

MEETING OF THE COUNCIL



Thursday, 14th October, 2021

7.00 pm

**Council Chamber
Thanet District Council
Margate**

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01843 577000**



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Date: 6 October 2021
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You are hereby summoned to attend the meeting of the Thanet District Council to be held in the Council Chamber, Council Offices, Cecil Street, Margate, Kent on Thursday, 14 October 2021 at 7.00 pm for the purpose of transacting the business mentioned below.

Timothy Hines

Director of Corporate Governance

To: The Members of Thanet District Council

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DRAFT AGENDA

Item
No

1. **APOLOGIES FOR ABSENCE**

2. **MINUTES OF THE PREVIOUS MEETINGS**

To approve the minutes of the meeting of Council held on 15 July 2021 and the minutes of the extraordinary meeting held on 23 September 2021 , copies attached.

2a **MINUTES OF THE MEETING HELD ON 15 JULY 2021** (Pages 5 - 16)

2b **MINUTES OF THE EXTRAORDINARY MEETING HELD ON 23 SEPTEMBER 2021** (Pages 17 - 18)

3. **ANNOUNCEMENTS**

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

4. **DECLARATIONS OF INTEREST** (Pages 19 - 20)

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](#)

5. **PETITIONS**

To receive petitions from the public in accordance with Council Procedure Rule 12.

6. **QUESTIONS FROM THE PRESS AND PUBLIC** (Pages 21 - 22)

To receive questions received from the press or public in accordance with Council Procedure Rule 13.

7. **QUESTIONS FROM MEMBERS OF THE COUNCIL** (Pages 23 - 26)

To receive questions from Members of the Council in accordance with Council Procedure Rule 14.

8. **NOTICE OF MOTION**

To receive any Notices of Motion from Members of Council in accordance with the Council Procedure Rule 3.

8a **MOTION NO.1 - DISABLED PARKING SCHEME REVIEW** (Pages 27 - 30)

8b **MOTION NO.2 - A PARTNERSHIP BETWEEN LOCAL GOVERNMENT AND NATIONAL GOVERNMENT TO TACKLE CLIMATE CHANGE** (Pages 31 - 34)

8c **MOTION NO.3 - AIRBNBS IN THANET** (Pages 35 - 38)

9. **LEADERS REPORT** (Pages 39 - 40)

To receive a report from the Leader of the Council in accordance with Council Procedure Rule 2.4.

10. **REPORT OF THE CHAIRMAN OF THE OVERVIEW AND SCRUTINY PANEL** (Pages 41 - 52)

11. **CAPITAL PROGRAMME SCHEME - RAMSGATE FUTURE HIGH STREETS FUND** (Pages 53 - 56)

12. **ANNUAL TREASURY MANAGEMENT REVIEW 2020-21** (Pages 57 - 80)

13. **STATEMENT OF COMMUNITY INVOLVEMENT REVIEW - RESULTS OF PUBLIC CONSULTATION AND ADOPTION** (Pages 81 - 116)

14. **EXECUTIVE APPOINTED OUTSIDE BODIES LIST 2021/22** (Pages 117 - 122)

15. **CHANGE TO THE CONSTITUTION - APPOINTMENT OF GRIEVANCE COMMITTEE AND GRIEVANCE APPEALS COMMITTEE** (Pages 123 - 134)

Item
No

Subject

16. **REVIEW OF CHANGES TO THE MEMBERS ALLOWANCES SCHEME 2021/22 BY EKJIRP** (Pages 135 - 138)
17. **CHANGES TO COMMITTEES, PANELS AND BOARD** (Pages 139 - 146)
18. **EXCLUSION OF PUBLIC AND PRESS**

Report to follow.
19. **UPDATE ON A STAFFING MATTER**

Report to follow.

COUNCIL

Minutes of the meeting held on 15 July 2021 at 7.00 pm in Ramsgate Sports Centre, High Street, Ramsgate.

Present: Councillor Jason Savage (Chair); Councillors Ara, Ashbee, Austin, Bailey, Bambridge, J Bayford, R Bayford, Boyd, Coleman-Cooke, Crittenden, Currie, Dennis, Dexter, Duckworth, Everitt, Farrance, Fellows, Garner, Green, Gregory, Hart, Hopkinson, Huxley, Keen, Kup, Pat Moore, Paul Moore, Ovenden, Parsons, L Piper, Rev. S Piper, Potts, Pugh, Rattigan, Rawf, Rogers, Rusiecki, D Saunders, M Saunders, Scobie, Scott, Shonk, Shrubb, Tomlinson, Towning, Wallin, Whitehead, Wing, Wright and Yates

1. ELECTION OF VICE-CHAIR OF THE COUNCIL

Councillor Kup proposed, Councillor Pugh seconded and Members agreed that Councillor Hart be the Vice Chair of Thanet District Council.

Councillor Hart thanked Members for his election and advised that Elizabeth Hurst would be his escort.

2. MINUTES OF THE PREVIOUS MEETING

It was proposed by the Chairman, seconded by the Vice Chairman and agreed, that the minutes of the meeting of Council held on 3 June 2021 be approved.

3. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Albon, Braidwood and Roper.

4. ANNOUNCEMENTS

There were no announcements.

5. DECLARATIONS OF INTEREST

There were no declarations of interest.

6. PETITIONS

No petitions had been received in accordance with council procedure rule 12.

7. QUESTIONS FROM THE PRESS AND PUBLIC

(a) **Question No.1 - Regarding Riveroak Strategic Partnership's Development Consent Order Application.**

Mr Green was not present at the meeting and would receive a response in writing.

The Leader advised that the letter had been sent to the Secretary of State, and that the letter was available to view on the Council's website here:

<https://www.thanet.gov.uk/wp-content/uploads/2018/03/DCO-TDC-response-090721.pdf>

(b) **Question No.2 - Regarding Park Avenue, Broadstairs.**

Ms Benedict asked the Leader the following question:

“Will this new administration, like the last, confirm that they will robustly defend the enforcement order, issued by this council, for the replanting of the trees in Park Avenue Broadstairs, and that you will resist any planning application for this site, and support this site becoming a designated green space in the revised Local Plan?”

The Leader responded with the following points:

- The Council served a tree replacement notice on the owner of the Park Avenue site, requiring 12 trees of specific species to be replanted on the site by the 31st March 2021. The notice was appealed, so enforcement action was held in abeyance and the Council was awaiting a start date from the Planning Inspectorate for the appeal.
- There were two types of open space protection in the Local Plan:
 - Protected Open Space - this was a local designation to protect important open spaces for sports, informal recreation or general amenity; and
 - Local Green Space - this was a national designation and land can only be identified as LGS where it meets the specific criteria set out in Government guidance (in the National Planning Policy Framework)(NPPF).
- This site could be considered for designation under one of these policies as part of the Local Plan process.
- If a planning application was submitted for the site, then the Council must consider any proposal on its own merits against the adopted development plan, and associated relevant planning documents and guidance. This would include:
 - Considering Policy BSP7 of the Broadstairs Neighbourhood Plan as the site lies within an Area of High Townscape Value,
 - The context of the TPOs present on the site,
 - Any required replacement TPO trees
 - The policy framework of the Thanet Local Plan and Broadstairs Neighbourhood Plan in relation to landscaping and green infrastructure.
- The consideration of any planning application was a matter for the Council's Planning Committee to decide. It would be inappropriate to comment on the merits of a hypothetical application that might be submitted in the future.

(c) **Question No.3 - Regarding The Local Plan.**

Mr Dickman asked the Leader the following question:

“Given the recent incidents of contamination to our beaches, and the disastrous effect that it could have had to our local economy, had it been in the height of the season, should the Council consider removing the land on the slopes either side of the Tivoli Brook from the local plan.

If we have increased surface water from new homes on the slopes, taking nitrates and chemicals into the brook and therefore into the bay at Margate main sands, we run the risk of decimating our economy.

The recent contamination along our coast begs the question; when we have an old and fragile sewage system, will it cope with an extra 17,000 houses, and if not, is the Council prepared for the devastation to our tourist economy and will they pay reparation to any businesses adversely affected during this fragile time?”

The Leader responded with the following points:

- Local Plan Policy SP21, that allocated the site, included a requirement that master planning of the site would be informed by, and address, the capacity of any utility services and infrastructure. This would include the provision of any improved or additional infrastructure that was reasonably required by the relevant utility provider to meet any additional demands created.
- The Local Plan also contained a general policy (Policy CC02) that required new development to manage the surface water resulting from the development, in line with guidance from the Lead Local Flood Authority, Kent County Council.
- The Local Plan Examination Inspectors agreed the inclusion of this site in the Local Plan.

(d) **Question No.4 - Regarding Ownership of Land**

Mr Knibb asked Councillor Pugh the following question:

“How much of the land currently being proposed for development adjacent to the Shottendane and Manston Roads does Thanet District Council own?”

Councillor Pugh responded with the following points:

- Mr Knibb confirmed that the question related to the land currently subject to planning application reference OL/TH/21/0847. The details of this application were available on the Council’s website.
- The Council currently did not own any of the land included within this planning application. The Council had previously owned the northern part of land at Shottendane Road which was proposed for development.
- An agreement for the sale of this land from the Council to the purchaser in 1981 included an overage clause. This clause required the land owner to pay the Council 50% of any change in land value, if the land was used for any purpose other than agricultural purposes.
- In the interests of transparency, this historic ownership was confirmed when the application was considered at the Planning Committee on 23 June 2021.
- Members of the Planning Committee were reminded that covenants or ownership matters were not material planning considerations. Therefore this historic agreement could not be taken into account when deciding if a planning application was acceptable. It should be judged against local and national planning policy.

(e) **Question No.5 - Regarding Shower Facilities at Dumpton Gap Beach**

Ms Bevan asked Councillor Pugh the following question:

“Could the Council please give consideration to the installation of a shower(s) at Dumpton Gap beach? There is already an existing tap where the beach huts are located so this may be a suitable area? The beach is used regularly by groups for wild swimming, dog walking, and families using this safe beach. The tap is not suitable for washing off sand from adults and children and being able to shower off the sea water and sand would be beneficial to all especially as there is a Cafe and beach huts. Research has shown the importance of showering after sea bathing to wash off harmful microbes which indicates the necessity for a shower.”

Councillor Pugh responded with the following points:

- The main issue to resolve in installing a shower facility at this location would be drainage, the system installed currently was sufficient for a single tap but would block quickly if a shower drained to it.
- The Council would investigate options for this further, as it seemed to be a good idea, potentially something could be installed for next summer.

(f) **Question No.6 - Regarding Consultation on the Local plan.**

Mr Hughes, Committee Services Manager, read out the following question from Mrs Wells to the Leader:

"You will be aware of the strength of public concern regarding the Planned housing development on Westgate and Garlinge farmland.
The fact that this land is included in the local plan makes any public challenge to this difficult.
There is a current review of the local plan . The councils Published local development scheme states that a review of housing requirements and climate change matters forms part of the work program.
Why is this currently a closed process?
At what stage will there be Involvement of consultees in particular Westgate town council .
At what stage will there be public consultation?
What are the time scales for progressing to conclusion?"

The Leader responded with the following points:

- The Cabinet Advisory Group (CAG) process included public meetings as an integral part of its working. The CAG made recommendations to Cabinet, and these reports were also in the public domain.
- It was intended that there would be various opportunities for a range of stakeholders to comment on the draft Plan and related documents over the next two years. Exact dates for this were not known at this point.
- Before being submitted for examination, the final draft Plan would be agreed by the whole Council. Then, following a stage of formal consultation, the draft Plan would be considered at the Examination-in-Public sessions held by independent Planning Inspectors. The Inspectors would hear from various parties, and make recommendations about the final form of the plan to the Council.

8. QUESTIONS FROM MEMBERS OF THE COUNCIL

(a) **Question No.1 - Regarding GP Shortages.**

Councillor Gregory asked Councillor Kup the following question:

"Thanet has the 4th worse GP shortage in England which nationally has 100,000 Health care professional vacancies. Services may be reduced at QEQM following the 2016 STP proposals. With new huge housing developments currently planned, what is being done to improve recruitment & retention of HCPs & critically to halt the closures of vital services at QEQM?"

Councillor Kup responded with the following points:

- Kent County Council and the Clinical Commissioning Group (CCG) were responsible for ensuring adequate health provision within the District.
- Whilst Thanet District Council did not have any direct responsibility, it was an important subject and the Council was active in a number of partnerships including the East Kent Integrated Care Partnership, East Kent Wellbeing & Health & Improvement Partnership, Thanet Health & Wellbeing Partnership and the Council also had its own Cabinet Advisory Group.
- The issue of recruitment and retention of medical staff was something that had been worked upon for a number of years culminating in the Kent and Medway Medical School. This was a collaboration between Canterbury Christchurch University and the University of Kent, to directly tackle this issue.
- The new Local Plan made provision for GP surgeries and medical facilities to be provided or expanded alongside new housing development. This was based on the infrastructure planning work undertaken in conjunction with the relevant health bodies.

Councillor Gregory followed up her question by stating that she was aware that investment in medical facilities were proposed, however that would not address the issue of healthcare staff shortages.

Councillor Kup noted Councillor Gregory's comment.

(b) **Question No.2 - Regarding Toilet Facilities.**

Councillor Bailey asked Councillor Kup the following question:

"On warm summer evenings locals and visitors enjoy sitting or walking along the seafront until last light. However, many are often 'caught short' because our public toilets are closed. This can have grim consequences. I have received several reports of people urinating, and worse, in public spaces and have recently had to request that the street cleansing team jet wash a shelter on the clifftop which had human excrement in it.

According to their websites Dover, Deal, Herne Bay & Hastings have at least one toilet facility open until 9.00pm, Brighton, Hove and Bournemouth until 10.00pm and Whitstable even has some toilets open 24 hours.

According to our website the latest any Thanet toilet is open is 8.00pm however, in practice they are often closed even earlier.

If other authorities have toilet facilities available later in the evening can't we?"

Councillor Kup responded with the following points:

- In Thanet there were 15 public toilets open all year round, and a further 12 toilets open during the summer season. These 27 toilets were open 7 days a week. This year the seasonal toilets were opened on 29 March. This was almost 2 months earlier than normal, in readiness for the easing of the most recent national lockdown.
- Toilets on the main bays at Ramsgate, Margate and Broadstairs were unlocked and locked each day by static cleaners from approximately 8.00am to 8.00pm.
- Toilets at other bays and in the towns were unlocked between 8.30am and 9.30am each day and were locked between 5.30pm and 8.00pm. These toilets were tended by mobile crews hence the variance in the approximate opening and closing times.
- The details of each public toilet, including its location and opening hours, could be viewed on the Council's website.
- Unfortunately experience has shown that the majority of vandalism and anti-social behaviour at toilets takes place during the evening. Opening the toilets later would increase the health and safety risk for the toilet cleansing team, and could have an impact on limited revenue budgets if vandalism took place. There would also be a need to train more staff who would work later shifts, and this would exceed the current budget provision.
- There were no plans to extend the opening hours of our public toilets at this time.

Councillor Bailey followed up her question by asking when the findings of the Toilet Working Party would be made public.

Councillor Kup responded that he would find out when the findings would be made public. He also advised that he wished to re-establish the group to see if a cross party agreement could be reached, regarding the opening and maintenance of the toilets to the level required by the residents of Thanet.

(c) **Question No.3 - Regarding the Local Plan**

Councillor Everitt asked the Leader the following question:

"When the leader stood for election to this council in 2015, she and her then party pledged to reduce the number of new homes envisaged in the emerging Thanet local plan from approximately 12,000. Her party won the election, but the number of homes went up to approximately 17,000 by 2018. Now that many of our residents are so angry about the adopted plan allocating so much Thanet farmland for housing development, who does she think they should hold responsible?"

The Leader responded with the following points:

- The housing requirements in the Local Plan were derived from the Government guidance in place at the time. In 2015, the Council had not had a full Strategic Housing Market Assessment (SHMA) carried out, and the housing requirement set out in the draft Local Plan was an estimate that related to a range of employment projections.
- The SHMA reports, following the Government methodology (and published in 2016 and 2017), raised the total requirement for Thanet to 17,140.
- The Local Plan, which included this number of homes, was supported at full council and received cross party agreement.

Councillor Everitt followed up his question by asking if the Conservative Group and others who agreed, at the Council meeting on 19/7/2018, to remove the Manston Airport site as a potential location for houses from the Plan, should not take some responsibility for the reallocation of 2500 houses from the Manston Airport site into surrounding green field sites within the District.

The Leader responded to note that the future of the Airport site was in the hands of the Inspectorate, and that the site was now protected in the Local Plan as an airport. The Leader added that she would be doing all she could to challenge the Government's housing requirement calculation, and a Cabinet Advisory Group would also look at what more could be done.

(d) **Question No.4 - Regarding Replacement Bins**

Councillor Austin asked Councillor R Bayford the following question:

"Domestic rubbish and recycling are regularly spread all over our streets by high winds and seagulls. Domestic bins with missing lids and the use of open recycling boxes for flats make this problem much worse. On the TDC website, our policy on replacement domestic bin lids reads:

'The council will repair any containers that become damaged or un-serviceable as a result of the collection process, as soon as reasonably practicable and free of charge. Residents will need to report this type of damage to us.'

Could you please tell me:

- How many households are currently waiting for replacement bin lids?
- How long residents typically wait for such replacements?
- Whether the Council has done a cost-benefit analysis on:
 - moving to closed recycling containers for flats?
 - doing a blitz on replacements & repairs to reduce the extra work windblown waste creates for street cleansing teams and for long-suffering litter-picking volunteers?"

Councillor R Bayford responded with the following points:

- Bin lids were no longer routinely replaced. This was due to the time taken to replace a lid and because there were now several different bin types in service with some degree of variation in bin lid design. Overall it was more cost effective to replace the entire bin in the majority of cases.

- At the end of June there were 2044 containers to be delivered. This included all bin types.
- The Council emptied in excess of 30,000 household bins and containers each day and the bin replacement schedule was updated on a daily basis as bins were delivered and new requests were received. There was a permanent bin delivery team to replace bins when they were lost or damaged.
- Waiting times were currently high in some cases, and most outstanding requests for paid-for containers dated from February 2021 onwards. The Council had increased its bin delivery resources from two full time vehicles and crew, to three vehicles and crew to catch up with the backlog.
- The Council was trialling recycling collections from a privately owned high rise block, and was also working with the housing team to trial this at some of the Council owned tower blocks.

Councillor Austin followed up her question by asking if a cost analysis could be undertaken to establish if there was a saving to be made from replacing bin lids more quickly and to provide lidded containers to flats, compared with the street cleaning cost required to deal with the spread of rubbish as a result of broken bin lids and open top containers.

Councillor R Bayford responded that there was a plan to move to containers with lids, however the department was under such pressure that the focus was on the core service at the moment.

(e) **Question No.5 - Regarding the Local Plan and Empty Properties.**

Councillor Farrance asked the Leader the following question:

"The Local Plan requires over 17,000 homes to be built in Thanet, mainly on our precious farmland. There are 5,517 empty homes in Thanet, and 517 empty commercial properties.

Given that there are a variety of reasons for empty homes, could the Cabinet Member please give a breakdown of the number of empty homes in each category, and explain what TDC is doing to encourage the owners in each category to return these empty homes to much-needed occupation. Which would surely mean that less farmland would be required for building."

The Leader responded with the following points:

- Council Tax information was the most reliable and accurate means of identifying the number of empty homes in the District. The following response was based on live Council Tax information.
- The council tax data included a number of different categories with a council tax exemption. Some of these were not really empty, such as second homes, homes where the resident was working away and homes owned by the Ministry of Defence. It also included homes that were between occupants, this was a normal part of the process of moving home and would be empty for less than 6 months.
- Excluding categories that were not genuinely empty, there were currently 1,593 properties, of which 572 were short term empty properties between occupants. There were 1,021 properties which had been empty for more than 6 months and which were the focus of the Council's work to return empty homes to use.
- The Council had an Empty Homes Team who took action to help bring long term empty homes back into use.
- The Council was also able to offer loans to owners, in partnership with Kent County Council, through the No Use Empty initiative. Over £10,000,000 in loans have been approved in Thanet, which has assisted with the renovation of 364 homes.

- When the informal approach was unsuccessful, the team had a range of legislative powers at its disposal which may be used to help bring empty homes back into use. However, it is worth pointing out that there was no law against owning an empty home.
- The empty homes plan was published on the Council website here: https://www.google.com/url?q=https://democracy.thanet.gov.uk/documents/s71042/Empty%2520Homes%2520Plan%25202020-23%2520-%2520Google%2520Docs.pdf&sa=D&source=editors&ust=162685955344000&usg=AOvVaw1JBameVvSIMKx3CataK_s0
- The plan explained in more detail how the Council could take action to bring empty homes back into use.
- There were 508 empty commercial properties, and 488 of these had been empty for more than six months.
- The Local Plan made an allowance for empty homes coming back into use. This was based on guidance received from the Planning Inspectorate when the Local Plan was being prepared.
- This allowance was already included in the Local Plan, and totalled 540 units over the Plan period to 2031. This figure represented more than half of the current long term empty homes in the District.
- In addition, the Local Plan also included 30 hectares of business premises and land released for housing purposes, and included an allowance for “windfall” sites (sites not allocated in the Plan) that may come forward.

Councillor Farrance followed up her question by asking for reassurance that work would continue to bring empty homes back onto use.

The Leader responded that work would continue, and that she would be looking at every angle to bring down the number of houses allocated to the District.

9. **NOTICE OF MOTION**

(a) **Motion regarding Food Poverty**

It was proposed by Councillor Keen and seconded by Councillor Whitehead that:

“There is a crisis of food poverty in this country, created by political choices and systemic failings and thrown into sharp relief by the Covid pandemic. The Trussell Trust reports a soaring 81% increase in emergency food parcels from food banks in its network during the last two weeks in March 2021 compared to the same period last year and our local foodbanks tell the same story.

Some 35% of Thanet’s Lower Super Output Areas (LSOAs) are in the top 10% most deprived LSOAs nationally. Almost 22% of Thanet children are entitled to free school meals, the highest in Kent, and this percentage is continuing to rise.

The National Food Strategy is the first independent review of England’s entire food system for 75 years. Its purpose is to set out a vision for the kind of food system we should be building for the future and a plan for how to achieve that vision. It is headed by Henry Dimbleby and next reports to the government shortly.

The Right to Food campaign is arguing that the 11 million people in food poverty should be central to this strategy. Enshrining the “right to food” in law would clarify government obligations on food poverty and introduce legal avenues to hold government bodies accountable for violations.

This council therefore calls for the right to food to be incorporated into the National Food Strategy and instructs the leader to write to Henry Dimbleby to further this demand.”

In accordance with council procedure rule 3.7, the Leader responded to the motion. She noted that Mr Dimbleby’s report had already been published, therefore the opportunity to gather evidence had passed, however she agreed that it was a serious matter.

Councillor Everitt proposed, Councillor Rawf seconded that the motion be debated.

Upon being put to the vote, Members did not agree to debate the motion, therefore the motion fell.

10. **LEADERS REPORT**

The Leader, Councillor Ashbee, presented her report to Council, covering the following key points:

- She took the opportunity to remember those who had lost their lives during the Covid pandemic and offered thanks to everyone who had helped to get the Country through the worst of it.
- The new administration would be looking for ways to improve the efficiency of the Council's core services, and would be looking at opportunities to encourage inward investment.
- The administration had reviewed the levelling up bids for Margate and Ramsgate. If successful, both bids would be a boost for the District.
- The Leader had an ongoing dialogue with the Chief Executive of Southern Water following the failings at the pumping station on 16 June.

Leader of the Labour Group, Councillor Everitt, made the following points:

- He hoped that both levelling up bids would be successful, but was concerned that the success of one bid may make the success of the other bid less likely.
- The Government had underfunded the Council for the last ten years, and the Council did not have enough money to offer the service that residents demanded. The search for efficiencies would not be sufficient to make up for this shortfall.
- Southern Water had a history of dishonesty and the service should be bought under public control.
- He hoped that the Leader would work with all the political groups within the Council, for the good of the people in Thanet.

The Leader replied to Councillor Everitt's comments with the following points:

- She would continue to look for funding opportunities from the Government, however she wanted to look at ways that the Council could be less dependent on Government funding. Members were asked to come forward with suggestions if they had any ideas to generate income.
- The new administration would fully engage with all groups within the Council.

Councillor Reverend Piper, as leader of the Thanet Independents Party, made the following points:

- He wished to offer the new administration every success, particularly regarding the levelling up bids.
- The Leader had been quick to respond to the Southern Water incident.
- The Leader would need energy and cross party support to be successful.

The Leader replied to Councillor Reverend Piper's comments with the following points:

- She acknowledged that there was work to do.
- The Council had offered to manage the compensation scheme for Southern Water, in order to make the scheme easier for businesses to make claims.

Councillor Garner as Leader of the Green Party made the following points:

- He welcomed Councillor Ashbee into the leadership role.
- He would join the Leader in remembering those who lost their lives to Covid. The pandemic had taken a toll on Thanet, and he wanted to thank everyone involved, particularly Council Officers who had continued to work throughout.

- There was a lot of public interest in the Ramsgate levelling up bid, community involvement and transparency must be maintained throughout the process.
- The full details of the two levelling up bids should be made available to the public.
- The latest Southern Water failing showed that the company prioritised paying dividends above paying to upgrading their systems.
- The Chief Executive of Southern Water should come before Members to explain what was being done to rectify the situation.

The Leader replied to Councillor Garner's comments noting that:

- Community engagement was important across the District. The specific details of the bids could not be released until they had been approved, however they would be made publically available when it was possible.
- The Chief Executive of Southern Water would be invited to attend a Members briefing in August.

Members noted the report.

11. REPORT OF THE CHAIRMAN OF THE OVERVIEW AND SCRUTINY PANEL

Councillor Reverend Piper presented his report, and offered his thanks to Councillor R Bayford for his work when he was Chair of the Panel.

Councillor Reverend Piper, noted an inaccuracy in the report at paragraph 1.4 which should have said that there had been no **scheduled** meetings. The Panel had met for an extraordinary meeting on 8 July 2021.

Members were encouraged to attend the next meeting that would take place on 20/7/2021, and would review planning enforcement.

12. DRAFT MEMBER PARENTAL LEAVE POLICY

It was proposed by the Chairman, seconded by the Vice-Chairman and Members agreed to adopt the draft parental leave policy including the pay rates as shown at Option 2, namely:

'6 months full pay of Special Responsibility Allowance with any remaining leave being unpaid.'

13. CHANGES TO COMMITTEES, PANELS AND BOARDS - 2021/22

Proportionality

The Chair proposed, the Vice Chair seconded and Members agreed the proportionality between groups for committees, panels and boards, for the remainder of the 2021/22 municipal year as shown at paragraph 4.1.1 of the report, namely:

'That the number of seats on the Planning Committee for the Conservative group is reduced from seven to six and the number of seats for the Green group is increased from one to two. In addition one seat is removed from the Overview and Scrutiny Panel and Conservative group loses that seat.'

NOMINATION OF MEMBERS TO SERVE ON COMMITTEES

The Leader advised that Councillor Scott would no longer sit on the Planning Committee or the Overview and Scrutiny Panel, and that Councillor Fellows would come off the Overview and Scrutiny Panel.

Councillor Garner advised that Councillor Wing would now sit on the Planning Committee.

14. REPORT OF AN URGENT DECISION UNDER RULE 4 OF THE BUDGET AND POLICY FRAMEWORK PROCEDURE RULES

Members noted the report.

15. REPORT TO COUNCIL ON TWO URGENT DECISIONS UNDER RULE 4 OF THE BUDGET AND POLICY FRAMEWORK PROCEDURE RULES

Members noted the report.

16. ALLOWANCES SCHEME

The Chair proposed, the Vice Chair seconded and Members agreed the recommendation as set out in the report, namely:

‘To add one additional Cabinet member special responsibility allowance and one additional shadow Cabinet member special responsibility allowance to the scheme of members allowances and to refer the scheme to EKJIRP for them to consider, with any amendments being reported back to Council.’

Meeting concluded : 8.25 pm

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COUNCIL

Minutes of the extraordinary meeting held on 23 September 2021 at 7.00 pm in Council Chamber, Council Offices, Cecil Street, Margate, Kent.

Present: Councillor Jason Savage (Chair); Councillors Albon, Ara, Ashbee, Austin, Bailey, Bambridge, J Bayford, Boyd, Coleman-Cooke, Currie, Day, Dennis, Everitt, Farrance, Fellows, Garner, Gregory, Hart, Keen, Kup, Leys, Paul Moore, Ovenden, Parsons, L Piper, Rev. S Piper, Potts, Pugh, Rattigan, Rawf, Rusiecki, D Saunders, M Saunders, Scobie, Scott, Shonk, Shrubb, Tomlinson, Towning, Wallin, Whitehead, Wing, Wright and Yates

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors R Bayford, Braidwood, Crittenden, Dexter, Duckworth, Green, Hopkinson, Huxley, Pat Moore and Rogers.

2. DECLARATIONS OF INTEREST

There were no declarations of interest.

3. EXCLUSION OF PRESS AND PUBLIC

It was proposed by the Chairman, seconded by the Vice-Chairman and Members agreed to excluded the press and public from the meeting for agenda item 4 as it contained exempt information as defined in paragraph 1, of part 1, schedule 12a of the Local Government Act 1972 (as amended).

4. APPOINTMENT TO THE INDEPENDENT PERSONS PANEL

It was proposed by the Chairman, seconded by the Vice-Chairman and Members agreed:

1. To appoint the following individuals as members of the Independent Persons Panel:
 - Dennis James Independent Person for Thanet District Council.
 - Jacque Dabnor, Independent Person for Canterbury City Council.
 - Myra Field, Independent Person for Canterbury City Council.
 - Chris Harman, Independent Person for Folkestone and Hythe District Council.
2. That the above individuals remain as members of the IPP for the remainder of the Administrative year.
3. To pay a nominal amount of £100 each in the event of the Independent Panel being required to meet.

Meeting concluded : 7.05 pm

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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](#).

QUESTIONS FROM THE PRESS AND PUBLIC

Council	14 October 2021
Report Author	Committee Services Manager
Portfolio Holder	Cabinet Member for Housing and Community Services
Classification:	Unrestricted
Key Decision	No

Executive Summary:

The Leader and Cabinet Members will receive questions from the press and public in accordance with Council Procedure Rule 13.

Recommendation(s):

This report is for information.

Corporate Implications

Financial and Value for Money

There are no identified financial implications from this report.

Legal

There are no legal implications directly from this report.

Corporate

Council Procedure Rule 13 affords members of the public the opportunity to ask questions of Members of the Cabinet at ordinary meetings of the Council.

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.

There are no specific equality issues arising from this report.

Corporate Priorities

This report relates to the following corporate priorities: -

- *Communities*

1.0 Introduction and Background

- 1.1 Council Procedure Rule 13 enables members of the public may ask questions of members of the Cabinet at ordinary meetings of the Council.
- 1.2 Any questions received in accordance with the Council's constitution will be available to view on the Council website:
<https://www.thanet.gov.uk/info-pages/speaking-at-council-meetings/>
- 1.3 Under Council Procedure Rule 13.6, the Chairman will invite the questioner to put their question to the Member named in the notice. If the questioner is not present, the question shall not be put and shall be answered in writing.
- 1.4 Under Council Procedure Rule 13.7, if the Member to whom the question is directed is present they will provide an oral answer. If that Member is not present, the question will be answered by the Leader or another Member nominated by the Leader for the purpose unless it is inappropriate for the Leader to give an oral answer or to nominate another Member to give an oral answer, in which case the question will be dealt with by a written answer.
- 1.5 The total time devoted to questions from the press and public shall not exceed 30 minutes. Any question which cannot be dealt with during that time will be replied to in writing.

Contact Officer: Nick Hughes, Committee Services Manager

Reporting to: Tim Howes, Director of Corporate Governance and Monitoring Officer

Annex List

There are no Annexes with this report.

Background Papers

There are no Background Papers with this report.

Corporate Consultation

Finance: Matt Sanham, Corporate Finance Manager

Legal: Tim Howes, Director of Corporate Governance and Monitoring Officer

QUESTIONS FROM THE MEMBERS OF THE COUNCIL

Council	14 October 2021
Report Author	Committee Services Manager
Portfolio Holder	Cabinet Member for Housing and Community Services
Classification:	Unrestricted
Key Decision	No

Executive Summary:

The Leader, Cabinet Members and Chairman of any Committee or Sub-Committee will receive questions from Members of the Council in accordance with Council Procedure Rule 14.

Recommendation(s):

This report is for information.

Corporate Implications

Financial and Value for Money

There are no identified financial implications from this report.

Legal

There are no legal implications directly from this report.

Corporate

Council Procedure Rule 14.3 affords Members of the Council the opportunity to ask questions of Members of the Cabinet at ordinary meetings of the Council.

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.

There are no specific equality issues arising from this report.

Corporate Priorities

This report relates to the following corporate priorities: -

- *Communities*

1.0 Introduction and Background

1.1 Council Procedure Rule 14.3 states that a Member of the Council may ask

- a Member of the Cabinet; or
- the Chairman of any Committee or Sub-Committee

A question on any matter in relation to which the Council has powers or duties or which affects the district.

1.2 Council Procedure Rule 14.7 states that an answer may take the form of:

- a) a direct oral answer;
- b) where the desired information is in a publication of the Council or other published work, a reference to that publication; or
- c) where the reply cannot conveniently be given orally, a written answer circulated within three working days to the questioner.

1.3 A Member may, in accordance with Council Procedure Rule 14.8, ask one supplementary question without notice to the Member to whom the first question was asked. The supplemental question must arise directly out of the original question or the reply.

1.4 The questioner shall have two minutes for the initial question and one minute for the supplementary question and the respondent shall have five minutes for the initial reply and two minutes for the supplementary reply. (Council Procedure Rule 14.9 refers)

1.5 The total time devoted to questions from Members of the Council shall not exceed 30 minutes. Any question which cannot be dealt with during that time will be replied to in writing.

1.6 Any questions received in accordance with the Council's constitution will be available to view on the Council's website:

<https://www.thanet.gov.uk/info-pages/speaking-at-council-meetings/>

Contact Officer: Nick Hughes, Committee Services Manager

Reporting to: Tim Howes, Director of Corporate Governance and Monitoring Officer

Annex List

There are no Annexes with this report.

Background Papers

There are no Background Papers with this report.

Corporate Consultation

Finance: Chris Blundell, Director of Financial Services

Legal: Tim Howes, Director of Corporate Governance and Monitoring Officer

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NOTICE OF MOTION REGARDING A DISABLED PARKING SCHEME REVIEW

Council	14 October 2021
Report Author	Nick Hughes, Committee Services Manager
Portfolio Holder	Councillor D Saunders, Cabinet Member for Finance
Status	For Decision
Classification:	<i>Unrestricted</i>
Key Decision	No
Ward:	All Wards

Executive Summary:

This Council will consider a notice of motion requesting the Council commits to an internal audit of the number of disabled parking spaces available in relation to the numbers of residents requiring them, and commits to contacting and working with KCC to bring forward personalised permits.

Recommendation(s):

Council is invited to consider whether to debate the motion.

Corporate Implications

Financial and Value for Money

None arising directly from this report.

Legal

Council Procedure Rule 3.7 states that: “the Member whose name appears first on the notice will move the motion during his or her speech and call for a seconder. If seconded, a Member from the controlling political group will be entitled to a reply, after which the motion shall stand referred without further discussion to the Cabinet or appropriate committee for determination or report unless the Council decides to debate the motion in accordance with Rule 16” (*rules of debate*)

Corporate

Council Procedure Rule 3 provides the opportunity for Councillors to give advance notice of motions to be put to Council.

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.

There are no specific equalities issues arising from this report.

CORPORATE PRIORITIES

This report relates to the following corporate priorities: -

- *Communities*

1.0 Introduction and Background

- 1.1 The following motion has been received from Councillor Whitehead in accordance with Council Procedure Rule No. 3:

"This Council commits to an internal audit of the number of disabled parking spaces available in relation to the numbers of residents requiring them, and commits to contacting and working with KCC to bring forward personalised permits, so that our application based disabled parking bays can perform the role that is intended."

2.0 Options

- 2.1 To debate the motion,
- 2.2 Not to debate the motion, in which case the motion will fall.
- 2.3 If debated, following the conclusion of the debate, the only action that may be taken is to refer the motion to Cabinet for consideration as per Council Procedure Rule 3.8 iv)

"where a motion on notice would, if adopted, constitute the exercise of an executive function, that motion must be referred to the Cabinet (or relevant Cabinet portfolio holder as appropriate) for decision"

3.0 Decision Making Process

- 3.1 It is for Council to decide whether or not to debate the motion, and if it does so, to then refer it to Cabinet.

Contact Officer: Nick Hughes, Committee Services Manager
Reporting to: Estelle Culligan, Head of Law and Democracy

Annex List

There are no annexes with this report.

Background Papers

There are no background papers with this report.

Corporate Consultation

Finance: Chris Blundell, Director of Finance

Legal: Estelle Culligan, Director of Law and Democracy

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NOTICE OF MOTION REGARDING A PARTNERSHIP BETWEEN LOCAL GOVERNMENT AND NATIONAL GOVERNMENT TO TACKLE CLIMATE CHANGE

Council	14 October 2021
Report Author	Nick Hughes, Committee Services Manager
Portfolio Holder	Councillor R Bayford, Cabinet Member for Environmental Services and Special Projects
Status	For Decision
Classification:	<i>Unrestricted</i>
Key Decision	No
Ward:	All Wards

Executive Summary:

This Council will consider a notice of motion requesting that the Council write to Alok Sharma MP, President for COP26, the Prime Minister and the Leadership Board of the LGA, informing them of our support for a joint Local/National Government Climate Change Partnership Taskforce, and asking for one to be established as soon as possible.

Recommendation(s):

Council is invited to consider whether to debate the motion.

Corporate Implications

Financial and Value for Money

None arising directly from this report.

Legal

Council Procedure Rule 3.7 states that: "the Member whose name appears first on the notice will move the motion during his or her speech and call for a seconder. If seconded, a Member from the controlling political group will be entitled to a reply, after which the motion shall stand referred without further discussion to the Cabinet or appropriate committee for determination or report unless the Council decides to debate the motion in accordance with Rule 16" (*rules of debate*)

Corporate

Council Procedure Rule 3 provides the opportunity for Councillors to give advance notice of motions to be put to Council.

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.

There are no specific equalities issues arising from this report.

CORPORATE PRIORITIES

This report relates to the following corporate priorities: -

- *Communities*
- *Environment*

1.0 Introduction and Background

- 1.1 The following motion has been received from Councillor Garner in accordance with Council Procedure Rule No. 3:

Background

In 2018, at COP24, the UK Government signed up to having 'domestic institutional arrangements, public participation and engagement with local communities' so localities can play their part in delivering the UKs 'Nationally Determined Contributions' in the Paris Climate Agreement.

In May 2021 Alok Sharma MP, President of COP26 said Collaboration would be a key objective of the climate summit

"Governments, business and civil society (sometimes called 'non-state actors' and including local government) need to work together to transform the ways we power our homes and businesses, grow our food, develop infrastructure and move ourselves and goods around"

Despite these agreements and statements there is still no formal relationship allowing a joint partnership working between Local and National Government on climate action.

Motion

"This Council resolves to

- in this year of COP26 add our voice to calls by the Local Government Association and the Association of Directors of Environment, Economy, Planning and Transport &

others for a joint local & national government Task Force to plan action to reach 'net zero' emissions. Such a partnership can set appropriate regulations, benchmarks and targets and create the much needed long-term funding mechanisms to enable local communities and economies to decarbonise whilst remaining resilient and sustainable.

- write to Alok Sharma MP, President for COP26 , the Prime Minister and the Leadership Board of the LGA informing them of our support for a joint Local/National Government Climate Change Partnership Taskforce and asking for one to be established as soon as possible."

2.0 Options

- 2.1 To debate the motion and to choose whether to adopt it, if debated but Council does not then adopt it, the motion will fall. As the motion relates to a Council function only Council can agree to the motion, it cannot refer it to Cabinet.
- 2.2 Not to debate the motion, in which case the motion will fall.

3.0 Decision Making Process

- 3.1 It is for Council to decide whether or not to debate the motion.

Contact Officer: Nick Hughes, Committee Services Manager
Reporting to: Estelle Culligan, Head of Law and Democracy

Annex List

There are no Annexes with this report.

Background Papers

There are no Background Papers with this report.

Corporate Consultation

Finance: Chris Blundell, Director of Finance

Legal: Estelle Culligan, Director of Law and Democracy

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NOTICE OF MOTION REGARDING AIRBNBS IN THANET

Council	14 October 2021
Report Author	Nick Hughes, Committee Services Manager
Portfolio Holder	Councillor Ashbee, The Leader of the Council
Status	For Decision
Classification:	<i>Unrestricted</i>
Key Decision	No
Ward:	All Wards

Executive Summary:

This Council will consider a notice of motion requesting that the Local Plan Cabinet Advisory Group look at the possibility of introducing planning restrictions on short term rentals, and a request that the Leader write to the AirBnB UK Public Policy Manager and seek a 90 day annual limit for home rentals in Thanet on the AirBnB platform.

Recommendation(s):

Council is invited to consider whether to debate the motion.

Corporate Implications

Financial and Value for Money

None arising directly from this report.

Legal

Council Procedure Rule 3.7 states that: “the Member whose name appears first on the notice will move the motion during his or her speech and call for a seconder. If seconded, a Member from the controlling political group will be entitled to a reply, after which the motion shall stand referred without further discussion to the Cabinet or appropriate committee for determination or report unless the Council decides to debate the motion in accordance with Rule 16” (*rules of debate*)

Corporate

Council Procedure Rule 3 provides the opportunity for Councillors to give advance notice of motions to be put to Council.

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.

There are no specific equalities issues arising from this report.

CORPORATE PRIORITIES

This report relates to the following corporate priorities: -

- *Communities*

1.0 Introduction and Background

- 1.1 The following motion has been received from Councillor Yates in accordance with Council Procedure Rule No. 3:

Motion

“This council notes with concern the ongoing issues raised by residents around the growth in AirBnbs in Thanet, especially in relation to the reduction in long term rentable properties. We welcome the majority of visitors to Thanet, who make an important contribution to our economy, but we hear residents’ concerns and wish to take action to control this serious issue which is damaging our community and damaging the reputation of AirBnb.

This council recognises that it currently does not possess the powers to intervene and regulate these properties, and that this is a problem faced by many local authorities across the country.

Therefore, this Council resolves to:

- a) Work within the Local Plan Cabinet Advisory Group to try and introduce planning restrictions that affect short-term rentals, such as change of use regulations that are required in Greater London to turn a property into an AirBnb property.
- b) Ask the Leader of the Council to write to Marie Lorimer, the UK Public Policy Manager at AirBnb to request a meeting, and seek to proactively introduce a 90 day annual limit for entire home rentals in Thanet within the AirBnb platform. AirBnb currently has a lock on their platform that does not

allow Greater London entire home properties to be rented out for more than 90 days a year. "

2.0 Options

- 2.1 To debate the motion and to choose whether to adopt it, if debated but Council does not then adopt it, the motion will fall. As the motion relates to a Council function only, Council can agree to the motion.
- 2.2 Not to debate the motion, in which case the motion will fall.

3.0 Decision Making Process

- 3.1 It is for Council to decide whether or not to debate the motion.

Contact Officer: Nick Hughes, Committee Services Manager
Reporting to: Estelle Culligan, Head of Law and Democracy

Annex List

There are no Annexes with this report.

Background Papers

There are no Background Papers with this report.

Corporate Consultation

Finance: Chris Blundell, Director of Finance
Legal: Estelle Culligan, Director of Law and Democracy

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LEADER'S REPORT TO COUNCIL

Council	14 October 2021
Report Author	Nick Hughes, Committee Services Manager
Portfolio Holder	The Leader
Status	For Information
Classification:	Unrestricted
Key Decision	No

Executive Summary:

To receive a report from the Leader in accordance with Council Procedure Rule 2.4

Recommendation(s):

None - This report is for information only.

Corporate Implications

Financial and Value for Money

There are no identified financial implications from this report.

Legal

There are no legal implications directly from this report.

Corporate

The Leaders report helps to contribute to the promoting open communications corporate value.

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.

The Council demonstrates due regard to the aims of the Public Sector Equality Duty when conducting its business, this due regard is mirrored in the leaders report which provides an update on key issues arising since the last meeting of Council.

CORPORATE PRIORITIES

This report relates to the following corporate priorities: -

- Growth
- Environmental
- Communities

1.0 Introduction and Background

1.1 Council Procedure Rule 2.4 provides that:

“The Leader of the Council will make available in writing the content of his/her oral report to opposition group leaders no later than the Saturday before the meeting. The speech will not exceed ten minutes on key issues arising since the last meeting of Council.

The Leaders of any other political group may comment on the Leader’s report. The comments of the Leaders of the other political groups shall be limited each to five minutes. The other Group Leaders will comment in an order determined by the number of Councillors within those political groups, with the largest group commenting first, and so on.

The Leader has a right of reply to each Group Leader limited to two minutes, in hierarchical order, to any comments made on his/her report.

The Leader of the Council, the Leader of the Opposition and the Leader of any other political group may appoint substitutes to speak on their behalf.

No motions may be moved nor resolutions passed under this item.”

Contact Officer: Nick Hughes, Committee Services Manager

Reporting to: Tim Howes, Director of Corporate Governance and Monitoring Officer

Annex List

There are no Annexes with this report.

Background Papers

There are no Background Papers with this report.

Corporate Consultation

Finance: Chris Blundell, Director of Financial Services

Legal: Tim Howes, Director of Corporate Governance and Monitoring Officer

Overview & Scrutiny Panel Chairman's Report to Council

Council	14 October 2021
Report Author	Committee Service Manager
Status	For Information
Classification:	Unrestricted
Key Decision	No
Ward:	Thanet Wide

Executive Summary:

This report comments on the activities of the Overview & Scrutiny Panel for 2021/22 which were agreed by the Panel on 25 May 2021 as the work programme for the year.

Recommendation(s):

Members are being asked to comment on, make suggestions and note the report.

Corporate Implications

Financial and Value for Money

There are no financial implications directly arising from this report. The report provides a briefing to Full Council about the current work activities of the Overview & Scrutiny Panel.

Legal

There are no legal implications directly arising from this report. A presentation of the Panel Chairman's report to Full Council enables the Chairman to fulfil their duty as is required by the Council's Constitution.

Corporate

There are no corporate risks associated with this report. The report enables discussion by Members at Full Council on the activities of the Finance Scrutiny Panel.

The debate on the Panel Chairman's report contributes to open communication across the council. A strong scrutiny function contributes to an open democratic process for decision making and delivery of value for money services as council decisions are interrogated by Members before they are implemented. In instances where such decisions are interrogated after implementation, there will be lessons to learn for future policy development.

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: -

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

No implications arise directly but the Council needs to retain a strong focus and understanding on issues of diversity amongst the local community and ensure service delivery matches these.

It was important to be aware of the Council's responsibility under the Public Sector Equality Duty (PSED) and show evidence that due consideration has been given to the equalities impact that may be brought upon communities by the decisions made by Council.

CORPORATE PRIORITIES

This report relates to Communities.

1.0 Introduction and Background

- 1.1 At each ordinary Full Council meeting, the Chairman of the Overview and Scrutiny Panel presents a progress update report on the activities of the Panel since the last Council meeting.
- 1.2 Such a report would be subject to comment or debate by Members. This is in accordance with Council Procedure Rule 15.1 of Part 4 of the Council Constitution.
- 1.3 This report updates the Council on the work of the Panel since the last Council meeting and allows for discussion of the work undertaken, therefore strengthening the Council's scrutiny function.
- 1.4 This report follows on from the update report that was presented at Full Council on 3 June 2021. This report is the second of the new municipal year and is a limited update to the one presented at the previous meeting as there has been no other meeting since then. The next Panel meeting will be on 20 July.

2.0 The Current Situation

Scrutiny Review Topics

- 2.1 In 2019/20 through to 2020/21, the Panel started working through the list of scrutiny review topics and agreed a prioritised list using the matrix that was established and agreed upon by Members. Whilst some of the topics would be considered through conducting reviews, others would be expedited through one off reports (where appropriate).

Memorial plaques and Monuments

- 2.2 The reviewing of memorial plaques and monuments in the district was one such topic. This was given priority in order to expedite the review process and contribute to the establishment of the policy by Cabinet. However due to imminent new legislation which included new guidance on how the councils could address the issue of monuments and plaques in the district, it was not possible to continue with this work stream. On 20 April 2021, the Panel decided to temporarily halt and therefore keep in abeyance the work of the Memorial Working Party until an appropriate time.

Planning Enforcement Review

- 2.3 Planning Enforcement Review: On 20 April 2021, the Panel set up the Planning Enforcement Working Party to hold one meeting and report back to the Panel on how best Scrutiny could contribute to the current review of the Planning Enforcement protocol for Thanet. reviewed the Planning Enforcement in the district at the February meeting. The sub group met on 25 June and submitted their report to the Panel on 29 July. The Panel agreed to forward for consideration by Cabinet as part of the ongoing review of the Council's Planning Enforcement Protocol, the following recommendations from the working party that:

- a. Investigations be carried out to determine the potential utility of a planning enforcement portal on the council's website to provide updates to members of the public and elected members on current cases, as well as increasing the availability of information about the Enforcement process for the public;
- b. A review be conducted to identify how the council could come up with a more effective system of prioritising planning enforcement cases;
- c. A review be conducted to determine how best to improve communication between the council and complainants regarding planning enforcement cases being handled by the council;
- d. Investigations be carried out to determine how best the council could include proactive work in the planning enforcement protocol.

Review of the Council's Community response during the pandemic: The Community Hub and engagement with the voluntary sector

- 2.4 At the meeting on 25 May 2021, the Panel considered the Chief Executive's exploratory report on "A review of the council's Community response during the pandemic, specifically the work of the Community Hub and engagement with the voluntary sector.

- 2.5 The purpose of the report was for the Panel to find out if there was enough interest among Members and if there was enough scope to justify conducting a more indepth review of the topic. However after some discussions, the Panel decided to take no further action.

Coastal Waste Scrutiny Review

- 2.6 At the meeting on 26 August, the Panel set up a five member Coastal Waste Review Working party to conduct a scrutiny review of coastal waste collection practices in the district. The sub group was expected to report back to the Panel in the early part of 2022.
- 2.7 Annex 1 details the current work programme before any new work has been added. All the scrutiny review topics that the Panel identified as ongoing work streams that would spill over into multiple municipal year periods are detailed in the Annex 2 to the report.

Cabinet Presentations at OSP Meetings

- 2.8 The Panel agreed to invite the Leader to the meeting on 26 October to present on the vision for the current cabinet. This would be followed by a presentation by the Cabinet Member for Community Safety and Youth Engagement at the 23 November meeting.
- 2.9 The rest of the work programme would be made up of items which would have been referred to the Panel by Cabinet. These are the items which are part of the Council Budget and Planning Framework and are identified from the Forward Plan. Other items which may have a significant public interest, where the Panel may feel that their contributions would enhance the decision making process would also be added to the work programme.

3.0 Call In of a Cabinet Decision: Proposed Disposal of 18 Albert Street

- 3.1 The Panel called in the Cabinet decision on the proposed disposal of 18 Albert Street property in Ramsgate and considered the issue at their meeting on 8 July 2021. The reasons for the call-in were that they need “to consider whether due process was followed in excluding the building from any of the bids submitted to the Government for Ramsgate improvements. It does not appear as though any consideration was given to the possibility of including this building. If that is the case members feel they ought to have an explanation as to why it was not considered. If it was considered and not regarded, members feel there should be a set of minutes or notes to explain the decision.”
- 3.2 Members observed that this was a property in an upcoming area in Ramsgate which should not be disposed of on the open market. They indicated that residents were concerned about the loss of the property with historical significance. They suggested that the Ramsgate Future Project could make good use of assets like this one and that the property could be turned into a community asset if funding was available.
- 3.3 Other Members proposed that the property could be used for training students on asset restoration for historic assets and that Cabinet should delay the decision for

disposal in order to consider other options. They requested that should there be no negative impact, the decision for disposal be delayed for three months to consider other options.

- 3.4 However the panel was advised that delay in disposing the property would mean delay in income getting into the HRA. It was suggested that the local interest in the property could bid at the auction but Members were further advised that whilst it was a good idea for the community to own the property, the challenge was the community groups often ran out of money to manage such properties, as has been demonstrated on previous occasions.
- 3.5 In conclusion the Panel decided to take no further action regarding this Cabinet decision.

4.0 Options

- 4.1 Members may opt to offer suggestions for consideration by the Panel;
or
- 4.2 Members may simply wish to comment on and note the report.

Contact Officer: Charles Hungwe, Senior Democratic Services Officer, Tel: 01843 577186
Reporting to: Nick Hughes, Committee Services Manager, Tel: 01843 577208

Annex List

Annex 1: Overview & Scrutiny Panel Work Programme for 2021/22
Annex 2: Scrutiny Review Topics with the Scoring Matrix

Background Papers

None

Corporate Consultation

Finance: *Chris Blundell (Director of Finance)*
Legal: *Estelle Culligan, Director of Law and Democracy*

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Overview & Scrutiny Panel Work Programme for 2021/22		
Meeting Date	Indicative Agenda Items	Issue Source
26 August 2021	Statement of Community Involvement Review	Strategic Planning Item
	Explore Proposals for a Waste & Recycle Practices Review	Scrutiny Review Topic Item
	Review of OSP Work Programme for 2021/22	Standing Agenda Item
	Forward Plan & Exempt Cabinet Report List	Standing Agenda Item
26 October 2021	Cabinet Member Presentation: Leader of Council	Standing Agenda Item
	Review of OSP Work Programme for 2021/22	Standing Agenda Item
	Forward Plan & Exempt Cabinet Report List	Standing Agenda Item
23 November 2021	Cabinet Member Presentation - Youth Engagement	Standing Agenda Item
	Planning Enforcement Protocol Review - Update Report	Planning Enforcement Item
	Fees and Charges 2022-23	Financial Services Item
	Review of OSP Work Programme for 2021/22	Standing Agenda Item
	Forward Plan & Exempt Cabinet Report List	Standing Agenda Item
18 January 2022	Cabinet Member Presentation	Standing Agenda Item
	Budget 2022-23	Financial Services Item
	HRA Budget 2022-23	Financial Services Item
	Review of OSP Work Programme for 2021/22	Standing Agenda Item
	Forward Plan & Exempt Cabinet Report List	Standing Agenda Item
17 February 2022	Cabinet Member Presentation	Standing Agenda Item
	Review of OSP Work Programme for 2021/22	Standing Agenda Item

	Forward Plan & Exempt Cabinet Report List	Standing Agenda Item
15 March 2022	Cabinet Member Presentation	Standing Agenda Item
	Review of OSP Work Programme for 2021/22	Standing Agenda Item
	Forward Plan & Exempt Cabinet Report List	Standing Agenda Item
19 April 2022	Cabinet Member Presentation	Standing Agenda Item
	Review of OSP Work Programme for 2021/22	Standing Agenda Item
	Forward Plan & Exempt Cabinet Report List	Standing Agenda Item

Table as at July 2021

Title Of the Scrutiny Review	Review Type	Date added to the scoring table	Membership	Is the topic related to a priority or value within the Council's Corporate Plan?	Is the topic of high public concern?	Is the topic currently under performing as per the Council's quarterly performance monitoring?	Will the topic result in recommendations that save that Council money or generate income?	Time on the list?	Implications for officer resource allocation	Total	Rank	Completion Status
Coastal waste clearance: How does Thanet ensure that its coastal promenades and beaches are kept clear of rubbish and in the best condition for both residents and visitors?	B	14/8/20	TBC	10	20	20	10	0	10	70	1st	
Replacement bins for litter/dog waste: What is the council's reasoning behind complete removal of damaged bins and not replacing them?	A	14/8/20	TBC	10	20	-	10	0	20	60	2nd	
Empty Properties: Why does Thanet have the highest number of empty properties in Kent and what approaches can be used to put these properties to use in a timely manner?	A	14/8/20	TBC	10	10	0	10	0	20	50	=3rd	
Managing anti-social behaviour on Thanet beaches: Are beach inspectors the best way to control or manage beach behaviour?	B	14/8/20	TBC	10	20	-	10	0	10	50	=3rd	
Private rented sector: How does TDC regulate private landlords and letting agencies in Thanet?	B	14/8/20	TBC	10	10	-	10	0	10	40	=5th	
Weed killer usage: What is the best approach for managing grass and hedges in public open spaces in the district that can be used to replace the use of weed killers?	B	14/8/20	TBC	10	10	-	10	0	10	40	=5th	
Camper Vehicles being parked on the street for too long: What is the impact of parked Camper vans on the Thanet roads and can this be regulated by Thanet District Council?	B	14/8/20	TBC	10	10	-	10	0	10	40	=5th	
Promenades - safety concerns cyclists speeding and sharing the footpath: Would a dedicated cycle path (or markings) along the promenade help control bike/pedestrian placement (and cyclist speed)?	B	14/8/20	TBC	10	20	-	0	0	10	40	=5th	
Statues and Blue Plaques: What would be the best approach for managing the discussion on and review of suitability of statues and plaques in the district?	B	14/8/20	TBC	10	20	-	0	0	10	40	=5th	Panel received three update reports via the Memorials Working Group Chair. Panel agreed on 20 April to keep this activity in

												abeyance until after new legislation national monuments and heritage was enacted.
Water user group regulation: What role does TDC have in ensuring the safety of swimmers and other water users from the behaviour of boat and jet ski users in Thanet bays?	C	14/8/20	TBC	10	20	-	0	0	0	30	=10th	
Rough Sleepers: what are we doing about this as a long term plan of addressing the issue (post COVID-19)?	C	14/8/20	TBC	10	10	0	10	0	0	30	=10th	
Modern Slavery: - hand car washes. Is there any intervention the council can do to address the issue of modern slavery?	C	14/8/20	TBC	10	10	-	0	0	0	20	=12th	
Shellfish collection enforcement: How is the collection of shellfish from Thanet beaches regulated and how can enforcement be best managed?	C	14/8/20	TBC	10	10	-	0	0	0	20	=12th	

A:1 Day – 4 weeks Review: **limited officer resource allocations required** for a successful review

B:More than 4 weeks and up to 3 months – **significant officer resource allocations required** for a successful review

C:More than 3 months: **very significant officer resource allocation required** for a successful review

Completed Reviews

Title Of the Scrutiny Review	Review Type	Date added to the scoring table	Membership	Is the topic related to a priority or value within the Council's Corporate Plan?	Is the topic of high public concern?	Is the topic currently under-performing as per the Council's quarterly performance monitoring?	Will the topic result in recommendations that save that Council money or generate income?	Time on the list?	Implications for officer resource allocation	Total	Rank	Completion Status
Street Scene: Abandoned vehicles - how can TDC speed up time taken to clear abandoned vehicles?	B	14/8/20	TBC	10	10	-	10	0	10	40	=5th	officer report considered on 18 Feb 2021 and the Panel confirming the recommendation that Communications could be strengthened on the council's process to inform residents of the procedures and timescales that

												the council was confined to under the legislation. review completed.
Selective Licensing - Is selective licensing the best way forward for the improvement of the privately rented sector Thanet and if so, could it be replicated in other areas of the district?	C	14/8/20	TBC	10	10	-	20	0	0	40	=5th	officer report considered. review completed.
Planning enforcement in the district is slow: Why is the planning enforcement process seemingly so slow in Thanet and how can it be made more efficient?	C	14/8/20	TBC	10	10	-	20	0	0	40	=5th	officer report considered. Further scrutiny proposals being considered. A Planning Enforcement Review Working Party was set up on 20 April 2021 and will have its first meeting on 25 June. Working party recommendations were adopted by the Panel on 20 July 2021. review completed. However a report will be brought to osp on 23 November 2021 on the results of the protocol review.

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CAPITAL PROGRAMME SCHEME - RAMSGATE FUTURE HIGH STREETS FUND

Meeting	14th October 2021
Report Author	Louise Askew, Director of Regeneration
Portfolio Holder	Cllr Reece Pugh, deputy Leader and Cabinet Member for Economic Development
Status	For Recommendation
Classification:	Unrestricted
Key Decision	Yes
Reasons for Key	Addition of a new scheme within the Council's Capital Programme from Grant funding
Ward:	Central Harbour Ward

Executive Summary:

This paper sets out the requirement to approve an additional scheme within the Capital Programme for an externally funded capital grant received to deliver the Ramsgate Future High Street Fund. Thanet District Council has already received part of this funding (2021/22 allocation) to deliver specific pre-agreed projects. It is a Constitutional requirement that these funds are added into the Capital Programme in order to be able to spend the funds.

Council is asked to approve the additional scheme within the Capital Programme, so that the grant from the Ministry of Housing, Communities and Local Government (MHCLG) can be added, and allow project delivery to start.

Recommendation(s):

- Approve the addition of a new scheme into the Capital Programme, funded from the MHCLG Future High Street Funds. The value of the scheme will be no more than the total £2,704,213; this being the maximum award from the Ministry of Housing, Communities and Local Government, for the delivery of pre-agreed projects within the Ramsgate Future High Street Funding programme.
- That the Director of Regeneration and Director of Legal are authorised to agree appropriate contracts for works and grant payments, based on approval from the Director of Property Asset Management and Director of Finance.

Corporate Implications

Financial and Value for Money

The agreed programme has been developed in accordance with MHCLG guidance. Both projects have been created with a clear business case that tests its ability to deliver the government's requirements for Future High Street Funding, and deliver value for money for the public funds. The bid clearly outlines specific details in relation to delivery, cost and outcomes.

We have already received part of this funding, however we are required to allocate it to the Capital Programme to commence delivery.

The Section 151 Officer is required to scrutinise and approve regular monitoring returns to MHCLG. These returns will cover actual and forecast spend, alongside output metrics.

Legal

There are no legal implications arising directly from this report.

Corporate

The Ramsgate Future High Street Fund programme supports the Council's corporate priority for Growth, by encouraging the regeneration of Ramsgate Town Centre. It will also enhance the environment through traffic management proposals with the aim of reducing vehicle dominance and reducing speed.

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.

CORPORATE PRIORITIES

This report relates to the following corporate priorities: -

- *Growth*
- *Environment*
- *Communities*

1.0 Introduction and Background

- 1.1 Thanet District Council was successfully awarded £2.7m from Future High Street Funds in May 2021.
- 1.2 The funds were approved for the delivery of two projects in Ramsgate:
- **Creative Workspace:** working with an experienced operator, a long term vacant site in Harbour Street will be transferred into workspace for creative and cultural industries use. Our aim is that this will stimulate further regeneration in an area currently characterised by high numbers of vacant premises and absentee landlords. **Awarded £1,063,199**
 - **Highway Improvement:** this scheme seeks to provide improved public realm and connectivity between the popular harbourside area and the town centre. The scheme will facilitate and encourage increased visitor footfall with the town centre by providing improved crossing facilities on key desire lines and creating an improved environment for pedestrians and cyclists. The proposed scheme will provide more legible and direct connection between the High Street shops and services and other key destinations for visitors to Ramsgate such as the harbour, pier, beach, Royal Victoria Pavilion and public car parking. This will provide clear benefits to the regeneration of the town through economic growth that accords with the strategic objectives of the fund. **Awarded £1,641,014**
- 1.3 All the investments and costs associated with the Ramsgate Future High Street Fund Programme are fully funded from external grants and contributions. Clear governance arrangements, monitoring and evaluation activities have been put in place. This will ensure all expenditure relating to the two projects is managed appropriately and within the total package of funding provided, aiming to mitigate any financial risk to the Council.
- 1.4 As both projects are capital funded, the Council constitution financial requirements are that the capital funding is required to be in the Capital Programme.

2.0 Capital Development Funding

- 2.1 The funding proposal when originally submitted was due to be completed by March 2022. However, due to delays as a result of COVID, and MHCLG awarding the grant, we have now been able to negotiate that the Highways improvements project will be completed within 2022/23. Our aim is to complete the Creative Workshop project within this financial year. Due to these tight timescales we request approval for the Director of Regeneration and Director of Legal to be authorised to agree appropriate contracts for works and grant payments, based on agreement from the Director of Property Asset Management and Director of Finance.

Contact Officer: Louise Askew (Director of Regeneration)

Reporting to: Madeline Homer (Chief Executive)

Background Papers

None

Corporate Consultation

Finance: Clive Bowen, Finance Manager

Legal: Estelle Culligan, Director of Law and Democracy

Annual Treasury Management Review 2020-21

Council	14 October 2021
Report Author	Tim Willis, Deputy Chief Executive and Section 151 Officer
Portfolio Holder	Councillor David Saunders, Cabinet Member for Finance
Status	For Decision
Classification	Unrestricted
Previously Considered by	Governance & Audit Committee - 28 July 2021 Cabinet - 29 July 2021
Ward	Thanet Wide

Executive Summary:

This report summarises treasury management activity and prudential/ treasury indicators for 2020-21. However, the council's 2020-21 accounts have not yet been audited and hence the figures in this report are subject to change. The Chartered Institute of Public Finance and Accountancy (CIPFA) defines treasury management as:

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

The regulatory environment places responsibility on members for the review and scrutiny of treasury management policy and activities. This report is, therefore, important in that respect, as it provides details of the 2020-21 year-end position for treasury activities.

Key reporting items to consider include:

- 2020-21 capital expenditure on long term assets was £23.5m (2019-20: £17.5m), against a budget of £43.8m.
- The council's gross debt, also called the borrowing position, at 31 March 2021 was £24.4m (31 March 2020: £25.0m).
- The council's underlying need to borrow to finance its capital expenditure, also called the Capital Financing Requirement (CFR), was £56.7m at 31 March 2021 (31 March 2020: £54.6m).
- Therefore it can be reported the council has complied with the requirement to hold less gross debt than its CFR.
- The maximum debt held by the council during 2020-21 was £25.0m, which was well within the statutory authorised limit of £109.0m
- At 31 March 2021 the council's investment balance was £31.3m (31 March 2020: £33.9m).

Recommendation(s):

That council:

1. Notes the actual 2020-21 prudential and treasury indicators in this report;
2. Approves this Annual Treasury Management Report for 2020-21.

Corporate Implications

Financial and Value for Money

The financial implications are highlighted in this report.

Legal

Section 151 of the 1972 Local Government Act requires a suitably qualified named officer to keep control of the council's finances. For this council, this is the Deputy Chief Executive, and this report is helping to carry out that function.

Corporate

Failure to undertake this process will impact on the council's compliance with the Treasury Management Code of Practice.

Equalities Act 2010 & Public Sector Equality Duty

There are no equity and equalities implications arising directly from this report, but the council needs to retain a strong focus and understanding on issues of diversity amongst the local community and ensure service delivery matches these.

It is important to be aware of the council's responsibility under the Public Sector Equality Duty (PSED) and show evidence that due consideration had been given to the equalities impact that may be brought upon communities by the decisions made by council.

CORPORATE PRIORITIES

This report relates to the following corporate priorities: -

- Growth
- Environment
- Communities.

1. Introduction and Background

- 1.1. The Chartered Institute of Public Finance and Accountancy (CIPFA) defines treasury management as:

"The management of the local authority's borrowing, investments and cash flows, its banking, money market and capital market transactions;

the effective control of the risks associated with those activities; and

the pursuit of optimum performance consistent with those risks."

- 1.2. The council is required to operate a balanced budget, which broadly means that cash raised during the year will meet cash expenditure. Part of the treasury management operation is to ensure that this cash flow is adequately planned, with cash being available when it is needed. Surplus monies are invested in low risk counterparties or instruments commensurate with the council's low risk appetite, providing adequate liquidity initially before considering investment return.
- 1.3. The second main function of the treasury management service is the funding of the council's capital plans. These capital plans provide a guide to the borrowing need of the council, essentially the longer-term cash flow planning, to ensure that the council can meet its capital spending obligations. This management of longer-term cash may involve arranging long or short-term loans, or using longer-term cash flow surpluses. On occasion, when it is prudent and economic, any existing debt may also be restructured to meet council risk or cost objectives.

2. Reporting Requirements

- 2.1. This council is required by regulations issued under the Local Government Finance Act 2003 to produce an annual treasury management review of activities and the actual prudential and treasury indicators for 2020-21. This report meets the requirements of both the Chartered Institute of Public Finance & Accountancy (CIPFA) Code of Practice on Treasury Management (the Code) and the CIPFA Prudential Code for Capital Finance in Local Authorities (the Prudential Code).
- 2.2. During 2020-21 the minimum reporting requirements were that the full council should receive the following reports:
 - an annual treasury strategy in advance of the year (council 06-02-2020):
<https://democracy.thanet.gov.uk/documents/s67348/TMSS%202020-21.pdf>
 - a mid-year treasury update report (council 10-12-2020):
<https://democracy.thanet.gov.uk/documents/s70687/Mid%20Year%20Report%20Council%202020-21.pdf>
 - an annual review following the end of the year describing the activity compared to the strategy (this report).
- 2.3. The regulatory environment places responsibility on members for the review and scrutiny of treasury management policy and activities. This report is, therefore, important in that respect, as it provides details of the 2020-21 year-end position for treasury activities and highlights compliance with the council's policies previously approved by members.
- 2.4. This council confirms that it has complied with the requirement under the Code to give prior scrutiny to all of the above treasury management reports by the Governance and Audit Committee before they were reported to the full council. Member training on treasury management issues was last undertaken on 31-10-2019 in order to support members' scrutiny role, and further training will be arranged as required. The council's external treasury management advisor is Link Group, Treasury Solutions (Link).
- 2.5. The council's 2020-21 accounts have not yet been audited and hence the figures in this report are subject to change

3. The Council's Capital Expenditure and Financing

3.1. The council undertakes capital expenditure on long-term assets. These activities may either be:

- Financed immediately through the application of capital or revenue resources (capital receipts, capital grants, revenue contributions etc.), which has no resultant impact on the council's borrowing need; or
- If insufficient financing is available, or a decision is taken not to apply resources, the capital expenditure will give rise to a borrowing need.

The actual capital expenditure forms one of the required prudential indicators. The table below shows the actual capital expenditure for the General Fund (GF) and the Housing Revenue Account (HRA) and how this was financed.

	2019-20 Actual £'000	2020-21 Budget £'000	2020-21 Provisional Actual £'000
Capital expenditure - GF	6,887	21,389	12,376
Capital expenditure - HRA	10,586	22,418	11,118
Capital expenditure - Total	17,473	43,807	23,494
Financed by:			
Capital receipts	2,964	8,665	3,259
Capital grants	5,954	8,427	4,169
Revenue and reserves	3,760	17,082	5,730
Borrowing	4,795	9,633	10,336
Total	17,473	43,807	23,494

3.2. Full details of capital expenditure and explanations of variances from budget will be reported within the Financial and Performance Monitoring Year-End Report to Cabinet in September. The council is committed to tackling the significant level of slippage in the capital programme as per the following extract from section 5 of the council's Capital Strategy document:

"Slippage will not be the acceptable norm - capital schemes will be at risk of having their council funding re-directed should there be delays that cannot be substantiated (schemes that are externally funded may require more flexibility however)."

4. The Council's Overall Borrowing Need

4.1. The council's underlying need to borrow to fund its capital expenditure is termed the Capital Financing Requirement (CFR). The CFR can be thought of as the outstanding debt that still needs to be repaid in relation to the capital assets (buildings, vehicles etc) that the council has purchased or invested in. It can also be helpful to compare it to the outstanding balance that is still payable on a loan or a mortgage, in this case we are considering how much of the council's debt still needs to be paid for.

4.2. **Gross borrowing and the CFR** - in order to ensure that borrowing levels are prudent over the medium term and only for a capital purpose, the council should ensure that

its gross external borrowing (borrowing undertaken with financial institutions or external organisations) does not, except in the short term, exceed the total of the CFR in the preceding year (2020-21) plus the estimates of any additional capital financing requirement for the current (2021-22) and next two financial years.

- 4.3. This essentially means that the council is only borrowing to fund capital expenditure and is not borrowing to support revenue expenditure. Under statutory requirements councils are not allowed to borrow to fund their revenue budget activities.
- 4.4. By assessing this indicator over four years it allows the council some flexibility to borrow in advance of its immediate capital needs in 2020-21. The table below highlights the Council's gross borrowing position against the CFR and shows that the council has complied with this prudential indicator, as the council's gross debt of **£24.4m** is less than the **£56.7m** CFR at 31 March 2021.

	31 March 2020 Actual £'000	31 March 2021 Budget £'000	31 March 2021 Provisional Actual £'000
CFR GF	30,422	29,076	28,449
CFR HRA	24,200	29,362	28,236
Total CFR	54,622	58,438	56,685
Gross borrowing position	(25,025)	(43,463)	(24,394)
Underfunding of CFR	29,597	14,975	32,291

- 4.5. **The authorised limit** - the authorised limit is the “affordable borrowing limit” required by s3 of the Local Government Act 2003. Once this has been set, the council does not have the power to borrow above this level.
- 4.6. **The operational boundary** – the operational boundary is the expected borrowing position of the council during the year. Periods where the actual position is either below or over the boundary are acceptable subject to the authorised limit not being breached.
- 4.7. The table below shows that during 2020-21 the Council's maximum gross debt position was **£25.025m** and therefore it has maintained gross borrowing within its authorised limit and operational boundary.

	2020-21 £000
Authorised limit	109,000
Maximum gross borrowing position during the year	25,025
Operational boundary	99,000
Average gross borrowing position	24,650

- 4.8. **Actual financing costs as a proportion of net revenue stream** - this indicator identifies the trend in the cost of capital, (borrowing and other long term obligation costs net of investment income), against the net revenue stream.

	2020-21 %
Financing costs as a proportion of net revenue stream - GF	5.7%
Financing costs as a proportion of net revenue stream -HRA	4.8%

5. Treasury Position as at 31 March 2021

- 5.1. Table 1 presents the council's treasury position (excluding finance leases) at the beginning and the end of 2020-21.

Table 1 - Overall Treasury Position as at 31 March 2021

	31 March 2020 Principal £'000	Rate/ Return %	Average Life Years	31 March 2021 Principal £'000	Rate/ Return %	Average Life Years
Gross Debt Position						
GF debt	9,125	3.28%	14.8	8,495	3.36%	14.9
HRA debt	15,900	4.08%	8.3	15,899	4.14%	7.6
Total debt (all fixed rate)	25,025	3.80%	10.7	24,394	3.86%	10.1
CFR compared to Gross Debt						
GF CFR	30,422			28,449		
HRA CFR	24,200			28,236		
Total CFR	54,622			56,685		
Under- borrowing	29,597			32,291		
Net Debt / Investment						
Total debt	25,025	3.80%	10.7	24,394	3.86%	10.1
Total investments	(33,904)	0.79%		(31,325)	0.23%	
Net debt / (investment)	(8,879)			(6,931)		

- 5.2. Table 1 shows that, as previously stated, gross debt was £24.394m and the CFR was £56.685m at the end of 2020-21. This means the Council is in an under borrowed position of £32.291m, as external gross debt is less than the CFR.
- 5.3. Table 1 also shows that the council's investments totalled £31.325m at the 2020-21 year end and therefore was in a net investment position, as investments held exceeded gross debt by £6.931m.

- 5.4. All of the debt is from the Public Works Loan Board (PWLB), which is a facility operated by the UK Debt Management Office on behalf of HM Treasury and provides loans to local authorities, apart from the following two GF loans (as at 31 March 2021):

- Market: £4.5m principal at 4.19% with an average life of 0.5 years.
- Salix: £13k principal at 0.00% with an average life of 0.5 years.

- 5.5. The maturity structure of the debt portfolio, or the timeline of when the council's debt is repayable, was as follows:

	31 March 2020 actual £000	2020-21 upper limits £000	31 March 2021 actual £000
Under 1 year	5,131	12,197	8,679
1 year to under 2 years	4,179	12,197	334
2 years to under 5 years	3,080	12,197	2,833
5 years to under 10 years	2,356	12,197	2,356
10 years to under 20 years	7,359	12,197	7,272
20 years to under 30 years	1,920	12,197	1,920
30 years to under 40 years	0	12,197	0
40 years to under 50 years	1,000	12,197	1,000
50 years and above	0	12,197	0
Total debt	25,025		24,394

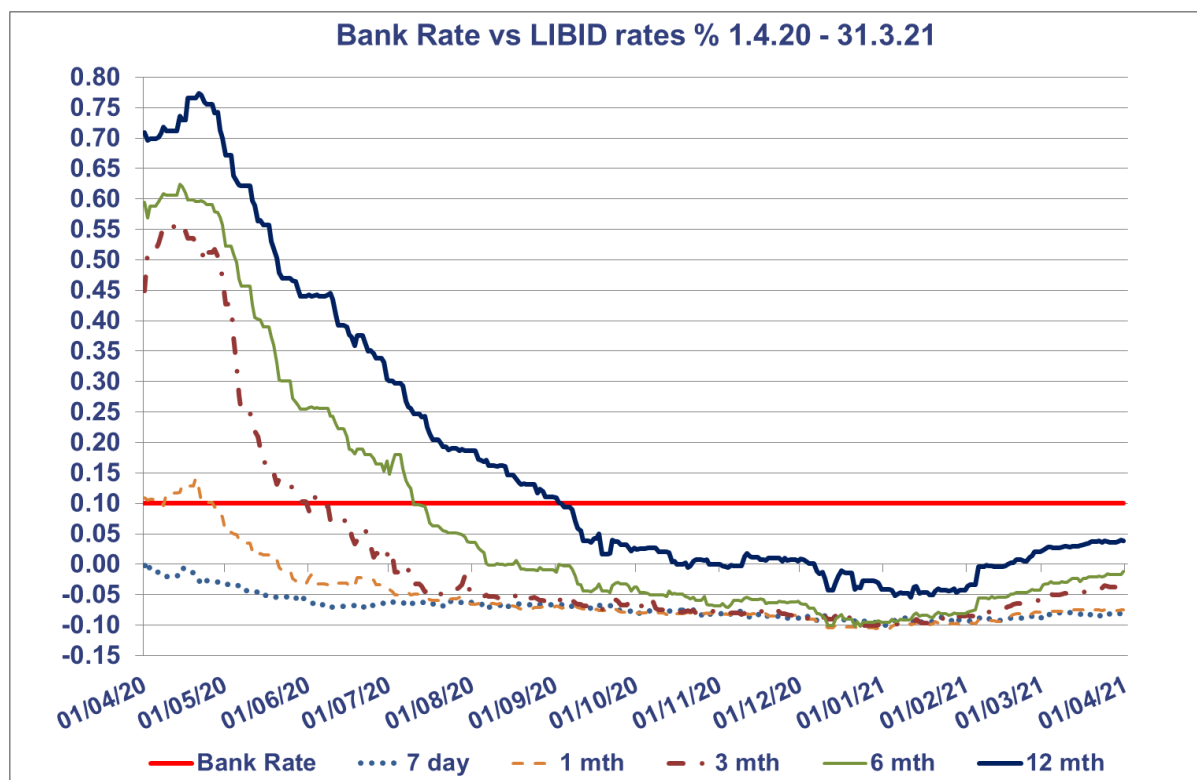
- 5.6. The following table shows the value of the type of investments the council was holding at year-end. All investments at the 2020-21 year-end were for under one year. Investments at the 2019-20 year-end for longer than 365 days were £0.6m.

	31 March 2020 actual £000	31 March 2020 actual %	31 March 2021 actual £000	31 March 2021 actual %
Banks - Instant Access	3	0.01	29	0.09
Banks - Notice Accounts	4,453	13.13	8,154	26.03
Banks - Fixed Term Deposits	13,483	39.77	3,200	10.22
Money Market Funds	15,965	47.09	19,942	63.66
Total Treasury Investments	33,904	100.00	31,325	100.00

6. The Strategy for 2020-21

6.1. Investment strategy and control of interest rate risk

- 6.1.1. The following chart tracks the Bank of England base rate of interest and the London Interbank Bid Rates (LIBID) during 2020-21.



- 6.1.2 Investment returns which had been low during 2019-20, plunged during 2020-21 to near zero or even into negative territory. Most local authority lending managed to avoid negative rates and one feature of the year was the growth of inter local authority lending. The expectation for interest rates within the treasury management strategy for 2020-21 was that Bank Rate would continue at the start of the year at 0.75 % before rising to end 2022/23 at 1.25%. This forecast was invalidated by the Covid-19 pandemic bursting onto the scene in March 2020 which caused the Monetary Policy Committee to cut Bank Rate in March, first to 0.25% and then to 0.10%, in order to counter the hugely negative impact of the national lockdown on large swathes of the economy. The Bank of England and the Government also introduced new programmes of supplying the banking system and the economy with massive amounts of cheap credit so that banks could help cash-starved businesses to survive the lockdown. The Government also supplied huge amounts of finance to local authorities to pass on to businesses. This meant that for most of the year there was much more liquidity in financial markets than there was demand to borrow, with the consequent effect that investment earnings rates plummeted.
- 6.1.3 While the council has taken a cautious approach to investing, it is also fully appreciative of changes to regulatory requirements for financial institutions in terms of additional capital and liquidity that came about in the aftermath of the financial crisis. These requirements have provided a far stronger basis for financial institutions, with

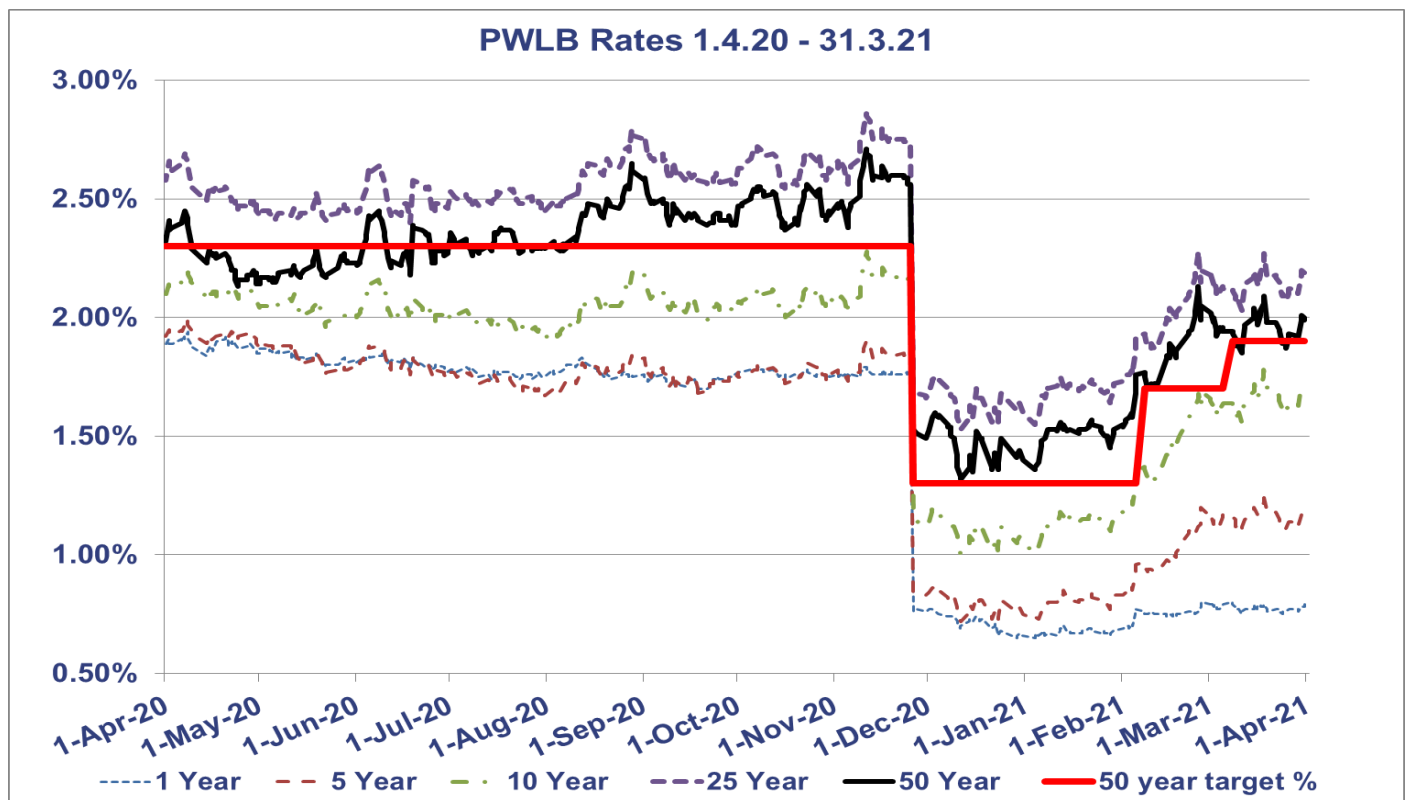
annual stress tests by regulators evidencing how institutions are now far more able to cope with extreme stressed market and economic conditions.

- 6.1.4 Investment balances have been kept to a minimum through the agreed strategy of using reserves and balances to support internal borrowing, rather than borrowing externally from the financial markets. External borrowing would have incurred an additional cost, due to the differential between borrowing and investment rates as illustrated in the charts/graphs shown above and below. Such an approach has also provided benefits in terms of reducing the counterparty risk exposure, by having fewer investments placed in the financial markets.

6.2. **Borrowing strategy and control of interest rate risk**

- 6.2.1. During 2020-21, the council maintained an under-borrowed position. This meant that the capital borrowing need (the Capital Financing Requirement) was not fully funded with loan debt, as cash supporting the council's reserves, balances and cash flow was used as an interim measure. This strategy was prudent as investment returns were low and minimising counterparty risk on placing investments also needed to be considered.
- 6.2.2. A cost of carry remained during the year on any new long-term borrowing that was not immediately used to finance capital expenditure, as it would have caused a temporary increase in cash balances; this would have incurred a revenue cost – the difference between (higher) borrowing costs and (lower) investment returns.
- 6.2.3. The policy of avoiding new borrowing by running down spare cash balances, has served well over the last few years. However, this was kept under review to avoid incurring higher borrowing costs in the future when this authority may not be able to avoid new borrowing to finance capital expenditure and/or the refinancing of maturing debt.
- 6.2.4. Against this background and the risks within the economic forecast, caution was adopted with the treasury operations. The Section 151 Officer therefore monitored interest rates in financial markets and adopted a pragmatic strategy based upon the following principles to manage interest rate risks:
- if it had been felt that there was a significant risk of a sharp FALL in long and short term rates, (e.g. due to a marked increase of risks around relapse into recession or of risks of deflation), then long term borrowings would have been postponed, and potential rescheduling from fixed rate funding into short term borrowing would have been considered.
 - if it had been felt that there was a significant risk of a much sharper RISE in long and short term rates than initially expected (e.g. perhaps arising from an acceleration in the start date and in the rate of increase in central rates in the USA and UK, an increase in world economic activity or a sudden increase in inflation risks), then the portfolio position would have been re-appraised. Most likely, fixed rate funding would have been drawn whilst interest rates were lower than they were projected to be in the next few years.
- 6.2.5. Interest rate forecasts expected only gradual rises in medium and longer term fixed borrowing rates during 2020-21 and the two subsequent financial years. Variable, or short-term rates, were expected to be the cheaper form of borrowing over the period.

Link Group Interest Rate View 8.3.21		Mar-21	Jun-21	Sep-21	Dec-21	Mar-22	Jun-22	Sep-22	Dec-22	Mar-23	Jun-23	Sep-23	Dec-23	Mar-24
BANK RATE		0.10	0.10	0.10	0.10	0.10	0.10	0.10	0.10	0.10	0.10	0.10	0.10	0.10
3 month ave earnings		0.10	0.10	0.10	0.10	0.10	0.10	0.10	0.10	0.10	0.10	0.10	0.10	0.10
6 month ave earnings		0.10	0.10	0.10	0.10	0.10	0.10	0.10	0.10	0.10	0.10	0.10	0.10	0.10
12 month ave earnings		0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.20
5 yr PWLB		1.20	1.20	1.20	1.20	1.20	1.20	1.20	1.30	1.30	1.40	1.40	1.40	1.40
10 yr PWLB		1.60	1.60	1.60	1.60	1.70	1.70	1.70	1.80	1.80	1.90	1.90	1.90	1.90
25 yr PWLB		2.10	2.10	2.10	2.20	2.30	2.30	2.30	2.40	2.40	2.50	2.50	2.50	2.50
50 yr PWLB		1.90	1.90	1.90	2.00	2.10	2.10	2.10	2.20	2.20	2.30	2.30	2.30	2.30



- 6.2.6. PWLB rates are based on, and are determined by, gilt (UK Government bonds) yields through H.M.Treasury determining a specified margin to add to gilt yields. The main influences on gilt yields are Bank Rate, inflation expectations and movements in US treasury yields. Inflation targeting by the major central banks has been successful over the last 30 years in lowering inflation and the real equilibrium rate for central rates has fallen considerably due to the high level of borrowing by consumers: this means that central banks do not need to raise rates as much now to have a major impact on consumer spending, inflation, etc. This has pulled down the overall level of

interest rates and bond yields in financial markets over the last 30 years. We have seen over the last two years, many bond yields up to 10 years in the Eurozone turn negative on expectations that the EU would struggle to get growth rates and inflation up from low levels. In addition, there has, at times, been an inversion of bond yields in the US whereby 10 year yields have fallen below shorter term yields. In the past, this has been a precursor of a recession.

- 6.2.7. Gilt yields fell sharply from the start of 2020 and then spiked up during a financial markets melt down in March caused by the pandemic hitting western countries; this was rapidly countered by central banks flooding the markets with liquidity. While US treasury yields do exert influence on UK gilt yields so that the two often move in tandem, they have diverged during the first three quarters of 2020-21 but then converged in the final quarter. Expectations of economic recovery started earlier in the US than the UK but once the UK vaccination programme started making rapid progress in the new year of 2021, gilt yields and PWLB rates started rising sharply as confidence in economic recovery rebounded. Financial markets also expected Bank Rate to rise quicker than in the forecast tables in this report.
- 6.2.8. At the close of the day on 31 March 2021, all gilt yields from 1 to 5 years were between 0.19 – 0.58% while the 10-year and 25-year yields were at 1.11% and 1.59%.
- 6.2.9. HM Treasury imposed **two changes of margins over gilt yields for PWLB rates in 2019-20** without any prior warning. The first took place on 9th October 2019, adding an additional 1% margin over gilts to all PWLB period rates. That increase was then, at least partially, reversed for some forms of borrowing on 11th March 2020, but not for mainstream non-HRA capital schemes. A consultation was then held with local authorities and **on 25th November 2020, the Chancellor announced the conclusion to the review of margins over gilt yields for PWLB rates**; the standard and certainty margins were reduced by 1% but a prohibition was introduced to deny access to borrowing from the PWLB for any local authority which had purchase of assets for yield in its three year capital programme.
- 6.2.10. The new margins over gilt yields are as follows: -
- **PWLB Standard Rate** is gilt plus 100 basis points (G+100bps)
 - **PWLB Certainty Rate** is gilt plus 80 basis points (G+80bps)
 - **PWLB HRA Standard Rate** is gilt plus 100 basis points (G+100bps)
 - **PWLB HRA Certainty Rate** is gilt plus 80bps (G+80bps)
 - **Local Infrastructure Rate** is gilt plus 60bps (G+60bps)
- 6.2.11. There is likely to be only a gentle rise in gilt yields and PWLB rates over the next three years as Bank Rate is not forecast to rise from 0.10% by March 2024 (as per Link's forecast of 8 March 2021 in section 6.2.5 above) as the Bank of England has clearly stated that it will not raise rates until inflation is sustainably above its target of 2%; this sets a high bar for Bank Rate to start rising.
- 6.3. **Change in strategy during the year** – the strategy adopted in the original Treasury Management Strategy Report for 2020-21 (approved by the council on 06-02-20) was

revised during 2020-21 in the mid-year treasury update report (approved by the council on 10-12-20).

7. Borrowing Outturn for 2020-21

- 7.1. **Borrowing** – Due to investment concerns, both counterparty risk and low investment returns, no borrowing was undertaken during the year.
- 7.2. **Borrowing in advance of need** - The council has not borrowed more than, or in advance of, its needs purely in order to profit from the investment of the extra sums borrowed.
- 7.3. **Rescheduling** – No rescheduling was done during the year as the average 1% differential between PWLB new borrowing rates and premature repayment rates made rescheduling unviable.
- 7.4. **Repayments** – The council repaid £0.631m of maturing debt using investment balances, as below:

Lender	Principal £'000	Interest Rate	Repayment Date
Salix	4	0.00%	01-04-20
PWLB	43	3.08%	23-04-20
PWLB	50	2.48%	27-05-20
PWLB	146	1.97%	27-05-20
PWLB	72	1.28%	20-06-20
Salix	4	0.00%	01-10-20
PWLB	43	3.08%	23-10-20
PWLB	50	2.48%	27-11-20
PWLB	147	1.97%	27-11-20
PWLB	72	1.28%	20-12-20
Total	631		

- 7.5. **Summary of debt transactions** – The average interest rate on the debt portfolio increased from 3.80% to 3.86% during the year. This was due to the repayment of maturing debt as shown above.

8. Investment Outturn for 2020-21

- 8.1. **Investment Policy** – the council's investment policy is governed by the Ministry of Housing, Communities and Local Government (MHCLG) investment guidance, which has been implemented in the annual investment strategy approved by the council on

6 February 2020. This policy sets out the approach for choosing investment counterparties, and is based on credit ratings provided by the three main credit rating agencies, supplemented by additional market data (such as rating outlooks, credit default swaps, bank share prices etc.).

- 8.2. The investment activity during the year conformed to the approved strategy.
- 8.3. During the year the council's treasury adviser, Link Group Treasury Solutions, reduced its suggested maximum duration from 1 year to 6 months for a bank that the council had a number of fixed term deposits with; even though the maximum duration as per the council's investment policy (set out in the Treasury Management Strategy Report) remained at 370 days given the bank's credit rating. As at 31 March 2021 the remaining terms on deposits with this bank were all under 6 months.
- 8.4. From 1 April 2020 to 15 April 2020 inclusive, the council maintained balances with its own banker which exceeded the £7m investment limit stipulated in the council's investment policy; the highest daily deposit account balance being £26.764m. However, these balances were for operational/transactional purposes (to help deal with the coronavirus pandemic) rather than for investment. The council received an exceptional amount of coronavirus related grant funding (£40m) from the Government on 1 April 2020 and (given the very short notice) was unable to fully absorb this within its various money market funds (MMFs), given MMF facility limits and MMFs available at that time.
- 8.5. **Resources** - the council's cash balances comprise revenue and capital resources and cash flow monies. The council's core cash resources comprised as follows:

Balance Sheet Resources	31 March 2020 £000	31 March 2021 Provisional £000
GF Balance	2,011	2,011
Earmarked Reserves	13,528	25,400
HRA Balance	8,645	8,020
Capital Receipts Reserve	8,544	6,316
Major Repairs Reserve	15,469	15,425
Capital Grants Unapplied	43	43
Total Usable Reserves	48,240	57,215

- 8.6. **Investments held by the council**
 - The council maintained an average balance of £50.198m of internally managed funds.
 - The internally managed funds earned an average rate of return of 0.23%.
 - The comparable performance indicator is the average 7-day London Interbank Bid Rate (LIBID) rate, which was minus 0.07%.

- This compares with an original budget assumption of £33m investment balances earning an average rate of 1.00%.
- Total investment income was £115k compared to a budget of £330k.

8.7. **Investments held by fund managers** – the council does not use external fund managers on a discretionary basis for any part of its investment portfolio.

9. Investment risk benchmarking

9.1. The following investment benchmarks were set in the council's 2020-21 annual treasury strategy:

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

- 0.05% historic risk of default when compared to the whole portfolio (excluding unrated investments).

9.1.2. **Liquidity** – in respect of this area the council seeks to maintain:

- Liquid short term deposits of at least £10m available with a week's notice.
- Weighted average life benchmark is expected to be in the range of 0 to 1 years, with a maximum of 5 years.

9.1.3. **Yield** - local measures of yield benchmarks are:

- Investments – internal returns above the 7 day LIBID rate.

9.1.4. The council kept to the above benchmarks during 2020-21.

10. International Financial Reporting Standard 16 (IFRS 16)

10.1. The implementation of IFRS16 (bringing almost all lease liabilities on to the balance sheet together with the corresponding 'right of use' assets) has been delayed for a further year from 2021-22 to 2022-23 accounts closedown, due to pressures on council finance teams as a result of the Covid-19 pandemic.

11. Prudential and Treasury Codes

11.1 Following consultation, CIPFA intends publishing revised Prudential and Treasury Codes in December 2021. (The Prudential Code aims to ensure that the financial plans of local authorities are affordable, prudent and sustainable).

11.2 Key changes to the Codes are due to include:

- a) Clarification of commercial activity/investment and prudent borrowing activity.
- b) The inclusion of proportionality as an objective (assessing risks against resource levels).
- c) Introduction of the Liability Benchmark as a treasury management indicator.

- d) Integration of environmental, social and governance risks into the treasury policy framework.
- e) Guidance on treasury development, knowledge retention, skills and training.

12. Options

- 12.1 The recommended option (to ensure regulatory compliance as set out in section 1 of this report) is that council:
- Notes the actual 2020-21 prudential and treasury indicators in this report.
 - Approves this Annual Treasury Management Report for 2020-21.
- 12.2 Alternatively, council may decide not to do this and provide reason(s) why.

13. Disclaimer

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

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

Annex List

Annex 1: Report Guidance

Annex 2: Abbreviations and Definitions

Annex 3: Capital Financing Charts

Corporate Consultation Undertaken

Finance: Chris Blundell, Director of Finance and Deputy Section 151 Officer

Legal: Estelle Culligan, Director of Law and Democracy

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ANNUAL TREASURY MANAGEMENT REVIEW 2020-21

Annex 1: Report Guidance

Capital Expenditure and Financing

This section includes the council's debt and Capital Financing Requirement (CFR) split between its General Fund (GF) and Housing Revenue Account (HRA). The HRA is a 'ring-fenced' account for local authority housing.

The CFR represents the council's aggregate borrowing need (the element of the capital programme that has not been funded). The council's debt should not normally be higher than its CFR as explained in the report.

Borrowing Need

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

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

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

Financing Costs as a Proportion of Net Revenue Stream

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

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

Borrowing and Investments

Borrowing limits – there are various general controls on the council's borrowing activity (operational boundary, authorised limit and maturity profiles).

General controls on the council's investment activity, to safeguard the security and liquidity of its investments, include:

- Creditworthiness of investment counterparties.
- Counterparty money limits.
- Counterparty time limits.
- Counterparty country limits.

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ANNUAL TREASURY MANAGEMENT REVIEW 2020-21

Annex 2: Abbreviations and Definitions

- ALMO** An Arm's Length Management Organisation is a not-for-profit company that provides housing services on behalf of a local authority. Usually an ALMO is set up by the authority to manage and improve all or part of its housing stock.
- LG** Link Group, Treasury solutions – the council's treasury management advisers.
- CE** Capital Economics - is the economics consultancy that provides Link Asset Services, Treasury solutions, with independent economic forecasts, briefings and research.
- CFR** Capital Financing Requirement - the council's annual underlying borrowing need to finance capital expenditure and a measure of the council's total outstanding indebtedness.
- CIPFA** Chartered Institute of Public Finance and Accountancy – the professional accounting body that oversees and sets standards in local authority finance and treasury management.
- CPI** Consumer Price Inflation – the official measure of inflation adopted as a common standard by countries in the EU. It is a measure that examines the weighted average of prices of a basket of consumer goods and services, such as transportation, food and medical care. It is calculated by taking price changes for each item in the predetermined basket of goods and averaging them.
- ECB** European Central Bank - the central bank for the Eurozone.
- EU** European Union.
- EZ** Eurozone - those countries in the EU which use the euro as their currency.
- Fed** The Federal Reserve, often referred to simply as "the Fed," is the central bank of the United States. It was created by Congress to provide the nation with a stable monetary and financial system.
- FOMC** The Federal Open Market Committee – this is the branch of the Federal Reserve Board which determines monetary policy in the USA by setting interest rates and determining quantitative easing policy. It is composed of 12 members -- the seven members of the Board of Governors and five of the 12 Reserve Bank presidents.
- GDP** Gross Domestic Product – a measure of the growth and total size of the economy.
- G7** The group of seven countries that form an informal bloc of industrialised democracies--the United States, Canada, France, Germany, Italy, Japan, and the United Kingdom--that meets annually to discuss issues such as global economic governance, international security, and energy policy.
- Gilts** Gilts are bonds issued by the UK Government to borrow money on the financial markets. Interest paid by the Government on gilts is called a coupon and is at a rate that is fixed for the duration until maturity of the gilt (unless a gilt is index linked to inflation). While the coupon rate is fixed, the yields will change inversely to the price of gilts, i.e. a rise in the price of a gilt will mean that its yield will fall.
- HRA** Housing Revenue Account.

Agenda Item 12

Annex 2

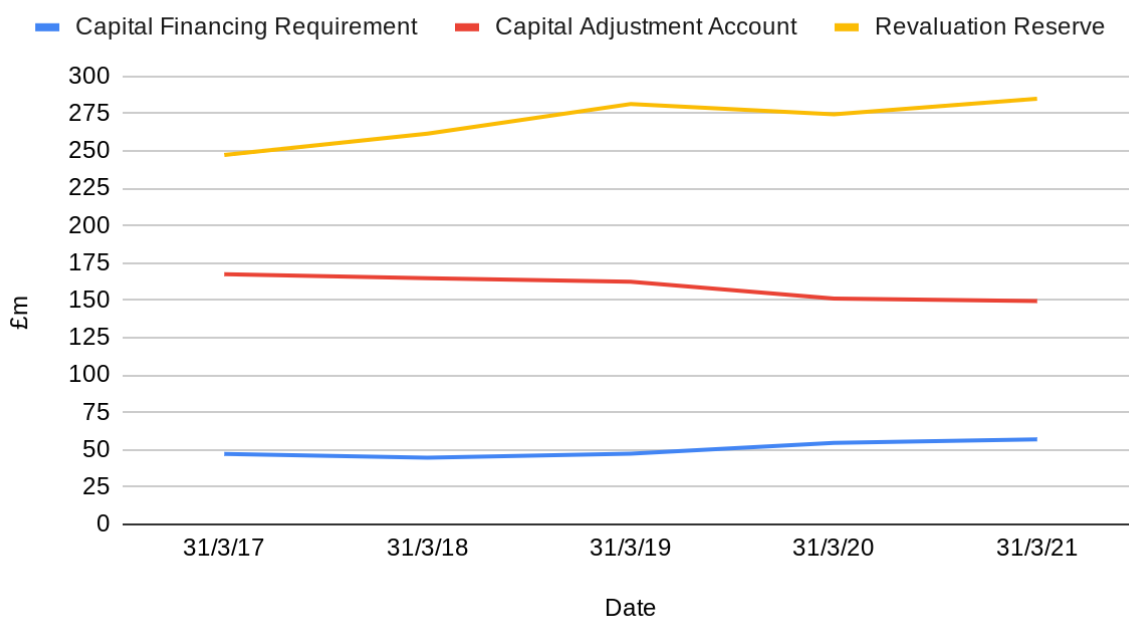
- IMF** International Monetary Fund - the lender of last resort for national governments which get into financial difficulties.
- LIBID** The London Interbank Bid Rate is the rate bid by banks on deposits, i.e. the rate at which a bank is willing to borrow from other banks. It is the "other end" of the LIBOR (an offered, hence "ask" rate, the rate at which a bank will lend).
- MHCLG** The Ministry of Housing, Communities and Local Government - the Government department that directs local authorities in England.
- MPC** The Monetary Policy Committee is a committee of the Bank of England, which meets for one and a half days, eight times a year, to determine monetary policy by setting the official interest rate in the United Kingdom (the Bank of England Base Rate, commonly called Bank Rate), and by making decisions on quantitative easing.
- MRP** Minimum Revenue Provision - a statutory annual minimum revenue charge to reduce the total outstanding CFR (the total indebtedness of a local authority).
- PFI** Private Finance Initiative – capital expenditure financed by the private sector i.e. not by direct borrowing by a local authority.
- PWLB** Public Works Loan Board – this is the part of H.M. Treasury which provides loans to local authorities to finance capital expenditure.
- QE** Quantitative Easing – is an unconventional form of monetary policy where a central bank creates new money electronically to buy financial assets, like government bonds (but may also include corporate bonds). This process aims to stimulate economic growth through increased private sector spending in the economy and also aims to return inflation to target. These purchases increase the supply of liquidity to the economy; this policy is employed when lowering interest rates has failed to stimulate economic growth to an acceptable level and to lift inflation to target. Once QE has achieved its objectives of stimulating growth and inflation, QE will be reversed by selling the bonds the central bank had previously purchased, or by not replacing debt that it held which matures. The aim of this reversal is to ensure that inflation does not exceed its target once the economy recovers from a sustained period of depressed growth and inflation. Economic growth, and increases in inflation, may threaten to gather too much momentum if action is not taken to 'cool' the economy.
- RPI** The Retail Price Index is a measure of inflation that measures the change in the cost of a representative sample of retail goods and services. It was the UK standard for measurement of inflation until the UK changed to using the EU standard measure of inflation – CPI. The main differences between RPI and CPI is in the way that housing costs are treated and that the former is an arithmetical mean whereas the latter is a geometric mean. RPI is often higher than CPI for these reasons.
- TMSS** The annual Treasury Management Strategy Statement report that all local authorities are required to submit for approval by the full council before the start of each financial year.
- VRP** A Voluntary Revenue Provision to repay debt, in the annual budget, which is additional to the annual MRP charge (see above definition).

ANNUAL TREASURY MANAGEMENT REVIEW 2020-21

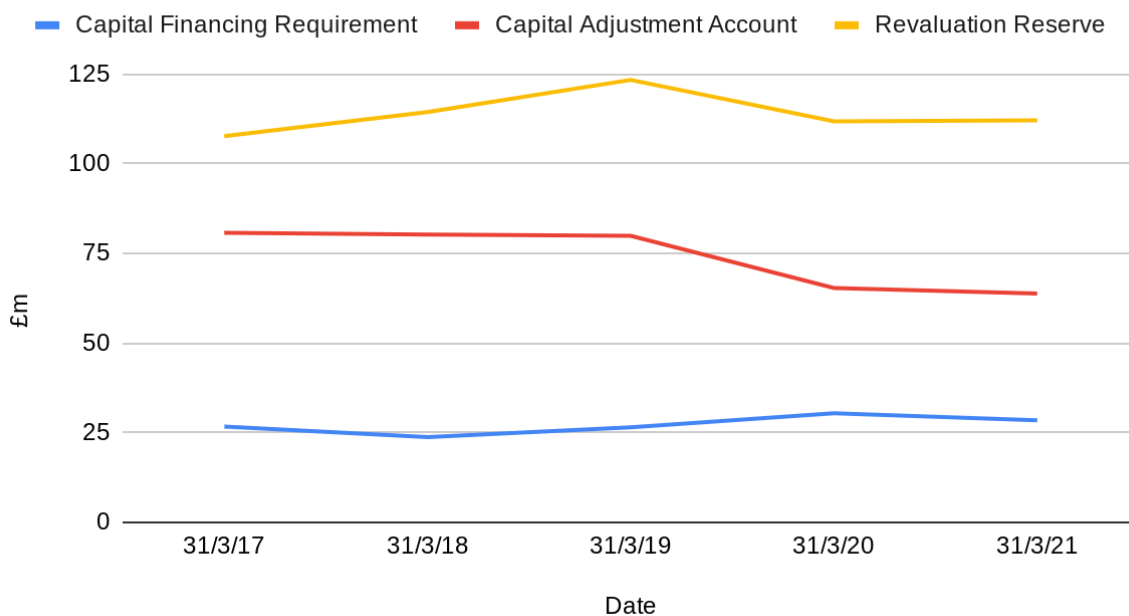
Annex 3: Capital Financing Charts

Capital Asset Financing - 5 Year Summary

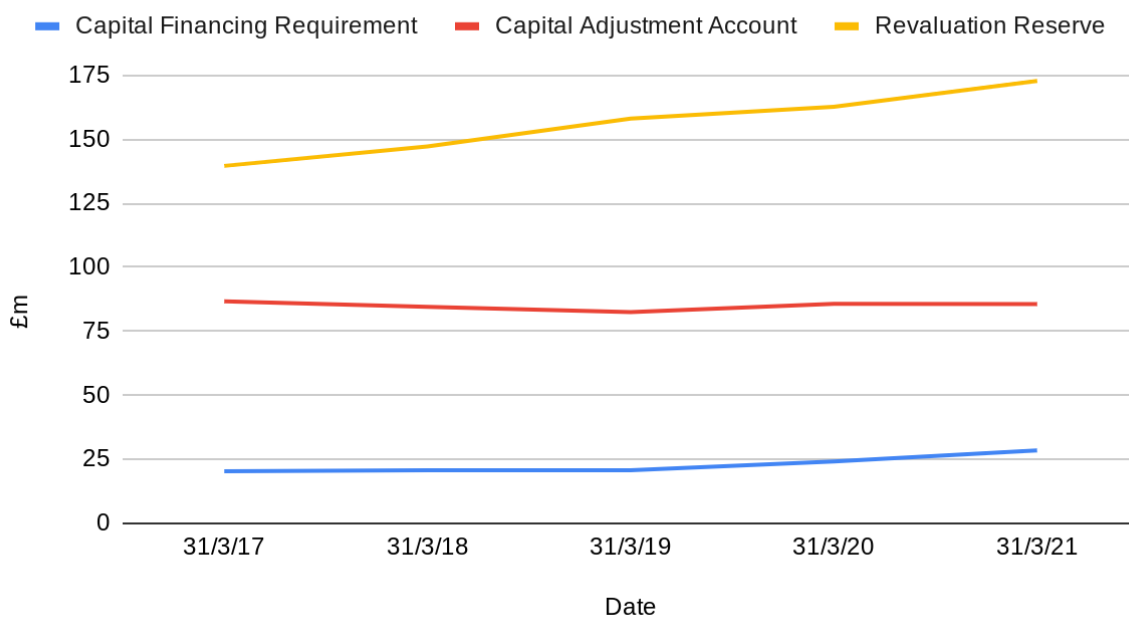
Capital Asset Financing - Total (5 Year Summary)



Capital Asset Financing - GF (5 Year Summary)

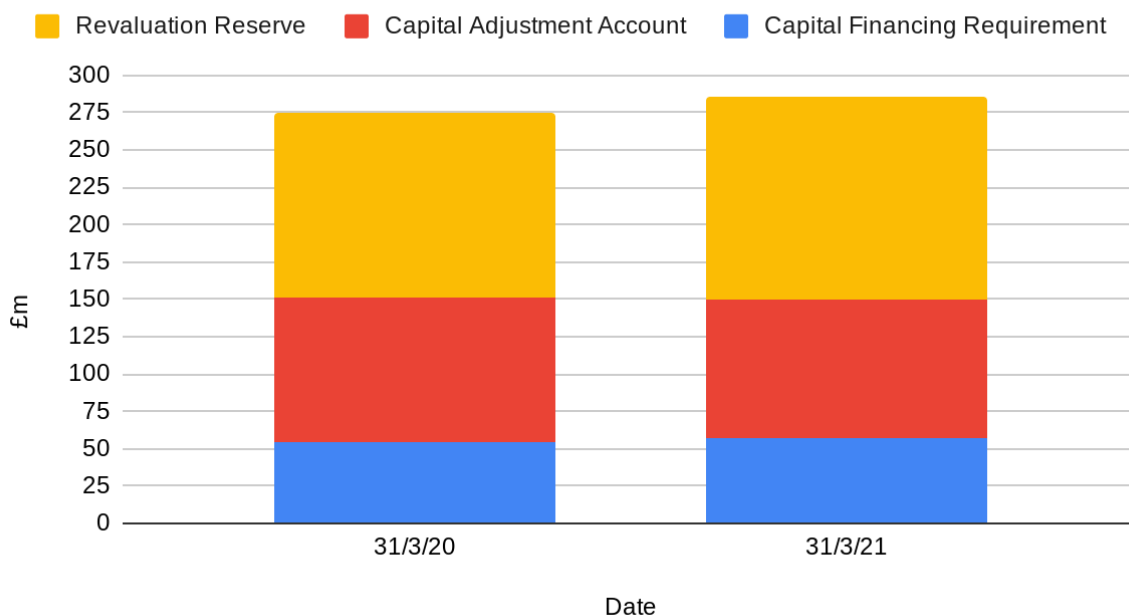


Capital Asset Financing - HRA (5 Year Summary)

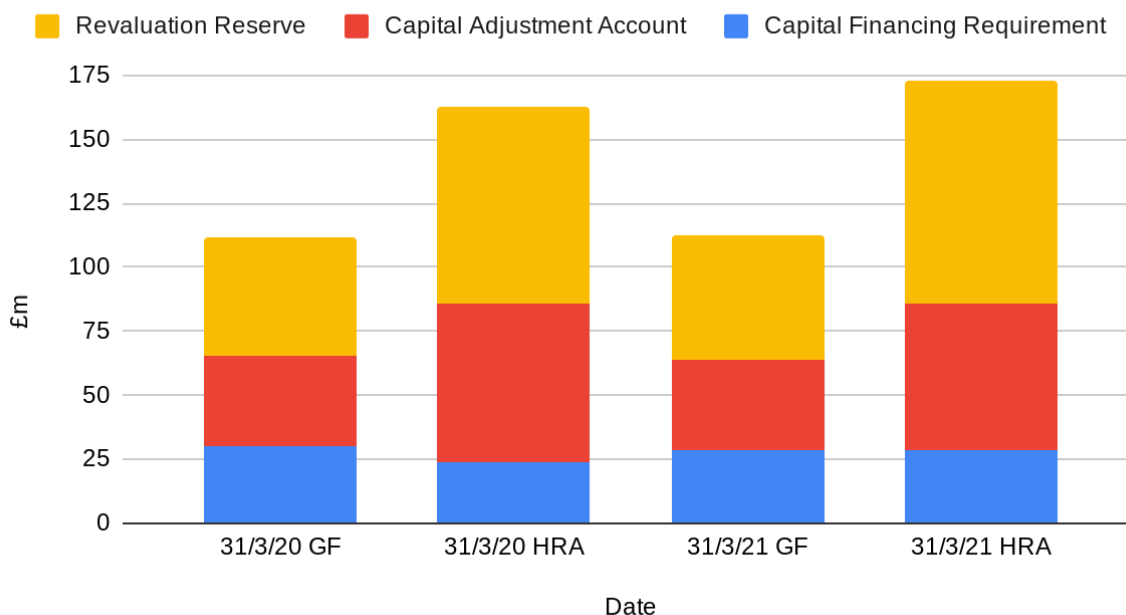


Capital Asset Financing - Current and Prior Year

Capital Asset Financing - Total (Current and Prior Year)

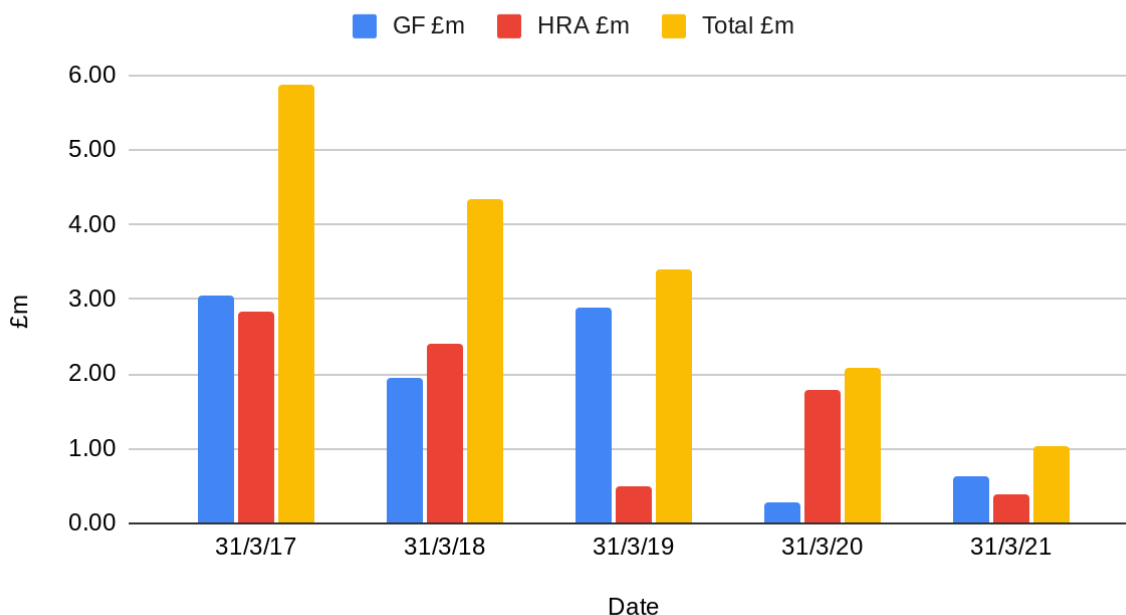


Capital Asset Financing - GF/HRA (Current and Prior Year)



Net Capital Receipts - 5 Year Summary

Net Capital Receipts - GF/HRA (5 Year Summary)



The Net Capital Receipts chart above excludes the 2020/21 capital receipt from the Dreamland disposal, as this is being used to reduce the council's capital financing requirement (CFR) rather than finance the future capital programme.

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STATEMENT OF COMMUNITY INVOLVEMENT REVIEW- RESULTS OF PUBLIC CONSULTATION AND ADOPTION

Council	14 October 2021
Report Author	Adrian Verrall, Strategic Planning Manager
Portfolio Holder	Cllr Ash Ashbee, Leader of the Council
Status	For Decision
Classification:	Unrestricted
Key Decision	Policy Framework
Previously Considered by	Cabinet - 31 August 2021 Overview and Scrutiny Panel - 26 August 2021 Cabinet - 29 July 2021
Ward:	Thanet Wide

Executive Summary:

The Statement of Community Involvement (SCI) sets out how the Council will 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.

It is considered appropriate that the SCI should be reviewed now in line with the forthcoming Local Plan review, and to reflect changes in methods of communication and engagement. There is also a requirement under the Town and Country Planning Regulations that SCIs are reviewed every 5 years.

The Council carried out a public consultation on the SCI Review from 25 February - 9 April 2021. This report sets out the main issues raised in response to that consultation and any resulting changes to be made to the SCI.

Recommendation(s):

That Council adopt and publish the revised Statement of Community Involvement

Corporate Implications

Financial and Value for Money

There are no costs directly associated with this report. However there will be costs associated with some methods of consultation and engagement to be funded through the Local Plan Reserve budget and operational budgets.

Legal

The Statement of Community Involvement should be reviewed every 5 years to meet the requirements of section 10A of the Town and Country Planning (Local Planning) (England) Regulations 2012 as amended and in accordance with section 23 of the Planning & Compulsory Purchase Act 2004

Corporate

The engagement and consultation requirements that apply to the Council's planning activity are extensive. However, it is important to reflect the Council's corporate commitment to community engagement, which the SCI seeks to do.

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: -
(Delete as appropriate)

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

You should then explain how your report supports the aims you have indicated in the table above.

In addition authors are required to conduct a Customer Impact Assessment where proposals affect customers or staff. Topics such as:

- *the introduction/change/cessation of a service*
- *introduction/increases in fees and charges*
- *staff restructures*
- *creation/amendment of policy or strategy documents*
- *introduction of new initiatives/schemes*

are examples of where an assessment should be carried out.

Compliance can only be achieved if we can evidence that due regard is given in substance, this means starting your assessment at the beginning of your piece of work and updating it throughout. Completing the assessment at the end or after a decision is taken will not satisfy the Duty.

Where an assessment is required please summarise the key findings here and append your full analysis to the report with any personal data redacted.

Please see the equality compliance toolkit on TOM or contact the Legal Department for assistance.

CORPORATE PRIORITIES

This report relates to the following corporate priorities: -

- *Communities*

1.0 Introduction and Background

- 1.1 The Statement of Community Involvement (SCI) sets out how the Council will involve people in the planning process. It explains how people can become involved when the Council is preparing planning policies, deciding planning applications and consulting on Neighbourhood Plans.
- 1.2 The SCI is a statutory document, required under the Planning and Compulsory Purchase Act 2004.
- 1.3 The Council has to review its Statement of Community Involvement every 5 years (Town & Country (Amendment) Planning Regulations 2012, 10A). It was originally adopted by the Council in 2007 and was reviewed in 2012. It was considered that the 2012 version was still fit for purpose for the Local Plan Examination which took place in 2019. The Inspectors' report concluded that 'the Plan meets the relevant legal requirements...' in relation to consultation. The consultations carried out during the Local Plan process were prepared in conjunction with the 2012 SCI. However it is now necessary to review the SCI, in line with the forthcoming Local Plan Review.
- 1.4 Since the last review of the SCI, communication methods have dramatically changed, allowing easier, more direct and more digitally focussed methods in addition to traditional methods of engagement. The updated SCI will reflect the Council's current practices, and will replace the 2012 version once adopted

2.0 The Current Situation

- 2.1 The Council carried out a consultation on a review of the SCI from 25 February - 9 April 2021. A total of 74 comments were made by 20 respondents.
- 2.2 A link to all of the full responses online can be found in the Background Papers section of this report.

- 2.3 Some of the comments received did not relate directly to the SCI or related to the Local Plan and local plan process. Officers have carefully considered all of the comments received and have responded to the main relevant issues and common issues raised in the consultation responses. The table in **Annex 1** shows the summary of the issues, the Council's response, and any resulting changes proposed to be made to the SCI.
- 2.4 One of the main concerns raised by respondents was the proposal to charge administrative fees for officers to process long and complex representations to Local Plan consultations. This was not intended to affect representations made by local people. However, we have listened to the concerns raised by people during the consultation, and it is recommended that the fee proposal is removed from the SCI.
- 2.5 The main changes proposed to the SCI as a result of the public consultation include:
- Clarification that consultation events will be held in a variety of locations within the district
 - Amendments to make it clear that a Local Plan is a Development Plan Document
 - Additional text to refer to compliance with the Governments accessibility requirements
 - Additions to Table 1 (Methods of Consultation) to include more dialogue with Town and Parish Councils and wider distribution of publicity materials
 - Clarification in that a combination of methods of consultation will be used
 - Deletion of reference to a potential administration fee to process long and complex documents
 - More specific detail about which newspapers will be used for formal notices and press releases
 - Factual correction to Stage 1 of the Neighbourhood Plan process to reflect updated Neighbourhood Planning Regulations that no longer require the Council to consult on a proposed neighbourhood area if the boundary is the same as the town or parish boundary
 - New paragraph setting out how the Council will give advice or assistance throughout the neighbourhood planning process
 - Update contact details for the CPRE under the 'Where to get help with a Planning Issue' section

3.0 Options

- 3.1 Option 1 - That Council adopts the revised Statement of Community Involvement
- 3.2 Option 2 - To require further changes to be made to the document and adopt the Statement of Community Involvement incorporating those changes
- 3.4 Option 1 is the recommended Option. The SCI has been reviewed taking into consideration the most recent legislative requirements and government guidance, reviewed responses received during the public consultation and made changes to the SCI as a result of those responses where appropriate.

Contact Officer: Adrian Verrall, Strategic Planning Manager
Reporting to: Bob Porter, Director of Housing and Planning

Annex List

Annex 1: Summary of Main Issues, Councils Response and resulting changes to the SCI
Annex 2: Equalities Impact Assessment

Background Papers

Title: [SCI Review Consultation Draft - February 2021](#)

Title: [Full responses to the consultation](#)

Corporate Consultation

Finance: Chris Blundell (Director of Finance)

Legal: Estelle Culligan (Director of Law and Democracy)

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Statement of Community Involvement Public Consultation - Summary of Main Issues, Councils Response and Resulting Changes to the SCI

Summary of issue	Response	Proposed Change
Chapter 1 - Why is the Statement of Community Involvement being reviewed?		
The Council should embrace the concept of the SCI for all of its services	<p>The Statement of Community Involvement is a specific requirement of the local plan process and not necessarily applicable to wider council services.</p> <p>The council is committed to communicating openly with Thanet's communities and to involving communities in the design and review of its services, using the most appropriate means relevant to the issue or service.</p>	N/A

<p>The Council should engage with communities in their communities, rather than communities having to go to the Council</p>	<p>Part of the Local Plan consultations included drop-in sessions in Margate, Birchington, Westgate, Ramsgate, Broadstairs, Westwood and Minster. However it would help to clarify in the SCI that drop in sessions will be held in a variety of places.</p>	<p>Amend Table 1, column 2 (relating to exhibitions/drop in sessions) as follows:</p> <p>Provides an opportunity for two way dialogue. Provides opportunities for consultation events to be held in a variety of locations within the district. Accessible to broad audience</p> <p>Add the following to column 3: Availability and suitability of venues in various locations</p>
<p>The SCI Review is overdue</p>	<p>In 2017, the Local Plan was at an advanced stage in the Local Plan process, with its submission for independent examination scheduled for 2018. That year, Council received a letter from the Secretary of State regarding his concerns about delays in our local plan process. The Council was working to extremely tight deadlines to keep to the Local Plan timetable - reviewing the SCI at this time would have delayed the Local Plan process.</p>	<p>N/A</p>

	<p>As part of the Examination process, the Inspectors consider whether or not Local Plan consultations have been carried out in accordance with the SCI. As the 2012 SCI was the relevant SCI for the majority of the Local Plan consultations, it was appropriate for it to remain in place until after the Examination. In the Statement of Consultation submitted to the Local Plan Examination, it states that the methods set out in the 2012 SCI were still relevant. Those methods of consultation are still considered relevant and have been included in this SCI review.</p> <p>In their report, the Examination Inspectors noted the requirements of the SCI, and concluded that the draft Local Plan met all the legal requirements, including for consultation. However, before embarking on the update of the Local Plan, it was considered necessary to review the SCI.</p> <p>The Council will continue to use a variety of methods for public consultations, including traditional methods as well as new online methods</p>	
Chapter 2 - What we will consult on		

Please give consideration to use of language and terminology.	The Council uses 'plain English' as far as possible in publicity materials, adverts and information about consultations. However Planning Policy documents, once adopted, have a legal status so the language and terminology used may not be as easy to read or understand.	N/A
Have previous consultations been effective? Comments that people have not heard about consultations or aware of issues proposed in the Local Plan.	During the Local Plan process, the Council used a number of methods for its public consultations including adverts in local newspapers, information on social media, drop-in sessions, public meetings and making documents available in local libraries. A summary of the consultations including people who attended drop-in sessions and numbers of comments received was reported to the Local Plan Inspectors in the Statement of Consultation .	N/A
Paragraph 2.6, second line down, this should include the addition of the words, Thanet District as it is unclear which Council residents need to apply to	Agree this would make it clearer	Amend para 2.6 as follows: 2.6 A Neighbourhood Development Order means that town and parish councils can grant permission for certain types of development without the need for people to apply to the Thanet District Council for planning permission
Paragraph 2.1 - This paragraph is confusing as a Local Plan is a Development Plan Document	Agree	Amend paragraph 2.2 as follows: The Council can also produce other 'Development Plan Documents' (DPD) to include planning policies that sit alongside

		Local Plan policies (e.g. the Cliftonville DPD)
The Council should consult on other documents that form the evidence base for the Local Plan	The Council made every effort to publish evidence base documents as soon as it was able. Many of these documents were published before the submission of the Plan to Examination, and some people did comment on the documents as part of their responses to the draft Plan.	N/A
Restricting the circulation of weekly planning applications lists does not aim to increase community involvement.	<p>The primary purpose of the weekly list is for members to be notified in accordance with the Council Call in procedure. The Council's online planning public access has the ability to generate weekly list specific to individual areas, available here: https://planning.thanet.gov.uk/online-applications/search.do?action=weeklyList</p> <p>Also residents or groups can sign up through sign up to automated notification when applications are received within a prescribed radius of sites. This is available here: https://planning.thanet.gov.uk/online-applications/registrationWizard.do?action=start</p>	N/A
It states above at Paragraph 2.3 'The Council has to carry out informal and formal consultations in the process of preparing a Local Plan, a DPD or a review of an existing	Agree that para 2.3 could be worded better. The council is only required to carry out formal consultations on Neighbourhood Plans as engagement/involvement in carried	Amend first sentence of para 2.3 as follows: The Council will engage and involve communities as well as carrying has to carry out informal and formal consultations in

<p>Local Plan. The Local Plan, DPD, or reviewed Local Plan will have to be formally adopted by the Council'. In the interests of transparency and accountability consultations it must be right that consultations must be formal not informal.</p> <p>Please delete the words "informal and" in Paragraph 2.3.</p> <p>This marries up with Paragraph 2.5</p>	<p>out by the Town or Parish Council preparing a Neighbourhood Plan</p>	<p>the process of preparing a Local Plan, a DPD or a review of an existing Local Plan</p>
Chapter 3 - Who we will consult		
<p>Reference should be made to the need for compliance with the Governments accessibility requirements.</p>	<p>Agree</p>	<p>Add to para 3.4: All online documents produced by the Council will meet the requirements of the Government's accessibility requirements (https://www.gov.uk/guidance/accessibility-requirements-for-public-sector-websites-and-apps)</p>
Chapter 4 - How we will consult		
<p>Comments relating to difficulties using the online portal, particularly with large or complex documents or maps and diagrams.</p>	<p>The Council appreciates that some of the consultations are complex and is continually looking for ways to improve and simplify online consultations. We have added links to each chapter to help people find the section they would like to comment on, and also provided instructions for some consultations.</p>	<p>Add the following to the end of para 4.4: The Council may prepare a step by step guide on how to respond to some consultations, and for any consultation officers will be available to help people use the online system.</p> <p>Amend Table 1 to include making the online</p>

	<p>The Council will continue to provide paper copies of consultation documents for consultations on planning policy.</p> <p>The council will provide assistance in using the online consultation system - the SCI should be amended to reflect this.</p>	system available at drop in sessions.
There should be more dialogue/briefings with Town and Parish Councils	Agree	Amend Table 1 - Methods of Consultation as set out in Appendix 1
Wider distribution of leaflets/publicity material - every household/more public notice boards/community places eg food banks, community centres, notices in town halls and libraries. Not everyone has internet access.	Distributing publicity materials to every household would incur high costs in both printing and postage. However, agree that materials could be more widely distributed.	Amend Table 1 - Methods of Consultation as set out in Appendix 1
Table 1 - Methods of Consultation is non-specific and non-committal	Paragraph 4.6 of the SCI explains that the methods set out in Table 1 are methods the Council could use depending on the nature of the consultation. However this could be made clearer in para 4.6	<p>Amend para 4.6 as follows:</p> <p>The Council will use an appropriate combination of methods one or more of the methods identified as being appropriate, depending on the type, nature, context and stage in the process of the consultation concerned.</p>
Charging an administration fee to process representation is unlawful and unreasonable	<p>This was suggested as Council officers input a significant amount of representations received by post or email:</p> <p>Preferred Options Consultation - 59% of responses entered by officers</p> <p>Proposed Revisions Consultation - 35% of responses entered by officers</p> <p>Pre-Submission Consultation - 39% of responses entered by officers</p> <p>Proposed Modifications Consultation - 75%</p>	<p>Amend para 4.4 as follows:</p> <p>4.4 Council officers will enter all comments received by email or post into the online consultation portal to make it easier for us to assess responses, publish the results of a public consultation, and send comments to Inspectors/Examiners at the independent</p>

	<p>of responses entered by officers.</p> <p>The idea of charging was aimed at large or complex responses which include large documents with graphics and volumes of appendices which all need to be transferred into the consultation portal. However the Council accepts that the inclusion of this may deter some people from responding, and that was not the intention.</p>	<p>assessment stage. Inputting comments into the online portal relies on the interpretation of them by Council officers. This can be very time-consuming and cause delay to the Local Plan process. Where long and complex representations are submitted on paper or by email, an administration fee may be charged when they have to be entered manually by officers. Based on previous experience, it is anticipated that the vast majority of representations would not be affected by fee charges. In order to avoid any mis-interpretation or mis-understanding of your representations, or administrative charges, we would encourage people to use the online consultation portal themselves.</p>
<p>Are there additional ways to support and reach out to people with protected characteristics and other marginalised or harder to reach communities – for example, through correspondence with faith, voluntary, community and social enterprises and other stakeholder organisations in Thanet.</p> <p>For exhibitions and drop-in sessions, venues should provide reasonable access to all, in line with the Equality Duty 2010.</p>	<p>This is our current procedure as set out in para 3.4 of the SCI.</p>	<p>N/A</p>

Will adverts/announcements appear in only one of the local newspapers? If so, then which one? And will it appear in the printed edition or the online edition or both?	<p>Formal public notices and adverts are placed in the Kent Messenger - both printed and online.</p> <p>Press releases are sent to a much wider distribution including the Isle of Thanet Gazette, Thanet Extra, Isle of Thanet News, Kent on Sunday, Thanet Community Ad, ITV Meridian, BBC South East, BBC Radio Kent, Heart FM and Academy FM.</p> <p>An amendment could make this clearer.</p>	<p>Add to third point under para 4.1:</p> <p>Formal notices and adverts will be placed in the Kent Messenger, press releases will be sent to a much wider distribution including the Isle of Thanet Gazette, Thanet Extra and the Isle of Thanet News</p>
Chapter 5 - What happens to the comments that the Council receives?		
The Council should respond to individual comments rather than common issues. Cabinet/Committee dates should be publicised when representations and responses will be considered by councillors.	<p>The planning policy process seeks to address the main issues raised during consultations rather than responding to each individual comment. This was introduced to reflect the requirements of the Planning Inspectorate at Reg 19 stage (as set out in the Inspectorate's Procedure Guide). It also helps to speed up the planning policy process.</p> <p>The Council will email or write to people who have commented during a consultation to let them know when the main issues and responses are available on the consultation portal.</p>	N/A
Paragraph 5.1 - It would be recommended that the Council undertake at least some basic analysis of submission document	This relates to a more detailed part of the independent Examination process. The reference in the SCI is to clarify that any consideration of representations and	N/A

comments as certain matters of legal compliance and duty-to-co-operate issues cannot be rectified once the document is formally submitted.	subsequent changes made after that consultation are not decided by the Council.	
Chapter 6 - Local Plan/DPDs/SPDs		
The Regulation 18 stage should have a more flexible approach as there is no limit to the number of Regulation 18 consultations a Council can hold. Suggested wording: The Council will engage with residents and stakeholders to identify the main subjects, options and preferred options for the plan for a time period relevant to the depth of matters under considered, with at least one consultation for a minimum of 6 weeks.	Agree	<p>Amend Stage 2 as follows: Draft planning document produced – people will have an opportunity to comment on the Council's preferred strategy or consider possible alternatives</p> <p>Identification of main subjects, options and preferred options.</p> <p>Who? General invitation for people to make representations giving at least 6 weeks for people to comment</p> <p>The Council will engage with residents and stakeholders for a time period relevant to the depth of matters under consideration, with at least one consultation for a minimum of 6 weeks</p>
The Council should consult for longer than 6 weeks even though this is the statutory minimum requirement.	The Council will consult for longer than 6 weeks depending on the depth and complexity of the subject of the consultation, stage in the planning process or time of year. The Regulation 19 consultation must be for a	N/A

	period of 6 weeks as set out in the Town and Country Planning Regulations 2012 (Regulation 35) and Section 113(4) of the Planning and Compulsory Purchase Act 2004.	
<p>8. This section is orientated largely towards ‘consultation’ rather than ‘involvement’, the difference between their meanings seems lost on the author. If wider involvement is a genuine objective, then there should be ways in which people are enabled to take part in the process of developing policy rather than simply being consulted about policy that has been largely predetermined.</p> <p>29. The following comments refer to selected stages:</p> <p>a. Stage 1 -Evidence gathering etc – At this stage there should be a ‘call for evidence’ relating to the matter in hand. The call should be far reaching, widely publicised and supported by the methods suggested; it should not be limited to the audiences set out in the document.</p>	Agree that Stage 1 could be amended to make this clearer	<p>Amend Stage 1 as follows:</p> <p>Who? Targeted consultation and engagement with some or all of the following: Local residents, Statutory Agencies, Town and Parish Councils, Neighbourhood Plan groups, Mayors Offices, Business Community, Developers, Community Groups, Residents Associations, Traders Associations</p>
Comments that this section is confusing as it's not clear if it refers to the SCI or the whole Local Plan process, and that the content is vague and non-committal.	The purpose of this section is to outline the processes for producing planning policy documents and where in those processes people can be involved. It does not refer to the SCI review. The content is to give an idea of the consultations which will take place at	N/A

	various stages - the greater detail as to who and how is explained in greater detail in earlier chapters.	
Paragraph 6.1 - Suggests that this is re-phrased along the lines of "There are two types of planning policy document – Development Plan Documents, which includes the Local Plan and Supplementary Planning Documents"	Agree	Amend para 6.1 as follows: There are two types of planning policy document - Development Plan Documents, which includes the Local Plan Documents and Supplementary Planning Documents
Chapter 7 - Neighbourhood Plans		
Potential conflict in stage 1. The draft SCI states 'The Council will consult for a minimum of six weeks to ensure that people who live, work or carry on business in the area have the chance to comment.' whereas this statement is correct if the neighbourhood area does not align with a parish council area, if the area does align with a then section 3 of regulation 5 of the The Neighbourhood Planning (General) Regulations 2012 (as amended) states that regulation 6 and 6a (publication for 6 weeks) does not apply. Where a proposed neighbourhood area aligns with a Parish Council boundary then the regulations set out 3 requirements the applicants must provide, boundary map, a statement why the area is considered appropriate for designation and a	Agree - this is a factual correction	Amend Stage 1 as follows: The Town or Parish Council apply to the Council for a specific geographic area to be designated to which the Neighbourhood Plan will apply. In Thanet the Neighbourhood Area is usually the Parish or Town boundary, in which case the Council will designate the Neighbourhood Area. If the proposed Neighbourhood Area does not align with a Town or Parish boundary the Council will consult for a minimum of six weeks to ensure that people who live, work or carry on business in the area have the chance to comment. The Neighbourhood Area is then either approved or refused by the Council within the time limit specified in the Neighbourhood Planning Regulations and the outcome publicised as required under the

statement that the organisation or body making the area application is the relevant body (i.e that the Parish Council confirm they are seeking area designation). These three matters should be able to address under delegated authority as it leaves little scope for the Local authority to have grounds for refusal.		legislation. In areas where there is not a Town or Parish Council, those wishing to prepare a Neighbourhood Plan can establish a Neighbourhood Forum which must have a minimum of 21 Members. They must apply to the Council to designate a forum and the Council must consult on this. Where possible, the Council will carry out consultations for a Neighbourhood Forum and a Neighbourhood Plan Area at the same time.
The SCI should specify how the Council will give advice or assistance throughout the Neighbourhood Planning process.	Agree	<p>New paragraph 7.6: The Council will actively engage with Neighbourhood Plan groups, subject to resources, and provide advice and assistance on the following:</p> <ul style="list-style-type: none"> • The legal procedures and conformity matters • The scope of a neighbourhood plan • Related local plan and planning policy documents and up to date information on the Local Plan • Requirements of other legislation such as Human Rights Act, the Habitats Regulations and Strategic Environmental Assessments • Any updates on funding or grants available • Relevant Local Plan evidence base <p>The Council will also fulfil its statutory</p>

		<p>duties in the Neighbourhood Plan process:</p> <ul style="list-style-type: none"> • Confirm that the draft plan meets the criteria in the Localism Act and Regulation 15 of the Neighbourhood Planning Act 2012. The Local Planning Authority can refuse to take forward a plan proposal if it does not comply with the criteria for a neighbourhood plan. The Local Planning Authority must notify the Qualifying Body (ie a Town or Parish Council or a Neighbourhood Plan Forum) whether or not they are satisfied that the proposal complies with the criteria for a neighbourhood plan. Where it is not satisfied the Local Planning Authority can refuse and must notify them of the reasons. It must also publicise its decision in a 'Decision Statement'. • Publicise the submission plan and other relevant documentation (under Regulation 16 of the Neighbourhood Planning Act 2012) and pass on representations to the Independent Examiner under Regulation 17 of the Neighbourhood Planning Act 2012.
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		<ul style="list-style-type: none"> • Appoint a suitable examiner in agreement with the Qualifying Body and submit the draft plan, supporting documents to the Independent Examiner under Regulation 17 of the Neighbourhood Planning Act 2012. • Consider the recommendations in the Examiner's Report, that the draft plan meets the basic conditions and publication of a 'Decision Statement' under Regulation 18 and 19 of the Neighbourhood Planning Act 2012 following the receipt of the inspectors report. • Make arrangements, including the setting of a date, for the holding of the referendum. • Adopt the plan under Regulation 19 and 20 of the Neighbourhood Planning Act 2012, within 8 weeks of a positive referendum vote.
Can the Council ensure they can adequately resource the necessary support and assistance for neighbourhood planning	For 12 months, the Council had sufficient resources to employ an officer whose primary focus was supporting Neighbourhood Plans. Unfortunately, in that time, only one NP made significant progress. The Council	N/A

	did extend the role for a further 6 months, but at the end of that period had to discontinue the role due to resource constraints. The Council will continue to provide advice within the resources it has available.	
Chapter 8 - Where to get help with a planning issue		
CPRE reference needs updating with the following details: CPRE Kent – the Countryside Charity https://cprekent.org.uk/how-can-i-help/ CPRE Kent, Queen’s Head House, Ashford Road, Charing, Kent TN27 0AD	Agree - this is a factual update	Update Section 8 with the details provided
Chapter 9 - Planning Applications and Submissions		
Chapter 10 - Review of the SCI		
The SCI should be kept under review and updated more regularly than every 5 years	The methods and detail in the SCI are flexible to enable the council to adapt to current circumstances or lessons learnt from previous consultations and still be in accordance with the SCI. More frequent reviews of the SCI could hold up the planning policy process as reviews are consulted on	N/A

	and adopted by Council	
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Additions to Table 1 - Methods of Consultation			
Method	Useful for:	For us to consider:	Resources:
Add the following row to Table 1: Involvement of Town and Parish Councils	Understanding issues from a more local perspective, briefing for dissemination to the wider community	Method of engagement appropriate to the consultation - eg briefing for all Councils online or face to face, all councils together or separately. Potential to work with town/parish council for local consultation events	Staff availability
Advert/leaflet/ posters in Local Papers, town/parish halls/libraries/other community spaces	Raising levels of awareness and publicising specific opportunities to get involved. Reaching a wider audience	The timescale needed to ensure availability at the beginning of a consultation period	Costs of advertising/printing/delivery
Exhibitions/Drop in Sessions	Provides an opportunity for two way dialogue. Accessible to broad audience	Information should be accessible to all in terms of mobility, understanding and times available. Availability of resources/equipment to make the online consultation system available at venues	Preparation costs, display materials and time needed can be significant. Additional staff time needed if exhibition is manned. Venue costs for hire.

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Thanet District Council (TDC) Equality Impact Assessment Statement of Community Involvement

Thanet District Council (TDC) Equality Impact Assessment: Statement of Community Involvement

Step one: test for relevance

1 Person responsible for this assessment

Name:	Adrian Verrall		
Job title:	Strategic Planning Manager		
Phone:	01843 577139		
Service area:	Housing & Planning	Date of assessment:	April/May/June 2021

2 Others involved in carrying out the analysis

Name:	Jo Wadey, Strategic Planning Officer
Name:	Iain Livingstone, Planning Applications Manager
Name:	Estelle Culligan, Director of Law and Democracy

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

Title:	Statement of Community Involvement (SCI)
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Is it new?	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
A review of existing?	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>

3.1 Aims and objectives

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

The purpose of the SCI is to set out the ways in which the Council will engage with local communities regarding planning matters, both in plan-making and planning applications. It is a statutory requirement for the Planning Service.

The SCI needs to be updated to reflect changes since the current SCI was adopted. This should benefit all parts of the local community in their engagement with the planning system.

It should be noted that this assessment relates only to the operation of the Statement of Community Involvement and to the methods by which the Council will consult on planning matters. It does not relate to the assessment of Local Plan proposals and planning applications, which are subject to separate statutory processes.

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

The intended outcome is to ensure that anyone in the district can participate in planning matters, by a range of different means.

This does not necessarily mean that more people will participate in planning consultations/ engagement, just that as many people as possible will have the opportunity to do so.

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.

The Council; wider community; partner organisations; statutory consultees.

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

No.

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)

N/A.

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

The SCI is intended to ensure that all members/sectors of the community have the opportunity to participate in the planning process; whether in terms of plan-making or planning applications.

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?

N/A.

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.

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	
Comments: Potential language barrier for some community groups - the Council offers translation services for people for whom English is not their first language. As the Local Plan itself is a large document, the Council could provide a translation of a non-technical summary document. Age - ability to access information - there is currently no evidence to indicate that fewer older people take part in planning consultations. There is a suggestion that online-only consultations may deter older people who either do not possess internet access, or perhaps the necessary IT knowledge, to participate. However, there is no intention to use such an approach, but just to broaden the use of IT as part of the response to changing lifestyles and to the impact of COVID19. This would be in addition to other consultation and engagement methods.		
2. Does your information suggest that some groups of people are less satisfied than others with this 'service'?		x
Comments: No specific indication has been given that particular groups of people are less satisfied than others.		
3. Will this service have a significant impact on any of our residents?		x
Comments: This EqIA relates to the SCI, not the operation of the planning system itself. The assessment of the impact of detailed proposals in Local Plans and planning applications are subject to separate processes.		
4. Do you have any evidence that discrimination, harassment and/or victimisation could occur as part of this service?		x
Comments: No.		
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
Comments: No. It is designed to improve communication between these groups.		
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
Comments:		

This service does involve the dissemination of quite a lot of technical information. However, both parts of the service offer “help-lines” for people to telephone for advice, and during Local Plan consultations, it is standard practice to arrange drop-in sessions/ exhibitions, which provide people the opportunity to ask questions.

7. Does consultation need to be carried out?

x

Comments:

Consultation has been undertaken in relation to the draft SCI. 74 responses were received, a number of which related directly to equalities matters:

- The changes in communications methods since the last review offer new opportunities but also risk greater exclusion, particularly for those unable to access digital systems
- Face-to-face engagement should be held in venues that provide reasonable access to all, in line with the Equality Duty 2010
- Online documents should meet the Government's accessibility requirements
- Are there additional ways to support and reach out to people with protected characteristics and other marginalised or harder to reach communities – for example, through correspondence with faith, voluntary, community and social enterprises and other stakeholder organisations in Thanet?
- For exhibitions and drop-in sessions, venues should provide reasonable access to all, in line with the Equality Duty 2010.

The SCI provides a “menu” of engagement and consultation methods, and the Council will seek to use those methods flexibly, depending on the nature of the topic. The Council always uses a combination of digital, non-digital and in-person engagement and consultation for the Local Plan process (although this has necessarily been limited by the COVID pandemic in the latter stages of the Local Plan process). The Council is producing all new documentation in an accessible format.

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)
Age Consider: <ul style="list-style-type: none"> The way younger and older people access services may be different Use of technology Child care/care of other dependant Timings/flexibility, such as work patterns Transport arrangements Venue location 				Recommendations:
Disability (Includes: physical, learning, sensory (deaf/blind), mental health) Consider: <ul style="list-style-type: none"> Communication methods Accessibility – venue, location, transport Range of support needed to participate Hearing Loops/Interpreters Disability awareness training for employees 				Recommendations:
Race (Includes; gypsy, travelling, refugee and migrant communities) Consider:				Recommendations:

<ul style="list-style-type: none"> • The size of the BME communities that your service/project affects. • Language(s) spoken/understood. • Culture, such as hygiene, clothing, physical activities, mixed gender activities. • What access support can you offer? 			
Religion, faith or belief Consider: <ul style="list-style-type: none"> • The diversity within the communities that your service/project affect • Prayer times, meal times, food (some religions do not eat meat), cultural habit or belief, religious holidays such as Ramadan • Awareness training for employees 			Recommendations:
Pregnancy and maternity Consider: <ul style="list-style-type: none"> • Flexible hours of the service/project • Is there access to private area for breastfeeding mothers? 			Recommendations:
Gender Consider: <ul style="list-style-type: none"> • The impact on men and women • Child care/care of other dependant • Mixed/single gender groups/activities • Timing of services/projects 			Recommendations:
Sexual orientation (Includes: lesbian, gay, bisexual) Consider: <ul style="list-style-type: none"> • LGB people should feel safe to disclose their sexual orientation without fear of prejudice • Make it clear you recognised civil 			Recommendations:

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

Outsourced services	
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	
Relations between different equality groups	
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	
Consultation responses	
Summary of replies from individuals and stakeholders consulted including any previous complaints on equality and diversity issues about the strategy, policy or process	

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:

The Test for Relevance identifies two groups who might potentially be affected by the service, and the assessment sets out the Council's current practice in relation to these matters.

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

Yes

☐

No

☐

Signature of Head of Service:

Date:

Recommendations agreed:

Yes

☐

No

☐

Signed:
(Director):

EIA date:

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REPRESENTATION ON OUTSIDE BODIES

Council	14 October 2021
Report Author	Committee Services Manager
Portfolio Holder	Cllr Ashbee- Leader of the Council
Status	For Decision
Classification:	Unrestricted
Key Decision	No

Executive Summary:

This report asks the Council to agree to add the Manston Skills and Employment (MSE) Board to the list of Executive Outside Bodies.

Recommendation(s):

1. That Council agrees to add the Manston Skills and Employment (MSE) Board to the list of Executive Outside Bodies.

Corporate Implications

Financial and Value for Money

There are no direct financial implications from this report. However members allowances included in the annual budget are based on the existing structure and any increase in size or number of committees would require approval of the resulting increase in the budget.

Legal

None.

Corporate

The Council appoints representatives to outside bodies in order to express the views of the Council to those bodies on the work they undertake, and to feed back to the Council issues emerging from those bodies that relate to Council activities.

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

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

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

There are no direct equalities implications to this report as although there are Councillors from the protected groups, there are no restrictions on who may be appointed to represent the Council on outside bodies.

CORPORATE PRIORITIES

This report relates to the following corporate priorities: -

- Growth
- Environment
- Communities

1.0 Introduction and Background

- 1.1 Council has two categories of outside bodies: those that relate to an Executive function and hence appointments should be made by the Cabinet, and those for which appointments should be made by Council.
- 1.2 The Leader has requested that the Manston Skills and Employment Board is added to the list of Executive Outside Bodies.

2.0 The Current Situation

- 2.1 The existing list of executive outside bodies is shown at Annex 1 to the report.
- 2.2 It is for the Council to decide on those outside bodies it feels relate to an Executive function, but for the Cabinet to agree the nominations to them.

3.0 Decision making process

- 3.1 Council is the decision making body.

Contact Officer: Nicholas Hughes, Committee Services Manager
Reporting to: Estelle Culligan, Director of Law and Democracy

Annex List

Annex 1: Existing list of executive outside bodies

Background Papers

None

Corporate Consultation

Finance: Chris Blundell, Head of Financial Services

Legal: Estelle Culligan, Director of Law and Democracy & Deputy Monitoring Officer

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List of Executive Appointed Outside Bodies – for the municipal year 2021/22

Name of Outside Body	No. of Reps
British Ports Association	1
British Resorts Association (AGM, Annual Conference and Executive Meetings)	1
Community Safety Partnership	1
Domestic Violence Forum	1 (+1 reserve)
East Kent Opportunities Ltd	1
East Kent Spatial Development Company	1
Kent Police and Crime Panel	1
Local Government Association Coastal Special Interest Group	1
Local Government Association District Councils' Network	1
Local Government Association (General Assembly)	1
Local Government Association Strategic Aviation Specialist Interest Group	1
Margate Town Partnership	1
South East England Councils	1
Supporting People in Kent Commissioning Body	1
Thanet Harbour Users' Groups	1 (+1 reserve)
Thanet Quality Bus Partnership	1
Tourism South East	1
Your Leisure Thanet Sub Group	2

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Appointment of the Grievance Committee and Grievance Appeals Committee for Statutory Officers

Council	14 October 2021
Report Author	Estelle Culligan Director of Law and Democracy and Deputy Monitoring Officer
Portfolio Holder	Cllr Ash Ashbee, Leader of the Council
Status	For Decision
Classification:	Unrestricted
Key Decision	No
Previously Considered by	General Purposes Committee - 30/9/20 and 25/8/21

Executive Summary:

This report recommends the appointment of two additional committees of Council: A Grievance Committee and a Grievance Appeals Committee.

Recommendation(s):

Council is requested to:

1. To appoint a Grievance Committee and approve its terms of reference
2. To appoint a Grievance Appeals Committee and approve its terms of reference
3. To nominate and appoint 5 councillors to sit on the Grievance Committee as per proportionality.
4. To nominate and appoint 3 councillors to sit on the Grievance Appeals Committee as per proportionality.
5. To approve the changes to the Constitution to include these additional Committees

Corporate Implications

Financial and Value for Money

Depending on the circumstances, a Grievance Committee might need to be supported by an external legal adviser, if the Receiving Officer decides that is necessary. In such instances, it would be necessary to seek appropriate budget approval to fund the appointment of legal advice.

The appointment of a Grievance Committee promotes and protects equality among senior and other officers in terms of management of grievances, and as such mitigates financial risks associated with possible challenges to the procedures for managing such grievances.

There are no other direct financial implications arising from the recommendations contained within this report.

Legal

The appointment of these committees is in accordance with the Joint Negotiating Committee for Chief Executives' model Grievance Committee guidance and is in accordance with the Council's recently adopted Grievance Policy for Statutory Officers.

Corporate

Adoption of these processes gives clarity to all parties in the event of a grievance involving statutory officers. Having a clear policy and appropriate procedures also provides protection to the Statutory Officers.

Equality Act 2010 & Public Sector Equality Duty

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

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

Appointment of these committees promotes and protects equality among senior and other officers in terms of management of grievances by putting in place clear procedures for managing such grievances.

1.0 Introduction and Background

- 1.1 On 30 September 2020, the Monitoring Officer presented a report for information to the General Purposes Committee (GPC) outlining the proposed Policy on Grievances for Statutory officers ("the Policy"). GPC had requested that a policy be written that closely reflects the Joint Negotiating Committee (JNC) model grievance procedures for Chief Executives.
- 1.2 Following further comments from GPC, the Policy was finalised by East Kent HR (EKHR).

2.0 The Current Situation

- 2.1 The Policy was adopted by General Purposes Committee at its meeting on 25 August 2021, see minute 151:
link: <https://democracy.thanet.gov.uk/ieListDocuments.aspx?CId=327&MIId=6013>
- 2.2 Under the Policy, the Council must appoint a Grievance Committee and a Grievance Appeals Committee to deal with the formal stages of grievances brought against and

by Statutory Officers of the Council. These committees are not sub-committees of the General Purposes Committee.

2.3 Council is now asked to formally appoint the two committees as follows:

2.4 Grievance Committee

- 5 councillors to be appointed by the Council.
- Must be politically balanced, at the time of writing the proportionality would be two Conservatives, two Labour and one Thanet Independent.
- Councillors must not be members of the Investigations and Disciplinary sub-committee (IDSC) or IDSC Appeals sub-committee.
- Terms of Reference - To hear grievances raised by and against statutory officers at the formal stage, to make recommendations and to reach a conclusion.

2.5 Grievance Appeals Committee

- 3 councillors to be appointed by the Council to include a member of the Executive
- Must be politically balanced, at the time of writing the proportionality would be one Conservative, one Labour and one Thanet Independent.
- Councillors must not be members of the Grievance Committee
- Councillors must not be members of the Investigations and Disciplinary sub-committee (IDSC) or IDSC Appeals sub-committee.
- Terms of Reference - To hear appeals against decisions of the Grievance Committee, to make recommendations and to reach a conclusion.

2.6 The Policy applies to statutory officers whose terms and conditions of employment incorporate the JNC terms and conditions.

Contact Officer: Estelle Culligan Director of Law and Democracy and Deputy Monitoring Officer

Reporting to: Madeline Homer, Chief Executive

Annex

TDC Grievance Policy for Statutory Officers

Corporate Consultation

Finance: Chris Blundell, Director of Finance

Legal: Estelle Culligan Director of Law and Democracy and Deputy Monitoring Officer

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Grievance Policy and Procedure for Statutory Chief Officers

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Background

Local authority Chief Executives, S151 Officers and Monitoring Officers are protected under specific regulations that make distinctive provisions, compared to other employees. The Local Authorities (Standing Orders) (England) Regulations 2001 (as amended by the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015) and the Local Authorities (Standing Orders) (Wales) Regulations 2006 aim to protect these roles from unwarranted political interference in their roles.

Thanet District Council has adopted, as far as is practicable, the model procedures laid down in the JNC Chief Executive Handbook and has extended these provisions to include all Statutory Chief Officers.

Scope

Subject to the following officers' terms and conditions of employment incorporating the JNC terms and conditions, this policy applies to:

The Chief Executive (Head of Paid Service),
Section 151 Officer,
Monitoring Officer

And hereon will refer to all 3 roles collectively as 'Statutory Officer'.

The Council reserves the right to implement the procedure at any stage as set out below, taking into account the severity of the allegations against a Statutory Officer.

Where the grievance and disciplinary cases are related it may be appropriate to deal with both issues concurrently unless:

- Bias is alleged in the conduct of the disciplinary meeting
- There is possible discrimination.

If this occurs then the disciplinary process may be temporarily suspended in order to deal with the grievance.

Statutory Officers may not raise a grievance against a sanction that has been given as they have the right to appeal the decision under the disciplinary procedure.

The Grievance Procedure

These procedures cover the following circumstances:

- Where an employee raises a grievance against a Statutory Officer
- Where a Statutory Officer raises a grievance

Procedure for dealing with a grievance raised by an employee against a Statutory Officer

An employee raising a grievance against a Statutory Officer should do so using the normal Thanet District Council Grievance policy and procedure.

However, while operating within the context of the employee's grievance procedure after the initial filtering and any attempt at informal resolution, if the matter remains unresolved, then a panel of elected members (the Grievance Committee) will hear the grievance on behalf of the employer (Formal Stage 1). It is here that the power exists to resolve a grievance against a Statutory Officer. The Grievance Committee can either uphold or dismiss the grievance. If the outcome of the Stage 1 investigation is that the grievance is not upheld, then the complainant has the right to appeal (Formal Stage 2) to a panel of elected members (the Grievance Appeal Committee).

The Grievance Committee can either uphold or dismiss the grievance.

Employers and employees should raise and deal with issues promptly and should not unreasonably delay meetings, decisions or confirmation of those decisions.

There is a statutory right for the aggrieved employee to be accompanied by a fellow worker or a trade union representative, at any meeting that deals with the grievance .

Initial filtering of grievances

Where an employee raises a grievance against a Statutory Officer, The Monitoring Officer will act as 'Receiving Officer' and will undertake an initial filtering to ensure that 'allegations' against the Statutory Officer which are clearly unfounded or trivial are not taken any further, or can best be dealt with under some other procedure.

If the matter is a serious complaint against the Statutory Officer's personal behaviour such as sexual or racial harassment, the matter would potentially be one that would be appropriate for an investigation under the disciplinary procedure.

If the Monitoring Officer is the person bringing the grievance, is the subject of the Grievance or is otherwise involved or has a conflict of interest in the grievance, then either the Chief Executive, or another appropriate officer as detailed below and/or a Monitoring Officer from a neighbouring authority will be commissioned to act as the Receiving Officer.

In circumstances where the Monitoring Officer and the Chief Executive are subjects of the Grievance or are otherwise both involved, the claimant should submit their grievance to either the Deputy Monitoring Officer and/or the HR Manager (or equivalent), who will be the appropriate officer. If the case is straightforward and can be easily resolved, these individuals may act in the role of Receiving Officer as detailed throughout this procedure.

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However, in most cases, it is likely that they will be responsible for commissioning a Monitoring Officer from a neighbouring authority to act as Receiving Officer.

It may be appropriate for the Receiving Officer, whoever that is, to take advice from an external legal adviser.

A meeting will be held between the Receiving Officer and the complainant without unreasonable delay after a grievance is received. The employee should be allowed to explain the grievance and how it could be resolved. Consideration will be given to adjourning the meeting for any investigation that may be necessary.

The Receiving Officer will make one of the following decisions:

- The grievance is actually about a council service, rather than a complaint against the officer personally. In this case the Receiving Officer would refer the matter back to the aggrieved employee, or their line manager, and indicate that the matter is one that they could raise under the appropriate complaints process for the council.
- That there are other formal procedures that apply rather than the grievance procedure.
- That the grievance should not be directed at the Statutory Officer as it does not relate to a specific action of the Statutory Officer or a specific omission of the Statutory Officer and so should be directed to an intermediate manager.
- That the grievance is either frivolous or clearly unfounded. Individual grievances can be deeply held and serious consideration should be given to the merits of each individual case. A decision to classify a grievance as frivolous or unfounded will result in it not being taken any further so should not be taken lightly. A grievance could be considered to be frivolous if it appears to have been raised in bad faith because it has no reasonable prospect of success and/or it is not an issue that is reasonable to complain about. To some extent this judgement may be informed by whether the individual employee has a history of submitting frivolous or unfounded grievances. This would probably require the Receiving Officer to check whether other procedures were more apt, but that does not necessarily compromise the Receiving Officer from dealing with the case as suggested below.
- That an attempt should be made to resolve the grievance informally.
- That the matter requires further investigation.

Resolving grievances informally

Where the Receiving Officer is satisfied that the grievance is neither procedurally flawed nor frivolous or clearly unfounded then there may be some value in an attempt being made to

resolve the matter informally. This might be through internally-facilitated informal joint discussions or informal joint discussions facilitated by an external mediator.

Resolving grievances formally

Formal Stage 1 - the grievance investigation and hearing

The Grievance Investigation

Where informal attempts at resolution are considered inappropriate or have been tried and failed, then the Receiving Officer should manage the Formal Stage 1 investigation. In most cases it will be appropriate for an independent investigator to be commissioned to carry out the investigation.

If the outcome of the investigation is in favour of the complainant, a solution should be proposed, taking into account the remedy requested by the complainant and the Receiving Officer's assessment of what would be appropriate in all the circumstances.

If the Statutory Officer is unwilling to accept these proposals, the matter will be referred to the Grievance Committee for it to resolve.

If the complainant does not accept the outcome then the grievance is referred to the Grievance Committee for it to resolve.

The Grievance Committee hearing

The Grievance Committee will hear the case and reach its conclusion which will be one of 3:

- 1) Upholds the grievance and this may include a decision or recommendation on how the issue can best be resolved to the satisfaction of the aggrieved employee.
- 2) Upholds the grievance and also decides that it is a matter of a serious nature then it may decide to refer the matter to the Investigation and Disciplinary Committee. That Committee would then have to consider whether there was a case to answer, and, if so, would commission an independent investigation under the disciplinary procedure and the matter would proceed as laid down in the Disciplinary Procedure.
- 3) The Committee dismisses the grievance

Formal Stage 2 - the appeal hearing

If the Grievance Committee finds against the complainant then that person has a right of appeal to the Grievance Appeal Committee, and the Statutory Officer should be immediately informed that this has happened.

The Grievance Appeal Committee will then be responsible for considering the appeal with appropriate technical and procedural advice from the Receiving Officer.

Where the Grievance Appeal Committee upholds the appeal, this may include a decision or recommendation on how the issue can best be resolved to the satisfaction of the aggrieved employee.

Where the Grievance Appeal Committee upholds the appeal and also decides that it is a matter of a serious nature, then it may decide to refer the matter to the Investigation and Disciplinary Committee. That Committee should consider commissioning an independent investigation to determine whether there was a case to answer, and if so what sanction was appropriate.

Where the Grievance Appeal Committee dismisses the appeal, then the matter would be regarded as having been concluded.

Procedure for dealing with grievances raised by a Statutory Officer

Where a Statutory Officer raises a grievance, then similar principles need to apply, namely:

Informal attempts at resolution should be regarded as preferable to immediate recourse to formal procedures.

There should be two stages available to the aggrieved employee, in this case the statutory officer.

Should the Section 151 Officer or Monitoring Officer take a grievance out against the Chief Executive, or each other, then the process described in "Procedure for dealing with a grievance raised by an employee against a Statutory Officer" should be followed.

Procedure for dealing with grievances raised by the Chief Executive (Head of Paid Service)

As Head of Paid Service, the Chief Executive cannot take out a grievance against another member of staff, as any cause for such concern would constitute grounds for disciplinary action and as head of the paid service the Chief Executive could initiate such action against any other employee.

A Chief Executive (Head of Paid Service) can only raise a grievance against one or more Member(s) and the Council's Monitoring Officer should act as Receiving Officer.

Where the Chief Executive raises a grievance against one or more Member(s), then this should be referred to the Receiving Officer in the first instance who should establish, through discussions with the appropriate parties, whether there is any prospect of resolving the

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matter informally. This might be through internally-facilitated informal joint discussions or informal joint discussions facilitated externally by an external mediator.

In the event that informal resolution is neither appropriate nor successful, the Receiving Officer should refer the matter to the Council's Grievance Committee. If the Grievance Committee considers it appropriate, having come to its conclusions, it might refer a matter about the conduct or behaviour of an elected member to the council's Standards Committee or other appropriate arrangements.

An appeal by the Chief Executive against the outcome of the Grievance Committee's deliberations should be to the full Council.

Grievances raised by a Statutory Officer during disciplinary proceedings

Where a Statutory Officer is the subject of a disciplinary / capability investigation and raises a grievance relating to the case, the Panel who decided to initiate the disciplinary proceedings will decide how to deal with the grievance.

This will depend on the facts of the case, the stage of the disciplinary procedure reached and the nature of the grievance raised. In some cases it may be appropriate to hear the grievance before continuing with the disciplinary / capability investigation. In other cases it will be appropriate to deal with the issues raised in the grievance as part of the wider disciplinary / capability investigation.

**Adopted by General Purposes Committee
25 August 2021**

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REPORT BACK FROM THE EKJIRP REGARDING AMENDMENTS TO THE MEMBERS ALLOWANCES SCHEME 2021/22

Council	14 October 2021
Report Author	Nicholas Hughes – Committee Services Manager
Status	For Information
Classification:	Unrestricted
Key Decision	No
Ward:	All Wards

Executive Summary:

This report is provided to allow the Council to review the comments of the East Kent Joint Independent Remuneration Panel (EKJIRP) regarding the amendments to members allowances scheme for the 2021/22 financial year as a result of adoption of the parental leave policy.

Recommendation(s):

To note the comments of the EKJIRP.

Corporate Implications

Financial and Value for Money

Adoption of Member Parental Leave Policy by the council could lead to additional costs that would have to be met from the Council's annual budget for Member Allowances. This is with particular reference to the Special Responsibility Allowance (SRA) budget, which would need to be flexible enough to accommodate parental leave uptake by councillors who occupy roles that attract an SRA. In this instance additional costs would be incurred when members in receipt of an SRA receive parental leave pay equivalent to the SRA for a limited time as per the policy, whilst an SRA payment is also made to Cllr(s) covering the role during the period of parental leave.

Legal

The Council is required to have regard to the recommendations of EKJIRP in making a scheme of allowances.

Section 18 of the Local Government and Housing Act 1989 permits the Secretary of State, by regulations, to make a scheme providing for the payment of a basic allowance, an attendance allowance and a special responsibility allowance to members of a local authority. Section 100 of the Local Government Act 2000 permits the Secretary of State, by

regulations, to provide for travelling and subsistence allowances for members of local authorities, allowances for attending conferences and meetings and reimbursement of expenses. In exercise of these powers the Secretary of State has made the Local Authorities (Members' Allowances) (England) Regulations 2003.

The Regulations require the council to make a scheme before the beginning of each year for the payment of basic allowance. The scheme must also make provision for the authority's approach to special responsibility allowance, dependants' carers' allowance, travelling and subsistence allowance and co-optees' allowance. The scheme may also provide for other matters of the kind dealt with in the proposed scheme.

When considering the scheme, the Council must have due regard to the need to eliminate unlawful conduct under the Equality Act 2010, the need to advance equality of opportunity and the need to foster good relations between persons who share a protected characteristic and those who don't (the public sector equality duty). This consideration should be supported by a proportionate level of equality analysis.

Corporate

The level of allowances may be seen as both impacting on the public's perception of the Council and a factor in making public services as a Councillor attractive to a broad range of potential candidates.

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

Although it does not directly relate to protected groups, the draft scheme contains the ability to pay a dependent carers allowance to Councillors. This contributes to aims 1 and 2 of the Equality Act as it removes barriers to Councillors standing who have relatives that may be in need of dependent care.

Corporate Priorities

This report relates to the following corporate priorities: -

- Communities

1.0 Introduction and Background

- 1.1 The Council agreed to adopt a draft parental leave policy at its meeting on 15 July 2021. The decision necessitated changes to the Members Allowances Scheme, as a

result these were then referred to the EKJIRP for their comments. This report is provided to allow the Council to consider the EKJIRP's comments.

3.0 Comments of the EKJIRP

- 3.1 The EKJIRP made the following comments in relation to the Parental Leave Policy and its impact on the Members Allowances Scheme:

“That it be recommended to Thanet District Council that the Panel supports the decision taken to adopt the draft parental leave policy including the pay rates as shown at Option 2 for ‘6 months full pay of Special Responsibility Allowance with any remaining leave being unpaid’.

- 3.2 As EKJIRP have raised no issues with the changes, Council is requested to note the report.

Contact Officer: Nick Hughes, Committee Services Manager

Reporting to: Estelle Culligan (Director of Law and Democracy)

Annex List

None

Background Papers

There are no background papers with this report.

Corporate Consultation

Finance: Chris Blundell (Director of Finance)

Legal: Estelle Culligan (Director of Law and Democracy)

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CHANGES TO COMMITTEES, PANELS AND BOARDS - 2021/22

Council	14 October 2021
Report Author	Nick Hughes, Committee Services Manager
Status	For Decision
Classification:	Unrestricted

Executive Summary:

The report allows Council to agree on the number and size of the Committees, Panels and Boards for the remainder of the municipal year and then subsequently the proportionality of the Council as result of the election of Councillor Leys and the resignation of Cllr Roper as a Councillor. The report then goes on to address the allocation of seats on those bodies to political Groups.

Recommendation(s):

- 4.2.1 That Council agrees with the option outlined at paragraph 4.1.1 to achieve proportionality.
- 5.5.1 To note the corresponding group nominations to Committees, Panels and Boards for the remainder of 2021/22 as per paragraph 5.4.1. (The names of those Councillors so nominated will be presented at the meeting)

Corporate Implications

Financial and Value for Money

There are no direct financial implications from this report. However members allowances included in the annual budget are based on the existing structure and any increase in size or number of committees would require approval of the resulting increase in the budget.

Legal

The composition and allocation of membership of committees has been based on the relevant legislative requirements.

Corporate

There are no direct Corporate Implications

Equality Act 2010 & Public Sector Equality Duty

Members are reminded of the requirement, under the Public Sector Equality Duty (section 149 of the Equality Act 2010) to have due regard to the aims of the Duty at

the time the decision is taken. The aims of the Duty are: (i) eliminate unlawful discrimination, harassment, victimisation and other conduct prohibited by the Act, (ii) advance equality of opportunity between people who share a protected characteristic and people who do not share it, and (iii) foster good relations between people who share a protected characteristic and people who do not share it.

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

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

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

Corporate Priorities

This report relates to the following corporate priorities: -

- Communities

1.0 Introduction and Background

- 1.1 The report allows Council to agree on the number and size of the Committees, Panels and Boards for the remainder of the municipal year and then subsequently the proportionality of the Council as result of the election of Councillor Leys and the resignation of Cllr Roper as a Councillor. The report then goes on to address the allocation of seats on those bodies to political Groups.

2.0 Political Balance

- 2.1 The political balance of the Council as a result of the election of Cllr Leys and the resignation of Councillor Roper is shown below:

Political Group	No. of Cllrs before changes	No. of Cllrs after changes
Conservative	25	26
Labour	17	17
Thanet Independents	6	6
Green	4	3
Independent (not in a group)	3	3
Vacant Seats	1	1

3.0 Political Proportionality

- 3.1 The Local Government and Housing Act 1989 requires the Council to allocate seats on committees to political Groups in accordance with the size of each group on the Council as a whole and in accordance with the following principles which should be observed as far as is reasonably practicable:
- a) That not all seats on the same committee are allocated to the same political group;
 - b) That the majority of the seats on a committee are allocated to a particular political group if the number of persons belonging to that group is a majority of the Council's membership;
 - c) That, subject to a) and b) above, the number of seats on committees allocated to each political group bears the same proportion of the total of all the seats on committees;
 - d) That, subject to a), b) and c) above, the number of seats on a committee allocated to each political group bears the same proportion to the number of all seats on that committee.
- 3.2 For the purposes of political balance a Group is required to have at least two members and to have been formally constituted as a political group before the meeting.
- 3.3 The report author has contacted the leaders of the political groups and consensus on an option to achieve political balance has been achieved. Therefore the Council is asked to agree to the following solution.

4.0 Consensus Solution

- 4.1.1 That the number of seats on the Overview and Scrutiny Panel is increased from 13 to 14 and that extra seat is given to the Conservative Group. That a seat on the Licensing Board is removed from the Green Group and is given to the Thanet Independent Group. That a seat on the Planning Committee is removed from the Green Group and is given to the Conservative Group. The table below shows the changes to numbers serving on Committees as a result of this proposal:

Committees	Total	Conservative Group	Labour Group	Thanet Independents	Green Group

Planning Committee	14	7	4	1	1
Licensing Board	12	6	4	2	0
Overview and Scrutiny Panel	14	7	4	2	1
Gov. and Audit	12	6	4	1	1
General Purposes	12	6	4	1	1
B&EA Working Party	6	3	2	1	0
CRWP	4	2	1	1	0
Totals	74	37	24	9	4

4.1.2 The overall political balance calculation for the proposal shown above is available at Annex 1.

4.2 Recommendation

4.2.1 That Council agrees the option outlined at paragraph 4.1.1 to achieve proportionality.

5.0 Nominations of Members to serve on Committees

5.1 Members are reminded that Section 16 of the Local Government and Housing Act 1989 states that where the Council has determined the allocation to different groups of the seats to which the Act applies, it shall be the duty of the authority to give effect to a Group's wishes about who is to be appointed to the seats that they have been allocated.

5.2 Therefore the corresponding amendments to group nominations as outlined below must also be made.

5.3 Consensus Option

5.4.1 That a seat is removed from the Green Group on the Planning Committee and the Conservative Group gains a seat on the Planning Committee. That a seat is removed from the Green Group on the Licensing Board and the Thanet Independent Group gains a seat on the Licensing Board. That a seat is added to the Overview and Scrutiny Panel and this seat is given to the Conservative Group.

This is summarised in the table below:

Committee/Group	Current Position	New Position
Planning Committee		
Conservative Group	6 seats	7 seats (new nomination needed)
Green Group	2 seat	1 seats (1 Councillor to be removed)
Planning Reserves		
Conservative Group	6 seats	7 seats (new nomination needed)
Green Group	2 seat	1 seats (1 Councillor to be removed)
Licensing Board		
Green Group	2 seats	1 Seats (1 Councillor to be removed)
Thanet Independents	1 seats	2 Seats (new nomination needed)
Overview & Scrutiny Panel		
Conservative Group	6 seats	7 seats (new nomination needed)

5.5 Recommendation

- 5.5.1 To note the corresponding group nominations to Committees, Panels and Boards for the remainder of 2021/22 as per paragraph 5.4.1. (The names of those Councillors so nominated will be presented at the meeting)

6.0 Changes to Chair and Vice-Chairs of Committees

- 6.1 Any vacancies in Chairs or Vice Chair positions as a result of the changes outlined in this report would be considered as casual vacancies and as such would be filled by the relevant committee at their next meeting.

Contact Officer: Nick Hughes, Committee Services Manager

Reporting to: Estelle Culligan (Director of Law and Democracy)

Annex List

Annex 1: Proportionality calculations for main committees covered by Local Government & Housing Act 1989

Background Papers

None

Corporate Consultation

Finance: Chris Blundell, Director of Finance

Legal: Estelle Culligan (Director of Law and Democracy)

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Option 1

	Members	Conservative	Labour	TIC	Green	Non group
Overall Council	55	26	17	6	3	3
Groups only	52	26	17	6	3	check
	100.00%	50.00%	32.69%	11.54%	5.77%	100.00%
Under s15 LGHA 1989 proportionality applies in full						
	Members	Conservative	Labour	Thanet Independents	Green	check
Planning Committee	14	7	5	1	1	
	100.00%	50.00%	35.71%	7.14%	7.14%	100.00%
Licensing Board	12	6	4	2	0	
	100.00%	50.00%	33.33%	16.67%	0.00%	100.00%
Scrutiny Panel	14	7	4	2	1	
	100.00%	50.00%	28.57%	14.29%	7.14%	100.00%
Governance & Audit	12	6	4	1	1	
	100.00%	50.00%	33.33%	8.33%	8.33%	100.00%
General Purposes	12	6	4	1	1	
	100.00%	50.00%	33.33%	8.33%	8.33%	100.00%
BEAWP	6	3	2	1	0	
	100.00%	50.00%	33.33%	16.67%	0.00%	100.00%
CRWP	4	2	1	1	0	
	100.00%	50.00%	25.00%	25.00%	0.00%	100.00%
Totals allocated	74	37	24	9	4	
	100.00%	50.00%	32.43%	12.16%	5.41%	100.00%
Totals entitlement	74	37.00	24.197	8.54	4.27	
Difference from entitlement no.	0	0.00	-0.19	0.46	-0.27	0.00
Difference from entitlement %		0.0000	-0.2599	0.6237	-0.3638	

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