



Date: **8 March 2021**  
Our ref: **Cabinet/Agenda**  
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## **CABINET**

**18 MARCH 2021**

A meeting of the Cabinet will be held at **5.30 pm on Thursday, 18 March 2021** by Video Conference via this link, <https://youtu.be/HsVY2sucmf8>.

### **Membership:**

Councillor Cllr Everitt (Chairman); Councillors: 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 28 January 2021, copy attached.
4. **COASTAL & BEACH PUBLIC SPACES PROTECTION ORDER (PSPO)** (Pages 9 - 44)
5. **DOG PUBLIC SPACES PROTECTION ORDER AMENDMENTS (PSPO)** (Pages 45 - 52)
6. **NEW OPEN SPACES GRASS CUTTING REGIME FOR POLLINATORS** (Pages 53 - 94)

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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 28 January 2021 at 5.30 pm in by Video Conference.**

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

**In Attendance:** Councillors Ashbee, J Bayford, R Bayford, Pat Moore, Pugh, D Saunders and Shrubbs

### **709. APOLOGIES FOR ABSENCE**

There were no apologies received at the meeting.

### **710. DECLARATIONS OF INTEREST**

There were no declarations of interest.

### **711. MINUTES OF PREVIOUS MEETING**

Councillor Duckworth proposed, Councillor Whitehead seconded and Members agreed the minutes as a correct record of the meeting held on 19 January 2021.

### **712. CAPITAL WORKS PROGRAMME - 51-57 HIGH STREET, MARGATE**

The meeting was advised that the Council had received a grant payment of £750,000 from the Ministry of Housing, Communities and Local Government for a capital project to commence immediately. The 51-57 High Street, Margate (former M&S) site was identified due to it being in the Council's ownership and being in a key high street location.

The project would include; a replacement roof and scaffolding and soft strip out including safe removal of asbestos and services. This project was externally funded by the Ministry of Housing, Communities and Local Government, and was required to be delivered within the set criteria and restrictions of the Towns Fund programme. An application for Listed Building Consent for the replacement of the roof was granted on 21 January 2021, this was required due to the facade on the Cecil Square side of the buildings being grade 2 listed.

The buildings involved were included in a Joint Venture with Homes England. The works would be subject to formal approval being received through the Joint Venture, permitting the capital works in accordance with the terms and conditions within the agreement. The capital works would be procured in line with the Council's open invitation to tender route led by Procurement. The council was working hard to deliver the project in a timely manner.

This project would enable the vision for the building to be more clearly defined in line with any repurposing of the high street and town centre. It is proposed that the building could form part of a portfolio of assets in a new Creative Land Trust that was proposed within the Margate Town Deal Town Investment Plan submitted to the Government on 11 December, 2020. The proposals within the Investment Plan form part of the discussion with the Joint Venture partners. This capital project fitted strategically with the Council's corporate priorities as it supported inward investment and promotes sustainability and growth of local enterprise.

These works aim to aid the economic recovery for Margate, contributing to the delivery of the Margate Town Deal and the levelling up agenda. Delivery of this capital project would lead to reduced repair bills due to water ingress to the structure and mitigating Asbestos Containing Material management, representing potential revenue savings for the Council.

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

1. To permit the expenditure of the allocated budgets for the agreed capital project to renovate 51-57 High Street, Margate;
2. To give delegated authority to the Director of Regeneration to negotiate and agree the contract documents;
3. To give delegated authority to the Director of Law and Democracy, in consultation with the Director of Regeneration, to sign the contract documents and any other necessary documents to give effect to this decision.

## **713. STATEMENT OF COMMUNITY INVOLVEMENT - REVIEW AND PUBLIC CONSULTATION**

Cabinet considered the report on the Statement of Community Involvement (SCI). This was a statutory requirement which sets out how the Council would consult on planning policy issues, planning applications and neighbourhood plans. The SCI was originally adopted by Council in 2007. A reviewed and updated SCI was adopted by Council in 2012. The SCI should be reviewed now in line with the forthcoming Local Plan review and update, and to reflect changes in methods of communication and engagement. There was also a requirement under the Town and Country Planning Regulations that SCIs are reviewed every 5 years.

The changes in the SCI Review are set out at paragraph 2.2 to the cabinet report with two key changes which are:

- Increased recognition of more recent changes in the use of social media, and seeking to ensure that the SCI reflects these, and the flexibility to deal with situations such as COVID19; and
- Potential administrative charging for long and complex submissions relating to consultation documents, where those submissions are not made directly into the consultation system, but have to be processed by officers. This can be a time-consuming process, which can cause delay to Local Plan progression. However, based on previous experience, it is anticipated that the vast majority of representations would not be affected by administrative charges.

Members agreed to carry out a 6 week public consultation on the revised SCI. Responses from that consultation would be considered and any appropriate amendments made. This would then be reported to Cabinet and Full Council for adoption.

Councillor Everitt proposed, Councillor Albon seconded and Cabinet agreed the revised Statement of Community Involvement to progress for a consultation period of 6 weeks.

## **714. YOUR LEISURE**

Cabinet discussed the report on Your Leisure. Members agreed that the financial impact of Covid-19 on the leisure and entertainment industry has been profound. If no corrective action was taken, the council could be faced with the prospect of many local services having to cease operation. This could have far-reaching long-term effects given the health inequalities that are within the district.

There would be significant financial implications for the council, whether the council took the services in-house, was able to identify an alternative provider or allowed Your Leisure to cease operation altogether. Cabinet acknowledged that there was no risk-free option available on this matter. Whilst Cabinet welcomed the recent Government financial support to the leisure sector; that support did not go nearly far enough and only applied from 2 December 2020. This did not address many months of financial loss before that period, given the first national restrictions were imposed in March 2020.

At this point all of Your Leisure's facilities and services were required to close and consequently, their customer income ceased. Whilst some services have reopened, customer confidence remains low and there was significant uncertainty around when the latest national restrictions will lift. The council has worked closely with Your Leisure throughout the pandemic to understand the challenges they have been facing and has confidence in the management's approach. Supporting a Thanet business, which employs many local people and in turn protects the health and wellbeing of so many of Thanet residents, who really value the services provided, has to be a priority.

Councillor Everitt proposed, Councillor Duckworth seconded and Cabinet agreed:

1. To note the report;
2. To give authority to the s151 Officer, in consultation with the Leader to:
  - a. approve a loan to Your Leisure of between £700k-£1.5m, terms to be agreed but with an interest rate equivalent to market rate;
  - b. provide additional funding to the Winter Gardens to ensure that it can reopen and operate from October 2021 to address the cost of replacing and relocating the boilers at an estimated cost of £230,285 plus VAT;
  - c. explore with YL the potential to refinance, through Council prudential borrowing the existing loans in respect of Ramsgate and Hartsdown Leisure Centres;
3. To agree that the Council will extend the Theatre Royal Agreement until 28 April 2022;
4. To give authority to the Director of Law and Democracy to negotiate and agree any relevant Legal agreements required to reflect these recommendations;
5. To bring back a further report following the review mentioned in 3.1 in the cabinet report.

Meeting concluded: 5.49 pm

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**Beaches and Coast PSPO**

**Cabinet:** 18 March 2021

**Report Author:** Jasmin Vickers - Secondment Director of Environment

**Portfolio Holder:** Cllr Albon, Cabinet Member for Operational Service

**Status:** For Decision

**Previously considered by:** Overview and Scrutiny panel - 18 February 2021

**Ward:** Thanet Wide

**Executive Summary:**

Thanet District Council is proposing to introduce a new Beaches and Coast Public Spaces Protection Order (PSPO). Creating a new PSPO will help protect our coastline and beaches with one code of conduct that replaces all previous beach byelaws. The introduction of the new PSPO will create a safer beach environment for all to enjoy, through deterring and reducing crime and anti-social behaviour and other undesirable activities, which our local communities and visitors are impacted by currently.

PSPOs are only to be used to protect communities from unwanted anti-social behaviours and shall only be enforceable where there is reasonable evidence to do so. A breach of the order is a criminal offence reported to the court or the breach being discharged through a Fixed Penalty Notice.

**Recommendation(s):**

The Cabinet are asked to consider and adopt the new beaches and coast PSPO on 18 March 2021, in accordance with the Anti-Social Behaviour (ASB), Crime and Policing Act 2014.

**CORPORATE IMPLICATIONS**

<b>Financial and Value for Money</b>	<p>The provision of adequate signage, with an initial outlay cost of approximately £5,000 to be covered within this financial year from existing operational foreshores budgets.</p> <p>A full time Coast and Streetscene enforcement officer will be added to the team, on a Grade H, funded from the enforcement service's existing vacant posts.</p>
<b>Legal</b>	<p>The PSPO will enable Thanet District Council to issue fixed penalty notices under the Anti-social behaviour act 2014, Part 4 Legislation.</p>

	<p>Legal have been consulted on the content of this new PSPO. External enforcement training provider; Mallard, and colleagues at Kent Police have also been consulted.</p>								
<b>Corporate</b>	<p>Without the adoption of this PSPO Thanet District Council will be unable to enforce effectively against Beach and Coast related anti social behaviour. The Code of Conduct will also provide a clear set of expectations with regard to use of our beaches, whilst providing more controls over recreational activities in the water and those which impact our protected wildlife areas.</p>								
<b>Equality Act 2010 &amp; Public Sector Equality Duty</b>	<p>CMT 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" style="width: 100%; border-collapse: collapse;"> <tr> <td colspan="2">Please indicate which aim is relevant to the report.</td> </tr> <tr> <td>Eliminate unlawful discrimination, harassment, victimisation and other conduct prohibited by the Act,</td> <td style="text-align: center;">X</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> <p>This PSPO applies to all residents and visitors.</p> <p>An Equalities Impact Assessment has been compiled as part of the PSPO development and will continue to be populated as this progresses through the consultation and approval process.</p>	Please indicate which aim is relevant to the report.		Eliminate unlawful discrimination, harassment, victimisation and other conduct prohibited by the Act,	X	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,	X								
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.									

## 1.0 Introduction and Background

- 1.1 Thanet District Council is proposing to introduce a PSPO to cover the beaches and coastline to replace existing outdated byelaws.
- 1.2 A Public Spaces Protection Order (PSPO) is not the same as a byelaw. PSPOs are intended to deal with a particular nuisance or problem in a particular area that is detrimental to the local community's quality of life. To justify a PSPO there has firstly to be evidence of a nuisance, and secondly that the effect (or the likely effect) of the

activities is of a persistent nature making the behaviour unreasonable and rendering the notice justified.

- 1.3 It does this by imposing conditions on the use of that area, which apply to everyone. Orders are designed to ensure the law-abiding majority can use and enjoy public spaces, safe from antisocial behaviour.
- 1.4 Public Space Protection Orders are valid for 3 years after which they have to be extended.
- 1.5 Fixed penalty notices are currently set at £100.

## **2.0 The Current Situation**

- 2.1 Over recent years, issues with the misuse of our beaches and coast have led to wide scale complaints of anti-social behaviour, a general disregard for the public realm and our natural coastal environment. These complaints have increased during the summer months over the last two years.
- 2.2 The introduction of the PSPO and accompanying code of conduct will proactively address these issues and impact positively on the lives of people who live, work and visit our beaches and coastline.
- 2.3 The proposed introduction of this PSPO has initially been welcomed and met with positively from our partners, including Kent Police, The Coastguard and the RNLI. General feedback from internal departments, beach businesses and the public has also been encouraging.

## **2.4 The Activities which are prohibited by this new Coastal and Beach Order, based on complaints and evidence are:**

1. **Obstruction of the promenade including vehicles/driving of vehicles** -No motorised or electric vehicles may be parked or driven on the promenades or beaches as follows:

Cars, vans, lorries, trucks, motorcycles, scooters, segways and any other motorised vehicles. With the exception of mobility scooters and electric bicycles. Unless permission has been granted by the Council and evidence of this can be produced. No deliveries to concessions after 10am.

No obstruction may be caused at any time to the promenade by vehicles or any other structure or object, which impedes access by emergency services or Council vehicles.

2. **Bicycles** - At any time of year between the hours of sunrise and sunset, and from 1 May to 30 September inclusive between the hours of 10.00am and 6.00pm, a person shall not ride any cycle on any of the promenades where localised signage requires you to dismount. You must adhere to the signs which vary around the coast. This is for the purposes of health and safety and the enjoyment of others in busy areas.

2.1 (A cycle means a bicycle, a tricycle or a cycle having four or more wheels, including one power-assisted by electrical (or other means not being in any case a motorcycle or motor vehicle.) Please refer to our safe cycling guide (that includes tips for where you will need to dismount regardless of signage ie beach huts mean dismount, and rules for electric powered bikes and scooters, disability scooters)

**3. Bonfires, Barbecues and large gatherings -**

i) Bonfires are not permitted on any of the Council's land at any time. BBQs are not permitted on any of the Council's land, however are permitted on beaches after 6pm.

ii) Large gatherings are not permitted on the Council's beaches without prior permission. Large organised groups of 20 or more need to seek permission from Thanet District Council.

**4. Begging, Touting, Hawking, Selling -** Begging, Touting, Hawking, Selling is not permitted anywhere on Thanet's beaches, promenades and coast. This includes;

i) Begging or soliciting for money\*

ii) Advertising any article verbally or by the distribution of leaflets and flyers, circulars or advertisements of any kind

iii) Flyposting and other fixed notices on railings, posts or other street furniture without prior permission from the Beach and Coast Team, and a fee may be chargeable for this. Notices must be taken down within an agreed period.

iiii) Selling goods, products or services without prior permission of the Council.

(\*Begging or soliciting for money. The act of begging is deemed as either approaching people for money, or being stationary and asking for money, or positioned on the floor to invite the offer of money or goods.)

**5. Horse riding - Horse riding is not permitted on beaches or promenades -**

between 1st May and 30th September, between the hours of 09:00 am and 19:00 pm; or at any time, all year round, within Pegwell Bay (Sandwich & Pegwell National Nature Reserve).

**6. Encampments -** Camping or the erection and occupation of any structure (this includes but is not exclusive to vehicles, tents, marquees, yurts and any other temporary building) being used to occupy land is not permitted on beaches, promenades, clifftops, nearby green spaces, car parks and surrounding areas of the public realm without prior consent of the Council with the exception of sun shades.

**7. Preaching, lectures, music and entertainment, sporting events, other events -**

Lectures, speeches, sermons, busking, live music, use of generators and other types of entertainment performances/shows etc are not permitted, unless prior permission has been granted by the Council as per our events policy. In any case any activities of the kind, including filming and photo shoots, intended to be held on the beach/coast need prior permission from the Media Team and Beach/Coast Team.

## **8. Other actions which have a detrimental impact on the quality of life of others in the locality.**

- i) Urination, defecation, spitting or littering are not permitted
- ii) Drinking alcohol in a public place, after being told not to: No person shall consume alcohol or have an open alcohol container in any public place after request by an Authorised Officer or Police Constable to cease consumption or hand over the container. This provision does not apply to alcohol being consumed on licensed premises (Thanet District Council Alcohol PSPO).
- iii) Ingesting, inhaling, injecting, smoking or otherwise using drugs or substance reasonably believed to be psychoactive substances.
- iiii) Possessing or releasing any canister containing compressed gas

## **9. Beach recreational activities and water sports**

To adhere to the set of Coastal and Beach 'Codes of Practice' set out by Thanet District Council. Within the code of practice, specific rules will apply for personal powered watercraft usage (including jet skis) and other areas of health, safety and anti social behaviour concern.

- The use of water craft in a manner that poses a risk to the safety of people or wildlife
- The use of craft in a manner that has the potential to cause harassment, alarm and distress to any other beach or coast users, or residents

### **3.0 Supporting measures**

3.1 The Code of Conduct (Annex 2) provides more detail to the activities set out above and what is expected from the public.

3.2 The enforcement approach and code of practice is detailed on the Thanet District Council website under the enforcement Policy section and will be the same as with existing PSPOs in line with the Council's Environmental Enforcement Policy <https://www.thanet.gov.uk/wp-content/uploads/2018/03/ENVIRONMENTAL-ENFORCEMENT-POLICY-April-2014.pdf>

3.3 A dedicated enforcement officer working at peak times in hotspots proactively, and reactively. Enforcement of the PSPO will also be supported by existing staff within the team as part of their current roles which include enforcing existing PSPOs. We also intend to have a number of coastal wardens, enforcing Covid-19 restrictions that remain in place, alongside educating and challenging the public on the new coastal code of conduct and PSPO. These wardens will also support our enforcement staff, although they will not be able to issue tickets themselves.

3.4 Targeted patrolling of problem areas will take place with officers informing and offering

advice to the public. An approach of information and engagement, education and behaviour change, then challenge of behaviour will be adopted. Only following these steps will FPNs be issued. Enforcement officers/wardens will decide what enforcement action is the most appropriate on a case by case basis. and range from

no action to arrange of actions and consequences as listed below. Consequences; No Action, Informal Action (verbal/written advice), Educational Courses, Beach Workshops and Training, £100 Fixed Penalty Notice, Court proceedings for non payment.

- 3.5 To accompany the implementation of the PSPO a comprehensive communications plan will be delivered.
- 3.6 Education and informing will also take place through sign posting to the Code of Conduct via QR codes on new in situ signage across the district. Beach signs will be present at every relevant beach.

## **4.0 Consultation**

- 4.1 A public consultation has been conducted and included proactive contact with a variety of stakeholders. A Summary of consultation results was presented to Overview and Scrutiny and will be presented to Cabinet. Overall the reaction to the proposals was overwhelmingly positive, with some clarifications requested, rather than real issues about the proposals.
- 4.2 One issue raised is regarding the Water User Group and jet ski launch sites. Feedback has been received asking for the Ramsgate Eastcliff jet ski launch site to remain ( the Margate site will still close). In light of the fact that it has always been there and used for jet skis only, we propose that this site is included moving forward with the other jet ski clubs. Beresford and Jet Ski World both have restricted operations currently, so keeping Ramsgate Eastcliff would be a compromise to allow jet skiers to access the coast during the week as well as at weekends. Restrictions would apply still, ensuring that those launching there have qualifications, insurance and abide by the new rules such as only turning left to avoid main sands bathing areas, and generally staying a safe distance from bathing waters, beaches and nature reserves. The PSPO will be a tool to deal with unsafe or anti social jet ski usage there.
- 4.3 We are awaiting feedback from the Police & Crime Commissioner for Kent, however feedback from local police chiefs has been very positive.

## **5.0 Alternative to FPNs**

- 5.1 Thanet District Council has now registered as an approved AQA (the Assessment and Qualifications Alliance) Training Centre, with two officers registered to deliver training within the enforcement team.
- 5.2 Putting education first we also propose to deliver these AQA Courses for people receiving FPNs; (we will only deliver once per person/ the one off course fee of £50 will halve the cost of the FPN). The process would be as follows:
- 5.3 Step 1: Education enforcement would encourage the offender to participate in one of our anti-littering courses paying a course fee instead of full FPN and proceeding to

Step 2: FPN payment Step 3: Non FPN Payment; Court.

- 5.4 We are interested in developing this scheme further in the coming months and to begin delivering this option during the season in 2021.

## 6.0 Options

- 6.1 Adoption of the new PSPO by Cabinet on 18 March 2021, in accordance with the Anti-Social Behaviour (ASB), Crime and Policing Act 2014. Alongside a new Coastal Code of Conduct for Thanet.
- 6.2 Do nothing and continue with current byelaws. This would leave the district without any powers to efficiently enforce against anti social behaviour impacting visitors, residents and businesses along our coast.

## 7.0 Next Steps

7.1

Milestones	Date
Early feedback and comments have been sought from Key Managers and external partners including Kent Police.	November-December 2020. <b>Completed</b>
28 day public consultation to commence 25th January- 21st February	Jan 2021
Members briefing	Feb 2020
Updated report with consultation outcomes/ and necessary amendments to Overview and Scrutiny	18 Feb 2021
Cabinet	18 March 2021
PSPO adopted and in force	1 April 2021

Report Author	Jasmin Vickers, Acting Director of Environment
Reporting to:	Gavin Waite - Director of Commercial and Operational Services

## 8. Annex List

Annex 1	PSPO Legal Order
Annex 2	<i>Code of conduct for beach users</i>
Annex 3	Draft EIA

## 9. Background Papers

Title	Details of where to access copy
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Anti-Social Behaviour (ASB), Crime and Policing Act 2014.	<a href="https://www.legislation.gov.uk/ukpga/2014/12/contents/enacted">https://www.legislation.gov.uk/ukpga/2014/12/contents/enacted</a>
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## 10. Corporate Consultation

<b>Finance</b>	Greg Dungan, Chris Blundell
<b>Legal</b>	Jennifer Phillips
<b>Communications</b>	Mark Gower, Hannah Thorpe
<b>Key Managers</b>	<p>Between October and December 2020, early feedback and comments were sought from the following Key Managers and officers:</p> <ul style="list-style-type: none"> <li>● Lee Baker</li> <li>● Amie Shuttleworth</li> <li>● Eden Geddes</li> <li>● Jo-Anna Taylor</li> <li>● Robert Brown</li> <li>● Jessica Bailey</li> <li>● Lisa Collingwood</li> <li>● Amanda Priestley</li> <li>● Barry Gooding</li> <li>● Tony Childs</li> </ul>



**ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014**  
**PART 4, SECTION 59**  
**PUBLIC SPACES PROTECTION ORDER (Thanet Beaches & Coast) 2021**

This order comes into force on the 1st April 2021 and will remain in force for a period of three years from that date unless extended by further order under the Council's statutory powers.

This order may be cited as the Thanet District Council Beaches and Coast Public Spaces Protection Order 1/04/2021.

**1-3 PRELIMINARY**

1. Thanet District Council ("the council") make the following order in exercise of its powers under section 59 of the Anti-Social Behaviour, Crime and Policing Act 2014 ("the Act") being satisfied on reasonable grounds that:
2. The activities identified below have been carried out in places within the Council's area and have had a detrimental effect on the quality of life of those in the locality and that the effect, or likely effect of the activities:  
Is, or is likely to be of persistent or continuing nature,  
Is, or is likely to be, such as to make the activities unreasonable and justifies the restrictions imposed by the notice.
3. Thanet District Council ("the council") is satisfied that the prohibitions imposed by this Order are reasonable to impose in order to prevent the detrimental effect of these activities from continuing, occurring or recurring, or to reduce the detrimental effect to reduce the risk of its continuance, occurrence or recurrence.

**4. GENERAL PROVISIONS**

**Definitions**

- 4.1 "Authorised person" means a police officer, an employee of the Council or other person who is authorised in writing by the Council.
- 4.2 "Interested party" means an individual who lives in the administrative area of The Thanet District or who regularly works within or visits that area.
- 4.3 "Prescribed Charity's" shall include: RNLI, Kent Wildlife Trust , Kent Volunteering Hub, Beach within Reach, Kent Coast Volunteering, Porchlight.
- 4.4 "Public Space" means any place in the administrative area of the Authority to which the public or a section of the public has access, on payment or otherwise, as a right by virtue of express or implied permission. The administrative area of the Authority is the Land shown in appended Schedule 1 Mapping.

**5. THE ACTIVITIES**

5. The Activities which are prohibited by this order are:
  1. **Obstruction of the promenade including vehicles/driving of vehicles** -No motorised or electric vehicles may be parked or driven on the promenades or beaches as follows:

# Agenda Item 4

## Annex 1

Cars, vans, lorries, trucks, motorcycles, scooters, segways and any other motorised vehicles. With the exception of mobility scooters and electric bicycles. Unless permission has been granted by the Council and evidence of this can be produced. No deliveries to concessions after 10am.

No obstruction may be caused at any time to the promenade by vehicles or any other structure or object, which impedes access by emergency services or Council vehicles.

- 2. Bicycles** - At any time of year between the hours of sunrise and sunset, and from 1 May to 30 September inclusive between the hours of 10.00am and 6.00pm, a person shall not ride any cycle on any of the promenades where localised signage requires you to dismount. You must adhere to the signs which vary around the coast. This is for the purposes of health and safety and the enjoyment of others in busy areas.

2.1 (A cycle means a bicycle, a tricycle or a cycle having four or more wheels, including one power-assisted by electrical (or other means not being in any case a motorcycle or motor vehicle.) Please refer to our safe cycling guide (that includes tips for where you will need to dismount regardless of signage ie beach huts mean dismount, and rules for electric powered bikes and scooters, disability scooters)

- 3. Bonfires, Barbecues and large gatherings -**

i) Bonfires are not permitted on any of the Council's land at any time. BBQs are not permitted on any of the Council's land, however are permitted on beaches after 6pm.

ii) Large gatherings are not permitted on the Council's beaches without prior permission. Large organised groups of 20 or more need to seek permission from Thanet District Council.

- 4. Begging, Touting, Hawking, Selling** - Begging, Touting, Hawking, Selling is not permitted anywhere on Thanet's beaches, promenades and coast. This includes;

i) Begging or soliciting for money\*

ii) Advertising any article verbally or by the distribution of leaflets and flyers, circulars or advertisements of any kind

iii) Flyposting and other fixed notices on railings, posts or other street furniture without prior permission from the Beach and Coast Team, and a fee may be chargeable for this. Notices must be taken down within an agreed period.

iiii) Selling goods, products or services without prior permission of the Council.

(\*Begging or soliciting for money. The act of begging is deemed as either approaching people for money, or being stationary and asking for money , or positioned on the floor to invite the offer of money or goods.)

- 5. Horse riding - Horse riding is not permitted on beaches or promenades -**

between 1st May and 30th September, between the hours of 09:00 am and 19:00 pm; or at any time, all year round, within Pegwell Bay (Sandwich & Pegwell National Nature Reserve).

# Agenda Item 4

## Annex 1

- 6. Encampments** - Camping or the erection and occupation of any structure (this includes but is not exclusive to vehicles, tents, marquees, yurts and any other temporary building) being used to occupy land is not permitted on beaches, promenades, clifftops, nearby green spaces, car parks and surrounding areas of the public realm without prior consent of the Council with the exception of sun shades.
- 7. Preaching, lectures, music and entertainment, sporting events, other events** - Lectures, speeches, sermons, busking, live music, use of generators and other types of entertainment performances/shows etc are not permitted, unless prior permission has been granted by the Council as per our events policy. In any case any activities of the kind, including filming and photo shoots, intended to be held on the beach/coast need prior permission from the Media Team and Beach/Coast Team.
- 8. Other actions which have a detrimental impact on the quality of life of others in the locality.**
  - i) Urination, defecation, spitting or littering are not permitted
  - ii) Drinking alcohol in a public place, after being told not to: No person shall consume alcohol or have an open alcohol container in any public place after request by an Authorised Officer or Police Constable to cease consumption or hand over the container. This provision does not apply to alcohol being consumed on licensed premises (Thanet District Council Alcohol PSPO).
  - iii) Ingesting, inhaling, injecting, smoking or otherwise using drugs or substance reasonably believed to be psychoactive substances.
  - iiii) Possessing or releasing any canister containing compressed gas
- 9. Beach recreational activities and water sports**

To adhere to the set of Coastal and Beach 'Codes of Practice' set out by Thanet District Council. Within the code of practice, specific rules will apply for personal powered watercraft usage (including jet skis) and other areas of health, safety and anti social behaviour concern.

  - The use of water craft in a manner that poses a risk to the safety of people or wildlife
  - The use of craft in a manner that has the potential to cause harassment, alarm and distress to any other beach or coast users, or residents

### **6. THE PROHIBITION**

6. The Activities are prohibited within the area illustrated in the appended Schedule 1 Mapping.

### **7 & 8. PERIOD FOR WHICH THIS ORDER HAS EFFECT**

7. This order will come into force on 00:00 hours on 1st April 2021 and will expire at 23:59 on 31st March 2024.
8. At any point before the expiry of this three year period the council can extend the order by up to three years if they are satisfied on reasonable grounds that this is

necessary to prevent these activities identified in the Order from recurring or to prevent an increase in the frequency of those activities after that time.

## **9. OFFENCE OF FAILING TO COMPLY WITH ORDER**

Under Section 67 of the Act:

9.1 Failure to comply with any part of this order is a criminal offence

- 1) It is an offence for a person without reasonable excuse-
  - a) To do anything that the person is prohibited from doing by a public spaces protection order, or
  - b) To fail to comply with a requirement to which the person is subject under a public spaces protection order.
  
- 2) A person guilty of an offence under this section is liable on summary conviction

## **11. OFFENCE AND PENALTY**

- 11 An Authorised Person may issue a fixed penalty notice to anyone he or she believes has committed an offence.

## **12. EXEMPTIONS**

- 12.1 Nothing in the Order shall apply to a person who-
- a) is registered as a blind person in a register compiled under S29 of the National Assistance Act 1948; or
  - b) has a disability as defined by the Equality Act 2010

## **13. APPEALS**

- 13.1 The council has carried out the necessary consultation and given the necessary notification further to section 64 and 72 of the Act
- 13.2 Any challenge to this Order must be made at the High Court by an interested person within six weeks of it being made. An interested person is someone who lives in, regularly works in or visits the restricted area. This means that only those who are directly affected by the restrictions have the power to challenge the validity of the Order on two grounds;
- a) That the Council did not have the power to make the Order or to include particular prohibitions or requirements imposed by the Order; or
  - b) That one of the requirements under Chapter 2 Part 4 of the Anti-Social Behaviour, Crime and Policing Act 2014 was not complied with in relation to the Order.

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## Annex 1

Where an application is made, the High Court can decide to suspend the operation of the Order pending the Court's decision, in part or totality. The High Court has the ability to uphold the Order, quash it, or vary it.

### **14. VALIDITY (SEVERANCE)**

14. If any provision of this Order is held invalid or unenforceable for any reason by a court of competent jurisdiction, such provision shall be severed and the remainder of the provisions of the Order shall continue in full force and effect as if the Order had been executed with the invalid, illegal or unenforceable provision eliminate

Dated this.....day of.....2021

**EXECUTED AS A DEED BY AFFIXING THE COMMON SEAL OF THANET DISTRICT  
COUNCIL IN THE PRESENCE OF:**

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## Code of Conduct

### Code of Conduct for responsible beach use:

#### Respect our beaches, respect our wildlife, respect others beach users

- Observe the water safety guidance for your safety and that of others, especially swimmers
- Keep a respectful distance between you and other beach users especially when playing games, and don't interfere with other people's enjoyment of the beach
- Do not feed the seagulls! This means not leaving food open and lying around. The more food there is, the more seagulls will come, and they can become aggressive.
- Leave no trace. Respect our beaches as the natural habitats they are first and foremost. This means binning any rubbish you generate, or taking it home with you. Do not leave rubbish next to bins, this is littering and you will get a fine if caught.

#### Abide by our rules for other activities for everyone's safety and enjoyment of the coast

#### Items covered under a new Public Spaces Protection Order: Code of Conduct for specific activities

##### 1. Obstruction of the promenade including vehicles/driving of vehicles

- No motorised or electric vehicles may be parked or driven on the promenades or beaches as follows:  
Cars, vans, lorries, trucks, motorcycles, scooters, segways and any other motorised vehicles. **(With the exception of mobility scooters and electric bicycles)**. Unless permission has been granted by the Council and evidence of this can be produced.
- No deliveries to concessions after 10am.
- No obstruction may be caused at any time to the promenade by vehicles or any other structure or object, which impedes access by emergency services or Council vehicles.

##### 2. Cycling

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## Annex 2

At any time of year between the hours of sunrise and sunset, and from 1 May to 30 September inclusive between the hours of 10.00am and 6.00pm, a person shall not ride any cycle on any of the promenades **where localised signage requires you to dismount**. You must adhere to the signs which vary around the coast. This is for the purposes of health and safety and the enjoyment of others in busy areas.

- (A cycle means a bicycle, a tricycle or a cycle having four or more wheels, including one power-assisted by electrical (or other means not being in any case a motorcycle or motor vehicle.) Please refer to our safe cycling guide (that includes tips for where you will need to dismount regardless of signage ie beach huts mean dismount, and rules for electric powered bikes and scooters, disability scooters)
- Localised rules around where cycling along proms is permitted may be changed seasonally as required for events, or under exceptional circumstances.
- Please adhere to dismount, slow signs and other local requirements.
- Look for the signage on the promenade, adjacent to facilities and at entry to the beaches and bays for instructions.

### 3. Bonfires, Barbecues and large gatherings

- Bonfires are not permitted on any of the Council's land at any time. BBQs are not permitted on any of the Council's land, however are permitted on beaches after 6pm.
- Parties and large gatherings are not permitted on the Council's beaches without prior permission. Large organised groups of 20 or more need to seek permission first. Contact the council's Beach and Coast Team on 01843 577000. Monday - Friday 9.00am – 5.00pm

#### Rules and regulations regarding barbecues and gatherings:

1. Barbecues are not permitted until after 18:00 and must be set up on beach/promenade away from the café, concessions or any other buildings. They must be extinguished by 22:00.
2. It is extremely important that any remaining cinders from the barbecues are extinguished. Please make sure you remove them from the beach and promenade areas, do not place them in the beach bins as they are not fit for this purpose. Please do not bury them as this is a danger to other beach users.
3. We would prefer you use custom-built or oil drum barbecues if possible but not gas please. Disposable BBQs are not permitted.
4. Under no circumstances are open bonfires to be built on the beach.
5. Please make sure you leave the beach in a clean and tidy condition. If the bins are full please take your rubbish with you.
6. People are asked to ensure that minimum nuisance is caused to nearby houses by making sure adequate transport and/or supervision is provided when people are leaving the area.



# Agenda Item 4

## Annex 2

7. We would request that no glass to be taken onto the beach or approach areas.
8. The use of generators or marquees is not permitted.
9. Be advised that camping is not allowed on any of our land; see rule on camping.
10. Public conveniences will not be open so you must consider what arrangements you will make for this using other nearby amenities.
11. Large groups of 20 or more need to seek permission first- see rule on large gatherings. Contact the council's Beach and Coast Team on 01843 577000. Monday - Friday 9.00am – 5.00pm

#### 4. Begging, Touting, Hawking, Selling

**Begging, Touting, Hawking, Selling is not permitted anywhere on Thanet's beaches, promenades and coast. This includes:**

- Begging or soliciting for money\*
- Advertising any article verbally or by the distribution of leaflets and flyers, circulars or advertisements of any kind
- Flyposting and other fixed notices on railings, posts or other street furniture without prior permission from the Beach and Coast Team, and a fee may be chargeable for this. Notices must be taken down within an agreed period.
- Selling goods, products or services without prior permission of the Council.

(\*Begging or soliciting for money. The act of begging is deemed as either approaching people for money, or being stationary and asking for money , or positioned on the floor to invite the offer of money or goods.)

#### 5. Horse riding

**Horse riding is not permitted:**

- a. between 1st May and 30th September, between the hours of 09:00 am and 19:00 pm.
- b. at any time in a race or so as to cause danger or annoyance to any persons using the seashore or foreshore to break-in any horse.
- or at any time, all year round, within Pegwell Bay (Sandwich & Pegwell National Nature Reserve).
- Avoid getting close to the summer bird breeding grounds and main winter roosts on the shingle beaches between Minnis Bay and Reculver.
- These rules shall not apply to children riding either horses or donkeys led or attended by a responsible person on foot.

**Riders are reminded:**

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## Annex 2

- To clear up the beach/prom/slipway after their ride
- When leaving the beach please use the relevant slipways avoiding the main promenade areas at all times
- Riders must adhere to the no galloping/racing rule and show due consideration to other beach/promenade users at all times.
- Please read the Thanet Coast Project's [Horse Riding Code](#)

### **6. Encampments**

Camping or the erection of any structure (This includes but is not exclusive to vehicles, tents, yurts, marquees and any other temporary building) being used to occupy land is not permitted on beaches, promenades, clifftops, nearby green spaces, car parks and surrounding areas of the public realm without prior consent of the Council

- Overnight parking is not permitted for any reason without prior consent of the Council at any of the following locations along our coast: on green spaces above or next to bays, promenades, beaches, or in our beach car parks (paid or unpaid). This applies to camper vans and caravans, motorhomes, marquees, tents and cars with trailer tents.

### **7. Preaching, lectures, music and entertainment, sporting events, other events**

Lectures, speeches, sermons, live music and other types of entertainment performances/shows etc are not permitted, unless prior permission has been granted by the Council as per our events policy. In any case any activities of the kind, including filming and photo shoots, intended to be held on the beach/coast need prior permission from the Media Team and Beach/Coast Team.

### **8. Other actions which have a detrimental impact on the quality of life of others in the locality.**

- Urination, defecation, spitting or littering are not permitted
- Drinking alcohol in a public place, after being told not to: No person shall consume alcohol or have an open alcohol container in any public place after having being requested by an Authorised Officer or Police Constable to cease consumption or hand over the container. This provision does not apply to alcohol being consumed on licensed premises.
- Ingesting, inhaling, injecting, smoking or otherwise using drugs or substances reasonably believed to be psychoactive substances.
- Possessing or releasing any canister containing compressed gas

### 9. Beach recreational activities

Please read our [Field Trip Code](#) for advice on organised trips to our coast. See link to schools trips notifications and online form.

Please follow these links to read and understand the rules on general recreational activities:

- [Rockpooling Guidelines/Advice - is available from our Learning Zone](#)
- [Marine Wildlife Watching Code](#)
- [Seashore Code](#)
- [Dog Walking on the Thanet Coast; Dog PSPO leaflet](#)
- [Main Recreational Activities Location Map](#)

Please follow these links to read and understand the rules on harvesting/gathering any items from the beach or surroundings:

- [Bait Digging & Collecting Code](#)
- [Shellfish Harvesting and Fixed Netting Code](#)
- [Shore Angling Code](#)
- [Seaweed Harvesting Code](#)
- [Fossil Code](#)
- [Online permission for Metal Detecting on the Thanet Coast](#) (Note: [Responsible Metal Detecting Code of practice, c/o Portable Antiquities Scheme](#))

**Balloon and sky lantern releases are not permitted in our on Council land. Please find alternative ways celebrate or mark an occasion.**

Advice can be found on the following sites:

- <https://www.mcsuk.org/campaigns/dont-let-go>
- <https://www.rspca.org.uk/adviceandwelfare/litter/balloon-and-sky-lantern-alternatives>

### 10. Water sports

- **The Walpole Bay Tidal Pool is for bathing only, no watersports or craft are permitted in the tidal pool unless written permission has been granted by the Council.** This is to ensure activities are managed safely, those applying to use the pool will need to produce risk assessments, safe working practices and evidence of insurance.
- **Please follow these links to read and understand the rules in relation to respecting coastal wildlife:**

- [Powercraft Activities Code](#)
- [Wind powered activities](#)

### Water User Group- rules for water craft

A Water User Group is available to those who would like access boat launching facilities, slipways and moorings for sailing boats and other crafts. Thanet boasts a number of beaches and bays where water activities are permitted including: fishing, jet skiing, sailing, speed boats and water skiing.

For an annual fee, members of the water user group gain access to our designated facilities for permitted launching. Fees will change annually as part of the Council's fees and charges process.

Register at [thanet.gov.uk/water-users](http://thanet.gov.uk/water-users)

For enquiries, contact: [wateruser@thanet.gov.uk](mailto:wateruser@thanet.gov.uk)

**On signing up to our water user group you agree to abiding by the Council's rules and regulations. Any breach of these will result in your water user group membership being terminated, with no refund. You will also face the same financial penalty as any breach of our rules incurs under the PSPO.**

**Examples of breaches these penalties will apply to include:**

- The copying of issued barrier keys
- Leaving barriers open for non group members to access
- Launching of craft that is not permitted at a particular site
- The use of craft in a manner that poses a risk to the safety of people or wildlife
- The use of craft in a manner that has the potential to cause harassment, alarm and distress to any other beach or coast users, or residents

### **Sites designated for Powered Water Crafts (PWCs including jet skis)**

PWCs may launch from the clubs/concessions listed below or join our WUG to launch at Ramsgate Eastcliff.

We require clubs to ensure the following:

- Not remove the silencers from their machines or carry out any other modifications to the exhaust system
- Display the unique registration number for PWC
- Be over the age of 17

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- On launching make sure to stay away from the beaches and bathing waters, other coast users and our nature reserves around the coast. You must not disturb any coastal wildlife by getting too close.

Desirable:

- Hold the PWC proficiency qualification which is a one-off, one day course costing around £160

### Birchington

- Beresford Gap, Birchington
  - Launching facilities are not part of the water user group. Launching facilities for speed boats, jet skis and waterskiing are designated for members of the Beresford Water Ski Club only. Please contact Leigh Flockhart at [leighflockhart@hotmail.com](mailto:leighflockhart@hotmail.com) or 07808 232011.

### Cliftonville

- Palm Bay/Hodge's Gap, Cliftonville
  - Launching facilities are not part of the water user group. Launching for PWC (jet ski, jet bikes, wet bikes only) are operated by Jet Ski World (cafe/showers/ toilets). Fees apply, contact Jet Ski World on 01843 231703.
  - Foreness club offer a jet ski membership as an add on to those with a boat membership. You cannot obtain a jet ski membership on its own. Other rules apply.

### Ramsgate

- Ramsgate Eastcliff
  - Jet ski membership as a part of the Council's Water User Group. You must pay an annual membership fee, providing proof of RYA qualification, insurance and other details to demonstrate you can abide by the WUG membership rules. On launching here you must only turn left not right, making sure to stay away from the main sands bathing waters, and nature reserves around the coast.
- Ramsgate Harbour
  - Launching facilities at Ramsgate Harbour are not part of the water user group. Launching and mooring fees apply. Contact the Harbour Office on 01843 572100 or [portoframsgate@thanet.gov.uk](mailto:portoframsgate@thanet.gov.uk)

**Water user group offerings are as follows:**

**Sites designated for fishing boats**

### Birchington

- Minnis Bay, Birchington
  - Launching permitted for fishing boats and sail craft.

### Westgate

- West Bay, Westgate (western slipway)
  - Launching permitted for fishing boats and sail craft. Max 14ft, Max 20HP. Hand launching only during summer months 1 June to 30 September.
- West Bay, Westgate (eastern slipway – by kiosk and beach huts)
  - Launching permitted for fishing boats and sail craft. No launching during summer months 1 June to 30 September.
- St Mildred's Bay, Westgate
  - Launching permitted for fishing boats and sail craft. No launching permitted between 9am and 6pm during summer months 1 June to 30 September.

### Margate

- Margate (front) Harbour
  - Launching permitted for sail craft and fishing boats. Moorings available – fees apply.
  - Contact the Harbour Office on 01843 572100 or [portoframsgate@thanet.gov.uk](mailto:portoframsgate@thanet.gov.uk)
- Margate (rear) Harbour
  - Launching permitted for sail craft, fishing boats and speed boats.

### Cliftonville

- Foreness Bay, Cliftonville
  - Launching permitted for fishing boats, speed boats and water skiing.

### Broadstairs

- Viking Bay, Broadstairs
  - Launching permitted for sail craft and fishing boats. Moorings available – fees apply.
  - Contact the Harbour Office on 01843 572100 or [portoframsgate@thanet.gov.uk](mailto:portoframsgate@thanet.gov.uk)

### Ramsgate

- Ramsgate Harbour
  - Launching facilities at Ramsgate Harbour are not part of the water user group. Launching and mooring fees apply.
  - Contact the Harbour Office on 01843 572100 or [portoframsgate@thanet.gov.uk](mailto:portoframsgate@thanet.gov.uk)

### Sites designated for sail craft

#### Birchington

- Minnis Bay, Birchington
  - Launching permitted for sail craft.

#### Westgate

- West Bay, Westgate (western slipway)
  - Launching permitted for fishing boats and sail craft. Max 14ft, Max 20HP. Hand launching only during summer months 1 June to 30 September.
- West Bay, Westgate (eastern slipway – by kiosk and beach huts) •
  - Launching permitted for fishing boats and sail craft. No launching during summer months 1 June to 30 September.
- St Mildred's Bay, Westgate
  - Launching permitted for fishing boats and sail craft. No launching permitted between 9am and 6pm during summer months 1 June to 30 September.

#### Margate

- Margate (front) Harbour
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  - Contact the Harbour Office on 01843 572100 or [portoframsgate@thanet.gov.uk](mailto:portoframsgate@thanet.gov.uk)
- Margate (rear) Harbour
  - Launching permitted for sail craft, fishing boats and speed boats.

#### Broadstairs

- Viking Bay, Broadstairs
  - Launching permitted for sail craft and fishing boats. Moorings available – fees apply.
  - Contact the Harbour Office on 01843 572100 or [portoframsgate@thanet.gov.uk](mailto:portoframsgate@thanet.gov.uk)

#### Ramsgate

- Ramsgate Harbour
  - Launching facilities at Ramsgate Harbour are not part of the water user group. Launching and mooring fees apply.
  - Contact the Harbour Office on 01843 572100 or [portoframsgate@thanet.gov.uk](mailto:portoframsgate@thanet.gov.uk)

### Sites designated for speed boats

### Birchington

- Beresford Gap, Birchington
  - Launching facilities are not part of the water user group. Launching facilities for speed boats, jet skis and waterskiing are designated for members of the Beresford Water Ski Club only. Please contact Leigh Flockhart at leighflockhart@hotmail.com or 07808 232011.

### Westbrook

- Westbrook/Barnes Car Park
  - Launching permitted for speed boats and water skiing.

### Margate

- Margate (rear) Harbour
  - Launching permitted for sail craft, fishing boats and speed boats.

### Cliftonville

- Foreness Bay, Cliftonville
  - Launching permitted for fishing boats, speed boats and water skiing.

### Ramsgate

- Ramsgate Harbour
  - Launching facilities at Ramsgate Harbour are not part of the water user group.
  - Launching and mooring fees apply. Contact the Harbour Office on 01843 572100 or portoframsgate@thanet.gov.uk

## **Sites designated for water skiing**

### Birchington

- Beresford Gap, Birchington
  - Launching facilities are not part of the water user group. Launching facilities for speed boats, jet skis and waterskiing are designated for members of the Beresford Water Ski Club only.
  - Please contact Leigh Flockhart at leighflockhart@hotmail.com or 07808 232011.

### Westbrook

- Westbrook/Barnes Car Park
  - Launching permitted for speed boats and water skiing

### Cliftonville



## Agenda Item 4 Annex 2

- Foreness Bay, Cliftonville
  - Launching permitted for fishing boats, speed boats and water skiing.

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Thanet District Council (TDC) Equality Impact Assessment

Step one: test for relevance

### 1 Person responsible for this assessment

Name:	Lisa Collingwood/Fiona Kundu		
Job title:	Education Enforcement Officer/Workforce Supervisor		
Phone:	01843 577000		
Service area:	Enforcement Services	Date of assessment:	19/11/2020

### 2 Others involved in carrying out the analysis

Name:	Lisa Collingwood
Name:	Fiona Kundu
Name:	Jasmin Vickers

### 3. Description of strategy, policy, service, project, activity or decision

Title:	Coastal and Beach PSPO 2020
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Is it new?                      Yes                       No

A review of existing?      Yes                       No

3.1 Aims and objectives

**Consider:**      **what** you are doing?      **why** you are doing it?                      **who** will benefit?

What; Thanet District Council is proposing to introduce a Coastal and Beach PSPO. Why; Creating a new public spaces protection order to help protect our Thanet coastline and beaches for our community with one set of coastal rules. Who; The introduction of the new PSPO will create safer communities and deter and reduce crime and anti social behaviour, all local communities and visitors will benefit.

PSPOs will only be used to protect communities from unwanted anti-social behaviours and shall only be enforceable where there is reasonable evidence to do so. A breach of the order is a criminal offence reported to the court or the breach being discharged through a Fixed Penalty Notice. Restrictions on the proposed behaviours may have an impact on protected characteristics or other

strategic equalities considerations, in particular the safeguarding of children and vulnerable adults, mental well-being and community resilience, and disability. The impact on all factors has been considered as part of the Equality Impact Assessment.

The Beach PSPO will cover;

1. **Use of Vehicles** - No motorised or electric vehicles may be parked or driven on the promenades, clifftops or beaches as follows: Cars, vans, lorries, trucks, motorcycles, scooters, segway, caravans and any vehicle used to reside in, Unless permission has been granted in writing by the Council and evidence of this can be produced. No deliveries to concessions after 10am.
  
1. **Cycling** -At any time of year between the hours of sunrise and sunset, and from 1 May to 30 September inclusive between the hours of 10.00am and 6.00pm, a person shall not ride any cycle on any of the promenades where localised signage requires you to dismount. You must adhere to the signs which vary around the coast. This is for the purposes of health and safety in busy areas.
 

2.1 (A cycle means a bicycle, a tricycle or a cycle having four or more wheels, including one power-assisted by electrical (or other means not being in any case a motorcycle or motor vehicle.) Please refer to our safe cycling guide (that includes tips for where you will need to dismount regardless of signage ie beach huts mean dismount, and rules for electric powered bikes and scooters, disability scooters)
  
2. **Bonfires, Barbecues and large gatherings** -
  - i) Bonfires are not permitted on any of the Council's land at any time. BBQs are not permitted on any of the Council's land, however are permitted on beaches after 6pm.
  
  - ii) Large gatherings are not permitted on the Council's beaches without prior permission. Large groups of 20 or more need to seek permission from Thanet District Council.
  
3. **Begging, Touting, Hawking, Selling** - Begging, Touting, Hawking, Selling is not permitted anywhere on Thanet's beaches, promenades and coast. This includes;
  - i) Begging or soliciting for money
  - ii) Advertising any article verbally or by the distribution of leaflets and flyers, circulars or advertisements of any kind
  - iii) Flyposting and other fixed notices on railings, posts or other street furniture without prior permission from the Beach and Coast Team, and a fee may be chargeable for this. Notices must be taken down within an agreed period.
  - iiii) Selling goods, products or services without prior permission of the Council.
  
4. **Horse riding** **Horse riding is not permitted** - between 1st May and 30th September, between the hours of 09:00 am and 19:00 pm.
  
5. **Encampments** - Camping or the erection of any structure (This includes but is not exclusive to vehicles, tents, yurts, caravans, motorhomes and any other structure used to reside in and any other temporary building) being used to occupy land is not permitted on beaches, promenades, clifftops, nearby green spaces, car parks and surrounding areas of the public realm without prior written consent of the Council with the exception of sunshades.

## Annex 3

6. **Preaching, lectures, music and entertainment, sporting events, other events** - Lectures, speeches, sermons, live music, busking and other types of entertainment performances/shows etc are not permitted, unless prior permission has been granted by the Council as per our events policy. In any case any activities of the kind, including filming and photo shoots, intended to be held on the beach/coast need prior permission from the Media Team and Beach/Coast Team.
  
7. **Other actions which have a detrimental impact on the quality of life of others in the locality.**
  - i) Urination, defecation, spitting or littering are not permitted
  - ii) Drinking alcohol in a public place, after being told not to: No person shall consume alcohol or have an open alcohol container in any public place after request by an Authorised Officer or Police Constable to cease consumption or hand over the container. This provision does not apply to alcohol being consumed on licensed premises (enforced by TDC Alcohol PSPO)
  - iii) Ingesting, inhaling, injecting, smoking or otherwise using drugs or substance reasonably believed to be psychoactive substances.
  - iiii) Possessing or releasing any canister containing compressed gas
  
8. **Beach recreational activities and water sports**

To adhere to the set of Coastal and Beach 'Codes of Practice' set out by Thanet District Council.

### 3.2 What outcomes are expected? Who is expected to benefit?

The introduction of the PSPO will impact positively on and benefit the lives of people who live, work and visit the Thanet district's beaches and coastline. The introduction of the PSPO will also impact positively on people whose protected characteristics are impaired upon by the anti social behaviours the order has been designed to address.

The approach will be detailed on the Thanet District Council website under the Enforcement Policy section.

The PSPO will help reduce crime and anti social behaviour on and around Thanet Districts coastline, clifftops and beaches. Outcomes will vary depending on circumstances, welfare and safeguarding issues which will support reduction in ASB within the district and a reduction in any detrimental effects caused to our communities.

A robust education and enforcement plan will be in place along with a referral process to support those that are most vulnerable. The welfare of vulnerable persons and victims is paramount and any risks will be identified.

## 4 Who is affected?

- 4.1 Which groups or individuals does the strategy, policy, service, project, activity or decision affect? For example, the Council, employees (including temporary workers), other public authorities, contractors, partner organisations, wider community, others.

Thanet District Council, Multi service agencies, Town and Parish Councils, Kent Police, Kent County Council, Wider Community, Residents, Resident Groups, Leisure Organisations, Charities, Wildlife Groups, RNLI, Harbour Master

4.2 Does the strategy, policy, service, project, activity or decision relate to a service area with known inequalities? (Give a brief description).

The introduction of the PSPO will impact positively on and benefit the lives of people who live, work and visit the Thanet district's beaches and coastline. The introduction of the PSPO will also impact positively on people whose protected characteristics are impaired upon by the anti social behaviours the order has been designed to address.

An example might be that pregnant women, families, infants, and disabled people can be denied access to facilities needed such as public toilets or shelter which may contain substance misusers or drug paraphernalia.

## 5 Equality Act 2010

How does the strategy, policy, service, project, activity or decision actively meet the public sector equality duties to:

**Eliminate unlawful discrimination** (including harassment, victimisation and other prohibited conduct)

All members of the community are treated fairly and equally regardless of age.

Where necessary additional support measures would be put in place through prevention, education and sign posting to relevant services.

**Advance equality of opportunity** (between people who share a protected characteristic and people who do not share it)

All members of the community are treated fairly and equally regardless of age.

Where necessary additional support measures would be put in place through prevention, education and sign posting to relevant services.

**Foster good relations** (between people who share a protected characteristic and people who do not share it). Could it have an adverse impact on relations between different diverse groups?

All members of the community are treated fairly and equally regardless of age.

Where necessary additional support measures would be put in place through prevention, education and sign posting to relevant services.

## 6 Priority

The following questions will help you to identify whether this 'service' is a high priority. Please answer all questions with particular reference to the protected characteristics; race, gender, gender reassignment, disability, religion or belief, sexual orientation, age, marriage and civil marriage/partnership and pregnancy and maternity.

# Agenda Item 4

## Annex 3

**Please provide a comment for each answer, providing evidence for your answer, regardless whether you have answered yes or no.**

Questions	Yes	No
1. Are there any particular groups who may have trouble accessing the 'service'?		x
<b>Comments:</b>		
2. Does your information suggest that some groups of people are less satisfied than others with this 'service'?		x
<b>Comments:</b>		
3. Will this service have a significant impact on any of our residents?		x
<b>Comments:</b>		
4. Do you have any evidence that discrimination, harassment and/or victimisation could occur as part of this service?		x
<b>Comments:</b>		
5. Do you think the service will hinder communication and negatively impact relations between the organisation and its employees, residents, contractors or anyone else?		x
<b>Comments:</b>		
6. Does this service need to improve the way in which it is communicated to people who have literacy, numeracy or any other access needs?	x	
<b>Comments:</b>		
7. Does consultation need to be carried out?	x	
<b>Comments:</b>		

In order to assess the priority of your '**service**' please complete the table below by adding up how many questions you answered yes to and following the appropriate action.

## Agenda Item 4

Priority	Number of questions answered 'yes'	Rating	Action
High	3 or more		Continue to section 2
Medium	1 to 2	x	Please provide evidence to any questions you answered 'yes' to in section 1. Test for relevance complete (sometimes a full assessment may be required).
Low	0		Test for relevance complete.

**If, following the completion of the test for relevance, a full assessment is not required, go straight to the declaration. If a full assessment is required, go to Step two: full equality impact assessment.**



### Step two: full equality impact assessment

1 Could the strategy, policy, service, project, activity or decision have a **negative, positive or neutral** effect on groups or individuals?

**Consider:**

**What** you are doing?

**Why** you are doing it?

**How** you are doing it?

**Who** can access the service easily and who may not be able to access the service and **why**?

**The full analysis explores ways to reduce or eliminate barriers and/or negative impacts.**

Protected characteristics	N e g a t i v e	P o s i t i v e	N e u t r a l	<p align="center"><b>Evidence/Reasoning</b></p> <p align="center">(Consider any barriers which will have negative impact and/or good practices giving positive impact)</p>
<p><b>Age</b></p> <p><b>Consider:</b></p> <ul style="list-style-type: none"> <li>The way younger and older people access services may be different</li> <li>Use of technology</li> <li>Child care/care of other dependant</li> <li>Timings/flexibility, such as work patterns</li> <li>Transport arrangements</li> <li>Venue location</li> </ul>		P o s i t i v e		<p><b>Recommendations: all members of the community are treated fairly and equally regardless of age.</b></p> <p><b>Where necessary additional support measures would be put in place through prevention, education and sign posting to relevant services.</b></p> <p><b>Young People - will be referred into safeguarding mechanisms and under 18's parents/guardians will be spoken with.</b></p>
<p><b>Disability (Includes: physical, learning, sensory (deaf/blind), mental health)</b></p> <p><b>Consider:</b></p> <ul style="list-style-type: none"> <li>Communication methods</li> <li>Accessibility – venue, location, transport</li> <li>Range of support needed to participate</li> <li>Hearing Loops/Interpreters</li> <li>Disability awareness training for employees</li> </ul>		P o s i t i v e		<p><b>Recommendations: we would be addressing any disability concerns and ensure additional support measures are in place if required through prevention, education and sign posting to relevant services.</b></p> <p><b>Under 16's will be referred into safeguarding mechanisms and parents/guardians will be spoken with where necessary.</b></p> <p><b>Areas will improve in terms of access for those with disabilities.</b></p>
<p><b>Race (Includes; gypsy, travelling, refugee and migrant communities)</b></p> <p><b>Consider:</b></p>		P o s i t i v e	N e u t r a l	<p><b>Recommendations: all members of the community are treated fairly and equally regardless of race.</b></p>

## Agenda Item 4

Annex 3

<ul style="list-style-type: none"> <li>• The size of the BME communities that your service/project affects.</li> <li>• Language(s) spoken/understood.</li> <li>• Culture, such as hygiene, clothing, physical activities, mixed gender activities.</li> <li>• What access support can you offer?</li> </ul>	t i v e	r a l	<p><b>Neutral - the protocol seeks to ensure that minimum disruption is caused to both the settled community and gypsy, travelling, refugee and migrant communities whilst ensuring that everyone's rights are respected, and that the legal processes are adhered to.</b></p> <p><b>Where necessary additional support measures would be put in place through prevention, education and sign posting to relevant services.</b></p>
<p><b>Religion, faith or belief</b></p> <p><b>Consider:</b></p> <ul style="list-style-type: none"> <li>• The diversity within the communities that your service/project affect</li> <li>• Prayer times, meal times, food (some religions do not eat meat), cultural habit or belief, religious holidays such as Ramadan</li> <li>• Awareness training for employees</li> </ul>	P o s i t i v e		<p><b>Recommendations: all members of the community are treated fairly and equally regardless of religion, faith or belief.</b></p> <p><b>Where necessary additional support measures would be put in place through prevention, education and sign posting to relevant services.</b></p>
<p><b>Pregnancy and maternity</b></p> <p><b>Consider:</b></p> <ul style="list-style-type: none"> <li>• Flexible hours of the service/project</li> <li>• Is there access to private area for breastfeeding mothers?</li> </ul>	P o s i t i v e		<p><b>Recommendations: this would be conducted as a welfare assessment referred into safeguarding mechanisms.</b></p> <p><b>Where necessary additional support measures would be put in place through prevention, education and sign posting to relevant services.</b></p> <p><b>Areas will improve in terms of access to those pregnant or with infants, children - access to cleaner, safer areas.</b></p>
<p><b>Gender</b></p> <p><b>Consider:</b></p> <ul style="list-style-type: none"> <li>• The impact on men and women</li> <li>• Child care/care of other dependant</li> <li>• Mixed/single gender groups/activities</li> <li>• Timing of services/projects</li> </ul>	P o s i t i v e		<p><b>Recommendations: all members of the community are treated fairly and equally regardless of gender.</b></p> <p><b>Where necessary additional support measures would be put in place through prevention, education and sign posting to relevant services.</b></p>
<p><b>Sexual orientation (Includes: lesbian, gay, bisexual)</b></p> <p><b>Consider:</b></p>	P o s		<p><b>Recommendations: Recommendations: all members of the community are treated fairly and equally regardless of sexual orientation.</b></p>

<ul style="list-style-type: none"> <li>LGB people should feel safe to disclose their sexual orientation without fear of prejudice</li> <li>Make it clear you recognised civil marriage and partnerships</li> <li>Awareness training for employees</li> </ul>	i t i v e		<b>Annex 3</b> <b>Where necessary additional support measures would be put in place through prevention, education and sign posting to relevant services.</b>
<b>Transgender</b> <b>Consider:</b> <ul style="list-style-type: none"> <li>Trans people should be able to disclose their gender identity without fear of prejudice</li> <li>Making it clear you have a Trans policy and process</li> <li>Awareness training for employees</li> </ul>	P o s i t i v e		<b>Recommendations: Recommendations: all members of the community are treated fairly and equally regardless of transgender.</b>  <b>Where necessary additional support measures would be put in place through prevention, education and sign posting to relevant services.</b>
<b>Marriage and civil marriage/partnership</b> <b>Consider:</b> <ul style="list-style-type: none"> <li>All couples or partners, regardless of gender, should be able to access services</li> </ul>	P o s i t i v e		<b>Recommendations: Recommendations: all members of the community are treated fairly and equally regardless of marital status.</b>  <b>Where necessary additional support measures would be put in place through prevention, education and sign posting to relevant services.</b>

<b>Outsourced services</b>	
If your policy/process is partly or wholly provided by external organisations/agencies (such as Civica or Capita), please list any arrangements you plan to ensure that they promote equality and diversity. Include this in your improvement plan	
<b>Relations between different equality groups</b>	
Does your assessment show that a strategy, policy or process may amount to potential adverse impact between different equality groups? If yes please explain how the improvement plan is going to tackle this issue	
<b>Consultation responses</b>	
Summary of replies from individuals and stakeholders consulted including any previous complaints on equality and diversity issues about the strategy, policy or process	TBC

Summary of recommendations		
Actions	By Who	By When

**Declaration**

I am satisfied that a Test for Relevance has been carried out on the matter named in this Analysis and conclude that a full Equality Impact Assessment **is not required**.

Yes  No

If you do not think that a full Equality Impact Assessment is required – please give your reasons:

I confirm that a full Equality Impact Assessment has been completed.

Yes  No

Signature of Head of Service:	Date:
Penny Button/Mike Humber	

Recommendations agreed:	Yes <input type="checkbox"/> No <input type="checkbox"/>
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Signed: (Director):	EIA date:
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## Dog Public Spaces Protection Order Amendments

<b>Cabinet</b>	18th March 2021
<b>Report Author</b>	Jasmin Vickers - Secondment Director of Environment
<b>Portfolio Holder</b>	Cllr Steve Albon, Cabinet Member for Operational Services
<b>Status</b>	For Decision
<b>Classification:</b>	Unrestricted
<b>Key Decision</b>	Yes
<b>Reasons for Key</b>	Significant effect on communities
<b>Previously Considered by</b>	Overview and Scrutiny Panel - 18 February 2021 Cabinet - 17th October 2017
<b>Ward:</b>	All Thanet Wards

### Executive Summary:

In 2017 Thanet District Council consulted on a new dog Public Spaces Protection Order (PSPO) for dog fouling, exclusion and dog control, which was adopted and came into force on 25 October 2017 and extended until 25 October 2023.

This report proposes Thanet District Council make minor amendments to the current PSPO which will be valid until 2023, and includes the results of recent public consultation on this matter.

### Recommendation(s):

Cabinet Member approves that the current PSPO is amended to last until 2023 and adopted in accordance with the Anti-Social Behaviour (ASB), Crime and Policing Act 2014.

### Corporate Implications

#### Financial and Value for Money

There will be some budgetary impact following the amendment of the PSPO. This will include the continued provision of adequate signage, and raising public awareness through Education campaigning. This is estimated to be in the region of £5,000 and will be met from existing budgets from within both Coastal and Enforcement service.

### Community Impact Statement

The purpose of the amending the PSPO is to improve the local area for the whole community who live there and those who are visiting. Any planned amendments to the PSPO should be to the benefit of all communities rather than for any particular group.

## CONSULTATION

A public consultation was held from 18 November to 22 December which included the following methods of communication;

TDC press release, Posters in Open Spaces across the District Beaches, Postal Form, Website and Online Form (frequently asked questions on an online form encouraging people to reply).

During this time certain key stakeholders were also consulted including; Kent Chief of Police, Parish and Town Councils, The Dogs Trust, Kennels, The Kennel Club, Kent Wildlife Trust, Local Vets, Coastal Groups, KCC, Keep Britain Tidy, Blue Flag Group.

Full results of the consultation can be found in Annex 5 (b-d) and are summarised as follows:

- i) Westbrook Bay - Currently dogs must be kept on a lead - amending to Dogs not allowed on the beach between 10am and 6pm 1 May- 30 September to maintain the Blue Flag Award : Results 42% For, 52% Against.
- ii) Pegwell Bay - amend to cover upper chalk shore to protect endangered wildlife: Results 49% For, 32% Against
- iii) The activities that could be banned to protect wildlife not in our existing PSPO; Humans and dogs interfering with, trapping or attempting to trap or snare or disturb any wildlife on council owned land : Results 75% For, 18% Against

During the consultation period we had a total of 259 responses, 244 of these were online responses and 14 email responses, 1 paper post.

The consultation responses demonstrate that there is strong evidence to support the proposed amendments of the PSPO.

Engagement, education and ultimately enforcement of the PSPO is required to ensure that it is followed. This will be undertaken by Thanet District Councils Foreshore Officers, Dog Warden Service, Enforcement Education Officer, PCSOs and other council authorised representatives. Targeted patrolling of problem areas to take place as at present, offering leaflets and advice to dog walkers. Fixed Penalty Notices to be issued immediately to dog fouling or dog control offenders, and to repeat offenders for dog exclusion zones. Education and advice through stencils and signage district initiatives to be continued as at present. Beach signs are clearly posted and available to view on the TDC webpage showing the PSPO Map, and are also present at every relevant bay and beach in the district.

## **Legal**

This decision will enable Thanet District Council to issue fixed penalty notices further to powers given under the Anti-social behaviour act 2014, Part 4 Legislation. Section 68 of the Act provides that an authorised person may issue a fixed penalty notice to anyone he or she has reason to believe has committed an offence under section 63 or 67 in relation to a public spaces protection order. A fixed penalty notice is a notice offering the person to whom it is issued anthe opportunity of discharging any liability to conviction for the offence by payment of a fixed penalty to a local authority specified in the notice. The local authority specified must be the one that made the public spaces protection order.

## **Corporate**

Without the decision Thanet District Council will be unable to update Schedule 1 and enforce against Dog related anti social behaviour on protected wildlife areas.

## **Equality Act 2010 & Public Sector Equality Duty**

Cabinet Members when making decisions on the recommendation of this report 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. The equality statement is a continuing one and should be considered and reviewed throughout the duration of the order. The Cabinet Member is referred to the community impact statement section of the report

The report states that consultation has been carried out. The Law requires the decision maker to conscientiously take into account the outcome of consultation when taking a decision on the proposal. The Cabinet Member is referred to the consultation section of the report.

## **CORPORATE PRIORITIES**

This report relates to the following corporate priorities: -

- Environment
- Communities

## **1.0 Introduction and Background**

- 1.1 A Public Spaces Protection Order (PSPO) is not the same as a byelaw. PSPOs are intended to deal with a particular nuisance or problem in a particular area that is detrimental to the local community's quality of life. To justify a PSPO there has firstly to be evidence of a nuisance, and secondly that the effect (or the likely effect) of the activities is of a persistent nature making the behaviour unreasonable and rendering the notice justified.
- 1.2 It does this by imposing conditions on the use of that area, which apply to everyone. Orders are designed to ensure the law-abiding majority can use and enjoy public spaces, safe from antisocial behaviour.
- 1.3 In 2017 Thanet District Council consulted on a new dog fouling and dog control Public Space Protection Order which covered dog fouling, dog exclusion and dog control, this was subsequently adopted 25 October 2017 and extended until 25 October 2023.
- 1.4 Public Space Protection Orders are valid for 3 years after which they have to be extended.

## **2.0 The Current Situation**

- 2.1 The impact of the original order (2017) (See Annex 1) and the three year PSPO restrictions have had a positive impact and helped prevent detrimental effects on the quality of the district's coastal water, the quality of cleanliness on Thanets 21 blue flag (See Annex 3) and seaside award winning beaches, and protection of our coastline, cemeteries and playgrounds. The order has helped protect the diversity of bird populations and wildlife at Pegwell Bay upper chalk shore, mudflats and saltmarsh. The order has protected the quality of public health and welfare through enforcement which has been helping promote cleaner beaches, parks, churchyards and fenced playgrounds.
- 2.2 Residents and visitors have understood the traffic light system which controls dog exclusion areas, and the maps have been published on-site, on social media, websites and newspapers to show where you can walk your dog. Continuing with the current traffic light system will keep consistency of understanding and continue the clear message. Various residents and groups have shared the dog code and it has been used positively.
- 2.3 Every season dog code leaflets and signs are distributed to dog walkers, bay inspectors, tourist offices, beach shops, cafes and restaurants. Ensuring the traffic light system stays in use for a further three years will provide further consistency and ensure the understanding of the PSPO is further imbedded into the community.
- 2.4 We are suggesting that the new PSPO will be the same as that which has been in force for the last three years. We have suggested only the following changes to Schedule 1;
  - i) Westbrook Bay - Currently dogs must be kept on a lead - amending to Dogs not allowed on the beach between 10am and 6pm 1 May- 30 September in order to confidently maintain the Blue Flag Award



- ii) Pegwell Bay - amend to cover upper chalk shore to protect endangered wildlife
- iii) The activities that could be banned to protect wildlife not in our existing PSPO; Humans and dogs interfering with, trapping or attempting to trap or snare or disturb any wildlife on council owned land.

2.5 The Council Plan from 2020 sets out the commitment to 'Healthy and Inclusive communities' and to safeguard open spaces.

## 3.0 Options

The following options are to be discussed by the Overview and Scrutiny Panel prior to the decision being taken to Cabinet in March.

### 3.1 Option 1

That the current PSPO is altered to support the suggested minor amendments until 2023 and adopted in accordance with the Anti-Social Behaviour (ASB), Crime and Policing Act 2014 to include the following restriction;

District-wide (any place to which the public or any section of the public has access. On payment or otherwise, as a right or by virtue of express or implied permission):

a) Westbrook Bay - Currently dogs must be kept on a lead change to dog ban in bathing season. As people voted against this change in the consultation, no amendment or change will be made.

b) Pegwell Bay - amend to cover upper chalk shore to protect endangered wildlife. Feedback from consultation was positive with regard to this change therefore we should amend the PSPO accordingly.

c) The activities that could be banned to protect wildlife not in our existing PSPO; Humans and dogs interfering with, trapping or attempting to trap or snare or disturb any wildlife on council owned land. Feedback from consultation was positive with regard to this change therefore we should amend the PSPO accordingly.

### 3.2 Option 2

Not to amend the PSPO. However this would have a detrimental effect on the issues highlighted in Option 1, items b and c which the public feedback was in support of amending.

### 3.3 Option 3

To amend the order for in favour of all three proposals, including item a) Westbrook Bay - amending to Dogs not allowed on the beach between 10am and 6pm, 1 May-30 September. This would be acting against the majority feedback from the consultation regarding changes at Westbrook. However this would secure the attainment of the Blue Flag Award.

## 3.4 Option 4

Take no decision now, but consult again on the Westbrook issue, explaining the Blue Flag Implications and targeting local residents more via the town council, engaging with people on the site, explaining the ban is only seasonal and between set hours to ensure they fully understand this.

Contact Officer: Lisa Collingwood (Education Enforcement Officer)  
Reporting to: Jasmin Vickers (Acting Director of Environment)  
Gavin Waite (Corporate Director - Communities)

### Annex List

Annex 1: [TDC Website Dog PSPO](#)

Annex 2: [Blue Flag Criteria](#) Criterion 23.

Annex 3: [Beach Awards 2020](#)

Annex 4: [Section 60 of the Act](#)

Annex 5: a) [The Kennel Club 2nd response to TDC Dog PSPO amendments](#)  
b) [Email responses](#)  
c) [Online responses](#)

Annex 6: Maps [New Schedule 1](#)

### Corporate Consultation

**Finance:** Chris Blundell (Director of Finance)

**Legal:** Jennifer Phillips (Law and Democratic Services)

# Agenda Item 5

## Annex 1

Annex 1: [TDC PSPO 2017](#)

Annex 2: [TDC Website Dog PSPO](#)

Annex 3: [Blue Flag Criteria](#) Criterion 23.

Annex 4: [Section 60 of the Act](#)

Annex 5: a) [The Kennel Club response to TDC Dog PSPO October 2020](#)  
[The Kennel Club 2nd response to TDC Dog PSPO amendments](#)

b) [Online responses 1](#)

c) [Email responses](#)

d) [Online responses](#)

Annex 6: [New Schedule 1](#)

Annex 7: [Beach Awards 2020](#)

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## **New Open Spaces grass cutting regime for pollinators**

<b>Cabinet</b>	18th March 2021
<b>Report Author</b>	Climate Change Officer
<b>Portfolio Holder</b>	Cllr Albon, Cabinet Member for Operational Services
<b>Status</b>	For Decision
<b>Classification:</b>	Unrestricted
<b>Key Decision</b>	No
<b>Ward:</b>	Thanet wide

### **Executive Summary:**

Section 40 of The Natural Environment and Rural Communities (NERC) Act 2006 places a legal obligation on public bodies in England to have regard to particular living organisms and types of habitat which are of the greatest conservation importance whilst carrying out their functions, whilst also having a general regard for protecting all biodiversity. Under Section 41 of that same Act of Parliament bumblebees are listed as one of the protected species.

Pollinators such as bees, butterflies and moths are vital for our food, economy and environment, however, they are in serious decline.

Across Europe over a third of bee species are declining, along with two thirds of our moths and nearly three-quarters of our butterflies along with many other small insects.

We simply need to think back to when we were children in our parent's cars. The windscreen would be covered in bugs and they would often have to use the windscreen wipers to clear them. Nowadays we can drive down the motorway without even a single bug hitting our windscreen. We must act quickly to reverse their obvious rapid decline.

Not only is this an avoidable tragedy, but the loss of pollinators is a direct threat to our food supply. Without bees, hoverflies and other insect pollinators there would be no strawberries, chocolate, olives, cotton, or peanuts to name just a few. There would also be fewer flowers in our gardens or countryside.

The most significant cause of pollinator decline, and one which TDC Open Spaces can immediately address, is the loss and degradation of habitats. Wildflower-rich grasslands is one of the most important habitats for pollinators, however over three million hectares have been lost in England since the 1930s. Many of these areas are now small and isolated making it difficult for insects to find enough food and shelter.

The Climate Change Officer and the Open Spaces team have taken advice from The Bumblebee Trust and Plantlife UK on how to address this problem. They suggested a few simple changes in the cutting regime in order for more native wildflowers to grow:

- Reduced cutting on selected areas of large open spaces, such as those along the coast, to create native wildflower meadows. As we have a geology of chalk, the Bumblebee Trust advises that a simple reduction in mowing (no mowing between April and September) will reveal wonderful native chalk grasslands and flowers.

We will cut around the perimeter and a walkway through the middle of the allocations to show that the areas are still being managed and to allow easy access. The allocations will be next to areas that are cut regularly and so will not impact on social use of the space.

- No Mow May in our parks (apart from football pitches) to increase the number of smaller flowers for pollinators in our parks.

Signage will be installed throughout to inform the public and feedback will be monitored closely.

The cutting regimes in many areas around Thanet will not be changed, especially those with high footfall and areas of special value e.g. memorial grounds and ornamental beds.

Four levels of management for Open Space are therefore proposed:

1. Regular amenity cut in areas that need to be cut short
2. No Mow May in parks and some squares
3. Reduced cutting for pollinators in specific areas to create wildflower meadows.
4. Continue cut and collect, hay meadow management at Westbrook Undercliff and Foreness Point.

The specific areas are listed within the report and the attached maps show those areas designated for level 3 cutting.

It is hoped that these actions will start to create a beautiful wildflower corridor throughout Thanet for the benefit of pollinators, wildlife, residents and visitors.

In 2019, TDC called a climate and ecological emergency. This change in management forms part of the immediate action we will take to combat the ecological crisis and create beautiful native wildflowers for residents and visitors to enjoy. It is well documented that areas high in biodiversity lifts the spirits and improves wellbeing, having a positive effect on mental health. It is hoped that the wildflower meadows will attract more bees and butterflies and the presence of these will have a positive impact on all residents.

### **Recommendation(s):**

#### **That the Cabinet**

1. Approves the proposed change in cutting regimes, with monitoring of public perception and feedback.

2. Delegates authority to the Director of Operations, in consultation with the Cabinet Member for Operational Services, to approve minor amendments to the policy.

## Corporate Implications

### Financial and Value for Money

The change in management is considered to be a minor time saving exercise. Any time saved by the reduced mowing will be mainly offset by the time needed to put up signage and monitor the trial this year.

As this is a trial, which is subject to change depending upon feedback from the public, any time or cost saving will be quantified at the end of the year.

### Legal

There are no clear legal obligations around this, however, TDC declared a climate and ecological emergency in July 2019, we want to take actions in line with this commitment.

### Corporate

**Risk:** Public perception regarding the reduction in mowing and appearance of the sites. Some people prefer open spaces to be cut regularly, as has been tradition since the Victorian era.

### Mitigation:

The areas will be cut around the perimeter of the designations and a walkway will be cut through the middle. This will show that spaces are still being cared for, and not simply left.

The designated areas will be next to open spaces that have been cut short, also showing that they have been intentionally managed.

The frequency or design of the cutting can be changed as issues arise. The new cutting scheme will be reviewed on a monthly basis.

The traditional look of open spaces sought after by some residents, can create green spaces devoid of biodiversity and we want to address this issue.

**The communication plan** will also assist with public perception:

The No Mow May scheme will be promoted through TDC Comms team throughout April and May to ensure residents are aware of the change in management and our commitment to pollinators. The Comms team are aware of the plan.

Signage stating “Managing for pollinators” is extremely important next to the areas that we will not cut during the summer. The TDC Marketing Officer has agreed to assist with the design.

The signage will also hopefully include a QR code which, when scanned, will ask residents what they think. This will allow people to give immediate feedback whilst standing next to the site and may attract positive comments.

## **Opportunities**

People are becoming more concerned about the environment and biodiversity and therefore some residents may give positive feedback on this change in management.

It is one of the first steps taken since calling a climate emergency and shows our commitment to addressing the ecological emergency.

The biological monitoring of the site will also encourage resident participation through the Bumblebee Trust, KWT and local universities.

The scheme can also be used to inform and educate residents on the ecological emergency and we aim to link this with our work with schools.

This pilot scheme may also garner interest from KCC and other districts as an example of good practice.

## **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:

- *(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.*

Persons from vulnerable groups can sometimes have limited access to healthy, biodiverse spaces. In particular, families with young children, older persons and those with a disability can find themselves with limited access to quality open spaces with good biodiversity. Therefore, the grass cutting regime proposed with the extra signage will help to minimise disadvantage and contribute to the needs of many residents with protected characteristics.

The equality duty is a continuing one and should be considered and reviewed throughout the implementation of the regime. The cabinet member is referred to the community impact statement section of this report.

*A Equality Impact Assessment was undertaken and is summarised below:*

The EIA identified possible negative effects on access by the elderly, disabled and visually impaired. For example, the long grass in the designated space may reduce the area through which a wheelchair can be pushed. This is mitigated by cutting around the perimeter of the designated area and also through the middle of the designation to allow wheelchair access



and ease of walking. This impact is also balanced by the improved well being of the individuals due to increased wildflowers and biodiversity in the area.

## **CORPORATE PRIORITIES**

This report relates to the following corporate priorities: -

- *Environment*
- *Communities*

### **1.0 Introduction and Background**

- 1.1 In contrast to KCC and some other districts, TDC manages their open spaces in house and therefore does not need to wait for contract renewal dates to make changes to cutting regimes.
- 1.2 Currently, TDC carries out full amenity cuts, keeping the grass short across large areas of TDC Open Spaces. Although this has been carried out for many years and is the traditional look of open spaces sought after by some residents, it creates green spaces low in biodiversity.
- 1.3 We sought the advice of the Bumblebee Trust and guidance from Plant Life UK on how to better manage these areas for pollinators. We looked at each open space separately and noted the large areas of open space along the promenades such as Palm Bay and Westbrook as opportunity areas.
- 1.4 As we have a wonderful chalk landscape, a simple reduction in mowing frequency will reveal flowers, establish semi natural grassland along the coast and be exceptionally beneficial to pollinators. These areas will not be the typical wildflower meadows that people might think of, such as cornflowers and poppies, but instead will include yarrow, birds foot trefoil and clover, all of which are extremely important native species. These are already present to some degree in the grass along the coast and simple changes of cutting regimes will increase the abundance of these species for the benefit of pollinators.

### **2.0 The proposal**

- 2.1 We intend to keep many areas with a full cutting routine in spaces that demand a traditional maintenance scheme. These include areas such as memorial ground and ornamental beds. For those areas that do not need intensive cutting for the whole season, we intend to trial No Mow May promoted by Plantlife. This will begin this May in many of our parks and be fully advertised.
- 2.2 For large areas of open space, such as those found along the seafront and for some of our expansive parks, a proportion of some of these sites will be set aside for pollinators. These areas will be devised with the public in mind. They will not be fenced off and the public will not be prevented from walking over them, although walkways will also be created to encourage typical walking routes.

- 2.3 A perimeter cut will be carried out each month to show that they are being maintained, and not just left. The designated area will not be cut between April and August. They will be constantly monitored to ensure that any conflicts are mitigated. We intend to involve the Bumblebee Trust volunteers to monitor the increased flower and pollinator diversity on the site.
- 2.4 For those areas that have been completely set aside for nature through our previous work with the Bumblebee Trust, such as Westbrook Undercliff and Foreness Point, this will continue and hopefully be expanded upon over the next few years. This full management regime, otherwise known as hay meadow management, includes no cutting between April and August as in the wildflower creation method, however, when the grass is cut the arising are also collected and removed. This technique adds to the wildflower abundance by reducing the nutrients levels in the soil and preventing the grass species from outcompeting. Wildflowers are happier in low nutrient soil.
- 2.5 **Communication Plan:** The No Mow May scheme will be promoted through TDC Comms team throughout April and May to ensure residents are aware of the change in management and our commitment to pollinators. The TDC Comms team are aware of the plan.

Signage stating “Managing for pollinators” is extremely important and the TDC Marketing Officer has agreed to assist with the design.

The signs will also hopefully include a QR code which will ask residents what they think. This will allow people to give immediate feedback whilst standing next to the site and may even attract positive comments.

## 2.10 Specific area plan. **Please also see maps of specific areas under stage 3 cutting.**

### 1. Full schedule of cuts maintained

Marine Gardens, Buenos Ayres, Hawley Square, Sea Road either end of Sunken Gardens, Trinity Square, Dell Gardens, Newgate Gap, Oval Bandstand, St Georges Lawns, Pierremont Park, Spencer Square, Liverpool Lawn, Nelson Crescent, Albion Gardens.

Football and Cricket Grounds

### 2. No Mow May

It is proposed that No Mow May is initiated in most TDC parks, but not in ornamental areas / memorial parks / have high footfall as listed above.

The perimeters will be cut and a fire break will be cut through the middle.

### 3. Reduced cutting for pollinators, Semi-natural grassland creation.

These areas will have only their perimeters cut and the inner area will be left for pollinators and wildflowers. The perimeter will be cut once a month between March and September and a fire break will be created through the middle - commander width cut (2.5m) to encourage people to walk along those paths.

Please see maps of the designations attached.

Sections of following areas are proposed:

Minnis Bay area, Section on Cliff Road

Epple Bay (Birchington side of path down to beach)

Sea Road (Westgate side of Sunken Gardens).

Dane Valley Green (Section near the Windmill Allotment project)

Northdown House (Front of house, near the mini roundabout)

Palm Bay (Section near the tennis courts)

Nethercourt Park

King George VI Park (Wilder section of the park, Dumpton side)

Royal Esplanade, Ramsgate

Full cuts will take place from September.

These areas will be monitored and the design of the reduced cutting areas could be changed for the following year if conflicts arise.

#### **4. Cut and collect:**

A scheme of work was initiated in 2017 with the Bumblebee Trust and will continue this year. See Foreness Point and Westbrook Undercliff Management plan for full details. In summary, these large areas were separated into sections (compartments) which are managed for pollinators using a mixture of rotational cutting and cut and collect techniques. Cutting and removing grass arisings decreases the nutrients in the soil and allows native flowers to proliferate. Foreness Point is also a haven for Pyramidal and Lizard Orchids and in August last year a very rare brown-banded carder bumblebee (a S41 priority species) was found.

Habitat management of Foreness Point using a cut and collect system will continue in 2021: 3 compartments in July and 5 compartments in late October.

Westbrook Undercliff site (compartments 1 & 2) will have half cut in July and full cut and collect in October. Dumpton Gap 6 compartments in July and October. We will aim to include more areas in this cut and collect management stage in the future.

#### **3.0 Monitoring biodiversity improvements**

It will be important to take photographic evidence of the increase in native wildflowers on the sites that we are managing for pollinators. We may also be able to carry out biodiversity monitoring in the summer with volunteers from the local university, Bumblebee Trust and KWT. This will result in plant and insect abundance and diversity scores which can be used in scientific reporting.

#### **4.0 Options:**

1. Adopt the full changes proposed based on the 4 levels of management
2. Do not pursue the proposal
3. Adopt the changes for some of the sites as determined by a proposal of Cabinet's choosing.

## 5.0 Next Steps

Meeting	Date
Early feedback and comments have been sought by CMT	February 22nd
Cabinet	March 18th
Draft to Town Councils for information	End of March
Start comms plan	April
Install signs “Managed for pollinators” along the coastal native wildflower allocation	April
Add basic signs in parks regarding No Mow May	April
Monitor feedback from public	April - Sept
No Mow May	May
Cut only perimeter and walkway in allocations left for pollinators	May to August
Monitor wildflowers and pollinators in allocations	July/ August

Report Author	Dr Hannah Scott Climate Change Officer
Contact Officer:	Dr Hannah Scott Emma Penny - Open Spaces Manager
Reporting to:	Mike Humber- Director of Operations Jasmin Vickers- Acting Director of Environment Gavin Waite - Corporate Director - Communities

### Annex List

- Annex 1: No Mow May and Native Wildflower Meadow Images
- Annex 2: Equality Impact Assessment
- Annex 3: Minnis Bay
- Annex 4: Epple Bay
- Annex 5: Sunken Gardens, Westbrook
- Annex 6: Dane Valley
- Annex 7: Northdown House
- Annex 8: King George V1
- Annex 9: Royal Esplanade
- Annex 10: Nethercourt
- Annex 11: Palm Bay Section
- Annex 12: List of No Mow May parks

## **Background Papers**

None

## **Corporate Consultation**

**Finance:** Chris Blundell Director of Finance

**Legal:** Jennifer Phillips (Principal Litigation Solicitor)

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Annex 1:

No Mow May:



Native wildflower meadow:



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Thanet District Council (TDC) Equality Impact Assessment a

**Step one: test for relevance**

**1 Person responsible for this assessment**

Name:	Dr Hannah Scott		
Job title:	Climate Change Officer		
Phone:	07411 815157		
Service area:	Operations	Date of assessment:	22/02/2021

**2 Others involved in carrying out the analysis**

Name:	Jennifer Phillips
Name:	Rebecca Gonzalez-Bello
Name:	

**3. Description of strategy, policy, service, project, activity or decision**

Title:	Draft change in cutting regime for pollinators
--------	--

Is it new?                      Yes                       No

A review of existing?      Yes                       No

3.1 Aims and objectives

**Consider:**    **what** you are doing?    **why** you are doing it?                      **who** will benefit?

What: Reducing frequency and specific design of grass cutting in specific designated areas  
 Why: To improve plant and insect biodiversity to address the sharp decline in pollinators over the past few decades.  
 These insects pollinate a large variety of our food.  
 They also pollinate many garden flowers. The measures proposed will improve habitats for pollinators

Who will benefit:

Members of the community who use the environmental space  
 Residents and visitors will benefit from the native wildflower meadows created along the sea

3.2 What outcomes are expected? Who is expected to benefit?

Outcomes:

Areas of native wildflower meadows created in specific areas along the coast.

More little flowers in our parks during the month of May.

Benefits are as above.

Further benefits flow from taking action on the climate and ecological emergency that TDC declared in July 2019.

**4 Who is affected?**

4.1 Which groups or individuals does the strategy, policy, service, project, activity or decision affect? For example, the Council, employees (including temporary workers), other public authorities, contractors, partner organisations, wider community, others.

Residents and members of the community

Visitors

It is part of a wider national regime to enhance biodiversity

4.2 Does the strategy, policy, service, project, activity or decision relate to a service area with known inequalities? (Give a brief description).

Certain sections of the community may have limited access to healthy open spaces with good biodiversity because of their housing situation - eg living in accommodation without access to outside space. The main aim of these proposals is to improve biodiversity for pollinators. However, the secondary effect will be to improve the access of all members of the community to a healthy outdoor environment through creating these wildflower spaces.

**5 Equality Act 2010**

How does the strategy, policy, service, project, activity or decision actively meet the public sector equality duties to:

**Eliminate unlawful discrimination** (including harassment, victimisation and other prohibited conduct)

The proposals do not negatively impact the groups identified in the Act. They provide more healthy, biodiverse, open spaces for the whole community.

**Advance equality of opportunity** (between people who share a protected characteristic and people who do not share it)

The proposals aim to provide access to biodiverse, alternative open space for people with protected characteristics and those who do not share those characteristics.

There may be some impact on access to those with mobility issues because of the height of the grasses, however, see mitigation measures set out below.

**Foster good relations** (between people who share a protected characteristic and people who do not share it). Could it have an adverse impact on relations between different diverse groups?

A healthier, more biodiverse open space is unlikely to adversely impact relations between diverse groups moreover it may enhance relations and individual well-being.

## 6 Priority

The following questions will help you to identify whether this 'service' is a high priority. Please answer all questions with particular reference to the protected characteristics; race, gender, gender reassignment, disability, religion or belief, sexual orientation, age, marriage and civil marriage/partnership and pregnancy and maternity.

# Agenda Item 6

## Annex 2

**Please provide a comment for each answer, providing evidence for your answer, regardless whether you have answered yes or no.**

Questions	Yes	No
1. Are there any particular groups who may have trouble accessing the 'service'?		x
<b>Comments:</b>		
2. Does your information suggest that some groups of people are less satisfied than others with this 'service'?	x	
<b>Comments:</b> Some people inherently like cut grass over wildflower meadows.  Many residents and visitors may view the areas as beautiful and be pleased that the area is managed for pollinators.		
3. Will this service have a significant impact on any of our residents?		x
<b>Comments:</b>		
4. Do you have any evidence that discrimination, harassment and/or victimisation could occur as part of this service?		x
<b>Comments:</b>		
5. Do you think the service will hinder communication and negatively impact relations between the organisation and its employees, residents, contractors or anyone else?		x
<b>Comments:</b> Some residents will not like the change as they inherently prefer cut grass. Some residents, however, will love the wildflower meadows.		
6. Does this service need to improve the way in which it is communicated to people who have literacy, numeracy or any other access needs?		x
<b>Comments:</b>		
7. Does consultation need to be carried out?		x
<b>Comments:</b>		

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### Annex 2

In order to assess the priority of your **'service'** please complete the table below by adding up how many questions you answered yes to and following the appropriate action.

Priority	Number of questions answered 'yes'	Rating	Action
High	3 or more		Continue to section 2
Medium	1 to 2		Please provide evidence to any questions you answered 'yes' to in section 1. Test for relevance complete (sometimes a full assessment may be required).
Low	0		Test for relevance complete.

**If, following the completion of the test for relevance, a full assessment is not required, go straight to the declaration. If a full assessment is required, go to Step two: full equality impact assessment.**

**Step two: full equality impact assessment**

1 *Could the strategy, policy, service, project, activity or decision have a **negative, positive or neutral** effect on groups or individuals?*

**Consider:**

**What** you are doing?

**Why** you are doing it?

**How** you are doing it?

**Who** can access the service easily and who may not be able to access the service and **why**?

**The full analysis explores ways to reduce or eliminate barriers and/or negative impacts.**

Protected characteristics	N e g a t i v e	P o s i t i v e	N e u t r a l	Evidence/Reasoning  (Consider any barriers which will have negative impact and/or good practices giving positive impact)
<p><b>Age</b></p> <p><b>Consider:</b></p> <ul style="list-style-type: none"> <li>• The way younger and older people access services may be different</li> <li>• Use of technology</li> <li>• Child care/care of other dependant</li> <li>• Timings/flexibility, such as work patterns</li> <li>• Transport arrangements</li> <li>• Venue location</li> </ul>	x	x		<p><b>Recommendations:</b></p> <p>Negative: Elderly people and families with buggies may find it difficult to walk through the grassland meadows in late summer.</p> <p>Mitigation: The perimeter of the designations will be cut, as will a walkway through the centre. The designations will only be a percentage of the overall open space, and so access will not be restricted.</p> <p>Positive: The elderly may remember grassland meadows and be pleased that we are reinstating them.</p> <p>Many residents and visitors may view the areas as beautiful and be pleased that the area is managed for pollinators.</p>
<p><b>Disability (Includes: physical, learning, sensory (deaf/blind), mental health)</b></p> <p><b>Consider:</b></p> <ul style="list-style-type: none"> <li>• Communication methods</li> <li>• Accessibility – venue, location, transport</li> <li>• Range of support needed to participate</li> <li>• Hearing Loops/Interpreters</li> <li>• Disability awareness training for employees</li> </ul>	x	x		<p><b>Recommendations:</b></p> <p>Negative: Wheelchairs will not be able to access the designated areas late in the summer due to the height of the wildflower meadow.</p> <p>Mitigation: The perimeter of the designations will be cut, as will a walkway through the centre.</p> <p>Positive: It is well documented that areas kept for biodiversity lifts the spirits and improves wellbeing, having a positive effect on mental health. It is hoped that the wildflower meadow will attract more bees and butterflies and the presence of these will have a positive impact on all residents.</p>

<p><b>Race (Includes;</b> gypsy, travelling, refugee and migrant communities)</p> <p><b>Consider:</b></p> <ul style="list-style-type: none"> <li>• The size of the BME communities that your service/project affects.</li> <li>• Language(s) spoken/understood.</li> <li>• Culture, such as hygiene, clothing, physical activities, mixed gender activities.</li> <li>• What access support can you offer?</li> </ul>			<p><b>Recommendations:</b> Annex 2 NA</p>
<p><b>Religion, faith or belief</b></p> <p><b>Consider:</b></p> <ul style="list-style-type: none"> <li>• The diversity within the communities that your service/project affect</li> <li>• Prayer times, meal times, food (some religions do not eat meat), cultural habit or belief, religious holidays such as Ramadan</li> <li>• Awareness training for employees</li> </ul>			<p><b>Recommendations:</b> NA</p>
<p><b>Pregnancy and maternity</b></p> <p><b>Consider:</b></p> <ul style="list-style-type: none"> <li>• Flexible hours of the service/project</li> <li>• Is there access to private area for breastfeeding mothers?</li> </ul>			<p><b>Recommendations:</b> NA</p>
<p><b>Gender</b></p> <p><b>Consider:</b></p> <ul style="list-style-type: none"> <li>• The impact on men and women</li> <li>• Child care/care of other dependant</li> <li>• Mixed/single gender groups/activities</li> <li>• Timing of services/projects</li> </ul>			<p><b>Recommendations:</b> NA</p>
<p><b>Sexual orientation (Includes:</b> lesbian, gay, bisexual)</p> <p><b>Consider:</b></p>			<p><b>Recommendations:</b> NA</p>

<ul style="list-style-type: none"> <li>LGB people should feel safe to disclose their sexual orientation without fear of prejudice</li> <li>Make it clear you recognised civil marriage and partnerships</li> <li>Awareness training for employees</li> </ul>			
<p><b>Transgender</b></p> <p><b>Consider:</b></p> <ul style="list-style-type: none"> <li>Trans people should be able to disclose their gender identity without fear of prejudice</li> <li>Making it clear you have a Trans policy and process</li> <li>Awareness training for employees</li> </ul>			<p><b>Recommendations:</b></p> <p>NA</p>
<p><b>Marriage and civil marriage/partnership</b></p> <p><b>Consider:</b></p> <ul style="list-style-type: none"> <li>All couples or partners, regardless of gender, should be able to access services</li> </ul>			<p><b>Recommendations:</b></p> <p>NA</p>

<b>Outsourced services</b>	
<p>If your policy/process is partly or wholly provided by external organisations/agencies (such as Civica or Capita), please list any arrangements you plan to ensure that they promote equality and diversity. Include this in your improvement plan</p>	
<b>Relations between different equality groups</b>	
<p>Does your assessment show that a strategy, policy or process may amount to potential adverse impact between different equality groups? If yes please explain how the improvement plan is going to tackle this issue</p>	<p>No</p>
<b>Consultation responses</b>	
<p>Summary of replies from individuals and stakeholders consulted including any previous complaints on equality and diversity issues about the strategy, policy or process</p>	



# Agenda Item 6

## Annex 2

Summary of recommendations		
Actions	By Who	By When
Follow the communication plan to inform residents of the changes and also the benefits of wildflowers and pollinators.	Dr Hannah Scott, Emma Penny and Comms team	May 2021

**Declaration**

I am satisfied that a Test for Relevance has been carried out on the matter named in this Analysis and conclude that a full Equality Impact Assessment **is not required**.

Yes  No


If you do not think that a full Equality Impact Assessment is required – please give your reasons:

---

I confirm that a full Equality Impact Assessment has been completed.

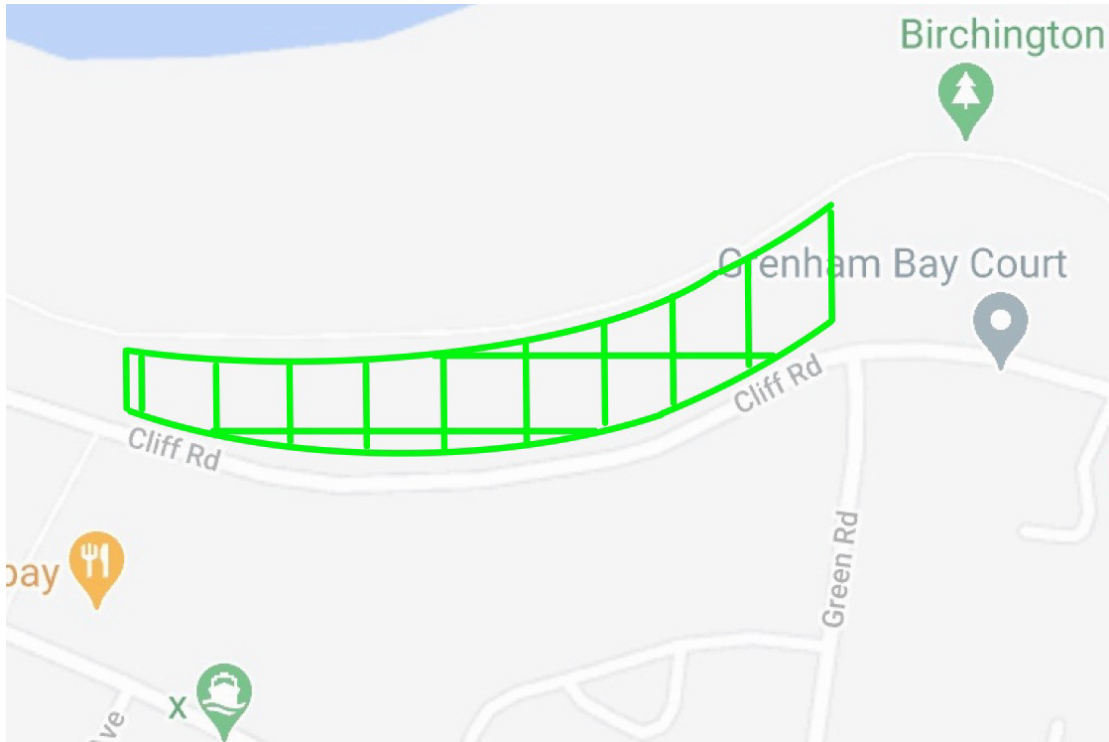
Yes  No

Recommendations agreed:	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
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Signed:  (Director): Mike Humber - Director of Operations	EIA date:  24 February 2021
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Annex 3



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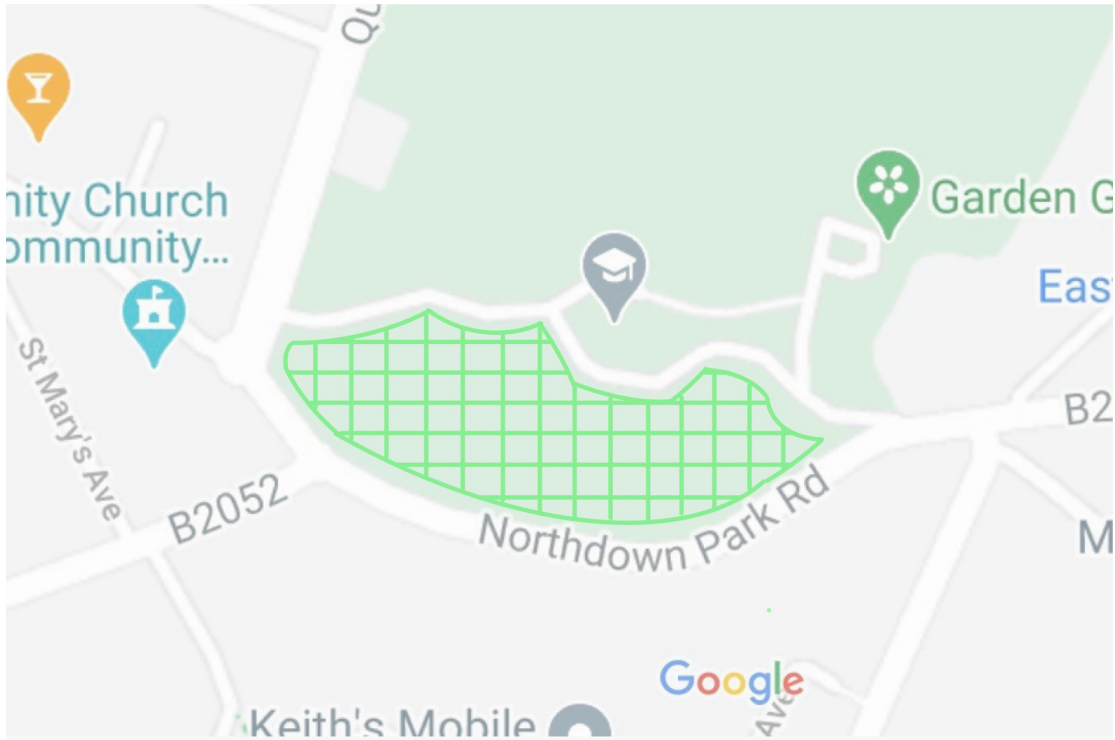
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# Agenda Item 6 Annex 6



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**No Mow May 2021**

**No Mow May areas**

Crispe Park Birchington  
Adrian Square Westgate  
Ethelbert Square Westgate  
Lymington Rec Westgate  
Quex Rd green Westgate  
George V Avenue Westbrook  
Dane Park Margate, Park Crescent Rd side

**Areas which will not be part of this scheme and will receive the full scheme of cuts**

All playgrounds  
All football cricket or rugby sites  
Hawley Square  
Buenos Ayres  
Trinity Gardens  
Spencer Square  
Liverpool Lawns  
All housing sites

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