



Date: 21 January 2019  
Our ref: Executive Scrutiny Panel/Agenda  
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## EXECUTIVE, POLICY & COMMUNITY SAFETY SCRUTINY PANEL

31 JANUARY 2019

A meeting of the Executive, Policy & Community Safety Scrutiny Panel will be held at **7.00 pm on Thursday, 31 January 2019** in the Council Offices.

### Membership:

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

## 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 - 8)  
To approve the Minutes of the Executive, Policy & Community Safety Scrutiny Panel meeting held on 13 November 2018, copy attached.
4. **CABINET MEMBER PRESENTATION**  
The presentation topic by Cllr Savage, Deputy Leader and Cabinet Member Operational Services is on "How effective is the delivery of Operational Services to residents that are not regularly reported on."
5. **ANTI-SOCIAL BEHAVIOUR PUBLIC SPACES PROTECTION ORDER UPDATE** (Pages 9 - 12)
6. **REVIEW OF EXECUTIVE SCRUTINY PANEL WORK PROGRAMME FOR 2018/19** (Pages 13 - 18)
7. **FORWARD PLAN & EXEMPT CABINET REPORT LIST FOR PERIOD 09 JANUARY 2019 - 30 JUNE 2019** (Pages 19 - 26)

**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 13 November 2018 at 7.00 pm in the Council Chamber - Council Offices.

**Present:** Councillor Glenn Coleman-Cooke (Chairman); Councillors Curran, Bambridge, Campbell, Dixon, Rusiecki and Wright

**In Attendance:** Councillors Bayford, Game and Messenger

### 20. APOLOGIES FOR ABSENCE

There were no apologies received at the meeting.

### 21. DECLARATION OF INTERESTS

There were no declarations made at the meeting.

### 22. MINUTES OF PREVIOUS MEETING

Councillor Campbell proposed, Councillor Curran seconded and Members agreed the minutes as a correct record of the meeting that was held on 27 September 2018.

### 23. CRIME STATISTICS IN THANET

Chief Inspector Sharon Adley introduced Inspector Connor (Community Safety Unit Inspector) and then presented her report:

- CI Adley explained that the changes in crime recording processes were continuing to contribute to the increases in crime across the force. To put this into context, previously if four people were found fighting outside a nightclub and it was not clear who was in the right or wrong, one report of affray would have been recorded whereas now four counter allegations of assault and one of affray could be recorded.
- CI Adley stressed that this was a better reflection of the extent of offences committed against a victim to enable the appropriate assessment of any safeguarding requirements for both victims and witnesses. The increase in all crime experienced within Thanet is in line with the force.
- As expected there have been seasonal increases in the summer months particularly in May through to August as the local economy experienced increased visitor numbers coming to visit Thanet seaside areas coupled with the hot weather.
- The crime category that saw the biggest rise was violence against the person with the biggest rise experienced in the category of violence without injury;
- Locally in Thanet, police and partner agencies have continued to undertake a number of different approaches to prevent crime; during September, Thanet took part in a week long national campaign against Knife Crime (Op Sceptre). This operation included many different strands of activity, a key one being enforcement in the Night Time Economy but also included preventative work and engagement with young people.
- Criminal Damage – this category had experienced a 5% increase in the period under review;
- However, a great deal of work had been carried out by the police in collaboration with other agencies on a number of areas that included reducing anti-social behaviour and closure of premises in Margate utilising the Anti-Social Behaviour

legislation. Work had also been undertaken in Ramsgate and Westwood Cross. Street week was continuing and would be taking place in Ramsgate.

- Vehicle Crime – There had been a 5% reduction in this category between October 2017 and October 2018;
- Significant amount of work had taken place in response to a spate of mopeds being stolen in the district whereby they had been ridden in a dangerous manner and had been causing anti-social behaviour. This had resulted in some arrests with stolen mopeds being recovered.

Members then asked questions and made comments as follows:

- There appeared to be an increase in the acceptable levels for crime recording. There should be an increase in policing resources, instead of increasing the acceptable levels;
- Did the Police breakdown the reporting categories into serious and minor injuries incidents?
- Was there a percentage of the high risk crimes that resulted in prosecutions in the reports compiled by the police?
- Was human trafficking also reported in the district?
- Did the Police also monitor drug activity in the district?
- The Police were doing a great job;
- How cooperative were residents in supporting the work of the Police?
- Could the Panel be given a presentation on the Police response times to emergency calls?

Responding to Member questions Chief Inspector Sharon Adley and Inspector Connor made the following comments:

- CI Adley explained that crime categories were not broken down into serious and minor crimes but clearly there would be greater investigative investment for those crimes considered serious, which is what the public would expect – there will always be a proportionate response to individual crimes taking into account the nature of the crime and the wishes of the victim. CI Adley was unable to provide percentages relating to prosecutions.
- Human trafficking was a hidden crime that required continuous monitoring to identify the traffickers;
- The local communities did give significant support to community safety work activities for which the police were extremely grateful;
- The police response to calls could be a presentation topic on its own as CI Adley did not have this information to hand. However, she stressed that those calls graded as emergency calls were, wherever possible, responded to immediately.

Members thanked CI Adley and Insp Connor and then noted the report.

**POST MEETING NOTE:** Regarding the question 'acceptable levels for crime recording' - CI Adley had since this meeting spoken with the analyst to provide the following update: The graphs which were presented at the meeting showed two red lines which are the upper and lower control limits for the district, which are two standard deviations from the mean. This shows anticipated levels of crime. Anything outside of these two lines would be considered unusual and require further understanding. There was an upward step change in May in all crime which was due to the actual level of crime being above the average (green line) over a set number of periods. This then came down during August. (Thanet is affected by seasonal changes as explained during the meeting). These step changes generate a new average. These graphs enabled the Police to predict policing response – it did not mean that the Police were accepting of these increased levels.

## 24. EXECUTIVE SCRUTINY PANEL CALL-IN OF CABINET MEMBER DECISION - DIGITAL PARKING PILOT PROJECT

Councillor Bayford, Leader of Council introduced the item for debate and led the discussion by initially responding to questions that were forwarded to him ahead of the meeting. The Leader acknowledged the fact that the decision and its related report did not provide enough content for Members to understand fully some of the issues relating to the decision. The Leader and the portfolio holder were given additional information through a briefing by officers.

Councillor Messenger spoke under Council Procedure 20.1.

In seeking clarity on the decision made by the Cabinet Member for Corporate Governance and Coastal Development, the Panel asked the following questions:

- Was the licence for the software being used for this pilot project specific to the project or was it owned by the Council so that it did not make an additional cost to Council later on?
- How many people took part in the survey? Which car parks were involved in the survey? What types of questions were being asked?
- Was there payment made for the investigative work done by Canterbury City Council?
- Will the facility for auto car registration number recordings be accessed by other agencies like the Police, if requested?
- What was the back up in instances where a credit card payment was declined?
- What was the aim of the project?
- Did the corporate management team consider this project a priority?

Responding to Member questions Councillor Bayford and Hannah Thorpe, Head of Communications and Digital said the following:

- The Council had been working with Canterbury City Council on this project and had used their procurement process to get best price for the software. The software could be used by other car parks owned by the Council;
- A customer survey was carried out in July 2018. This was a two week survey and ninety three respondents contributed to the results of the survey;
- The questions focused on how the car parks were used and what users would like and random times were used (which included morning, lunch time and evenings) and survey was mainly conducted between Mondays and Fridays. This was in order to capture more of the local rather than visitors needs ;
- The six car parks that took part in the survey were Vere Road, Albion Street, Trinity Square, Dreamland, St Peters Park Road and Crofts Place car parks
- The Digital Team conducted the survey;
- The six car parks were selected after a benefit effort matrix was used. This looked at the access to the car park, configuration and size of the park, current income of the park and cost involved to implement the pilot project;
- Some of the feedback included that the residents wanted to pay the exact amount that they would have parked in the car parks;
- By working with Canterbury City Council, TDC had learnt some lessons and would avoid some of the pitfalls experienced by CCC;
- TDC was looking to a ticketless system. This should help with addressing the likely problem of queuing to get into or out of the car park;
  
- The aim of the project was to give the residents the experience of using a simple digital payment experience and reduce enforcement;
- This would also give a personalized experience to the public;
- The pilot is expected to be a year (although not yet confirmed);

- The public would now have to pay for exact amount of time parked and remove the need for individuals to rush back to the park to avoid affine for running out of parking time;
- Digital payment would give the Council real time information
- Pre and post pilot project revenue will be compared. The number of fines for pre and post pilot would also be compared;
- Royal Harbour Car Park was discounted from the pilot because the site was not currently owned by the Council;
  
- Digital facility gives flexibility and cost effective management of the car parks;
- Since parking was always a perennial problem, changing the way the service was delivered to the public might improve the experience of using car parks owned by the Council and would improve the way these parks were managed;
- The Police could request any information in the pursuit of criminal activities. There were specific protocols for requesting specific information across agencies;
- There would be a grace period to make the payment in instances where an individual's payment attempt was initially declined.

The Panel decided not to take any further action, thanked the Leader and noted the report.

## **25. ALLOCATIONS POLICY**

Mr Bob Porter, Head of Housing & Planning Services and Ms Victoria May, Housing Options Manager introduced the report and requested Members to comment. Mr Porter highlighted the following:

- Councils were required by law to adopt a Housing Allocations Policy and the current policy was adopted in 2013;
- Since then there have been some legislative changes that required changes to the current policy;
- A public consultation on the proposed policy had started and any significant changes to the proposals would be presented to Cabinet on 15 January 2019;
- There were five key areas to be changed in the current policy. These included:
  - Key workers to be included in the policy under Bands B and C;
  - One suitable offer to be made to an individual on the housing waiting list;
  - Homeless Priority: Homeless households, who applied prior to 3 April 2018 and are owed a permanent housing duty by the council, will now be included in Band B;
  - The timescale for individuals on anti social behaviour orders placed in Band D would be twelve months;
  - Those individuals with arrears would be placed in Band D until they cleared their arrears.

In response to the presentation Members made comments and asked questions as follows:

- What were the eligibility criteria for key worker list?
- Could the list be changed to reflect the local needs like adding care support workers?
- Did having an open policy for the armed services personnel create a significant level of attraction from this group to register on the local housing waiting list?
- Did council have a policy for not housing single mothers near neighbours with a history of anti-social behaviour?
- Why was it that victims of harassment are moved rather than the perpetrators?

Officers responded as follows:

- The key worker list was developed by the Government. However the Council could add other professional occupations to the list;
- How long an individual stayed in Band D depended on their circumstances. However it was also a requirement that they would have to clear or reduce their arrears;
- Council usually published approximate waiting times;
- There is only limited demand as there only a few households in that group that had registered on the waiting list;
- With regards to anti-social behaviour; the Council and Housing Associations initially aim to resolve disputes without the need for anyone to move, this may include mediation or enforcement action against the perpetrator. In serious cases a repossession order against the perpetrator might be sought. There is provision within the policy for victims of anti-social behaviour to be moved if this is necessary to protect them from harm. Households with a history of serious anti-social behaviour can be excluded them from lettings in areas of particular sensitivity.

There being no further comments to make Members welcomed the proposals and noted the report.

**26. REVIEW OF EXECUTIVE SCRUTINY PANEL WORK PROGRAMME FOR 2018/19**

The Panel request a presentation from Councillor Savage, Deputy Leader and Cabinet Member Operational Services on 'How effective and efficient was the delivery of Operational Services to residents.'

The Chairman reminded Members to forward key questions related to the topic ahead of the meeting to assist the portfolio holder with the preparation for the presentation.

Members noted the report.

**27. FORWARD PLAN AND EXEMPT CABINET REPORT LIST FOR PERIOD 10 OCTOBER 2018 - 31 MARCH 2019**

Members noted the report.

Meeting concluded: 8.30 pm

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## Anti-Social Behaviour Public Spaces Protection Order Update

Executive, Policy and  
Community Safety Scrutiny Panel     **31 January 2019**

Report Author                                 **Eden Geddes- Community Safety Manager**

Portfolio Holder                               **Cllr Lesley Game, Cabinet Member for Housing and Safer Neighbourhoods**

Status     **For Information**

Classification:                                 **Unrestricted**

Key Decision                                   **N/A**

Reasons for Key                               **N/A**

Previously Considered by                   **N/A**

Ward:     **Margate Central, Cliftonville West, Central Harbour, Eastcliff**

**Executive Summary:**

The purpose of this report is provide an update on the councils Public Spaces Protection Order (PSPO) for Anti Social Behaviour covering four wards in Margate & Ramsgate which came into effect 30th July 2018 for a period of 3 years. The order makes that within the specified designated areas, the following activities are restricted for the duration of the order.

- Anti-Social group congregation of two or more persons when causing ASB and;
- Misuse of public spaces (when asked not to do so)
- Using foul or abusive language
- Excreting bodily fluids

**Recommendation(s):**

That a further review is undertaken after 12 months

<b>CORPORATE IMPLICATIONS</b>	
<b>Financial and Value for Money</b>	<p>There are no additional financial implications at this time. Enforcement of the order comes from within existing budgets and resources. Kent Police also hold responsibility for enforcement and this does not incur a cost to the council.</p> <p>To date there have been no legal costs for enforcement of Fixed Penalty Notices, however this is factored within existing departmental Community Safety legal budget and the income generated by fixed penalty notices recovered should also contribute towards these costs.</p>

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<p><b>Legal</b></p>	<p>The Anti-Social Behaviour Crime and Policing Act 2014 (the act) streamlined existing measures used to tackle Anti-Social and nuisance behaviour, into just six new powers. Civil Injunctions; Criminal Behaviour Orders; Community Protection Notices; Closure Orders; Dispersal Powers and <b>Public Space Protection Orders</b></p> <p>Section 59 of the Act requires the Council to carry out the necessary consultation and the necessary publicity, and the necessary notification before making a public spaces protection order.</p> <p>The “necessary consultation” means consulting with the chief officer of police, and the local policing body, for the police area that includes the restricted area; whatever community representatives the local authority thinks it appropriate to consult; and the owner or occupier of land within the restricted area.</p> <p>Kent Police and the Kent Police and Crime Commissioner and District Councillors were consulted as part of the initial consideration for making this order.</p>								
<p><b>Corporate</b></p>	<p>Priority 1, Clean and welcoming environment - Maintaining zero tolerance to encourage positive behaviour to help improve our environment</p> <p>Priority 2, Supporting neighbourhoods - Continuing to work with partners to improve community safety and anti-social behaviour</p>								
<p><b>Equality Act 2010 &amp; Public Sector Equality Duty</b></p>	<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, sex, disability, race, sexual orientation, gender reassignment, religion or belief and pregnancy &amp; maternity. Only aim (i) of the Duty applies to Marriage &amp; civil partnership.</p> <table border="1" data-bbox="432 1525 1406 1783"> <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 style="text-align: center;">X</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>	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	X	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	X								
Foster good relations between people who share a protected characteristic and people who do not share it.									

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

<b>CORPORATE VALUES (tick those relevant) ✓</b>	
Delivering value for money	X
Supporting the Workforce	X
Promoting open communications	

## 1.0 Introduction and Background

- 1.1 Thanet is a growing tourist destination with increasing popular and varied areas to visit and socialise in. As part of Thanet Community Safety Partnership the Council works with other agencies to foster a safe and sociable experience when visiting or socialising in the district.
- 1.2 The Anti-Social Behaviour, Crime and Policing Act 2014 streamlined powers for the Police and Council to tackle Anti-Social Behaviour (ASB). One of those powers is the Public Space Protection Order or PSPO, these can be made to tackle specific anti-social and nuisance behaviour on public spaces within the district. Any such potential order is required to be subjected to consultation .
- 1.3 Thanet traditionally has higher levels of Anti-Social Behaviour when compared to other Districts in Kent. The four wards that form the area covered by the PSPO make up over half (53%) of all ASB in the District

## 2.0 The Current Situation

- 2.1 The order came into effect as of the 30th July 2018. The order gives discretion and flexibility to officers to only exercise enforcement where the specified conduct is causing harassment, alarm and distress detrimental to the locality.
- 2.2 Progress in embedding the the PSPO into daily activities has been slow. A number of factors such as abstraction due to officer availability, a delay in the delivery and installation of signage and the delivery of training to both council and police officers meant that the first focussed activity event (all out day) did not take place until early September.
- 2.3 A number of focussed activity events have taken place since September with additions planned throughout 2018/2019. Anecdotally, the events have met with compliance due to the requirement of officers challenging individual when encountering inappropriate conduct.
- 2.4 A constable or authorised person may issue a Fixed Penalty Notice, under section 68 of the ASB Crime and Policing Act 2014, to anyone they reasonable believe has committed an offence in breach of this order. This includes authorised council officers, Police Constables and Police Community Support Officers.
- 2.5 To date there have been no fixed penalty notices issued for breaches of this PSPO. Policy within Kent Police prohibits police officers or PCSOs from issuing fixed penalty notices to any person under the age of 18. Thanet council CSU take an incremental approach to enforcement meaning other options prior to issue of an FPN for breach of PSPO are explored in the first instance. Thanet council have procedures in place to

# Agenda Item 5

issue penalty notices on behalf of police/PCSOs. However as the establishment of the CSU comprises of three officers and one manager there is future potential risk for a significant abstraction from core duties so this aspect will require regular review.

- 2.6 Despite the introduction of the PSPO in July 2018, enforcement activities did not commence until September 2018 due to the factors outlined above it is too soon to have position on the effectiveness of each of the elements of this PSPO. Interim evaluations are scheduled for March 2019 and September 2019.

Contact Officer:	Eden Geddes, Community Safety Manager
Reporting to:	Penny Button, Head of Safer Neighbourhoods

## Annex List

None	N/A
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## Background Papers

<b>Finance</b>	<b>Where to Access Copy</b>
None	N/A

## Corporate Consultation

<b>Finance</b>	<i>(Insert name and job title)</i>
<b>Legal</b>	<i>(Insert name and job title)</i>

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

Executive, Policy & Community  
Safety Scrutiny Panel                      **31 January 2019**

Report Author                                      **Committee Services Manager**

Status    **For Information**

Classification:                                      **Unrestricted**

Key Decision                                      **No**

Ward:    **Thanet Wide**

**Executive Summary:**

This report updates panel members on the work of the panel and sets out possible activities of the Executive, Policy & Community Safety Scrutiny Panel for 2018/19.

**Recommendation(s):**

1. Members are invited to discuss and note the report.

**CORPORATE IMPLICATIONS**

<b>Financial and Value for Money</b>	There are no financial implications arising directly from this report but elements of the suggested work programme may have financial and resource implications.
<b>Legal</b>	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.
<b>Corporate</b>	The work programme should help to deliver effective policy decision making by scrutinising executive decisions before, and at times after, implementation.

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<p><b>Equality Act 2010 &amp; Public Sector Equality Duty</b></p>	<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 &amp; maternity. Only aim (i) of the Duty applies to Marriage &amp; civil partnership.</p> <p>Please indicate which aim is relevant to the report.</p> <p>Eliminate unlawful discrimination, harassment, victimisation and other conduct prohibited by the Act,</p> <p>Advance equality of opportunity between people who share a protected characteristic and people who do not share it</p> <p>Foster good relations between people who share a protected characteristic and people who do not share it.</p> <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>
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<b>CORPORATE PRIORITIES (tick those relevant)✓</b>	
A clean and welcoming Environment	
Promoting inward investment and job creation	
Supporting neighbourhoods	✓

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

## 1.0 Introduction and Background

- 1.1 This report allows Members to review the Executive Scrutiny Panel work programme agreed at the Panel meeting on 13 November 2018.
- 1.2 Panel members could provide additional comments during the debate of this item at the meeting. Table 1 in Annex 1, highlights some of the key agenda items for future Executive Scrutiny Panel meetings for 2018/19. The items are largely from the Forward Plan and some of the items are requested by Members during discussions at meetings.

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1.3 The report provides the framework for debate by Members on ongoing scrutiny activities and hopefully leads to sharing of views and ideas to enhance the Council's scrutiny function.

## **2.0 Current Scrutiny Activities**

2.1 At the November meeting, the Panel received a report on 'Crime Stats in the district and engaged the Kent Police representatives. Members noted the various initiatives being undertaken by Kent Police and partner agencies that make up the Community Safety Partnership in tackling crime in the district.

2.2 The Panel requested another presentation from Kent Police on 'Police response times to emergency calls.' A reasonable lead time would need to be given to Kent Police when agreeing the presentation date as the information required for such a presentation needed a significant amount of time to pull together the material.

2.3 As part of the public consultation by the Executive, Members also considered the Housing Allocations Policy and proposed that the list of Key Workers should include social care support workers. They suggested that such an approach would enable workers in this group to be considered for key worker housing allocation by the Council. The portfolio holder responsible for Housing agreed to include the Panel suggestion.

2.4 Members requested a presentation on 'How effective and efficient was the delivery of Operational Services to residents.' at the January meeting and this is reported elsewhere on the agenda.

2.5 At the July meeting, Members also requested a post implementation review of the 'Public Spaces Protection Order No. 3 (Anti-Social Behaviour) (PSPO). This issue is scheduled to be considered elsewhere on the agenda for this meeting.

## **3.0 Call-in of Executive decisions**

3.1 Under the new scrutiny arrangements, the Executive Scrutiny Panel is responsible for all call-ins of executive decisions.

3.2 The Panel called-in and considered the individual Cabinet Member decision on the 'Digital Parking Pilot Project.' Members were of the view that the report accompanying the decision did not have adequate contextual information regarding that decision.

3.3 The Panel received assurances from the Leader of Council (who was standing in for the appropriate Cabinet Member) that the portfolio holder was given a further briefing on the aspects of the pilot project. Additional information was also provided to Panel members and after the debate no further action was required.

## **4.0 Panel Recommendations to Cabinet - Implementation Monitoring**

4.1 There are no recommendations from this Panel that are currently up for consideration by Cabinet.

Contact Officer:	Charles Hungwe, Senior Democratic Services Officer, Ext 7186
Reporting to:	Nick Hughes, Committee Services Manager, Ext 7108

## Annex List

Annex 1	Executive, Policy & Community Safety Scrutiny Panel Work Programme 2018/19
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## Background Papers

Title	Details of where to access copy
None	N/A

## Corporate Consultation

Finance	
Legal	

**Table 1**

Executive, Policy & Community Safety Scrutiny Panel Work Programme for 2018/19		
Meeting Date	Indicative Agenda Items	Issue Source
31 January 2019	Cabinet Member Presentation	Standing Agenda Item
	Post decision/implementation review - Public Spaces Protection Order No. 3 (Anti-Social Behaviour) (PSPO)	Safer Neighbourhoods
	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

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**FORWARD PLAN AND EXEMPT CABINET REPORTS LIST**

Executive, Policy & Community  
Safety Scrutiny Panel

**31 January 2019**

Report Author

**Senior Democratic Services Officer**

Portfolio Holder

**Councillor Ashbee, 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**

<b>Financial and Value for Money</b>	There are no financial implications arising directly from this report.									
<b>Legal</b>	There are no legal implications arising directly from this report.									
<b>Corporate</b>	The Forward Plan is a publication of key decisions, policy framework.									
<b>Equalities Act 2010 &amp; Public Sector Equality Duty</b>	<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 &amp; maternity. Only aim (i) of the Duty applies to Marriage &amp; 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.	✓
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.	✓									

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

<b>CORPORATE VALUES (tick those relevant)✓</b>	
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](http://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

<b>Finance</b>	Matt Sanham, Interim Head of Financial Services & Procurement
<b>Legal</b>	Tim Howes, Director of Corporate Governance & Monitoring Officer



**FORWARD PLAN AND EXEMPT CABINET REPORT LIST**

**9 JANUARY 2019 TO 30 JUNE 2019**

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

Key decisions

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

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

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

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

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

# Agenda Item 7

## Annex 1

### Reports to be considered in private session

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

If you wish to make any representations relating to a proposal to hold part of a meeting in private due to the potential disclosure of exempt information, please contact Nicholas Hughes, Committee Services Manager, PO Box 9, Cecil Street, Margate, Kent CT9 1XZ, [nicholas.hughes@thanet.gov.uk](mailto: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](mailto: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 Operational Services
Councillor Ash Ashbee	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

## 9 January 2019 to 30 June 2019

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
Treasury Management Strategy and Annual Investment Strategy – Mid Year Review report 2018-19	To consider the Treasury Management Strategy and Annual Investment Strategy – Mid Year Review report 2018-19	1. Governance and Audit Committee  Cabinet  Council 2. Matthew Sanham, Corporate Finance Manager	Councillor Ian Gregory, Cabinet Member for Financial Services and Estates	5 Dec 18  15 Jan 19  7 Feb 19	Non-Key		G&A Committee report  Cabinet report  Council 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
Budget 2019-20 Report	To consider the Budget report for 2019-20 including the treasury management strategies for next year.	1.Cabinet  Finance, Budget & Performance Scrutiny Panel  Cabinet  Council 2.Matthew Sanham, Corporate Finance Manager	Councillor Ian Gregory, Cabinet Member for Financial Services and Estates	15 Jan 19  24 Jan 19  29 Jan 19  7 Feb 19	Non-Key		Cabinet report  Finance Scrutiny Panel report  2nd Cabinet report  Council report
Council Tax Base 2019-20 Report	To agree the Council Tax Base for 2019-20	1.Cabinet 2.Matthew Sanham, Corporate Finance Manager	Councillor Ian Gregory, Cabinet Member for Financial Services and Estates	15 Jan 19	Key		Cabinet report
Review of Contaminated Land Strategy	The strategy will be updated following installation of new contaminated land system and prioritization exercise.	1.Cabinet 2.Morgan Sproates, Environmental Protection Manager	Councillor Lesley Ann Game, Cabinet Member for Housing and Safer Neighbourhoods	29 Jan 19	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
Asset management	Consideration of assets identified as surplus and suitable either for community asset transfer or sale at market value.	1.Cabinet 2.Edwina Crowley, Interim Head of Asset Management	Councillor Ian Gregory, Cabinet Member for Financial Services and Estates	29 Jan 19	Non-Key		Cabinet report
Corporate Performance Report Quarter 3 2018-19	Monitoring the performance of the council against the corporate priorities.	1.Finance, Budget & Performance Scrutiny Panel  Cabinet 2.Hannah Thorpe	Councillor Ian Gregory, Cabinet Member for Financial Services and Estates	14 Feb 19  14 Mar 19	Non-Key		Finance Scrutiny Panel report  Cabinet report
2019-20 Council Tax Resolution	To set the Council Tax for 2019-20, including the precepts.	1.Council 2.Matthew Sanham, Corporate Finance Manager	Councillor Ian Gregory, Cabinet Member for Financial Services and Estates	28 Feb 19	Non-Key		Council report
Q3 Budget Monitoring	Q3 update of the 2018/19 Budget position.	1.Cabinet 2.Matthew Sanham, Corporate Finance Manager	Councillor Ian Gregory, Cabinet Member for Financial Services and Estates	14 Mar 19	Non-Key		Cabinet report

Annex 1

Agenda Item 7

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
Policy for imposing financial penalties under the Housing Act 2004 and Housing and Planning Act 2016.	To allow the council to impose a financial penalty of up to £30,000 as an alternative to prosecution for certain housing offences.	1. Cabinet 2. Richard Hopkins, Housing Regeneration Team Leader Tel: 01843 577402	Councillor Lesley Ann Game, Cabinet Member for Housing and Safer Neighbourhoods	14 Mar 19	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.