



Date: 23 July 2018
Our ref: Executive, Policy & Community Safety Scrutiny Panel/Agenda
Ask For: Charles Hungwe
Direct Dial: (01843) 577186
Email: charles.hungwe@officer.thanet.gov.uk

EXECUTIVE, POLICY & COMMUNITY SAFETY SCRUTINY PANEL

31 JULY 2018

A meeting of the Executive, Policy & Community Safety Scrutiny Panel will be held at **7.00 pm on Tuesday, 31 July 2018** in the Council Chamber - Council Offices.

Membership:

Councillor G Coleman-Cooke (Chairman); Councillors: Ashbee (Vice-Chairman), Bambridge, Campbell, Curran, Dixon, L Potts and Rusiecki

AGENDA

Item
No

Subject

1. **APOLOGIES FOR ABSENCE**
2. **DECLARATION OF INTERESTS**
To receive any declarations of interest. Members are advised to consider the advice contained within the Declaration of Interest form attached at the back of this agenda. If a Member declares an interest, they should complete that form and hand it to the officer clerking the meeting and then take the prescribed course of action.
3. **MINUTES OF PREVIOUS MEETING** (Pages 3 - 4)
To approve the Minutes of the Executive, Policy & Community Safety Scrutiny Panel meeting held on 30 May 2018, copy attached.
4. **MINUTES OF EXTRAORDINARY MEETING** (Pages 5 - 8)
To approve the Minutes of the extraordinary Executive, Policy & Community Safety Scrutiny Panel meeting held on 11 July 2018, copy attached.
5. **ESTABLISH THE WORK PROGRAMME FOR 2018/19** (Pages 9 - 16)
6. **FORWARD PLAN AND EXEMPT CABINET REPORT LIST FOR PERIOD 11 JULY 2018 - 31 DECEMBER 2018** (Pages 17 - 24)

Declaration of Interest form - back of agenda

Item
No

Subject



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EXECUTIVE, POLICY & COMMUNITY SAFETY SCRUTINY PANEL

Minutes of the meeting held on 30 May 2018 at 7.00 pm in the Council Chamber - Council Offices.

Present: Councillor Glenn Coleman-Cooke (Chairman); Councillors Ashbee, Bambridge, Campbell, Curran, Dixon, L Potts and Rusiecki

1. APOLOGIES FOR ABSENCE

There were no apologies made at the meeting.

2. DECLARATION OF INTERESTS

There were no declarations of interest made at the meeting.

3. EXECUTIVE, POLICY & COMMUNITY SAFETY SCRUTINY PANEL DRAFT TERMS OF REFERENCE

The Chairman of the Panel introduced the item for discussion and said that the purpose of the meeting was for Members to consider the draft terms of reference for the newly created Scrutiny Panel with a view to forwarding any key comments to the Constitutional Review Working Party for onward submission to the Standards Committee and then Council.

Mr Nick Hughes, Committee Services Manager introduced the report for the item and referred the Panel to the proposals in Annex 1 to the committee report. He gave a quick run through of the main elements of the terms reference for the Panel. These included the following:

- The ability to call-in executive decisions;
- Consider petitions seeking Council to introduce a service;
- Consider policy development matters;
- Consider requests for Councillor Call for Action.

Mr Hughes then invited Members to comment on the proposals. One Member requested that the Panel be given access to information relating to the current Policy Framework documents that are highlighted individually in the Council Constitution, to which the officers agreed.

Councillor Campbell proposed, Councillor L. Potts seconded and the Panel agreed that an outstanding Kent Police report (on Crime Statistics in Thanet) that was meant to be presented to the former Community Safety Partnership Review Working Party be brought to this Panel (in September or thereabout) as it had assumed some of the work of that working party.

As there were no key comments or recommendations to forward to the Constitutional Review Working Party, Member noted the report.

Meeting concluded: 7.05 pm

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EXTRAORDINARY EXECUTIVE, POLICY & COMMUNITY SAFETY SCRUTINY PANEL

Minutes of the extraordinary meeting held on 11 July 2018 at 7.00 pm in the Council Chamber - Council Offices.

Present: Councillor Glenn Coleman-Cooke (Chairman); Councillors Ashbee, Bambridge, Campbell, Messenger, L Piper, S Piper and Wells

In Attendance: Councillors: Bayford, Brimm, J Fairbrass, L Fairbrass, Grove, Jaye-Jones, Rogers, D Saunders, M Saunders, Savage and Shonk

4. APOLOGIES FOR ABSENCE

Apologies were received from the following Members:

Councillor Dixon, substituted by Councillor Wells;
Councillor Curran, substituted by Councillor Messenger;
Councillor Rusiecki, substituted by Councillor Lynda Piper;
Councillor Linda Potts, substituted by Councillor Stuart Piper.

5. DECLARATION OF INTERESTS

There were no declarations received at the meeting.

6. THANET LOCAL PLAN - PUBLICATION STAGE (REGULATION 19) & SUBMISSION FOR EXAMINATION (REGULATION 22)

Adrian Verrall, Strategic Planning Manager introduced the item and said that the report before the Panel had been considered by Cabinet on 02 July 2018. At that meeting Cabinet adopted Option 2.

The Chairman then invited members of the public to make representation to the Panel. Ms Ruth Bailey and Mr Craig Solly addressed the meeting.

The Chairman invited non Panel members to speak under Council Procedure 20.1 and the following Members spoke:

Councillor Jaye-Jones;
Councillor Lin Fairbrass;
Councillor Grove;
Councillor Brimm;

The key points of their contributions to the discussions were as detailed below:

- Crawley Local Plan set aside several acres of land for the possible expansion of Gatwick Airport. This allowed them to reduce their housing numbers by nearly 3,500 houses. Why should Council not include the Manston airport site in the Local Plan as a potential site for housing development in order to reduce the number of such sites being located elsewhere in the district?
- Any decision on the Local Plan that was not based on available evidence runs the risk of being unsound and there was also the risk that the MLCG would intervene and take over the planning process;
- There were higher risks associated with Option 2;
- Panel should recommend to Cabinet that the Option offered to Members at the 18 January 2018 Council meeting be considered again;

- Councillors had been inundated with emails from residents living in the villages who are worried by the possibility of housing development in the villages;
- The public consultation should be extended from 6 weeks to 8 weeks;
- Consultation should be conducted during the summer holidays;

Contributing to debate Panel Members asked questions and made comments as following:

- There were on-going discussions between a landowner and Kent County Council regarding seven acres of land on a site where the Parkway Stations was being proposed to be built. However this station is being considered without any consideration to housing development for that area. Could housing development allocation be considered for this site as this would spare the impacts being proposed for Westgate and Birchington in the draft Local Plan;
- Protecting Manston Airport site for aviation use for a period of two years should be clearly referenced in the Local Plan;
- Lack of Policy SP05 and EC04 which would provide protection of Manston Airport site for aviation use;
- This was a strategic site for the district and for cross boundary purposes with Dover District and Canterbury City Council;
- There was a need for clear policy regarding this site particular with housing development in mind;
- Amending text to provide protection for the Manston airport site was not adequate as texts would not constitute policy. Text did not carry any weight in comparison to policy which would carry maximum weight on planning matters;
- There was a need to reinstate Policy SP05 (Airport site);
- Council would need to come up with policy that would make reference to the NPPF Aviation Policy Framework and Designated Airports National Policy Statement, particularly about the importance of aviation to the national economy and how local planning authorities needed to plan for airports in their local plans;
- The Local Plan should be flexible enough to respond to the outcome the DCO;

- Would the Inspector reject the draft Local Plan submission if Council included the Manston Airport as a site for aviation use?
- Council was legally obliged to keep a register for brown fields suitable for housing development. Manston Airport site was in that current register as a brown field site suitable for local housing development. Was that correct? If that was the case, did that mean the Inspector would look at that register where Manston site was designated as being suitable for housing development and an application for it to be for aviation use?
- Were there any brown fields that the Council had not considered as yet?
- What was the percentage allocation of housing development in the Plan where such development would be on brown fields and what is on green fields (excluding the airport)?
- Would Option 2 that included a two year protection for the airport give the airport the best chance to be returned to full aviation use?
- It would have been useful if the changes made to the report had been highlighted.
- The deferment of housing development on 2,500 sites including those for Westgate and Birchington should be held in abeyance until towards the end of the plan life whilst suitable sites were identified;
- The public consultation on the draft Local Plan should be extended to from six to eight weeks to give residents enough time to respond to the consultation;
- The best opportunity was to allocate the airport site in the Plan and make a final decision the site for towards the end of the planning period as was presented in January 2018;

- Had legal advice been sought regarding the soundness of Option 2?
- Was council going to seek legal advice if the text were to be amended as agreed by Cabinet?
- Would that legal advice be available to Members to study in confidence?
- Option 2 was legally not certain and was not welcome by any of the interest groups. Council needed to be certain about the legality of that option;
- How would the public consultation be conducted and what would be the approach for publicising the public consultation?
- Where the wording had changed it was important to be open and transparent about it and ensure that such changes were highlighted in the report that before the report was taken back to Cabinet.
- It was also important that for Cabinet to indicate that they had seen and acknowledged the genuine legal advice on the soundness in law regarding Option 2 before they finalised their decision.

In response to comments and questions raised by Members, Madeline Homer, CEx, Tim Howes, Director of Corporate Governance & Monitoring Officer and Adrian Verrall, Strategic Planning Manager made the following comments:

- Crawley Borough Council were asked by their Inspector to 'leave no stone unturned,' in looking for sites for housing development in their Local Plan, but in the end the balance of their housing numbers was taken on by neighbouring local councils;
- The wording for a two year period to allow time for the DCO or CPO process for Manston Airport site could be put back in the Local Plan;
- It would be more helpful for the Panel to put together comments and views for consideration by Cabinet;
- All policies have to be supported by relevant evidence and the Panel ought to recommend a policy that is based on supported evidence;
- The Council sought external professional advice regarding Policy SP05. The current evidence held by the council demonstrated that the airport was not viable in the plan period under consideration;
- What Cabinet had put forward was a change of the text (regarding replacing SP05) and not policy;
- Option 2 was not an officer recommendation. This option puts contextual information on the table and providing an opportunity for either the DCO process to conclude (should there be a DCO); for the CPO to materialise if there was one or were anything to materialise from the national aviation perspective around strategic allocation of airport sites across the country. The two year period would give an opportunity for these issues to materialise;
- Officers have worked with Members to put together for certain circumstances to materialise whilst still being lawful and would potentially be acceptable to the Inspector. This was no guarantee that the Inspector would accept these proposals;
- Proposing a policy position without evidence was unlawful;
- Members could make written representations to the Inspector, once the draft Local Plan had been published;
- Members could speak during evidence gathering by the Inspector;
- Members could submit support during the DCO process;
- Officers did not believe there was evidence to support the position that the airport would be viable during the life span of the Plan;
- The public could challenge the Council' position on the airport site, during the public consultation and it would be up to the Inspector to consider all views and evidence and make a decision on the matter;

- The National Policy Statement on regional airports and the MPPF was generic and not specific to Manston Airport. It was largely driven toward the development of Heathrow Airport;
- Seeking further advice in relation to the National Policy would depend on further instructions received from Cabinet. However such advice would not be brought back to the Panel as there was no provision to do that;
- There was a publicly available Council register for brown field sites. The airport site was on the register that was updated in December 2017 and the airport was indicated as a brown field site suitable for housing development;
- Although the 60% allocation of brownfields for new development no longer exists, officers had looked extensively at brown field sites across the district. There was still a presumption that brown fields were considered first for housing development ahead of green fields.
- 30 hectares of old employment sites had been taken out of employment section and added to housing development in the Plan;
- About 30% - 35% of the sites being proposed for housing development in Option 2 would be green fields sites;
- There was a legal requirement for a six weeks public consultation. The consultation would be published after 23 August and this would give the public time to respond as most of the consultation will be after the summer holidays;
- Council was working to a tight timetable which had been shared with the Government. The Government was watching progress and if there was slippage there was high likelihood that the Government could intervene;
- Proposing other sites and adding them into the Plan would make it difficult to take them out once they have been agreed by the Inspector;
- Council sought legal advice on Option 2 and was advised that it was not an illegal option but was still not the officer recommendation;
- If the text was changed to the Plan as proposed in the report, Council would seek legal advice before this was considered by Cabinet;
- The risks regarding adopting Option 2 were contained in the annex to the report;
- There would be advertisements in the local newspapers to publicise the consultation. The Strategic Planning and Communications teams would jointly work on an approach for conduction the consultation.

Councillor Bambridge proposed, Councillor Stuart Piper seconded and Members agreed to forward the following recommendations to Cabinet:

1. That housing development being proposed in the Local Plan be phased to be implemented towards the end of the Plan period;
2. That the committee report at paragraph 2.11 and the draft Local Plan text be amended to indicate that if a DCO or CPO process has not been agreed within two years that the status of the site be reviewed.

Meeting concluded: 8.10 pm

ESTABLISHING THE EXECUTIVE, POLICY & COMMUNITY SAFETY SCRUTINY PANEL WORK PROGRAMME FOR 2018/19

Executive, Policy & Community Safety Scrutiny Panel

31 July 2018

Report Author

Senior Democratic Services Officer

Portfolio Holder

Councillor Savage, Deputy Leader and Cabinet Member for Corporate Governance & Coastal Development

Status

For Decision

Classification:

Unrestricted

Key Decision

No

Ward:

Thanet Wide

Executive Summary:

This report sets out possible activities of the Executive, Policy & Community Safety Scrutiny Panel for 2018/19 and asks the Panel to determine the priority areas of work for the new municipal year.

Recommendations:

1. With reference to Annex 1 of the report, Members are requested to agree the Panel's work programme for 2018/19.

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>

Equality 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: 5px;">Please indicate which aim is relevant to the report.</td> </tr> <tr> <td style="padding: 5px;">Eliminate unlawful discrimination, harassment, victimisation and other conduct prohibited by the Act,</td> <td style="text-align: center; padding: 5px;">✓</td> </tr> <tr> <td style="padding: 5px;">Advance equality of opportunity between people who share a protected characteristic and people who do not share it</td> <td style="padding: 5px;"></td> </tr> <tr> <td style="padding: 5px;">Foster good relations between people who share a protected characteristic and people who do not share it.</td> <td style="padding: 5px;"></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 work programme for 2018/19. In scoping out its work, the Panel may wish to consider any outstanding work from 2017/18.

- 1.2 In 2017/18, the Panel's work programme was carried through two working parties, namely the Community Safety Working Party and Corporate Performance Review Working Party.
- 1.3 Almost all the work programme activities were conducted through Council officer and on occasion external agency officer presentations. This was in addition to standing officer support at the working party meetings to provide technical advice to Members during debate.

2.0 Draft Terms of reference of the Executive, Policy & Community Safety Scrutiny Panel

- 2.1 At Annual Council this May, Council agreed a new approach to the scrutiny function and established two scrutiny panels. This Panel was tasked to conduct scrutiny reviews on policy development, community safety matters and exercise the call-in function.
- 2.2 The purpose of this report is to assist the Executive, Policy & Community Safety Scrutiny Panel to consider issues that fall within their remit that Member wish to add to the work programme for 2018/19. In so doing, reference should be made to the newly developed terms of reference that are attached as Annex 1 to the report.

3.0 Setting up the Work Programme for 2018/19

- 3.1 The new Panel is expected to conduct all its business without recourse to setting up sub groups. This is because Democratic Services would be unable to resource additional work streams.
- 3.2 As the Panel responsible for scrutinising issues related to the community safety partnership, it is expected that this Panel should have a community safety partnership matter on its agenda at least once a year. This would include scrutinising proposals for the community safety partnership annual plan and reviewing the implementation of that plan through the annual report to be presented to Members.

4.0 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)

- 4.1 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. The CAG drafted responses to the consultation on Kent and Medway Sustainability and Transformation Plan. The consultation documents included the NHS Five Year Forward View
- 4.2 The Cabinet Advisory Group met again on 19 April 2018 and drafted the Council's response to the NHS public consultation on the proposed improvements to stroke services across Kent and Medway by creating three 24/7 hyper acute stroke units. The NHS suggested five locations for the new services from which three were going to be chosen. A questionnaire for the consultation was provided as the basis for responding to the survey, which the council sent back completed with the agreed responses.
- 4.3 The Panel may choose to stand down the watching brief since the Cabinet advisory group is effectively shadowing the NHS activities regarding proposed changes to health services delivery in Kent and Medway. Council would still be in a position to respond any further public consultation by the NHS/EKHUFT in 2018 on service models to

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adopt. On previous occasions, 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.

4.4 The Panel needs to take a view of this issue.

Contact Officer:	Charles Hungwe, Senior Democratic Services Officer, Ext: 57186
Reporting to:	Nick Hughes, Committee Services Manager, Ext 57208

Annex List

Annex 1	Executive, Policy & Community Safety Scrutiny Panel draft Work Programme 2018/19
Annex 2	Executive, Policy & Community Safety Scrutiny Panel terms of reference

Background Papers

Title	Details of where to access copy
None	N/A

Corporate Consultation

Finance	Ramesh Prashar, Head of Financial Services
Legal	Sophia Nartey, Interim Head of Legal Services

Executive, Policy & Community Safety Scrutiny Panel Work Programme for 2018/19		
Meeting Date	Indicative Agenda Items	Issue Source
31 July 2018	Cabinet Member Presentation	Standing Agenda Item
	Establish the Panel Work Programme 2018/19	Standing Agenda Item
	Forward Plan & Exempt Cabinet Report List	Standing Agenda Item
27 September 2018	Cabinet Member Presentation	Standing Agenda Item
	Review of the Panel Work Programme 2018/19	Standing Agenda Item
	Crime Statistics for Thanet	Crime & Disorder Partnership (Kent Police)
	Forward Plan & Exempt Cabinet Report List	Standing Agenda Item
13 November 2018	Cabinet Member Presentation	Standing Agenda Item
	Review of the Panel Work Programme 2018/19	Standing Agenda Item
	Forward Plan & Exempt Cabinet Report List	Standing Agenda Item
31 January 2019	Cabinet Member Presentation	Standing Agenda Item
	Review of Panel the Work Programme 2018/19	Standing Agenda Item
	Forward Plan & Exempt Cabinet Report List	Standing Agenda Item
21 February 2019	Cabinet Member Presentation	Standing Agenda Item

	Review of the Panel Work Programme 2018/19	Standing Agenda Item
	Annual Crime & Disorder Partnership Report for 2018/19	Crime & Disorder Partnership (TDC)
	Forward Plan & Exempt Cabinet Report List	Standing Agenda Item
12 March 2019	Cabinet Member Presentation	Standing Agenda Item
	Review of the Panel Work Programme 2018/19	Standing Agenda Item
	Annual proposals for Crime & Disorder Partnership Work Programme for 2019/20	Crime & Disorder Partnership (TDC)
	Forward Plan & Exempt Cabinet Report List	Standing Agenda Item

**EXECUTIVE, POLICY AND COMMUNITY SAFETY SCRUTINY PANEL DRAFT
TERMS OF REFERENCE**

Membership, Chairmanship and Quorum

Number of Members	Eight
Political Composition	3 Conservative; 2 Independent and UKIP; 2 Thanet Independent Councillors 1 Labour
Substitute Members Permitted	Yes
Political Balance Rules apply	Yes
Appointments/Removals from Office	By Council
Restrictions on Membership	Non Cabinet Members only
Restrictions on Chairmanship	Non Cabinet Members only
Quorum	Four
Number of ordinary meetings per Council Year	Seven

General role

Within their terms of reference, the Executive, Policy & Community Safety Scrutiny Panel will:

- (a) Lead in reviewing proposals by the executive regarding policy development matters affecting the delivery of services in Thanet
- (b) To consider matters relating community wellbeing and safer neighbourhoods.
- (c) Within the remit of the Panel, make reports and/or recommendations to the Cabinet, Council or any appropriate Committee in connection with the discharge of any functions;
- (d) Consider any matter affecting the area or its residents within the remit of the Panel; and
- (e) Exercise the call-in function of the Council.

Specific functions

Terms of Reference

1. To lead on overview and scrutiny policy matters having specific regard for developing new approaches to policy and making appropriate recommendations to assist the Cabinet and the Council in the development of its policy framework. This includes reviewing all the plans and strategies within the policy framework as set out in Article 4 of the Constitution;
2. Considering the Council's Forward Plan;

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Annex 2

3. Consider all petitions that request for new services or requiring council action on an emerging matter affecting the local community;
4. Consider all community safety matters and act as the community safety scrutiny panel;
5. To deal with all call-in matters arising under Overview and Scrutiny Procedure Rule 15 and Budget and Policy Framework Procedure Rule 6;
6. Consider all valid Councillor Call for Action (CCfA) submissions made through the CCfA protocol in the Constitution;
7. Within the constraints of officer time and budgets, conduct research, community and other consultation in the analysis of policy issues and possible options;
8. Consider and implement mechanisms to encourage and enhance community participation in the development of policy options;
9. Within the remit of the Panel, to make reports or recommendations to the authority or the Cabinet (where appropriate) with respect to the discharge of any functions which are not the responsibility of the Cabinet;
10. Liaise with other external organisations operating in the area, whether national, regional or local, to ensure that the interests of local people are enhanced by collaborative working;
11. To make reports on community wellbeing and policy development recommendations to the authority or the Cabinet on matters which affect the authority's area or the inhabitants of the area.

Annual Report

The Executive, Policy & Community Safety Scrutiny Panel will report annually to Full Council on their workings and make recommendations for future work programmes and amended working methods if appropriate.

FORWARD PLAN AND EXEMPT CABINET REPORTS LIST

Executive, Policy & Community
Safety Scrutiny Panel

31 July 2018

Report Author

Senior Democratic Services Officer

Portfolio Holder

**Councillor Savage, Deputy Leader and Cabinet Member
for Corporate Governance & Coastal Development**

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%;"> <tr> <td colspan="2">Please indicate which aim is relevant to the report.</td> </tr> <tr> <td>Eliminate unlawful discrimination, harassment, victimisation and other conduct prohibited by the Act,</td> <td></td> </tr> <tr> <td>Advance equality of opportunity between people who share a protected characteristic and people who do not share it</td> <td></td> </tr> <tr> <td>Foster good relations between people who share a protected characteristic and people who do not share it.</td> <td 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.	✓
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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.	✓									

	There are 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.
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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 57186
Reporting to:	Nick Hughes, Committee Services Manager, Ext 57208

Annex List

Annex 1	Forward Plan & Exempt Cabinet Reports List
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Background Papers

Title	Details of where to access copy
None	N/A

Corporate Consultation

Finance	Matt Sanham, Financial Services Manager
Legal	Tim Howes, Director of Corporate Governance & Monitoring Officer



FORWARD PLAN AND EXEMPT CABINET REPORT LIST

11 JULY 2018 TO 31 DECEMBER 2018

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 6

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 Bob Bayford	Leader of the Council
Councillor Jason Savage	Deputy Leader of the Council and Cabinet Member for Corporate Governance and Coastal Development
Councillor Ian Gregory	Cabinet Member for Financial Services and Estates
Councillor Lesley Game	Cabinet Member for Housing and Safer Neighbourhoods
Councillor Rosanna Taylor-Smith	Cabinet Member for Operational Services

11 July 2018 to 31 December 2018

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
Draft Thanet Local Plan - Publication stage	Approving the draft Local Plan for publication ahead of Submission to the Planning Inspectorate for independent Examination	1.Cabinet Executive, Policy & Community Safety Scrutiny Panel Cabinet Council 2.Adrian Verrall, Strategic Planning Manager	Councillor Robert W Bayford, Leader of the Council	2 Jul 18 11 Jul 18 19 Jul 18 19 Jul 18	Policy Framework		Cabinet report Executive Scrutiny Panel report 2nd Cabinet report Council report

Annex 1

Agenda Item 6

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
2017/18 Year End Finance Report	Outturn report for the financial year	1.Cabinet 2.Ramesh Prashar, Head of Financial Services	Councillor Ian Gregory, Cabinet Member for Financial Services and Estates	26 Jul 18	Non-Key		Cabinet report
Adoption of the Tenancy Strategy 2018	This Strategy aims to set out how we will make best use of our housing stock to meet the needs of the districts residents.	1.Cabinet 2.Bob Porter, Head of Housing and Planning	Councillor Lesley Ann Game, Cabinet Member for Housing and Safer Neighbourhoods	26 Jul 18	Key		Cabinet report
Public space Protection Order for Anti Social Behaviour (Margate and Ramsgate town centre areas)	Additional powers for Police, PCSOs and council enforcement officers to enforce nuisance groups and the deliberate misuse of public spaces	1.Cabinet 2.Jessica Bailey, Community Safety Manager	Councillor Lesley Ann Game, Cabinet Member for Housing and Safer Neighbourhoods	26 Jul 18	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
Adopt new Active Thanet Strategic Framework	To undertake a new framework which will replace the existing sport and active recreation strategy and provide a new framework focusing on addressing the public's health, wellbeing and physical activity to reduce health inequalities and enhance opportunities.	1.Cabinet 2.Colin Rouse, Sport and Public Health Officer	Councillor Lesley Ann Game, Cabinet Member for Housing and Safer Neighbourhoods	26 Jul 18	Key		Cabinet report
To consider and approve an amended RIPA Policy & Procedures Guidance Note for 2018/19 and to receive the annual report on the use of RIPA in 2017/18	The adopted RIPA Policy requires the Council to receive an annual report on the use made of RIPA powers in the previous year. It was also timely to review the RIPA Policy & Procedures Guidance Note at the same time to reflect any recent practice changes.	1.Cabinet 2.Trevor Kennett, Head of Operational Services	Councillor Jason Savage, Deputy Leader and Cabinet Member for Corporate Governance and Coastal Development	18 Sep 18	Non-Key		Cabinet report
Q1 Budget Monitoring	Quarter 1 update of the 2018/19 Budget position	1.Cabinet 2.Ramesh Prashar, Head of Financial Services	Councillor Ian Gregory, Cabinet Member for Financial Services and Estates	18 Sep 18	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
Medium Term Financial Strategy (MTFS)-2019/23	Updating the Cabinet on the MTFS for 2019/23	1.Cabinet Finance, Budget & Performance Scrutiny Panel 2.Ramesh Prashar, Head of Financial Services	Councillor Ian Gregory, Cabinet Member for Financial Services and Estates	18 Sep 18 23 Oct 18	Non-Key		Cabinet report Finance Scrutiny Panel report
Asset Management - The Museums	Consideration of the most appropriate use of council assets in relation to museums and wider asset management objectives.	1.Cabinet 2.Edwina Crowley, Interim Head of Asset Management	Councillor Ian Gregory, Cabinet Member for Financial Services and Estates	18 Oct 18	Non-Key		Cabinet report
Asset Management - Strategic Asset Management Plan	The policy will be updated to take into account changes in legislation and Council priorities.	1.Cabinet 2.Edwina Crowley, Interim Head of Asset Management	Councillor Ian Gregory, Cabinet Member for Financial Services and Estates	13 Dec 18	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 £100 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 Democratic Services and Scrutiny 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.