



Date: 12 October 2020
Our ref: Cabinet/Agenda
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CABINET

22 OCTOBER 2020

A meeting of the Cabinet will be held at **5.30 pm on Thursday, 22 October 2020** via this link, <https://youtu.be/BLt1DythxIs>.

Membership:

Councillor Cllr Everitt (Chairman); Councillors: Helen Whitehead, Albon, Duckworth and Yates

AGENDA

Item
No

Subject

1. **APOLOGIES FOR ABSENCE**
2. **DECLARATIONS OF INTEREST** (Pages 3 - 4)
To receive any declarations of interest. Members are advised to consider the advice contained within the Declaration of Interest advice attached to this Agenda. If a Member declares an interest, they should complete the [Declaration of Interest Form](#)
3. **MINUTES OF PREVIOUS MEETING** (Pages 5 - 8)
To approve the summary of recommendations and decisions of the Cabinet meeting held on 17 September 2020, copy attached.
4. **ASSET MANAGEMENT - RAMSGATE MARKET** (Pages 9 - 14)
5. **CREMATION AND FUNERAL SERVICES - RECLAIMING FEES FROM GOVERNMENT**
(Pages 15 - 24)
6. **NEW BUILD PHASE 4 AFFORDABLE DEVELOPMENT PROGRAMME** (Pages 25 - 30)

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

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

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

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

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

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

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

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

An associated person is defined as:

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

An Authority Function is defined as: -

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



If you are at a meeting and you think that you have a significant interest then you **must** declare the existence **and** nature of the significant interest at the commencement of the matter, or when the interest has become apparent, or the declarations of interest agenda item.

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

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

Gifts, Benefits and Hospitality

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

What if I am unsure?

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

If you need to declare an interest then please complete the declaration of [interest form](#).

CABINET

Minutes of the meeting held on 17 September 2020 at 5.00 pm in Online Viewing Only.

Present: Councillor Rick Everitt (Chairman); Councillors Helen Whitehead, Albon, Duckworth and Yates

In Attendance: Councillors Ashbee, Bailey, Game, Pugh, Garner, Hart and Rogers

671. APOLOGIES FOR ABSENCE

There were no apologies made at the meeting.

672. DECLARATIONS OF INTEREST

There were no declarations of interest.

673. MINUTES OF PREVIOUS MEETING

Councillor Everitt proposed, and Councillor Albon seconded and Members agreed the minutes as a correct record of the meeting held on 30 July 2020.

674. PETITION REGARDING DOG RESTRICTIONS ON THANET BEACHES

Members considered the petition referred to Cabinet by Council and they were advised that the Anti-Social Behaviour, Crime and Policing Act 2014 gave local authorities the power to make public space protection orders. The Secretary of State had also published statutory guidance on how public space protection orders were to be applied.

Failure to comply with the legislative requirements for a Public Space Protection Order would leave the local authority open to legal challenge in the Courts. The Dog Control Public Space Protection Order was adopted under the provisions of the Anti-Social Behaviour, Crime and Policing Act 2014 including public consultation and agreement at Council. In order to amend these as requested by the petitioners, a consultation and adoption process would need to be completed.

Having such restrictions for dogs in place is a condition of the Blue Flag and Seaside Awards that a number of Thanet beaches have been awarded. As the movement restrictions imposed in response to the global pandemic had been eased by government, the district experienced an unprecedented increase in summer visitors to enjoy Thanet beaches. The prolonged hot weather, an increase in UK holidays and short breaks also contributed to that increase in visitor numbers. In order to manage that situation it was important to keep the Dog Control Public Space Protection Order restrictions in place.

Councillor Everitt, Leader of Council expressed concern over the long time it took to process petitions under the current Council Petition Scheme. The Leader requested that a review be undertaken by the Constitutional Review Working Party that would lead to the expeditious processing of petitions in the future.

Councillor Albon proposed, Councillor Everitt seconded and Cabinet agreed recommendation 3.2 which was, not to change the current Dog Control Public Space Protection Order.

675. UPDATE ON POTENTIAL SITES FOR A TEMPORARY STOPPING SITE

The provision of processing temporary tolerated travel sites was a legal and moral obligation that the council had to undertake. Having permanent sites in full consultation

of all the local communities including the traveller community was an important consideration for the council.

Historically unauthorised encampments have used TDC land, KCC land and private land; however there has been a growing tendency over the last couple of years to use TDC land. The Travellers Review Group was set up at the Overview & Scrutiny Panel to review and report back to the Panel on understanding of and an approach to managing the impact of Traveller unauthorised encampments in the Thanet area.

The review group were asked to investigate the impact of unauthorised encampments in Thanet and make recommendations to the Overview and Scrutiny Panel on what the Council could do to mitigate the impact of the unauthorised encampments (if necessary) whilst still meeting its obligations to local residents and the Travellers. There has been significant interest from stakeholders and local residents regarding a temporary tolerated site including commentary on suitability of sites, level of need and other locations. In order to capture this information and understand the views of all those with an interest in temporary stopping sites a robust engagement process is required.

The Local Plan has recently been adopted and is now subject to a review process. This process would include a defined consultation and the ability to place a general call to landowners to put forward sites for specific uses. Any sites put forward would be assessed for suitability after which a set of sites would be proposed to Members for public consultation.

Councillor Pugh and Councillor Bailey spoke under council procedure 20.1.

Councillor Whitehead proposed, Councillor Everitt seconded and Cabinet agreed the following:

1. That the identification of appropriate tolerated stopping sites becomes part of the Local Plan review;
2. That Officers continue with an officer and partner group, working with known groups of gypsies and travellers to address site access and behaviours.

676. ANNUAL TREASURY MANAGEMENT REVIEW 2019-20

Cabinet considered a summary of the treasury management activity and prudential/treasury indicators for 2019-20. However, the council's 2019-20 accounts had not yet been audited and hence the figures in the report were subject to change. The meeting was advised that the council was required to operate a balanced budget, which broadly meant that cash raised during the year would meet cash expenditure.

Part of the treasury management operation was to ensure that this cash flow was adequately planned, with cash being available when it was needed. Surplus monies were invested in low risk counterparties or instruments commensurate with the council's low risk appetite, providing adequate liquidity initially before considering investment return.

The second main function of the treasury management service was the funding of the council's capital plans. These capital plans provided a guide to the borrowing need of the council, which was essentially the longer-term cash flow planning, to ensure that the council could meet its capital spending obligations. This management of longer-term cash may involve arranging long or short-term loans, or using longer-term cash flow surpluses. On occasion, when it was prudent and economic, any existing debt would also be restructured to meet council risk or cost objectives.

Cabinet confirmed that it had complied with the requirement under the Treasury Management Code of Practice to give prior scrutiny to all of the above treasury

management reports by the Governance and Audit Committee before they were reported to the full council. Member training on treasury management issues was last undertaken during 2019/20 in order to support members' scrutiny role, and further training would be arranged as required.

Councillor Yates proposed, Councillor Everitt seconded and Cabinet agreed to:

1. Note the actual 2019-20 prudential and treasury indicators in this report;
2. Approve this Annual Treasury Management report for 2019-20;
3. Recommend this report to council.

677. PROCUREMENT OF FIRE SAFETY WORKS

Cabinet considered the report on the procurement of fire safety works for its housing stock. The safety of council tenants was an important priority for the council. The council owns approximately 3,400 tenanted and leasehold homes. The works included passive fire safety works, including fire doors and fire stopping and the installation of fire alarms, fire detection and smoke ventilations at Harbour Towers, Trove Court, Kennedy House, Brunswick Court and Staner Court.

Similar works had been completed at Invicta House in Margate and had been recognised by the Kent Fire & Rescue Service as best practice. The intention was to replicate these best practice works in all of the council's tower blocks to honour the council's commitment as a landlord given to the council tenants.

All costs, investment and income for these homes was managed through the council's Housing Revenue Account, and budgets for revenue and capital works were reviewed annually. In addition to the annual review of revenue and capital budgets, key decisions were also required for approval by Cabinet for any expenditure that is for:

- i. Works or services that exceed £250,000, or
- ii. A contract over a number of years with an expected value in excess of £750,000.
The letting of the contracts detailed in this report are therefore considered to be key decisions.

The awarding of the contracts detailed in the Cabinet report was therefore considered to be key decisions which had to be taken at a Cabinet meeting. Works are anticipated to start on site during 2020/21 and take around four months to complete.

Councillor Whitehead proposed, Councillor Everitt seconded and Cabinet authorised:

1. The letting of the contract for the completion of passive fire safety works, as detailed in the Cabinet report;
2. The letting of the contract for the renewal of fire alarms, detection equipment and smoke ventilation as detailed in the report.

678. LIFT REFURBISHMENT CONTRACT UPDATE

Cabinet considered an initial report at its meeting on 30 July 2020 and agreed to approve the letting of the contract for the refurbishment of seven passenger lifts in council owned residential buildings. The conditions of the lifts had been an ongoing concern considering that a number of vulnerable residents who needed access to the building were living in these properties. The refurbishment of the lifts was therefore a top priority for the council to address the situation.

The report informed members of the blocks included in the programme, the method of procurement and the pre-tender estimated costs of £1.6m. The letting of the contract was

also subject to the approval of the required budget at full council on 10 September 2020. Submitted tenders were evaluated for both price and quality and a winning bidder identified. This report was an update to Members on the finally approved budget for the works.

The value of the winning tender was £1.865m, some £265k above the pretender estimate for the works. This was still considered to represent good value, as it had been thoroughly market tested by means of a full public tender process and the additional budget required was presented and approved by the full council at its meeting on 10 September 2020.

Councillor Whitehead proposed, Councillor Everitt seconded and Cabinet agreed to note the contents of the report.

Meeting concluded: 5.27 pm

Asset management - Ramsgate Market

Meeting	22nd October 2020
Report Author	Tim Howes, Director of Corporate Governance and Monitoring Officer
Portfolio Holder	Cllr-Ruth Duckworth, Cabinet Member for Estates and Economic Development
Status	For Decision
Classification:	Unrestricted
Key Decision	No
Ward:	Sir Moses Montefiore, Eastcliff, Central Harbour, Clifsend and Pegwell, Nethercourt and Newington Ward

Executive Summary:

This report details the outcome of the market trial month at Staffordshire Street Car Park, Ramsgate and makes recommendations for future dispositions.

Recommendation(s):

1. To agree to cease the current arrangement, and procure a new market operator that will operate capably, maximising the benefits for the market traders, consumers and the wider community.
2. To agree to market proposals for the market under the "Canterbury model" outlined below at paragraph 2.2.
3. To give delegated authority to the Director of Estates, in consultation with the Portfolio Holder for Estates and Economic Development, to choose an appropriate operator following the procurement exercise and enter into the relevant Agreement(s) with them, on terms to be agreed.
4. To give delegated authority to the Director of Estates to agree the Heads of Terms for the Agreement(s) under which the new operator will operate.

Corporate Implications

Financial and Value for Money

There are no financial implications arising directly from this report and value for money will be derived by following the Councils procurement process to find a new market operator.

Legal

Procurement will involve the advertising of the proposals in line with appropriate regulations and the award of a Concession Contract to the market operator. Otherwise the proposal has no legal implications.

Corporate

The council's Corporate Statement sets out its commitment to, 'Constructively explore approaches for Community Wealth Building and Maximise the return on our assets and services'.

Equality Act 2010 & Public Sector Equality Duty

Members are reminded of the requirement, under the Public Sector Equality Duty (section 149 of the Equality Act 2010) to have due regard to the aims of the Duty at the time the decision is taken. The aims of the Duty are: (i) eliminate unlawful discrimination, harassment, victimisation and other conduct prohibited by the Act, (ii) advance equality of opportunity between people who share a protected characteristic and people who do not share it, and (iii) foster good relations between people who share a protected characteristic and people who do not share it.

Protected characteristics: age, sex, disability, race, sexual orientation, gender reassignment, religion or belief and pregnancy & maternity. Only aim (i) of the Duty applies to Marriage & civil partnership.

This report relates to the following aim of the equality duty:

- To advance equality of opportunity between people who share a protected characteristic and people who do not share it.

The procurement of a new market will have no impact under the Equality Act 2010 and Public Sector Equality Duty.

The new market will be of benefit to the community and will support our commitment under these acts to continue to provide inclusive community facilities.

Corporate Priorities

This report relates to the following corporate priorities: -

- Growth
- Communities

1.0 Introduction and Background

1.1 The Ramsgate market was relocated in June 2020 to allow for safe social distancing which would not have been feasible in its long-standing position on the junctions of Queen Street and King Street. This is because of the need to provide queuing spaces in front of each commercial unit whilst still allowing for pedestrian thoroughfare.

Even after the easing of the restrictions on social distancing in July, down to 1 metre where 2 metres isn't possible, keeping the market in that location still didn't allow for safe social distancing.

The council recognises the role a market can play in supporting footfall into a town and acknowledges the affiliation for the current provision by local residents, as well as the need to support the established traders in these difficult times.

As an alternative, Staffordshire Car Park was proposed and intended to provide a market facility on a Friday and Saturday. There were, however, no traders willing to attend on a Saturday.

Although historically the Ramsgate Market was successful, there is evidence that the income generated by the market has been decreasing year on year. This downward trend was consistent even prior to COVID-19 restrictions or change in location.

2.0 The Current Situation

2.1 Staffordshire Car Park was introduced as an alternative location for the market on a trial period of four weeks.

This trial required the suspension of car parking in part, and temporarily relocating the disabled parking bays throughout the remaining car park.

The trial market was widely advertised via posters, leaflets, banners, social media and newspaper articles.

The early stages of the trial had identified a severe decrease in traders willing to participate in the market, with no traders willing to attend on Saturdays.

The low numbers of traders and low income generated has left the market operator prepared to cease trading.

The Council incurs a cost of £16,604.23 Per Annum on business rates for the Ramsgate Market at the High Street location. The market operator is required to pay a 50% split of the net income to The Council.

Annexe 1 attached below details the breakdown of costs to The Council and the loss generated by the market.

As the market operator is no longer able to operate the Staffordshire Street market due to a decrease in traders willing to participate in the market, alternative locations for the market have been considered, but they would not comply with existing COVID restrictions.

2.2 The Council acknowledges the benefits of a diverse market on the local community, consumers and traders alike and remains determined to restore a market in Ramsgate.

It is therefore proposed to market the opportunity in 'new format' (e.g. Canterbury Model - with diverse themes on different days, high-quality goods, coordinating gazebos), and subsequently extend the exercise to local tender to grant a service concession contract to operate the new market.

3.0 Options

- 3.1 To cease the current arrangement, and procure a new market based on the canterbury model, that will operate capably, maximising the benefits for the market traders, consumers and the wider community as per the recommendation above.
- 3.2 To cease the current arrangement and not reopen a market.

4.0 Next Steps

- 4.1 The procurement of the new market to develop within the next six months. Careful consideration will be given to the location elements, potential COVID-19 restrictions, diversity of market goods with periods of specialist market (Halloween, Christmas, Easter, etc.).
As part of the new market development exercise, the council will engage with Ramsgate Town Council as well as welcome input from all potential vendors.

Contact Officer: Andreea Plant - Estates Surveyor
Reporting to: Victoria Kellet - Director of Property

Annex List

Annexe 1: List of costs

Background Papers

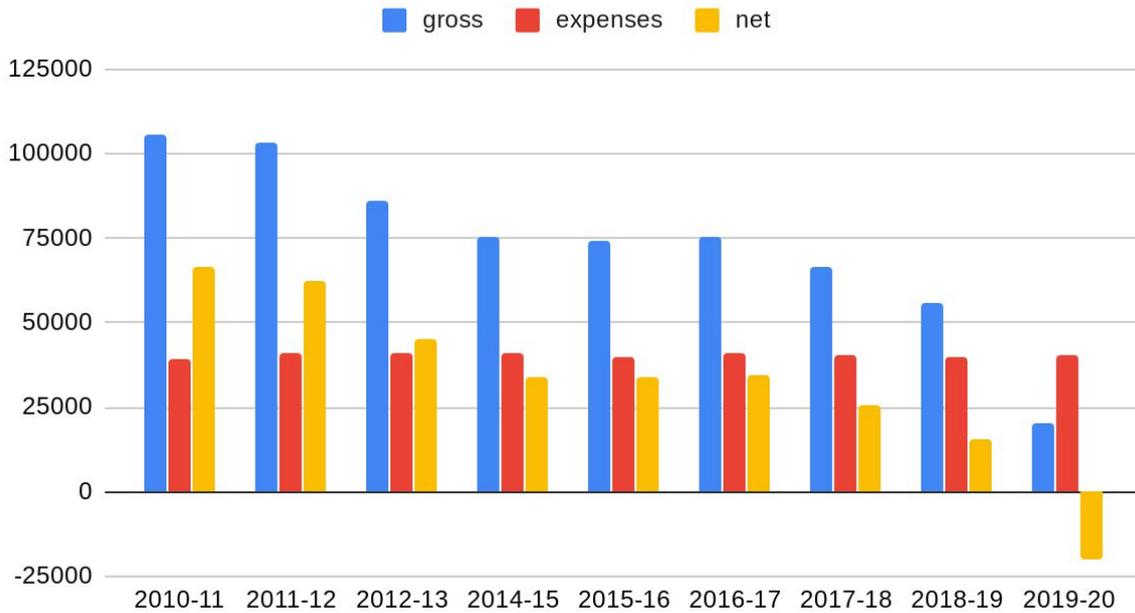
Title: Strategic Asset Management Plan - Thanet District Council Website or contact estates@thanet.gov.uk.

Corporate Consultation

Finance: Matt Sanham, Financial Services Manager
Legal: Estelle Culligan, Director of Law and Democracy

**Asset Management - Ramsgate Market- Cabinet 22 October 2020
Annexe 1 - List of costs**

Market operator activity per financial year



Trial Market Operator Gross income, Operating Costs and Profit/Loss



Agenda Item 4 Annex 1

Market Operator	Gross income	Operating costs	Profit/Loss
Fri 14.08.2020	£250.00	£307.17	-£57.17
Sat 15.08.2020	£0.00	£0.00	£0.00
Fri 21.08.2020	£270.00	£307.17	-£37.17
Sat 22.08.2020	£0.00	£0.00	£0.00
Fri 28.08.2020	£180.00	£307.17	-£127.17
Sat 29.08.2020	£0.00	£0.00	£0.00
Fri 04.09.2020	£210.00	£307.17	-£97.17
Sat 05.09.2020	£0.00	£0.00	£0.00
TOTAL	£910.00	£1,228.68	-£318.68

Cost of market to TDC	Car Parking income and suspension notice	Estates Licence Fee Costs	Business Rates (Using figures from previous year)	
Fri 14.08.2020	£810.60	£41.25	£172.96	
Sat 15.08.2020	£810.60	£41.25	£172.96	
Fri 21.08.2020	£810.60	£41.25	£172.96	
Sat 22.08.2020	£810.60	£41.25	£172.96	
Fri 28.08.2020	£810.60	£41.25	£172.96	
Sat 29.08.2020	£810.60	£41.25	£172.96	
Fri 04.09.2020	£810.60	£41.25	£172.96	
Sat 05.09.2020	£810.60	£41.25	£172.96	
TOTAL	£6,484.80	£330.00	£1,383.68	£8,198.48

Cremation and Funeral Services Reclaiming Fees from Government

Cabinet	22 October 2020
Report Author	Director of Operations
Portfolio Holder	Councillor Albon, Cabinet Member for Operational Services
Status	For Decision
Classification:	Unrestricted
Key Decision	No
Previously Considered by	Council - 6 December 2018
Ward:	All Wards

Executive Summary:

At the beginning of the 2019-20 financial year, fees and charges for funerals for children under the age of 18 years were removed, this followed a decision at the meeting of Council on 6 December 2018. On 23 July 2019, the Children's Funeral Fund was set up by the Government and families suffering from the loss of a person under the age of 18 could reclaim some associated costs.

In recent months, it has become apparent that cremation and burial authorities are re-introducing fees for those under 18 years of age to cover costs associated with providing this service.

Recommendation(s):

That Cabinet approves the reintroduction of cremation and burial fees for those under the age of 18 on the basis that these fees can be claimed from the Government via the Children's Funeral Fund.

Corporate Implications

Financial and Value for Money

Whilst very few services are carried out for those under the age of 18 years, since the removal of the fees for children, there have been:

- 3 stillborn and 8 burials for those under 18
- 5 stillborn and 6 cremations for those under 18

The cost of providing these services has had to be supported by other income generated by the Cemeteries and Crematorium Service.

The introduction of the Children's Funeral Fund is an opportunity to reinstate fees for these services, without impacting financially on families suffering bereavement.

The actual fee to be charged for these services will be reviewed annually and agreed by members as part of the corporate fees and charges setting process.

Legal

No legal implications are considered to be generated by the proposal to reintroduce fees for those under the age of 18.

Corporate

No corporate risks are anticipated in connection with the proposed reintroduction of fees to be claimed from the Children's Funeral Fund.

Equality Act 2010 & Public Sector Equality Duty

The proposal to reintroduce charges for cremations and burials of those under the age of 18 is not considered to specifically relate to any of the three aims of the duty.

A Customer Impact Assessment is attached at Annex 1

CORPORATE PRIORITIES

This report relates to the following corporate priorities:

- Growth

1.0 Introduction and Background

1.1 On 31 March 2018, it was announced that a Children's Funeral Fund would be set up in England, under which fees for burials and cremations would be waived by burial and cremation authorities and met instead by Government funding. Several MPs campaigned for this scheme to be introduced, including one who had lost a son aged 8 years who raised concerns about bereaved parents meeting the costs of their child's service.

1.2 From 23rd July 2019, fees associated with cremation or burial services could be claimed from the Children's Funeral Fund. All services for those under the age of 18 years are eligible regardless of the nationality or residence of the child or applicant and the claim is not means-tested.

1.3 The Children's funeral fund covers stillborn up to the age of 18 years.

2.0 The Current Situation

2.1 Thanet District Council waived all fees for those under the age of 18 years from 1st April 2019, except for the purchase of burial rights, which was optional. However, this means that the actual costs still has to be funded by the Council and it is unable to reclaim those from the Children's Funeral Fund.

- 2.2 It is proposed that fees are introduced from April 2021 to cover the costs incurred by providing this service as set out below.

Cremation

Non Viable Foetus - to remain free of charge (not eligible for the Children's Funeral Fund)

Stillborn - 4 years (including medical referee fee)	- £304
5 - 9 years (including medical referee fee)	- £380
10 - 17 years (including medical referee fee)	- £532

Burial

(digging fees at single depth)

NVF - free of charge (not eligible for the Children's Funeral Fund)

Stillborn - 4 years	- £328
5 - 9 years	- £492
10 - 17 years	- £657

It is proposed that should an adult grave be requested, then adult fees would be applicable.

3.0 Options

- 3.1 Option 1 - That Cabinet approves the reintroduction of cremation and burial fees for those under the age of 18 solely on the basis that reimbursement of these fees can be reclaimed from the Government via the Children's Funeral Fund. Note: Under no circumstance will there be a payment required by the bereaved family for cremation or burial.
- 3.2 Option 2 - continue with the current fees and charges arrangements i.e. that no charges are made for cremations and burials for those under the age of 18.

Contact Officer: Nicola Dowsett - Bereavement Services Manager and Registrar
Reporting to: Mike Humber - Director of Operations

Annex List

Annex 1: Customer Impact Assessment

Background Papers

Background Paper 1: Burial and Cremation Authority Application Form

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/873172/CCF3_0320_save.pdf

Corporate Consultation

Finance: Chris Blundell, Director of Finance

Legal: Estelle Culligan, Director of Law and Democracy

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Equality Impact Assessment



Topic	Cremation and Funeral Services Reclaiming Fees from Government (Children’s Funeral Fund)
For decision by/project lead	Cabinet
Date of assessment (or date range if over a period of time)	September 2020
Author	Nicola Dowsett

Introduction to the proposal and background	<p>On 31 March 2018, it was announced that a Children’s Funeral Fund to be set up in England, under which fees for burials and cremations would be waived by burial and cremation authorities and met instead by Government funding. Several MPs campaigned for this scheme to be introduced, including one who had lost a son aged 8 years who raised concerns about bereaved parents meeting the costs of their child’s service.</p> <p>On 23rd July 2019, fees associated with cremation or burial services could now be claimed from the Children’s Funeral Fund. All services for those under the age of 18 years are eligible regardless of the nationality or residence of the child or applicant and the claim is not means- tested.</p> <p>The Children’s funeral fund covers from stillborn up to the age of 18 years. NVF’s are not included in the fund.</p> <p>Therefore it is proposed that these fees be reintroduced and claimed directly from the Fund. Normal practice is to charge the appointed funeral director for the services provided, however, any fees incurred by a service for those under 18 will be invoiced directly to the Children’s Funeral Fund and submitted along with the claim form. Families will not be expected to pay any costs.</p>
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PSED Engaged by this topic (Select)	Yes	x	No		If no, please explain your reasoning and provide evidence where possible.
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Protected Characteristic	Definitions	Positive Impact			Negative Impact	No specific impact	What will the impact(s) be? If there is a negative impact, can you mitigate it or suggest alternative options for the groups identified? Include detail of any consultation that has taken place with affected groups and any other relevant data that supports the points you make (see EIA Guidance).
		P	P	P			
		S	S	S			<p>If there is a negative impact, please explain the ‘legitimate aim you are trying to achieve’ and provide evidence that no other options are available.</p> <p>Use this space to evidence your thinking if you believe there to be no impact on a particular protected characteristic. Ensure you assess each protected characteristic.</p>

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Annex 1

Agenda Item 5

		m 1	m 2	m 3			
Gender	Men/Boys					x	No impacts identified on the reintroduction of fees for those under 18 years to be claimed from the Children’s Funeral Fund, however, if further information should arise, this will be reconsidered in accordance with the continuing nature of the duty
	Women/Girls					x	No impacts identified on the reintroduction of fees for those under 18 years to be claimed from the Children’s Funeral Fund, however, if further information should arise, this will be reconsidered in accordance with the continuing nature of the duty
Gender Reassignment						x	No impacts identified on the reintroduction of fees for those under 18 years to be claimed from the Children’s Funeral Fund, however, if further information should arise, this will be reconsidered in accordance with the continuing nature of the duty
Disability	Physical					x	No impacts identified on the reintroduction of fees for those under 18 years to be claimed from the Children’s Funeral Fund, however, if further information should arise, this will be reconsidered in accordance with the continuing nature of the duty
	Mental Ill health/disability					x	No impacts identified on the reintroduction of fees for those under 18 years to be claimed from the Children’s Funeral Fund, however, if further information should arise, this will be reconsidered in accordance with the continuing nature of the duty
	Learning difficulty/disability					x	No impacts identified on the reintroduction of fees for those under 18 years to be claimed from the Children’s Funeral Fund, however, if further information should arise, this will be reconsidered in accordance with the continuing nature of the duty
	Sensory impairment					x	No impacts identified on the reintroduction of fees for those under 18 years to be claimed from the Children’s Funeral Fund, however, if further information should arise, this will be reconsidered in accordance with the continuing nature of the duty
Age	Babies and children (0-16)		x				No impacts identified on the reintroduction of fees for those under 18 years to be claimed from the Children’s Funeral Fund, however, if further information should arise, this will be reconsidered in accordance with the continuing nature of the duty

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	Young adults (16-25)					No impacts identified on the reintroduction of fees for those under 18 years to be claimed from the Children's Funeral Fund, however, if further information should arise, this will be reconsidered in accordance with the continuing nature of the duty
	Mid-age adults (26-59)				x	No impacts identified on the reintroduction of fees for those under 18 years to be claimed from the Children's Funeral Fund, however, if further information should arise, this will be reconsidered in accordance with the continuing nature of the duty
	Older adults (60+)				x	No impacts identified on the reintroduction of fees for those under 18 years to be claimed from the Children's Funeral Fund, however, if further information should arise, this will be reconsidered in accordance with the continuing nature of the duty
Race	White British/white other				x	No impacts identified on the reintroduction of fees for those under 18 years to be claimed from the Children's Funeral Fund, however, if further information should arise, this will be reconsidered in accordance with the continuing nature of the duty
	Mixed race				x	No impacts identified on the reintroduction of fees for those under 18 years to be claimed from the Children's Funeral Fund, however, if further information should arise, this will be reconsidered in accordance with the continuing nature of the duty
	Asian/Asian British				x	No impacts identified on the reintroduction of fees for those under 18 years to be claimed from the Children's Funeral Fund, however, if further information should arise, this will be reconsidered in accordance with the continuing nature of the duty
	Black/Black British				x	No impacts identified on the reintroduction of fees for those under 18 years to be claimed from the Children's Funeral Fund, however, if further information should arise, this will be reconsidered in accordance with the continuing nature of the duty
	Arab/Arab British				x	No impacts identified on the reintroduction of fees for those under 18 years to be claimed from the Children's Funeral Fund, however, if further information should arise, this will be reconsidered in accordance with the continuing nature of the duty
	Gypsies/travellers				x	No impacts identified on the reintroduction of fees for those under 18 years to be claimed from the Children's Funeral Fund, however, if further

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						information should arise, this will be reconsidered in accordance with the continuing nature of the duty
	Other ethnic group					x No impacts identified on the reintroduction of fees for those under 18 years to be claimed from the Children’s Funeral Fund, however, if further information should arise, this will be reconsidered in accordance with the continuing nature of the duty
Sexual Orientation	Heterosexual					x No impacts identified on the reintroduction of fees for those under 18 years to be claimed from the Children’s Funeral Fund, however, if further information should arise, this will be reconsidered in accordance with the continuing nature of the duty
	Gay man					x No impacts identified on the reintroduction of fees for those under 18 years to be claimed from the Children’s Funeral Fund, however, if further information should arise, this will be reconsidered in accordance with the continuing nature of the duty
	Lesbian					x No impacts identified on the reintroduction of fees for those under 18 years to be claimed from the Children’s Funeral Fund, however, if further information should arise, this will be reconsidered in accordance with the continuing nature of the duty
	Bisexual					x No impacts identified on the reintroduction of fees for those under 18 years to be claimed from the Children’s Funeral Fund, however, if further information should arise, this will be reconsidered in accordance with the continuing nature of the duty
Religion or Belief	Faith Groups		x			No impacts identified on the reintroduction of fees for those under 18 years to be claimed from the Children’s Funeral Fund, however, if further information should arise, this will be reconsidered in accordance with the continuing nature of the duty
Pregnancy & Maternity						x No impacts identified on the reintroduction of fees for those under 18 years to be claimed from the Children’s Funeral Fund, however, if further information should arise, this will be reconsidered in accordance with the continuing nature of the duty
Marriage & Civil Partnership	<i>(Aim 1 of the PSED only)</i>					x No impacts identified on the reintroduction of fees for those under 18 years to be claimed from the Children’s Funeral Fund, however, if further information should arise, this will be reconsidered in accordance with the continuing nature of the duty

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Socio-Economic Background	<i>(N.B not a protected characteristic but relevant to Thanet)</i>		x		No impacts identified on the reintroduction of fees for those under 18 years to be claimed from the Children’s Funeral Fund, however, if further information should arise, this will be reconsidered in accordance with the continuing nature of the duty
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Consultation with Information Governance & Equality Team					
Date advice given					
Advice					
Advice accepted by responsible officer?	Yes	x	No		If no, please explain your reasoning.

Approval and Signoff from Line Manager			
Name	Mike Humber	Job Title	Director of Operations
Date	21 September 2020		

Please ensure this EIA is appended to your report to CMT/Members (if going to CMT/Committee) and that the main issues are highlighted in the Equality section of the report template to enable the decision maker to discharge the PSED at the time the decision is made.

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New Build Phase 4 Affordable Development Programme

Cabinet	22nd October 2020
Report Author	Bob Porter, Director of Housing and Planning
Portfolio Holder	Cllr Helen Whitehead, Deputy Leader and Cabinet Member for Housing and Community Services
Status	For Approval
Classification:	Unrestricted
Key Decision	Yes
Ward:	All Wards

Executive Summary:

Funding, totalling £8.822m, has been previously agreed by full council as part of the approved Housing Revenue Account Capital Programme, for phase 4 of the council's housing development programme. It is proposed to deliver the programme by a combination of acquisitions of homes and land for homes and by developing infill sites in council ownership for Affordable Rent.

Recommendation(s):

Cabinet are asked to agree:

- That the capital funding of £8.822m for the approved phase 4 development programme be allocated as set out in this report at paragraph 2.4.

Corporate Implications

Financial and Value for Money

£4.5m has already been approved for the Phase 4 Programme within the HRA Capital Programme in 2020/21. 30% of this budget is made up of 1-4-1 receipts and some of this element of the budget must be expended by December 2020. Therefore it is prudent to pursue with the proposed acquisitions in 2020/21 to ensure compliance with expenditure deadlines and to avoid a loss of capital financing.

All acquisitions undertaken are put through a robust model, to ensure that value for money on each acquisition is achieved over the lifetime of the 30 year business plan.

Legal

The Council has power under section 9 of the Housing Act 1985 to acquire houses for the purpose of providing housing accommodation. The houses so acquired must then be dealt

with in accordance with the provisions of the Act, and any relevant subsequent legislation and may become subject to Right to Buy.

Right to Buy receipts must be applied in accordance with relevant legislation and guidance and particularly the Local Authorities (Capital Finance and Accounting) (England) Regulations 2003 (as amended) and the terms of any agreement reached under section 11 (6) of the Local Government Act 2003 modifying the applicability of the regulations.

The National Planning Policy Framework defines affordable housing as social rented, affordable rented and intermediate housing, provided to eligible households whose needs are not met by the market. *This section deals with any legal implications arising from the report*

Corporate

This proposal supports the Council Corporate Statement 2019-2023 , Communities. Work to prevent homelessness and increase housing options including additional social housing.

Equality Act 2010 & Public Sector Equality Duty

Members are reminded of the requirement, under the Public Sector Equality Duty (section 149 of the Equality Act 2010) to have due regard to the aims of the Duty at the time the decision is taken. The aims of the Duty are: (i) eliminate unlawful discrimination, harassment, victimisation and other conduct prohibited by the Act, (ii) advance equality of opportunity between people who share a protected characteristic and people who do not share it, and (iii) foster good relations between people who share a protected characteristic and people who do not share it.

Protected characteristics: age, sex, disability, race, sexual orientation, gender reassignment, religion or belief and pregnancy & maternity. Only aim (i) of the Duty applies to Marriage & civil partnership.

This report relates to the following aim of the equality duty: -

- To eliminate unlawful discrimination, harassment, victimisation and other conduct prohibited by the Act.
- To advance equality of opportunity between people who share a protected characteristic and people who do not share it
- To foster good relations between people who share a protected characteristic and people who do not share it.

Once properties are purchased they will be let in accordance with the council's agree allocations policy. This policy has been subject to a full EIA.

CORPORATE PRIORITIES

This report relates to the following corporate priorities: -

- Communities

1.0 Introduction and Background

- 1.1 The council has previously committed capital funding of £8.822m, from the Housing Revenue Account Capital Programme, for the delivery of phase 4 of its affordable housing development programme. This report seeks the agreement of the council's cabinet for the delivery of that programme. A total of 70% of this funding is from the Housing Revenue Account Business Plan, with the balance of 30% funding from retained right-to-buy receipts. It is anticipated that the programme will deliver around 36 new homes for affordable rent for households in housing need on the council's Housing Register.
- 1.2 These additional homes will increase the number of new homes provided by the council as a result of its new build, acquisition and refurbishment programmes to a total of 191 since 2015.
- 1.3 Over the past 5 years a total of 265 affordable homes have been provided by the council and its Housing Association partners. The Strategic Housing Market Assessment completed in 2016 identified a need for 397 affordable homes per year, however, it is anticipated that this figure could rise significantly. New initiatives to increase the supply of new affordable homes are needed and this is recognised in the new Housing, Homelessness and Rough Sleeper strategy, agreed by the council earlier this year.
- 1.4 In addition, the council is facing a rapid growth in the number of homeless households. This has led to an increase in the number of households in temporary accommodation; currently 79 households are living in temporary accommodation provided by the council.

2.0 The Use of Right to Buy Receipts

- 2.1 Right-to-buy receipts are accrued following a sale of a council home to a tenant through the right to buy legislation. A proportion of these receipts are set aside for the provision of new affordable rented homes (1-4-1 receipts), under the terms of an agreement with the government.
- 2.2 Under the terms of the agreement, the council has three years to spend the set aside receipt. If the receipt is not spent within this time then it must be repaid to the government with interest. If the Council considers it is unlikely to spend the receipts in the future, it can return them at the end of the quarter in which they are received with no financial penalty.
- 2.3 The receipts can only be used to fund up to 30% of the cost of providing new affordable homes. This means that the remaining 70% must be funded from an alternative source. The terms of the agreement place restrictions on the remaining funding and projects cannot include any additional government subsidy nor any contributions from planning agreements with private housebuilders. Match funding from the council's Housing Revenue Account has therefore been identified. The funding can be used for land acquisition, but not where the council has an interest in the land; for example it cannot be used to fund a transfer of land from the council's General Fund to the Housing Revenue Account.
- 2.4 The council can use the money to help fund its own projects or alternatively provide grant funding to a Registered Provider. It is anticipated that the available funding can

be effectively used within the council's own development programme, at least until March 2023. The table below details the total spending required each quarter over the coming 30 months.

RTB 1-4-1 Deadline	Spend required
December 2020	2,984,519.50
March 2021	238,589.97
June 2021	0.00
September 2021	203,344.23
December 2021	0.00
March 2022	0.00
June 2022	1,638,064.97
September 2022	1,843,894.07
December 2022	72,510.83
March 2023	1,126,241.73
Total until March 2023	£8,107163.30

- 2.5 The council also has a number of other housing projects that are contributing to meeting these spending deadlines and it is anticipated that these, together with the proposed programme below will ensure that the deadlines are met.

3.0 Proposed Phase 4 Development Programme

- 3.1 In order to meet the required spending deadlines within the RTB 1-4-1 funding agreement with the government, the following programme of acquisitions and development is proposed:

Number of units	Method	Cost	Timescale
Up to 16 two, three or four bedroom homes	Acquisition of existing or newly completed homes.	Up to £4m	2020/21 Completion by December 2020 and March 2021
Around 10 one, two, or three bedroom homes	Construction of new homes on existing TDC HRA sites.	Up to £3m	For completion during 2022
Around 10 one, two, or three bedroom homes	Land acquisition and construction of new homes.	Up to £3m	For completion by March 2023

The total approved budget is £8.822m, and the proposals set out above include some flexibility to accommodate any variations on costs between the proposed elements of the programme.

4.0 Alternative Options

4.1 The restrictions applied to the use of RTB 1-4-1 receipts mean that the council only has a number of options, as follows:

1. Allocate funding to the acquisition of new homes, the acquisition of land for new homes and for construction, as set out above. This option is recommended and is in line with the approved Capital Programme.
2. Use the 1-4-1 receipts to provide grant funding to a Registered Provider (Housing Association) to provide affordable homes. This option is not recommended as sufficient match funding has already been identified and approved within the council's programme. In addition new homes provided within the Housing Revenue Account add value to the council's HRA business plan over the 30 years of its life.
3. Return the RTB receipts to central government with interest at base rate + 4%. This option is not recommended as it would not help increase the supply of new homes locally, would not utilise the previously approved capital programme and would not support the long term sustainability of the council's HRA Business Plan.

Contact Officer: Ashley Jackson, Housing Strategy & Projects Manager
Reporting to: Bob Porter, Director of Housing and Planning

Corporate Consultation

Finance: Chris Blundell, Director of Finance

Legal: Tim Howes, Director of Corporate Governance

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