether or not the UK achieves an orderly withdrawal from the European Union in March 2019.
- 1.2 Some MPC members have expressed concerns about a build-up of inflationary pressures, particularly with the pound falling in value again against both the US dollar and the Euro. The Consumer Price Index (CPI) measure of inflation rose unexpectedly from 2.4% in June to 2.7% in August due to increases in volatile components, but is expected to fall back to the 2% inflation target over the next two years given a scenario of minimal increases in Bank Rate. The MPC has indicated Bank Rate would need to be in the region of 1.5% by March 2021 for inflation to stay on track. Financial markets are currently pricing in the next increase in Bank Rate for the second half of 2019.
- 1.3 As for the labour market, unemployment has continued at a 43 year low of 4% on the Independent Labour Organisation measure. A combination of job vacancies hitting an all-time high in July, together with negligible growth in total employment numbers, indicates that employers are now having major difficulties filling job vacancies with suitable staff. It was therefore unsurprising that wage inflation picked up to 2.9%, (3 month average regular pay, excluding bonuses) and to a one month figure in July of 3.1%. This meant that in real terms, (i.e. wage rates higher than CPI inflation), earnings grew by about 0.4%, near to the joint high of 0.5% since 2009. (The previous high point was in July 2015.) Given the UK economy is very much services sector driven, an increase in household spending power is likely to feed through into providing some support to the overall rate of economic growth in the coming months. This tends to confirm that the MPC were right to start on a cautious increase in Bank Rate in August as it views wage inflation in excess of 3% as increasing inflationary pressures within the UK economy. However, the MPC will need to tread cautiously before increasing Bank Rate again, especially given all the uncertainties around Brexit.
- 1.4 In the political arena, there is a risk that the current Conservative minority government may be unable to muster a majority in the Commons over Brexit. However, Link's central position is that Prime Minister May's government will endure, despite various setbacks, along the route to Brexit in March 2019. If, however, the UK faces a general election in the next 12 months, this could result in a potential loosening of monetary policy and therefore medium to longer dated gilt yields could rise on the expectation of a weak pound and concerns around inflation picking up.
- 1.5 **USA:** President Trump's massive easing of fiscal policy is fuelling a (temporary) boost in consumption which has generated an upturn in the rate of strong growth

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which rose from 2.2%, (annualised rate), in quarter 1 to 4.2% in quarter 2, but also an upturn in inflationary pressures. With inflation moving towards 3%, the Federal Reserve (Fed) increased rates another 0.25% in September to between 2.00% and 2.25%, this being four increases in 2018, and indicated they expected to increase rates four more times by the end of 2019. The dilemma, however, is what to do when the temporary boost to consumption wanes, particularly as the recent imposition of tariffs on a number of countries' exports to the US, (China in particular), could see a switch to US production of some of those goods, but at higher prices. Such a scenario would invariably make any easing of monetary policy harder for the Fed in the second half of 2019.

- 1.6 **EUROZONE:** Growth was unchanged at 0.4% in quarter 2, but has undershot early forecasts for a stronger economic performance in 2018. In particular, data from Germany has been mixed and it could be negatively impacted by US tariffs on a significant part of manufacturing exports e.g. cars. For that reason, although growth is still expected to be in the region of 2% for 2018, the horizon is less clear than it seemed just a short while ago.
- 1.7 **CHINA:** Economic growth has been weakening over successive years, despite repeated rounds of central bank stimulus; medium term risks are increasing. Major progress still needs to be made to eliminate excess industrial capacity and the stock of unsold property, and to address the level of non-performing loans in the banking and credit systems.
- 1.8 **JAPAN:** Has been struggling to stimulate consistent significant GDP growth and to get inflation up to its target of 2%, despite huge monetary and fiscal stimulus. It is also making little progress on fundamental reform of the economy.

2.0 Link's Interest rate forecast (issued by Link on 3 October 2018)

- 2.1 The council's treasury advisor, Link Asset Services, has provided the following forecast:

Link Asset Services Interest Rate View											
	Sep-18	Dec-18	Mar-19	Jun-19	Sep-19	Dec-19	Mar-20	Jun-20	Sep-20	Dec-20	Mar-21
Bank Rate View	0.75%	0.75%	0.75%	0.75%	1.00%	1.00%	1.00%	1.25%	1.25%	1.50%	1.50%
3 Month LIBID	0.75%	0.80%	0.80%	0.90%	1.10%	1.10%	1.20%	1.40%	1.50%	1.60%	1.60%
6 Month LIBID	0.85%	0.90%	0.90%	1.00%	1.20%	1.20%	1.30%	1.50%	1.60%	1.70%	1.70%
12 Month LIBID	1.00%	1.00%	1.00%	1.10%	1.30%	1.30%	1.40%	1.60%	1.70%	1.80%	1.80%
5yr PWLB Rate	2.00%	2.00%	2.10%	2.20%	2.20%	2.30%	2.30%	2.40%	2.50%	2.50%	2.60%
10yr PWLB Rate	2.40%	2.50%	2.50%	2.60%	2.70%	2.70%	2.80%	2.90%	2.90%	3.00%	3.10%
25yr PWLB Rate	2.80%	2.90%	3.00%	3.10%	3.10%	3.20%	3.30%	3.30%	3.40%	3.50%	3.50%
50yr PWLB Rate	2.60%	2.70%	2.80%	2.90%	2.90%	3.00%	3.10%	3.10%	3.20%	3.30%	3.30%

- 2.2 The flow of generally positive economic statistics after the end of the quarter ended 30 June meant that it came as no surprise that the Monetary Policy Committee (MPC) came to a decision on 2 August to make the first increase in Bank Rate above 0.5%

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since the financial crash, to 0.75%. However, the MPC emphasised again, that future Bank Rate increases would be gradual and would rise to a much lower equilibrium rate, (where monetary policy is neither expansionary or contractionary), than before the crash; indeed they gave a figure for this of around 2.5% in ten years' time but they declined to give a medium term forecast. Link does not think that the MPC will increase Bank Rate in February 2019, ahead of the deadline in March for Brexit. Link also feels that the MPC is more likely to wait until August 2019, than May 2019, before the next increase, to be followed by further increases of 0.25% in May and November 2020 to reach 1.5%. However, the cautious pace of even these limited increases is dependent on a reasonably orderly Brexit.

2.3 The balance of risks to the UK

- The overall balance of risks to economic growth in the UK is probably neutral.
- The balance of risks to increases in Bank Rate and shorter term PWLB rates, are probably also even and are broadly dependent on how strong Gross Domestic Product (GDP) growth turns out, how slowly inflation pressures subside, and how quickly the Brexit negotiations move forward positively.

2.4 Downside risks to current forecasts for UK gilt yields and PWLB rates currently include:

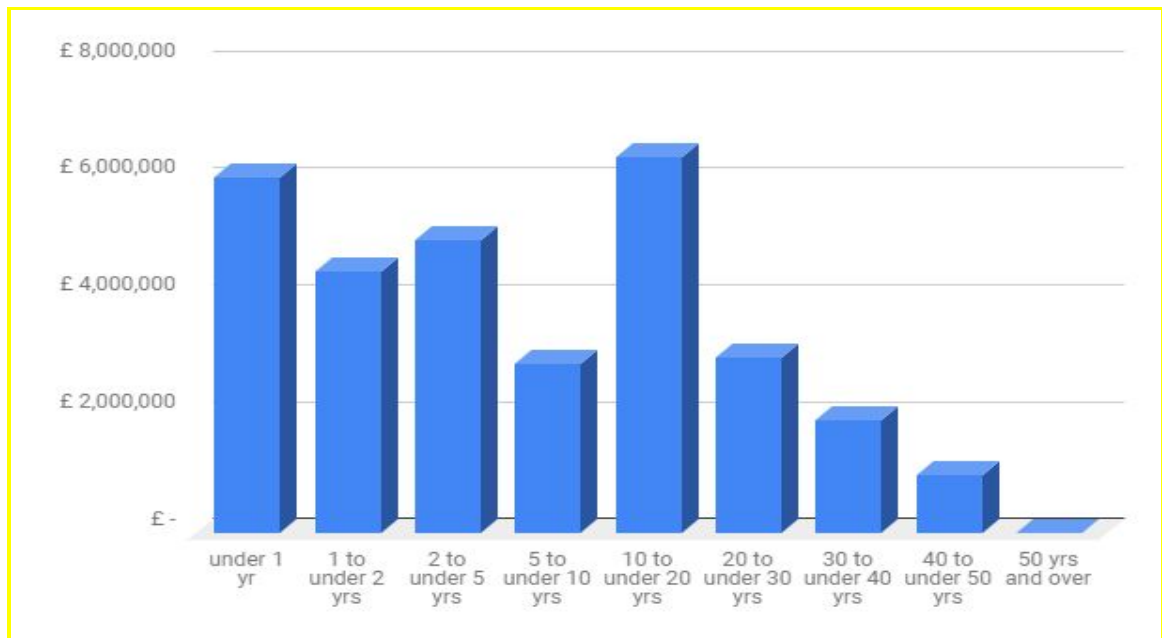
- Bank of England monetary policy takes action too quickly over the next three years to raise Bank Rate and causes UK economic growth, and increases in inflation, to be weaker than Link currently anticipates.
- A resurgence of the Eurozone sovereign debt crisis, possibly Italy, due to its high level of government debt, low rate of economic growth and vulnerable banking system, and due to the election in March of a government which has made a lot of anti-austerity noise. This is likely to lead to friction with the European Union (EU) when setting the target for the fiscal deficit in the national budget. Unsurprisingly, investors have taken a dim view of this and so Italian bond yields have been rising.
- Austria, the Czech Republic and Hungary now form a strongly anti-immigration bloc within the EU while Italy, this year, has also elected a strongly anti-immigration government. In the German general election of September 2017, Angela Merkel's CDU party was left in a vulnerable minority position as a result of the rise of the anti-immigration AfD party. To compound this, the result of the Swedish general election in September 2018 has left an anti-immigration party potentially holding the balance of power in forming a coalition government. The challenges from these political developments could put considerable pressure on the cohesion of the EU and could spill over into impacting the euro, EU financial policy and financial markets.
- The imposition of trade tariffs by President Trump could negatively impact world growth. President Trump's specific actions against Turkey pose a particular risk to its economy which could, in turn, negatively impact Spanish and French banks which have significant exposures to loans to Turkey.
- Weak capitalisation of some European banks.
- Rising interest rates in the US could negatively impact emerging countries which have borrowed heavily in dollar denominated debt, so causing an investor flight to safe havens e.g. UK gilts.
- Geopolitical risks, especially North Korea, but also in Europe and the Middle East, which could lead to increasing safe haven flows.

2.5 Upside risks to current forecasts for UK gilt yields and PWLB rates

- President Trump’s fiscal plans to stimulate economic expansion causing a significant increase in inflation in the US and causing further sell offs of government bonds in major western countries.
- The Federal Reserve (Fed) causing a sudden shock in financial markets through misjudging the pace and strength of increases in its Fed. Funds Rate and in the pace and strength of reversal of Quantitative Easing (QE), which then leads to a fundamental reassessment by investors of the relative risks of holding bonds, as opposed to equities. This could lead to a major flight from bonds to equities and a sharp increase in bond yields in the US, which could then spill over into impacting bond yields around the world.
- The Bank of England is too slow in its pace and strength of increases in Bank Rate and, therefore, allows inflation pressures to build up too strongly within the UK economy, which then necessitates a later rapid series of increases in Bank Rate faster than Link currently expects.
- UK inflation, whether domestically generated or imported, returning to sustained significantly higher levels causing an increase in the inflation premium inherent to gilt yields.

3.0 Debt Maturity

3.1 The maturity structure of the Council’s borrowing as at 30 September 2018 (as per section 6 of the main report) is shown below in graph format.



**ANNEX 2 – GUIDANCE ON THE TREASURY MANAGEMENT STRATEGY STATEMENT
AND ANNUAL INVESTMENT STRATEGY – MID YEAR REVIEW REPORT 2018-19**

Prudential Code

The Prudential Code was developed by the Chartered Institute of Public Finance and Accountancy (CIPFA) as a professional code of practice for capital finance, to which local authorities must have regard.

Capital Expenditure

The Capital Expenditure table (section 3.3 of report) is split between the Council's Housing Revenue Account (HRA) and General Fund (GF or non-HRA). The HRA is a 'ring-fenced' account for local authority housing.

The table also shows the resources used to fund the capital expenditure (being capital receipts from the sale of assets, capital grants, reserves and revenue) and any shortfall in resources. This shortfall represents the Council's borrowing need.

Borrowing Limits

The Capital Financing Requirement (CFR) represents the Council's aggregate borrowing need. i.e. the element of the capital programme that cannot be funded. Borrowing may only be undertaken for capital expenditure purposes.

The Limits to Borrowing Activity table (section 3.5 of report) shows that the Council's debt is not more than the CFR because, as above, the CFR represents the Council's aggregate borrowing need.

Borrowing limits (sections 3.5, 6.2 and 6.3 of report) – there are various general controls on the Council's borrowing activity (operational boundary, authorised limit, fixed and variable interest rate exposures, and maturity profiles).

Investments

General controls on the Council's investment activity to safeguard the security and liquidity of its investments (as set out in the Council's Annual Investment Strategy), include:

- Creditworthiness of investment counterparties.
- Counterparty money limits.
- Counterparty time limits.
- Counterparty country limits.
- Limits on the Council's fixed and variable interest rate exposures.
- Minimum size of the Council's bank overdraft facility.

Borrowing Sources/ Types

PWLB (section 5 of report) is the Public Works Loan Board which is a statutory body operating within the UK Debt Management Office, an Executive Agency of HM Treasury. PWLB's function is to lend money from the National Loans Fund to local authorities, and to collect the repayments.

The Council has the following types of fixed rate loan with the PWLB:

- Annuity: fixed half-yearly payments to include principal and interest.
- Equal Instalments of Principal: equal half-yearly payments of principal together with interest on the outstanding balance.
- Maturity: half-yearly payments of interest only with a single payment of principal at the end of the term.

Financing Costs as a Proportion of Net Revenue Stream

This shows (section 6.1 of report), separately for HRA and GF, the percentage of the Council's revenue stream that is used to finance the CFR (net interest payable and Minimum Revenue Provision (MRP)).

MRP is the annual resource contribution from revenue which must be set against the CFR so that it does not increase indefinitely.

MEMBERS ALLOWANCES SCHEME 2019/20

Council	07 February 2019
Report Author	Nicholas Hughes – Committee Services Manager
Portfolio Holder	Councillor Ashbee, Cabinet Member for Corporate Governance Services and Coastal Development
Status	For Decision
Classification:	Unrestricted
Key Decision	No
Ward:	All Wards

Executive Summary:

This report allows Council to adopt a scheme of members' allowances for the 2019/20 financial year. The report outlines the options available Council has to choose from and that the chosen option will be forwarded to the East Kent Joint Independent Remuneration Panel for them to comment on. These comments will then be considered by Council at a future meeting.

Recommendation(s):

To adopt the draft 2019/20 Members allowances scheme as set out at annex 1 to this report and to refer the scheme to EKJIRP for them to consider, with any amendments being reported back to Council.

CORPORATE IMPLICATIONS

<p>Financial and Value for Money</p>	<p>If Members agree the draft scheme of Members allowances as outlined at annex 1 to this report, then there will be no direct financial implications as a result of this report.</p> <p>If Members agree to increase the rate of Members' Allowances by up to 1%, then there will be no direct financial implications as a result of this report, as proposals could be contained within the existing budget allocation.</p> <p>If Members agree to increase the rate of Members' Allowances by more than 1%, then additional budget or commensurate savings would need to be identified within the 2019/20 budget build to cover this increase.</p>
<p>Legal</p>	<p>The Council is required to have regard to the recommendations of EKJIRP in making a scheme of allowances.</p> <p>The Council is required to have regard to the recommendations of EKJIRP in making a scheme of allowances.</p> <p>Section 18 of the Local Government and Housing Act 1989 permits the Secretary of State, by regulations, to make a scheme providing for the</p>

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	<p>payment of a basic allowance, an attendance allowance and a special responsibility allowance to members of a local authority. Section 100 of the Local Government Act 2000 permits the Secretary of State, by regulations, to provide for travelling and subsistence allowances for members of local authorities, allowances for attending conferences and meetings and reimbursement of expenses. In exercise of these powers the Secretary of State has made the Local Authorities (Members' Allowances) (England) Regulations 2003.</p> <p>The Regulations require the council to make a scheme before the beginning of each year for the payment of basic allowance. The scheme must also make provision for the authority's approach to special responsibility allowance, dependants' carers' allowance, travelling and subsistence allowance and co-optees' allowance. The scheme may also provide for other matters of the kind dealt with in the proposed scheme.</p> <p>When considering the scheme, the Council must have due regard to the need to eliminate unlawful conduct under the Equality Act 2010, the need to advance equality of opportunity and the need to foster good relations between persons who share a protected characteristic and those who don't (the public sector equality duty). This consideration should be supported by a proportionate level of equality analysis.</p>								
Corporate	<p>The level of allowances may be seen as both impacting on the public's perception of the Council and a factor in making public services as a Councillor attractive to a broad range of potential candidates.</p>								
Equalities Act 2010 & Public Sector Equality Duty	<p>Members are reminded of the requirement, under the Public Sector Equality Duty (section 149 of the Equality Act 2010) to have due regard to the aims of the Duty at the time the decision is taken. The aims of the Duty are: (i) eliminate unlawful discrimination, harassment, victimisation and other conduct prohibited by the Act, (ii) advance equality of opportunity between people who share a protected characteristic and people who do not share it, and (iii) foster good relations between people who share a protected characteristic and people who do not share it.</p> <p>Protected characteristics: age, gender, disability, race, sexual orientation, gender reassignment, religion or belief and pregnancy & maternity. Only aim (i) of the Duty applies to Marriage & civil partnership.</p> <table border="1" data-bbox="432 1559 1406 1818"> <tr> <td colspan="2">Please indicate which aim is relevant to the report.</td> </tr> <tr> <td>Eliminate unlawful discrimination, harassment, victimisation and other conduct prohibited by the Act,</td> <td style="text-align: center;">✓</td> </tr> <tr> <td>Advance equality of opportunity between people who share a protected characteristic and people who do not share it</td> <td style="text-align: center;">✓</td> </tr> <tr> <td>Foster good relations between people who share a protected characteristic and people who do not share it.</td> <td></td> </tr> </table> <p>Although it does not directly relate to protected groups, the draft scheme contains the ability to pay a dependent carers allowance to Councillors. This contributes to aims 1 and 2 of the Equality Act as it removes barriers to Councillors standing who have relatives that may be in need of dependent care.</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 gives Council the opportunity to adopt a scheme of Members allowances for the 2019/20 financial year.

2.0 Draft 2019/20 Scheme of Members Allowances

- 2.1 After consulting with the Political Group Leaders, Democratic Services have created a draft 2019/20 scheme of Members allowances that is the same as the existing 2018/19 scheme of Member allowances; this draft scheme is attached at Annex 1 to this report.
- 2.2 The draft 2019/20 scheme of Members allowances does not change the level of basic allowance, special responsibility allowances or mileage rates from the 2018/19 rates.
- 2.3 The only changes to the scheme are updating dates, uprating the Dependents carers allowance to match the level of the living wage and updating Schedule 2 to reflect the changes made to the lists of outside bodies through the 2018/19 municipal year.
- 2.4 Although the consultation with Group Leaders indicated that no increase was preferred, there is provision within the draft budget (to be agreed elsewhere on this agenda) for the rates of Members' Allowances to be increased by 1% for the 2019/20 financial year.

3.0 Options

- 3.1 Council can choose;
- a) To adopt the draft 2019/20 Members allowances scheme as set out at annex 1 to this report and to refer the scheme to EKJIRP for them to consider, with any amendments being reported back to Council.
- b) To suggest amendments to the draft 2019/20 Members allowances scheme such as increasing the level of basic allowance, special responsibility allowances or mileage rates by 1%, amending subsistence rates or amending travel allowances and to adopt the amended allowances scheme and to refer the scheme to EKJIRP for them to consider, with any amendments being reported back to Council.
- 3.2 It should be noted that if Members agree to increase the rate of Members' Allowances by more than 1%, then an additional budget or savings would need to be identified in the draft budget to cover the increase above 1%.

4.0 Next Steps

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- 4.1 It is for Council to agree the Members' Allowances Scheme. However the scheme and any amendments made would need to be the subject of consultation with the East Kent Joint Independent Remuneration Panel. The Remuneration Panel can then make recommendations back to Council, any recommendations will then be considered by Council at a future meeting.

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

Annex List

Annex 1	2019/20 Draft Scheme of Members Allowances
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Background Papers

Title	Details of where to access copy
None	N/A

Corporate Consultation

Finance	Matthew Sanham, Corporate Finance Manager
Legal	Timothy Howes, Director of Corporate Governance and Monitoring Officer

Part 6 - Members' Allowances

Scheme 201~~89~~/1920

1.1 This scheme is made in exercise of the powers conferred by The Local Authorities (Members' Allowances) (England) Regulations 2003 and of all other enabling powers, the Council having had regard to the recommendations made to it by an independent remuneration panel.

1.2 This scheme shall take effect on and from the 1 April 201~~98~~ and shall remain effective for the purposes of the determination and payment of any allowances to Members until it is next reviewed by Council.

1.3 Where a Member of the Council is also a Member of another authority, that Member may not receive allowances from more than one authority in respect of the same duties.

1.4 This scheme shall be construed in accordance with the meanings contained within the above Regulations.

Basic Allowance

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

Special Responsibility Allowance

1.6 The annual entitlement to a Special Responsibility Allowance for each Member having a special responsibility is the relevant amount in relation to that responsibility detailed in **Schedule 1**.

1.7 Where a Member would otherwise be entitled to claim more than one Special Responsibility Allowance only one shall be payable, normally the higher unless the member gives notice in writing to the Committee Services Manager that he or she wishes to receive the lower.

1.8 Where Members of the Council are divided into at least two political groups and a majority belong to the same political group a Special Responsibility Allowance shall be paid to at least one person who is not a member of the controlling group.

Dependants' Carers' Allowance

1.9 Members are entitled to claim Dependants' Carers' Allowance for expenses necessarily incurred in arranging care on account of any 'Approved Duty'. The current allowance is included in **Schedule 1**.

1.10 The definition of a dependant for the purpose of payment of this allowance is that used in S57A (3) of the Employment Rights Act 1996. This is a spouse or partner, a child, a parent, a person who lives in the same household but who is not an employee, tenant, lodger or boarder.

1.11 Additionally the secondary carer must not be a member of the claimant's immediate family i.e. spouse or partner, other children of the Member or the

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Member's spouse or any member of the Member's family who lives at the same address as the Member. Nor can it be an employee, tenant, lodger or boarder who lives at that address.

1.12 Payment of Dependants' Carers' Allowances will be on the production of invoices and is limited to no more than one hundred hours per quarter. **[Note:** To avoid excess administration in processing claims, these should be submitted on a quarterly basis.]

Travelling and Motor Mileage Allowances

1.13 Members will be reimbursed car mileage only from their home to place of duty and return in respect of attendance at Approved Duties, or as the Council's representative, in accordance with the rates set out in **Schedule 1**.

1.14 If a Member visits the vicinity of the place of duty for some other purpose and then goes directly to the approved duty, a claim should not be made.

1.15 Subject to paragraph 1.16 below, for journeys outside the District, car mileage reimbursement will be capped at the cost of an equivalent journey by public transport (meaning the standard open rail fare together with reasonable taxi/bus fares, parking charges and underground fares incurred, or which would have been incurred if the Member had travelled by public transport). If, however, the costs of an equivalent journey by public transport equals or exceeds car mileage costs, full mileage costs will be reimbursed.

1.16 Notwithstanding that the cost of car mileage reimbursement would exceed the cost of an equivalent journey by public transport, a Member will nevertheless be entitled to claim mileage for out of district travel:-

- (i) If he or she car shares with either an officer or one or more members, any of whom would have been entitled to make a mileage claim had they travelled independently; or
- (ii) If the Committee Services Manager agrees in writing that the meeting, seminar, conference, event, presentation, service or other approved duty that necessitated the journey was not reasonably practical to make by public transport due to any or a combination of the following factors:-
 - the distance from the members home to the nearest railway station;
 - the location of the meeting;
 - the start or finish time of the meeting;
 - the amount of luggage to be taken; and
 - the overall journey time on public transport compared to travel by car.

1.17 The written agreement of the Committee Services Manager under paragraph 1.16 above should normally be sought in advance of the intended journey but in exceptional circumstances may be obtained subsequently. In addition, where it is likely that a Member will be travelling to the same destination one more than one occasion, the Committee Services Manager shall be entitled to give the Member his agreement in writing to all such journeys.

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

Subsistence

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

Explanation of "Approved Duty"

1.20 Approved Duties comprise the following:-

- a) a meeting of the authority or of any committee or sub-committee of the authority, or of any other body to which the authority makes appointments or nominations, or of any committee of such a body;
- b) any other meeting, the holding of which is authorised by the authority, or a committee or sub-committee of the authority, or a joint committee of the authority and one or more other authorities, or a sub-committee of such a joint committee, provided that –
 - i) where the authority is divided into two or more political groups, it is a meeting to which members of at least two such groups have been invited, or
 - ii) if the authority is not so divided, it is a meeting to which at least two members of the authority have been invited;
- c) a meeting of any association of authorities of which the authority is a member.
- d) the carrying out of any other duty approved by the Council, or any duty of a class so approved, for the purpose of or in connection with the discharge of the functions of the Council or any of its committees or sub-committees. [Attendances at meetings of the bodies listed in Schedule 2 have been approved.]
- e) There is also a general duty permitting the Leader or nominated deputy to represent the Council at formal meetings not specified elsewhere, with other authorities, official bodies or agencies for the purposes of any function of the Council, but excluding meetings organised by private individuals or commercial organisations.

1.21 Scrutiny Panel Members attending meetings of the Cabinet are entitled to claim travelling allowance and any Member speaking on an issue relevant to their Ward at a meeting of the Cabinet with the consent of the Leader or in accordance with Council rules is also entitled to claim travelling allowance.

1.22 If any Overview or Scrutiny Panel requires a Member of the Cabinet to attend before it in relation to matters within that Member's remit, then that Member is entitled to claim travelling expenses.

1.23 Where Cabinet Members attend non-executive meetings to observe only this is not deemed to be an approved duty and travelling expenses will not be paid.

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1.24 Where any Member attends any Committee to speak on an item with the Chairman's consent, this attendance will be an approved duty for payment of travelling expenses.

1.25 Members are entitled to claim travelling expenses for Committee briefings and for all Partnership meetings or Chairman and Vice-Chairman meetings with the Lead Officer and these meetings are therefore approved duties.

1.26 This Scheme does not allow for travelling expenses to be paid to individual Members arranging meetings with officers as this is deemed to be part of the Member's role and Members' allowances paid are calculated to reflect these extra duties.

1.27 For any other ad hoc briefings e.g. on major developments, Members from all political groups with in excess of 5 Members will need to be invited to these briefings in order for travelling allowances to be paid.

1.28 No allowance shall be payable if such payment would be contrary to provision made by or under any enactment.

1.29 Members who attend committee meetings of which they are not a member (under Council Procedure Rule 20(1)) shall be entitled to claim travelling expenses.

1.30 Co-opted and Independent members shall be treated as Members of the Council for the purposes of Approved Duties.

Renunciation

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

Part Year Entitlements

1.32 The provisions of this paragraph shall have effect to regulate the entitlements of a Member to Basic and Special Responsibility Allowances where in the course of the year

- The Scheme is amended; or
- That Member becomes, or ceases to be, a Member, or
- He/she accepts or relinquishes a special responsibility in respect of which a Special Responsibility Allowance is payable

1.33 If an amendment, or amendments, to this scheme change(s) the amount of the Basic Allowance or a Special Responsibility Allowance to which a Member is entitled, then for each period in a particular year during which the relevant amounts are applicable, the entitlement to such allowance(s) shall be calculated on the basis of the equivalent daily rate(s) that is/are applicable to the relevant periods.

1.34 Where the term of office of a Member begins or ends at any time other than at the beginning or end of a year, the entitlement of that Member to a Basic Allowance shall be calculated on the basis of the equivalent daily rate that is applicable to the relevant period.

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1.35 Where both:

- this Scheme is amended as described in sub-paragraph 1.32; and
- the term of office of a Member begins and/or ends as described in paragraph 1.33; then
- the entitlement of any such Member to a basic allowance shall be calculated on the basis of the equivalent daily rate that is applicable to the relevant periods.

1.36 Where a Member has during part of, but not throughout, a year such special responsibilities as entitle him/her to one or more Special Responsibility Allowances, that Member's entitlement shall be calculated on the basis of the equivalent daily rate(s) that is/are applicable to the relevant periods.

1.37 Where this scheme is amended as mentioned in paragraph 1.32 and a Member has during part, but does not have throughout the whole, of any period mentioned in paragraph 1.33 any such special responsibilities as entitle him/her to one or more Special Responsibility Allowances, that Member's entitlements shall be calculated on the basis of the equivalent daily rate(s) that is/are applicable to the relevant periods.

Repayment and Withholding of Allowances

1.38 Where payment of any Basic Allowance or Special Responsibility Allowance has already been made after a Member, ceases to be a Member of the Council or is in any other way not entitled to receive any such allowance in respect of that period, the Council may require that such part of the allowance as relates to any such period be repaid.

Payments and Claims

1.40 Allowances will be paid in instalments of one-twelfth of the amounts specified in this scheme by BACS transfer on the 19th of the month, one month in arrears.

1.41 Where a payment of one-twelfth of the amount specified in this scheme in respect of a Basic Allowance or a Special Responsibility Allowance would result in the Member receiving more than the amount to which, by virtue of paragraph 1.33, he/she is entitled, the payment shall be restricted to such amount as will ensure that no more is paid than the amount to which he/she is entitled.

1.42 Claims for Dependents' Carers' Allowances, Travel and Subsistence Allowances and Co-optee's Allowance (if applicable) shall be made within three months from the date on which an entitlement arises.

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

Pensions

1.44 In accordance with the Local Government Pension Scheme (Transitional Provisions, Savings and Amendment) Regulations 2014, no Member of Thanet District Council is entitled to be a member of the Local Government Pension Scheme after 11 May 2015.

With effect from the 1st day of April 2019 pursuant to a resolution of the Thanet

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District Council passed on the 7 February 2019.

MEMBERS' ALLOWANCES SCHEME – 2019~~8~~/2019~~20~~

Basic Allowance

£4,570 each Member x 56 = £255,920

Special Responsibility Allowances

Position	Number	Allowance £	Possible maximum expenditure £
Executive			
Leader	1	18,082	18,082
Deputy Leader	1	10,776	10,776
Cabinet Portfolio Holder	3	7,990	23,970
Assistant Portfolio Holder	5	1500	7500
Non-Executive			
Chairman of Council	1	2,188	2,188
Vice Chairman of Council	1	1,530	1,530
Opposition Group Leader of a group with more than 10 members	2	2,881	5,762
Deputy Opposition Group Leader of a group with more than 10 members	2	1,431	2,862
Opposition Spokesperson	6	1,431	10,890
Scrutiny Panel Chairman	2	3,995	7,990
Scrutiny Panel Vice-Chairman	2	1,608	3,216
Planning Committee Chairman	1	5,204	5,204
Planning Committee Vice-Chairman	1	1,216	1,216
Licensing Committee Chairman	1	3,216	3,216
Licensing Committee Vice-Chairman	1	805	805
Governance and Audit Committee - Chairman	1	5,204	5,204
Governance and Audit Committee – Vice-Chairman	1	1,216	1,216

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Standards Committee Chairman -	1	1,216	1,216
Standards Committee Vice-Chairman -	1	400	400
Standards Committee – other Independent Member	2	250	500
“Independent Person”	1	250	250
Substitute “Independent Person”	1	100	100
JTB Chairman	1	1,216	1,216
TOTAL SRAs only			113,005

Total basic + SRAs = £368,925

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

Dependants' Carers' Allowances

An allowance for any approved duty of ~~£8,217.83~~ per hour (*or the national living wage whichever is higher*) subject to the conditions set out in paragraph 4 of the 'Members' Allowances Scheme'.

Motor Mileage Allowance

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

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

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

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

Subsistence Allowances

Subsistence allowances will be payable to Members who are prevented by their official duties from taking a meal at their home, or place of work where they normally take their meals, and

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thereby incur additional expenditure. A Member will be required to submit receipts in order for reimbursement to be made.

Overnight Accommodation

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

Out of Pocket Expenses

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

Allowances payable as at 01/04/2019

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

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

Representation on the following bodies

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

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.