

# **ANNUAL MEETING OF THE COUNCIL**



**Thursday, 12th May, 2022**

**7.00 pm**

**Council Chamber  
Thanet District Council  
Margate**

**[www.thanet.gov.uk](http://www.thanet.gov.uk)  
01843 577000**



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Date: 4 May 2022  
Direct Dial: (01843) 577200  
Email: james.clapson@thanet.gov.uk



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, 12 May 2022 at 7.00 pm for the purpose of transacting the business mentioned below.

A handwritten signature in black ink, appearing to read "Clapson".

Director of Law and Democracy

To: The Members of Thanet District Council

**FIRE ALARM PROCEDURES:** If the fire alarm is activated, please vacate the offices via the stairs either through the security door to the left of the Chairman or opposite the lifts in the foyer. Please do not use the lifts. Please assemble in Hawley Square on the green. Officers will assist you and advise when it is deemed safe to return to the Chamber.

## **AGENDA**

Item  
No

1. **ELECTION OF CHAIR** (Pages 5 - 8)
2. **ELECTION OF VICE-CHAIR** (Pages 9 - 12)
3. **APOLOGIES FOR ABSENCE**
4. **DECLARATIONS OF INTEREST** (Pages 13 - 14)

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. **MINUTES OF THE PREVIOUS MEETING**
- 5a **31 MARCH 2022 MINUTES** (Pages 15 - 24)

To approve the Minutes of the meeting of Council held on 31 March 2022, copy attached.

- 5b **5 APRIL 2022 MINUTES** (Pages 25 - 26)

To approve the Minutes of the extraordinary meeting of Council held on 5 April

Item  
No

Subject

2022, copy attached.

6. **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).

7. **RESPONSIBILITY FOR FUNCTIONS - EXECUTIVE DELEGATIONS** (Pages 27 - 56)

8. **CONSTITUTION OF COMMITTEES, POLITICAL BALANCE, APPOINTMENTS TO COMMITTEES, PANELS AND BOARDS**

Report to follow.

9. **REPRESENTATION ON OUTSIDE BODIES** (Pages 57 - 64)

10. **CALENDAR OF MEETINGS** (Pages 65 - 70)

11. **MEMBERS ALLOWANCES 2022/23** (Pages 71 - 84)

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## Election of Chair

<b>Annual Council</b>	12 May 2022
<b>Report Author</b>	Committee Service Manager
<b>Portfolio Holder</b>	Leader of Council
<b>Status</b>	For Decision
<b>Classification:</b>	Unrestricted
<b>Key Decision</b>	No

### Executive Summary:

The political groups have been invited to submit their nominations for the election of Chair. Council is asked to decide upon the appointment.

### Recommendation(s):

That the election of the Chair of the Council be agreed.

### Corporate Implications

#### Financial and Value for Money

There are no financial implications arising directly from this report.

#### Legal

The election of Chair must take place at the annual meeting of the Council in accordance with sections 3 and 4 of the Local Government Act 1972.

#### Corporate

None

#### 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.*

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

## **CORPORATE PRIORITIES**

This report relates to the following corporate priorities: -

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

## **1.0 Introduction and Background**

1.1 The constitution of the Council states that:

“The annual meeting will consider the following:-

- (ii) elect the Chair of Council;”

1.2 Nominations for Chair of the Council have been invited from the Leaders of the Political Groups and will be announced at the meeting.

## **2.0 Decision Making Process**

2.1 Council is the decision making body.

Contact Officer: Nick Hughes, Committee Services Manager, Tel: 01843 577208  
Reporting to: Estelle Culligan, Director of Law and Democracy & Deputy Monitoring Officer

### **Annex List**

None

### **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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## Election of Vice-Chair

<b>Annual Council</b>	12 May 2022
<b>Report Author</b>	Committee Service Manager
<b>Portfolio Holder</b>	Leader of Council
<b>Status</b>	For Decision
<b>Classification:</b>	Unrestricted
<b>Key Decision</b>	No

### Executive Summary:

The political groups have been invited to submit their nominations for the election of Vice-Chair. Council is asked to decide upon the appointment.

### Recommendation(s):

That the election of the Vice-Chair of the Council be agreed.

### Corporate Implications

#### Financial and Value for Money

There are no financial implications arising directly from this report.

#### Legal

The election of Vice-Chair must take place at the annual meeting of the Council in accordance with sections 3 and 4 of the Local Government Act 1972.

#### Corporate

None

#### 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.*

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

## **CORPORATE PRIORITIES**

This report relates to the following corporate priorities: -

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

## **1.0 Introduction and Background**

1.1 The constitution of the Council states that:

“The annual meeting will consider the following:-

(iii) elect the Vice-Chair of Council;”

1.2 Nominations for Vice-Chair of the Council have been invited from the Leaders of the Political Groups and will be announced at the meeting.

## **2.0 Decision Making Process**

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Contact Officer: Nick Hughes, Committee Services Manager, Tel: 01843 577208  
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### **Annex List**

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## **Corporate Consultation**

**Finance:** Chris Blundell, Head of Financial Services

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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](#).

## COUNCIL

Minutes of the meeting held on 31 March 2022 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, R Bayford, Boyd, Braidwood, Coleman-Cooke, Crittenden, Currie, Day, Dennis, Dexter, Duckworth, Everitt, Fellows, Garner, Gregory, Hart, Hopkinson, Huxley, Keen, Kup, Leys, Pat Moore, Paul Moore, Anne-Marie Nixey, Ovenden, L Piper, Rev. S Piper, Pugh, Rawf, Rogers, Rusiecki, D Saunders, M Saunders, Scobie, Scott, Shonk, Shrubb, Smith, Tomlinson, Towing, Wallin, Wing and Yates.

### 1. APOLOGIES FOR ABSENCE

Apologies were received from Councillors Farrance, Parsons, Potts, Rattigan, Whitehead, Wright.

### 2. MINUTES OF THE PREVIOUS MEETING

The Chair proposed, the Vice Chair seconded and Members agreed the minutes of the Council meeting held on 24 February 2022.

### 3. ANNOUNCEMENTS

The Chair congratulated Councillor Nixey on her recent election on behalf of the Council.

Members were reminded that the Extraordinary Meeting of Council scheduled for 5 April 2022 would start at 6pm.

### 4. DECLARATIONS OF INTEREST

There were no declarations of interest.

### 5. PETITIONS

No petitions were received in accordance with council procedure rule 12.

### 6. QUESTIONS FROM THE PRESS AND PUBLIC

#### (a) QUESTION NO.1 FROM A MEMBER OF THE PUBLIC REGARDING THE IDENTIFICATION OF BROWNFIELD SITES FOR HOUSING DEVELOPMENTS.

Ms McCourt asked the Leader the following question:

"We know the algorithm for projected housing figures is wrong BUT what is TDC doing to press further on the identification of brownfield sites for developments, rather than digging up our prime farmland? Whilst I appreciate perhaps the approach for the Local Plan is to "ask for sites to be put forward for development," I ask why are Council Officers not being pro-active in approaching owners of brownfield sites? If it is not 'normal practice' then will Council Officers look towards changing this practice, particularly in light of the fact that we need our farmland for food growth/production and not houses which we do not need?"

The Leader responded with the following points:

- The tests for site allocation in Government guidance were “availability, suitability and achievability,” this meant that landowners had to be willing for their sites to be brought forward; they must be suitable in planning terms; and be capable of being delivered within the Plan period.
- The call for sites was just one part of the process to identify land for residential and other development. Another part of the process was to carry out desk and site surveys to identify other sites (including brownfield sites) that met the site allocation criteria above. In cases where sites met the criteria above, the landowners were contacted to see what their intentions were for the sites in question.
- This approach had been standard practice for many years. This work was carried out for the adopted Plan, and was being undertaken at the moment to inform the Local Plan update.
- The Leader had recently spent an afternoon reviewing the list of brownfield sites and would continue to review the list regularly.

(b) **QUESTION NO.2 FROM A MEMBER OF THE PUBLIC REGARDING THE IDENTIFICATION OF BROWNFIELD SITES FOR HOUSING DEVELOPMENTS.**

Ms Brown asked the Leader the following question:

“Since the beginning of the war in Ukraine people are becoming increasingly anxious about current and future food security because of that region’s importance in the global supply of grains such as wheat. Allowing the development of prime productive farmland in Thanet (that also grows wheat), will decrease our ability to grow food in this country adding to reliance on food imports. We already import 40-50% of our food. In light of this and the government’s emphasis on using brownfield for development instead of greenfields. Can you tell me are you required to actively search for brownfield sites, and if you are, what are you doing to fulfil this requirement?”

The Leader responded with the following points:

- The Leader agreed that Ukraine and Russia were the breadbasket of Europe.
- The response to the question from Ms McCourt was also applicable to this question.
- There was not an absolute protection for agricultural land in Government guidance. The National Planning Policy Framework (NPPF) said that “Where significant development of agricultural land is demonstrated to be necessary, areas of poorer quality land should be preferred to those of a higher quality”.
- The Council would ask the Government to reconsider the framework to further protect agricultural land in light of the increased pressure on food supply caused by the war in Ukraine.

(c) **QUESTION NO.3 FROM A MEMBER OF THE PUBLIC REGARDING THE MAINTENANCE OF PUBLIC TOILETS**

The questioner was unable to attend the meeting, therefore the question would be responded to in writing.

## 7. **QUESTIONS FROM MEMBERS OF THE COUNCIL**

(a) **QUESTION NO. 1 FROM A MEMBER REGARDING THE FUTURE OF THANET’S HERITAGE THEATRES.**

Councillor Gregory asked Councillor Pugh the following question:

"Many of Thanet's heritage of theatre venues that have, in the past, attracted large audiences & are either closed, now derelict due to lack of routine maintenance or are imminent to shut, possibly lost to the Thanet & its visiting community forever.



What plans does TDC have for Westcliff concert hall in Ramsgate, the Granville Theatre Ramsgate, the Theatre Royal Margate & the Winter Gardens Margate for them to be restored to their former glory?"

Councillor Pugh responded with the following points:

- The Granville Theatre on Victoria Parade, Ramsgate, was built in the 1940s, originally as a theatre, with a cinema screen added later. The Theatre was owned by the Council, but had been managed by leaseholders since 1998. The building was leased to Granville Theatre Ltd in 2007, but that arrangement came to an end in November 2020, when the lease was surrendered. The building has been closed since the start of the national COVID-19 lockdown in 2020.
- The building was last surveyed in 2017 and this highlighted an extensive list of necessary maintenance, with a total cost estimated at £152,000. In addition to this, the roof was in a particularly poor condition and repairs were estimated to cost around £250,000.
- In July 2021, members of Thanet District Council's Cabinet agreed to transfer the Granville Theatre into the hands of a community organisation, if a viable bid was put forward. In October 2021, community groups were invited to express their interest in bidding for the freehold of the building, and the right to continue to operate it. Commercial property agents would shortly be offering the building on the open market, inviting proposals that reflected the status, condition and future use of the property. Eligible community groups, including the Kent Film Foundation, would have the opportunity to bid alongside commercial organisations.
- The Granville Theatre held fond memories for many local people and was a distinctive local landmark. It was encouraging to see the huge amount of positive local support for its redevelopment. The Council was committed to securing a positive future for the building, which would benefit the local community for generations to come.
- Westcliff Hall in Ramsgate was in private ownership and therefore not a matter the Council could comment on beyond sharing a view that we very much want to see it developed positively.
- The Theatre Royal formed part of the Margate Town Deal. Within the Town Deal Scaling Creative Production and Skills intervention, there was a £2m allocation for the Theatre Royal project. The Town Investment Plan stated that this would be used to improve the Theatre Royal and surrounding environment, to create a new hub of theatrical production. This project would:
  - Go beyond capital improvements and reimagine the Theatre Royal to ensure a sustainable future.
  - Safeguard this heritage asset, and provide opportunities for the local community to become part of the town and district's growth within creative production.
  - Ensure that more people, from a diverse range of backgrounds had an involvement in or enjoyment of creative production.
  - Improve the local economy, including the night time economy, diversify the visitor experience, and create jobs and training opportunities.
  - Require a new operator and coalition of interested parties to enable the theatre to thrive commercially and for the benefit of the community.
  - Support capital works to repair and restore the theatre to enable a sustainable future for the building and its communities.
- The Margate Town Deal Board has asked the Government for revenue funding to support the Margate Winter Gardens in the development of a long-term plan. As a result, there was now £300,000 of revenue funding allocated for the Winter Gardens project.
- This funding would enable a piece of work which would provide a clear vision and detailed project delivery plan for the Winter Gardens' future, including how it

could operate in tandem with the other leisure venues and key heritage assets in Margate, such as Dreamland and the Theatre Royal.

Councillor Gregory followed up her question by asking why had regular routine maintenance not taken place on these buildings?

Councillor Pugh responded that the Council wished to see these assets returned back to their former glory, however the Council's budget was tight. It should not always be the job of the Council to renovate premises if there was a community group that could bring the property back to its former glory, or even better.

(b) **QUESTION NO. 2 FROM A MEMBER REGARDING THE ALLOCATION OF A TRAVELLERS SITE.**

Councillor Rawf asked the Leader the following question:

"Travellers issues have been ongoing for some time, the working party has been set up for nearly 2 years to allocate a place for them, can the Leader reassure us we will hear the results soon?"

The Leader responded with the following points:

- It was decided that suitable sites for Gypsy and Traveller accommodation should be identified through the Local Plan process.
- The site search and allocation process for the Local Plan update was being undertaken at the moment. The tests for site allocation were "availability, suitability and achievability", which meant that landowners had to be willing for their sites to be brought forward; they must be suitable in planning terms (across a range of matters); and be capable of delivery within the Plan period.
- No sites were proposed to the Council specifically for consideration as Gypsy and Traveller sites, which meant that the site search work had to be extended.

Councillor Rawf followed up his question by asking if the Leader could find a solution for the families at the Port of Ramsgate.

The Leader responded that she could help those families by finding a long term solution and site. It was a priority to find a stopping and permanent site. The Council had bid for funding that, if successful, could offer a solution in the future.

(c) **QUESTION NO. 3 FROM A MEMBER REGARDING THE FUTURE OF THE PIER YARD TOILETS**

Councillor Everitt asked Councillor Kup the following question:

"Can the cabinet member flush away rumours that the future of the Pier Yard toilets, which provide the main public conveniences for Ramsgate Main Sands, is in doubt? Is this Conservative administration, which has no Ramsgate councillors on its front bench, considering pulling the chain on them?"

Councillor Kup responded with the following points:

- A decision on the future of all the toilets across the District needed to be taken, and a strategy to deal with the issue was being developed that covered a range of options. Any proposal would go to Cabinet for a decision.
- The Cabinet worked for the benefit of the whole district.

Councillor Everitt followed up his question by asking what people should do in future if all the public conveniences in the vicinity were shut?

Councillor Kup advised that he could not answer that.

(d) **QUESTION NO. 4 FROM A MEMBER REGARDING THE FUTURE OF THE GRANVILLE THEATRE, RAMSGATE**

Councillor Austin asked Councillor Pugh the following question:

"In light of the confusion and upset over the future of Ramsgate's Granville Theatre, I'd be grateful if you could clarify the current situation and our process as a Council going forward.

In your helpful responses to residents who've expressed concern, understandably you've stressed our need to ensure best value. Sadly, 'best value' in Ramsgate to date has consistently been interpreted as sale to the highest bidder, leaving important buildings like Westcliff Hall, the Western Undercliff Café and 18 Albert Street derelict, generating significant negative ongoing value for residents and our visitor economy.

We were delighted to see the Granville featured as a key attraction in our Regeneration Team's recently published Ramsgate Future plan. Could you please outline the process we will follow for this important asset from now on, and explain what we are doing to ensure the Granville elements of the Ramsgate Future plan can still be delivered?"

Councillor Pugh responded with the following points:

- Some of the response would be the same as the response to Councillor Gregory's question.
- In July 2021, members of Thanet District Council's Cabinet agreed to transfer the Granville Theatre into the hands of a community organisation, if a viable bid was put forward. In October 2021, community groups were invited to express their interest in bidding for the freehold of the building, and the right to continue to operate it. A submission from the Kent Film Foundation (KFF) was received which was considered by a panel of officers from across the Council. The submission was scored in strict accordance with the Community Asset Transfer Policy.
- The Council had a duty to residents to make sure that any community group wanting to take on a public building could evidence that they had the skills and experience required, and that the project had a long term future that would benefit the wider community.
- Unfortunately the KFF submission did not provide adequate designs or costings for the refurbishment of the building, lacked proof of funding and a realistic business plan. Supporting information for other requirements, including an inclusion and diversity policy, were also missing. In addition, some key elements of the proposal were at risk of not receiving planning permission due to a required change of use application for a building of listed status.
- Commercial property agents would shortly be offering the building on the open market, inviting proposals that reflected the status, condition and future use of the property. Eligible community groups, including the Kent Film Foundation, would have the opportunity to bid alongside commercial organisations.

Councillor Austin followed up her question by asking if Cabinet were committed to keeping the future of the building as an entertainment venue?

Councillor Pugh responded that Cabinet were committed to achieve the best future for the building, this could be private ownership or ownership by a community group.

(e) **QUESTION NO. 5 FROM A MEMBER REGARDING DISABLED PARKING BAYS**

The questioner was unable to attend the meeting, therefore the question would be responded to in writing.

(f) **QUESTION NO. 6 FROM A MEMBER REGARDING AFFORDABLE HOUSING REQUIREMENTS FOR HOUSING DEVELOPMENTS**

The questioner was unable to attend the meeting, therefore the question would be responded to in writing.

(g) **QUESTION NO. 7 FROM A MEMBER REGARDING THE COUNCIL'S RESPONSE TO PUBLIC CONCERN ABOUT FUTURE OF THE GRANVILLE THEATRE, RAMSGATE**

Councillor Crittenden asked Councillor Pugh the following question:

"Has the leader noted the extent of public concern in Ramsgate and beyond about the future of the Granville Theatre? What steps is she taking to address this concern and reassure the public that her administration is listening to what local people obviously want."

Councillor Pugh responded with the following points:

- The Leader and Cabinet had listened to the views of local people regarding the Granville Theatre which was why, in July 2021, the Cabinet agreed to transfer the Granville Theatre into the hands of a community organisation, if a viable bid was put forward.
- The Council had a duty to residents to make sure that any community group that wanted to take on a public building could provide the evidence that it had the skills and experience to do so, and that the project had a long term future that would benefit the wider community.
- The Cabinet recognised that the Granville Theatre holds fond memories for many local people and that residents were concerned about its future.
- It was encouraging to see the huge amount of positive local support for its redevelopment.
- The Council was committed to securing a positive future for the building, which would benefit the local community for generations to come.
- It was important that the Council did not sit on assets and do nothing with them, therefore if a community group or private individual could do better than the Council with an asset that the Council owned, then that should be made a reality.

Councillor Crittenden followed up her question by asking for confirmation that the premises would not end up as flats, a supermarket or a derelict site?

Councillor Pugh responded that there were conditions that could be stipulated within a sale agreement to restrict the future use of an asset. He confirmed that a condition would be included in the sale to ensure that the premises could not be used for residential development. The Council was committed to achieving the best outcome for the premises and the wider community.

## 8. **NOTICE OF MOTION**

There were no motions on notice in accordance with council procedure rule 3.

## 9. **LEADERS REPORT**

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

- Members were asked to take a moment to think about those suffering in Ukraine. The Council stood in solidarity with the Ukrainian people and was committed to playing its part in supporting refugee families.
- The final Ramsgate Heritage Action Zone initiative, Seafront Place Making, had reached its final year, and would explore what Ramsgate meant to the local community.
- The Government had approved the establishment of the Margate Creative Land Trust that would support and grow creative practices for the local community.

- The first community tree planting event took place at Jackey Bakers, Ramsgate as part of the Queen's Green Canopy project.
- Lord Deben visited the King George Memorial Park in Garlinge as part of a national tour to see what different parts of the Country were doing to meet ambitious climate goals.
- Thanet was leading the way on business and resident digital communications, including:
  - The Green Tourism Tool Kit helped businesses with ideas to become more environmentally friendly.
  - The Online Waste Portal would allow residents to access real time information about bin collections and allow residents to report issues.
  - The Open Portal was a new and secure online portal that enabled residents and businesses to manage their council tax and business rates accounts, housing benefit claims, payment history and other services, all in one place.
- The fourth edition of Action Against Litter had been published and gave details of the three day, district wide, spring clean event that would take place during the first week of April. Thanks were offered to the litter picking volunteers for their efforts throughout the year.
- A 'How to Become a Councillor' event would be held to offer information to anyone thinking of becoming a District Councillor in the future.
- Residents of Margate would have received correspondence about Margate's bid to have a town council. If the petition to form a town council received enough signatures, a community governance review would be triggered.

Councillor Everitt as Leader of the Labour Group made the following points in response to the Leader's report:

- It was hoped that bureaucracy would not obstruct residents in Thanet from supporting Ukrainian refugees.
- The 'How to Become a Councillor' event was fully supported. There was a need to reach underrepresented groups, such as younger residents and people living in social housing. The low basic Councillor allowance could be one of the factors that stopped people from relatively deprived backgrounds, and young people, from becoming a District Councillor.
- Members could encourage others, from all backgrounds, to become Councillors by being visible in their wards, showing that they could make difference, and by being honest about the difficult decisions the Council had to make regardless of who was in control.
- The success of the Margate Creative Land Trust, the tree planting at Jackey Bakers, and the upcoming litter picking events, were all welcome news.
- It was a challenge to maintain the streets and open spaces throughout the year, the littering culture must be challenged.
- The real test of the new digital waste system would be if improvements were seen in how quickly the Council reacted when notified of a problem.
- If Margate residents supported the creation of a town council, the area would benefit from more autonomy and the ability to deliver hyper local initiatives, however there would be a Council Tax charge for this. Residents of Margate could look at the good example set by Ramsgate Town Council.

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

- There needed to be more young Councillors. The basic Councillor allowance was an issue, a small amount of budget would be put aside for the next couple of years to allow the basic allowance to be increased a bit in the future.

Councillor Rev. Piper as Leader of the Thanet Independent Group made the following points in response to the Leader's report:

- Could the Council make a clear statement regarding the gas and electrical safety checks and any other checks required by the Council, for residents who wished to become sponsors for those travelling from Ukraine?
- The Jackey Bakers tree planting event was good and was well supported. Ramsgate Town Council were looking to plant more trees, could there be a meeting to discuss the continuation of the avenue of trees around the Jackey Bakers field?
- The online waste portal would be good in the end, however some residents in Buxton Road and Hyberry Gardens had gone six weeks without a proper collection. Could this be investigated?
- The Thanet Independent Group have done their best to support the 'How to Become a Councillor' event on social media, and hoped it would be a successful evening.

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

- The Council had a dedicated webpage relating to the Ukraine crisis, the page contained lots of useful information and would be updated to include the checks and procedures for households wishing to take in refugees.
- The Cabinet Member for Environmental Services and Special Projects would meet with Councillor Piper to discuss the planting of trees at Jackey Bakers.
- It was often the case that there were teething issues when a new system was introduced, however once these issues were resolved the online waste portal would allow the Council to provide a better service than it had provided in the past.

Councillor Garner as Leader of the Green Party made the following points in response to the Leader's report:

- It was a welcome sight to see the Ukrainian flag flying over the Council Offices to demonstrate the Council's solidarity with the people of Ukraine, and it was heartening to see the donations of Thanet's residents that would go to help the relief effort.
- The recent tree planting events have been good to see, thanks were offered to the officers who had ensured that as many trees as possible were planted.
- The existing trees must also be protected, Members sitting on the Climate Emergency Cabinet Advisory Group received a stark update on the latest report from the Intergovernmental Panel on Climate Change, about the urgency for action to meet the pledge to limit global warming to 1.5 degrees.
- The King George V park works had reduced the risk of surface flooding, however more work may be required if thousands more houses were built in the Westgate and Garlinge area.
- The digital technology projects were good, it was important that the Council made more information readily available to residents online, however residents who did not use computers should not be put at a disadvantage.
- As many people as possible should attend the 'How to Become a Councillor Event'. There was a need for more people who wanted to participate in local democracy to get involved, as it was the best way to effect positive change across the community.
- The Great British Spring Clean was an example of how residents come together to clean their neighbourhood. There were a number of litter picks planned for the next few weeks.

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

- It was important to look after the trees that had been planted, in order to pass them on to the next generation.
- The landscaping at the George V Park was a vast improvement to what was there before. There were plans for similar projects at two more sites within the District.

Members noted the report.

**10. ANNUAL REPORT OF THE CHAIR OF THE OVERVIEW AND SCRUTINY PANEL**

Councillor Reverend Piper presented the report as Chair of the Overview and Scrutiny Panel, he noted that the Panel had been busy during the year and offered his thanks to Members and Officers for their support, and to the Cabinet Members who had made presentations.

Councillor Reverend Piper encouraged Members to look at Article 6 of the Council's Constitution for an explanation of the role of the Panel, and reminded Members to contact him if they had any topics for review.

Members noted the report.

**11. ANNUAL REPORT OF THE CHAIR OF THE STANDARDS COMMITTEE**

Mr Tucker, the Chair of the Standards Committee, presented his report.

Members noted the report.

**12. ANNUAL REPORT OF THE CHAIR OF THE GOVERNANCE AND AUDIT COMMITTEE**

Councillor Boyd, Chair of the Governance and Audit Committee, presented the report. She noted that the Committee had continued to discharge its responsibilities to provide independent assurance on the adequacy of the Council's risk management framework and the associated control environment, and it had provided robust scrutiny and challenge of the Authority's financial performance.

Councillor Boyd offered her thanks to the Members serving on the Committee and Sub-Committee, and to the Officers for their support.

The Council had also faced the challenge of receiving the Statutory Recommendations made by Grant Thornton under Section 24 of the Local Audit and Accountability Act 2014. Work to address those recommendations was ongoing and Members and Officers were cooperating fully with the work of the Independent Monitoring Officer, Mr Baker.

Members noted the report.

**13. RECOMMENDATIONS FROM STANDARDS COMMITTEE - QUESTIONS FROM MEMBERS TO COUNCIL**

It was proposed by the Chair and the Vice-Chair seconded, that the recommendations as detailed in the report be adopted, namely:

"That Council amend the Council Procedure Rules as follows, which is in accordance with the recommendations of CRWP and Standards Committee:

1. Council Procedure Rule 14.6 - That the bullet point '- related to a matter which has already been raised as a Standards Complaint against a member and which has not yet been concluded through the Code of Conduct procedures.' be added to the list of reasons that would invalidate a question.

2. Council Procedure Rule 14.8 - That the following sentence be added at the end of the existing paragraph: 'The question must be a question and not a statement, and arise directly out of the response.'

Councillor Everitt proposed and Councillor Rawf seconded an amendment that removed the last seven words of recommendation two.

After some debate the following amended motion was put to the vote and declared carried:

“That Council amend the Council Procedure Rules as follows, which is in accordance with the recommendations of CRWP and Standards Committee:

1. Council Procedure Rule 14.6 - That the bullet point ‘ - related to a matter which has already been raised as a Standards Complaint against a member and which has not yet been concluded through the Code of Conduct procedures.’ be added to the list of reasons that would invalidate a question.

2. Council Procedure Rule 14.8 - That the following sentence be added at the end of the existing paragraph: ‘The question must be a question and not a statement.’”

## **14. RECOMMENDATIONS FROM STANDARDS COMMITTEE - REVISION TO DELEGATIONS**

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

“That the Council amends its scheme of delegations by delegating to the Chief Executive and in her absence the Director of Law and Democracy) the authority to declare vacancies in office under section 86 of the Local Government Act 1972.”

## **15. RAMSGATE CONSERVATION AREA APPRAISAL**

The Leader proposed, Councillor R Bayford seconded and Members agreed the recommendation as set out in the report, namely:

“To seek approval for the adoption of the Ramsgate Conservation Area Character Appraisal and Management Plan documents containing locally specific information of the area, following public consultation in November/December 2021.”

## **16. CHANGES TO COMMITTEES, PANELS AND BOARDS**

### Proportionality

Members noted that the existing political balance of committees would remain unchanged.

### Nominations to Serve on Committees.

The Leader advised that Councillor Shrubb would sit on Planning Committee, Councillor Leys would sit on the Overview and Scrutiny Panel, and the Governance and Audit Committee, and Councillor Pugh would come off the Governance and Audit Committee.

Councillor Everitt advised that Councillor Currie would sit on the Licensing Board.

Meeting concluded : 8.15 pm



## COUNCIL

### Minutes of the meeting held on 5 April 2022 at 6.00 pm in Council Chamber, Council Offices, Cecil Street, Margate, Kent.

**Present:** Councillor Jason Savage (Chair); Councillors Albon, Ara, Ashbee, Austin, Bailey, Bambridge, R Bayford, Boyd, Braidwood, Coleman-Cooke, Crittenden, Currie, Day, Dennis, Dexter, Duckworth, Everitt, Farrance, Fellows, Garner, Gregory, Hart, Hopkinson, Huxley, Kup, Leys, Pat Moore, Paul Moore, Anne-Marie Nixey, Parsons, L Piper, Rev. S Piper, Potts, Pugh, Rawf, Rogers, Rusiecki, D Saunders, M Saunders, Scobie, Scott, Shrubbs, Smith, Tomlinson, Towing, Wallin, Whitehead, Wing, Wright and Yates

## ADJOURNMENT

Upon opening the meeting, the Chair advised that the meeting would be adjourned for 30 minutes. The meeting recommenced at 18:30.

### 1. APOLOGIES FOR ABSENCE

Apologies were received from Councilors J Bayford, Keen, Ovenden, Rattigan and Shonk

### 2. DECLARATIONS OF INTEREST

There were no declarations of interest.

### 3. EXCLUSION OF THE PRESS AND PUBLIC

The Chair proposed, the Vice-Chair seconded and Members agreed that the public and press be excluded from the meeting for agenda item four as it contained exempt information as defined in paragraph 1 of part 1 of schedule 12a of the Local Government Act 1972 (as amended).

### 4. EMPLOYMENT MATTERS

The Chair introduced those present for the benefit of the Members:

Mr Howes - Director of Corporate Governance and Monitoring Officer

Ms Thelen – Barrister, 39 Essex Chambers, to provide legal advice to the Council.

Mr Mant – Barrister, 39 Chambers, who provided legal advice to the Investigations and Disciplinary Sub-Committee (IDSC) and who would present the sub-committee's findings.

The Chair outlined the order of proceedings, and Members agreed to suspend the rules of procedure to allow the meeting to be conducted in accordance with the special procedure as set out in Annex 2 of the report.

Ms Thelen provided some opening remarks.

The Leader introduced the report, and proposed that Council considered the report and approve the recommendation of the IDSC, namely; to dismiss Mr Howes. Councillor Everitt seconded the motion.

Mr Mant presented the decision of the IDSC

Mr Howes made his representations.

Members asked Mr Howes questions.

Ms Thelen presented the recommendations of the Independent Persons Panel and advised of the outcome of the executive objection procedure.

Mr Mant made his final comments.

Mr Howes made his final comments.

Mr Mant and Mr Howes left the meeting to allow Members to come to a decision.

Following the debate Members voted and approved the decision of the IDSC, namely; that Mr Howes be dismissed.

Meeting concluded: 8.00 pm

## Responsibility for Functions - Executive Delegated Functions Report

<b>Annual Council</b>	12 May 2022
<b>Report Author</b>	Committee Service Manager
<b>Portfolio Holder</b>	Leader of Council
<b>Status</b>	For Information
<b>Classification:</b>	Unrestricted
<b>Key Decision</b>	No
<b>Ward:</b>	Thanet Wide

### Executive Summary:

This report allows the Leader to inform Council of the Executive portfolios and notes the appointments to them, and to the opposition spokespeople.

### Recommendation(s):

1. Members are being asked to note the report as this report is for information only.

### Corporate Implications

#### Financial and Value for Money

There are no relevant financial implications arising from this report.

#### Legal

The Leader must approve a scheme of Executive delegations. It is for each Group to nominate the holders of Cabinet portfolio and shadow portfolio posts.

#### Corporate

Cabinet and shadow portfolios are generally aligned in a way which mirrors themes (or combinations of themes) within the Council's Corporate Plan, to aid in the delivery of that Plan.

#### 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.*

There are no equity and equalities implications arising from this report. However 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

## **1.0 Introduction and Background**

1.1 In accordance with the Council's constitution:

"In each Council Year the Leader will allocate a range of functional responsibilities (called 'a portfolio') to the members of the Cabinet and will at the Annual Meeting also notify Council of such allocation and will cause that to be recorded in the Constitution of the Council."

1.2 The Leader of Council is responsible for any functions which are not specifically required to be carried out by the Council under regulations. All of the functions of the Council are executive functions except for:

- a. Those listed in Schedule 1 of the Local Authority's (Functions and Responsibilities) (England) Regulations 2000 (as amended); and
- b. Those set out in the Council's Constitution as being the responsibility of the Council or a body established by the Council.

1.3 The range of functions that are the responsibility of the executive that the Leader has assigned to the Leader, Cabinet or individual Cabinet Members will be announced at the meeting. The Scheme of executive functions which the Leader has delegated to officers will also be announced at the meeting.

- 1.4 It is worth noting that all key decisions must be collectively agreed by Cabinet, unless Cabinet makes a specific decision to delegate that decision to a Cabinet member, committee or officer.

## **2.0 The Current Situation**

- 2.1 The Cabinet must consist of the Leader of the Council, the Deputy Leader and at least one but not more than eight other Councillors also appointed by the Leader.
- 2.2 Details of the Cabinet portfolios and functions covered for the 2022/23 municipal year will be announced at the meeting.
- 2.3 The Leader will appoint Cabinet Members to the portfolios that are announced at the meeting.
- 2.4 The names of the opposition spokespeople will be announced at the meeting. The opposition spokespeople must exactly mirror the Cabinet Portfolios.

## **3.0 Options**

- 3.1 As this report highlights the executive functions as determined by the Leader, it is for information only.

## **4.0 Decision Making**

- 4.1 The Leader determines the portfolios, the scheme of delegations and the Cabinet Members. The Opposition Leader confirms the opposition spokespeople.

Contact Officer: Nick Hughes, Committee Services Manager

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

### **Annex List**

Annex 1: Part 3 Scheme of Delegations Section D

Annex 2: Part 3 Scheme of Delegations Section E

Annex 3: Portfolio Holders List

### **Background Papers**

None

### **Corporate Consultation**

**Finance:** Chris Blundell, Director of Financial Services

**Legal:** Estelle Culligan, Director of Law and Democracy

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## **SECTION D. RESPONSIBILITY FOR EXECUTIVE FUNCTIONS**

### **Responsibility for functions and procedures**

1. This section of the Constitution sets out the responsibilities of the Leader and Cabinet.
2. The Leader is responsible for any functions which are not specifically required to be carried out by the Council under regulations.

## **RESPONSIBILITY FOR EXECUTIVE FUNCTIONS**

### **1. General**

1.1 All the functions of the Council are executive functions except for:

- Those listed in Schedule 1 of the Local Authority's (Functions and Responsibilities) (England) Regulations 2000 (as amended); and
- Those set out in this Constitution as being the responsibility of the Council or a body established by the Council.

1.2 Executive functions will be exercised by the Leader except when the matter is dealt with under joint arrangements or delegated to the Cabinet, a committee of Cabinet, an individual Cabinet member or an Officer.

1.3 The Leader will discharge both these functions in accordance with the Cabinet procedures and the access to information rules.

1.4 The Leader will make sure all necessary steps are taken to prepare the Authority's budget, and those plans and strategies which constitute the Authority's policy framework as set out in Part 4 of this Constitution prior to their final approval and adoption by the Council. They will undertake this work in accordance with the budget and policy framework procedure rules.

## **THE LEADER'S SCHEME OF DELEGATION FOR EXECUTIVE FUNCTIONS**

### **1. Background**

1.1 The Council has adopted the Leader and Cabinet style of executive arrangements. Under this arrangement all executive functions are vested in the Leader who can then delegate functions as seen fit. This document sets out the delegation of those functions but excludes any decisions that are contrary to the policy framework or budget which must be taken by council.

1.2 The Leader is responsible for:

- appointing members of the Cabinet;
- delegating executive responsibilities to the Cabinet;
- delegating executive responsibilities to committees carrying out executive functions;

# Agenda Item 7

## Annex 1

- delegating executive responsibilities to individual Cabinet members;
  - allocating executive responsibilities to officers;
  - allocating executive responsibilities when no-one has responsibility for them.
- 1.3 The Leader can at any time take back responsibilities delegated to committees of the Cabinet, an individual Cabinet member or officer, or decide to delegate them on certain conditions. (i.e. The Leader can choose to exercise any powers in the Scheme of Delegation).
- 1.4 The Leader can also decide to delegate further responsibilities to committees of the Cabinet, individual Cabinet members or to an officer.
- 1.5 Executive responsibilities are carried out on behalf of the council and in the council's name.

### **2. Delegations to Cabinet**

- 2.1 The Leader has decided that some executive decisions must be agreed by the Cabinet (set out in section 2.2). These decisions will be taken collectively by all Cabinet members, unless the Cabinet takes a specific decision to delegate that decision to a Cabinet member, committee or officer.
- 2.2 The decisions that must be agreed by the Cabinet are:

#### **Key Decisions**

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

- 1) Which involves the incurring of expenditure, or the making of savings, by the Council, which are anticipated to be £250,000 or above. The exception to this rule being where approval has previously been received to incur that expenditure by the Executive, notwithstanding criterion 3; or
- 2) Where the Council is entering into a contractual obligation with a value of £750,000 or above; or
- 3) For the acquisition or disposal of land or property with a value of £750,000 or above; or
- 4) Where the effect would be on communities living or working in the district, in an area comprising two or more wards. However, decisions that impact on communities living or working in one ward will be treated as "key" if the impact is likely to be very significant.

### **3. Areas of Responsibility of Individual Cabinet Members**

- 3.1 The individual members of Cabinet will have responsibility for the functions that are set out below.



**4. Delegations to Cabinet Members**

**A. General Delegations to all Portfolio Holders**

In addition to acting collectively in the Cabinet, each Cabinet Member will have the general role of providing leadership and guidance in respect of all executive functions within the portfolio area for which they are accountable and the promoting and improving of the Council's profile and public perception.

In accordance with the Secretary of State's guidance, Cabinet Members should amongst other things:

- (i) ensure that they have sufficient time to focus on broad strategic issues (para 4.21 of the Guidance); and
- (ii) seek advice from relevant officers before taking a decision within their own delegated authority; where appropriate this should include taking legal advice, financial advice and professional officer advice (particularly about contractual matters) as well as consulting the Monitoring Officer where there is a doubt about legal powers (para 4.44 of the Guidance).

Any matter within a Cabinet Member's delegated powers may be referred by them to Cabinet for decision.

To regularly review the effectiveness of policies and the performance of services and make recommendations for continuous improvement to the Cabinet.

To oversee the capital and revenue budgets in areas of responsibility to ensure expenditure and income is consistent with the Council's agreed budget.

To be consulted by Corporate Directors upon in year changes to fees and charges (including the introduction of new fees and charges)

To liaise and work with other portfolio holders on cross cutting areas of responsibility and make recommendations to Cabinet as appropriate. [Note: Any matter relating to more than one portfolio area must be referred by the portfolio holders to Cabinet for decision.]

To oversee the review of fees and charges and recommend changes in line with the Council's agreed budget strategy.

To make or agree recommendations to Cabinet in relation to new policy areas.

To consider and endorse service plans to ensure compliance with the Corporate Plan.

To be accountable to the Cabinet for the implementation of agreed priorities and final recommendations from the Corporate Plan, Service Plans and reviews and to consider and act on reports received from officers monitoring progress.

To authorise the making of applications for planning permission for proposed development relating to the Member's portfolio area.

# Agenda Item 7

## Annex 1

To make recommendations to Cabinet on bids for additional funding; expenditure; variations to expenditure and the letting of contracts for works; goods and services, in accordance with the Council's Contract Standing Orders. To support individual projects within the Cabinet Member's portfolio area, provided such expenditure is within the overall project budget and above the prevailing virement threshold.

In any case where a matter is urgent and a decision cannot reasonably await the next meeting of the Cabinet and the relevant portfolio holder does not have a general or specific delegated power, the relevant portfolio holder may nevertheless make a decision on behalf of the Cabinet subject (except in the case of the Leader) to prior consultation with the Leader and subject to the decision being reported to Cabinet as soon as practicable. [Note: in the case of a key decision the Access to Information Procedure Rules must still be complied with.]

### **B. Specific Delegations to Portfolio Holders**

#### Leader of the Council

1. To approve the appointment of Council Members to sit on external Partnership
2. Boards related to regeneration and to monitor their performance in accordance with approved guidance;
3. To nominate a Cabinet Member to act on their behalf on a specific project;
4. To recommend to Council and Cabinet (as the case may be) the appointment or nomination of Members to fill vacancies on the Approved Table of Outside Bodies;
5. To exercise any specific delegated power of any Cabinet Member;

To lead policy development and advise the Cabinet on:

1. Corporate Plan
2. Media, PR & Comms
3. Strategic Planning, Planning Policy & the Local Plan
4. Planning (Development Control)
5. Corporate Performance and Risk
6. Port and Harbours
7. Democracy and Governance

Delegated powers on the following areas with the portfolios of:

#### Environmental Services and Special Projects

1. To approve following public consultation, all parking orders, taxi rank locations, street management schemes and resident parking schemes;

#### Finance

1. To approve the write off of debts over £10,000;
2. To authorise terms for the acquisition and sale of property with an estimated value of over £250,000.

**C. Deputy Leader of the Council**

To act on behalf of the Leader when they are absent or unable to act and may nominate any Cabinet member to deputise for the Leader in the absence of the Leader and Deputy Leader. To work under the Leader's direction on Cabinet co-ordination and ensure resolution of any inter portfolio issues.

**D. Portfolio - Economic Development**

**Scope of Portfolio**

To lead policy development and advise the Cabinet on:

1. Regeneration and economic development
2. Tourism and beach management
3. Corporate property and land
4. Building control
5. Heritage and Museums
6. Information and Communications Technology
7. Digital Transformation
8. Management of the foreshore

**E. Portfolio - Environmental Services and Special Projects**

**Scope of Portfolio**

To lead policy development and advise the Cabinet on:

1. Waste management, recycling and street cleaning
2. Cemeteries & crematoria
3. Facilities management
4. Climate change & Biodiversity
5. Strategic Projects

**F. Portfolio - Finance**

**Scope of Portfolio:**

To lead policy development and advise the Cabinet on:

1. Finance inc. revenue & capital for general fund & HRA budgets
2. Medium Term Financial Strategy
3. Treasury Management
4. Housing and Council Tax Benefits & Revenues (inc. Debt Recovery)
5. Licensing
6. Property & Estate Management (revenue based activity)
7. Parking (inc. civil parking enforcement)

**G. Portfolio - Housing**

**Scope of Portfolio**

To lead policy development and advise the Cabinet on:

1. Private Sector Housing (inc. the Margate Housing Intervention Programme)
2. Housing Strategy
3. Homelessness
4. Tenant and Leaseholder Services
5. Environmental Health
6. Customer Services
7. Member Training & Development

**H. Portfolio – Community Safety and Youth Engagement**

**Scope of Portfolio:**

To lead policy development and advise the Cabinet on:

1. Community Safety (inc. the Community Safety Partnership)
2. The Multi Agency Task Force
3. Health and wellbeing, sport, young people, recreation & leisure
4. Street scene enforcement (inc. fly-tipping)
5. Parks including playgrounds & green spaces
6. Public conveniences
7. Information, records, data management & strategy

**5. DELEGATIONS TO EAST KENT SERVICES**

Certain functions are delegated to East Kent Services see Section F.

**6. GENERAL RULES AS TO CABINET DELEGATIONS**

- a. Cabinet can authorise a Cabinet Member, Committee or an Officer to carry out its delegated responsibilities on its behalf;
- b. A Cabinet Member can authorise a Committee or an Officer to carry out their delegated responsibilities on their behalf;
- c. Committee can authorise a Sub-Committee or an Officer to carry out their delegated responsibilities on their behalf.

**6.1 DELEGATION TO OFFICERS**

- (1) All executive responsibilities except the ones in Sections 2 and 4 above are delegated to the Officers in the corporate management team and the Service Directors (see SECTION E) noting any capital and revenue delegation limits.

An Officer can only carry out a responsibility if:

- they (or an Officer who reports to them) have budgetary or management responsibility for it; and
- the Constitution or the law does not require it to be carried out by someone else.

Officers' use of delegated powers:

- (2) Officers do not have to use their delegated powers: they can ask the person or body that delegated the power to them to make a decision, or refer the matter to the relevant Committee.

Officers who have had something delegated to them can authorise Officers they line manage to do it on their behalf (unless it was delegated on condition that they do it themselves).

## 6.2 INTERPRETING THE RULES ON DELEGATION

- (1) When the Leader has delegated a responsibility in this Scheme of Delegation, so is the authority to do anything necessary to carry it out (unless it was forbidden when the responsibility was delegated).
- (2) Without prejudice to the generality of (1) above, this includes the authority to sign all necessary documents, determine applications, authorise payments, authorise prosecutions, implement national agreements, issue and serve statutory and other notices, authorise entry to land in pursuance of statutory powers, and take default actions under relevant legislation if:
  - (a) the Constitution or the law does not require the action to be taken by someone else; and
  - (b) the decision maker has had regard to any advice from the Chief Finance Officer and the Monitoring Officer.

## 6.3 RESPONSIBILITIES NOT COVERED BY THIS SCHEME

If an executive responsibility does not have to be carried out by the Cabinet, an individual Cabinet member or a Committee and no one has budgetary and management responsibility for it, the Leader will arrange for it to be carried out by the Cabinet, a Committee or an Officer.

Signature ..... Date .....

Councillor .....

Leader of Thanet District Council

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**SECTION E. MANAGEMENT STRUCTURE AND SCHEME OF OFFICER DELEGATIONS**

As at the Council Meeting of 03/06/2021

PART A MANAGEMENT STRUCTURE

PART B SCHEME OF DELEGATIONS TO OFFICERS

**Part A – Management Structure**

The Corporate Management Team (CMT)

Chief Executive

~~Deputy Chief Executive and S.151 Officer~~

Corporate Director - Governance

Corporate Director - Communities

The Service Directors:

Chief Executive

- Director Of Regeneration
- Director of Housing and Planning
- Director of Finance and S.151 Officer
- Director of Communications

Corporate Director - Governance

- Director of Law and Democracy
- Director of Property

Corporate Director - Communities

- Director of Operations
- Director of Safer Neighbourhoods
- Director of Environment

EK Services

- Head of Shared Services
- Client Services Manager
- Head of ICT



**Part B - Scheme of Delegations to Officers**

**1.0 Methodology**

- 1.1 The Council also delegates the exercise of a number of emergency public health powers to an external officer appointed by the Clinical Director of Public Health England.
- 1.2 Where the Scheme of a Delegation relates to specific Acts of Parliament, Regulations and Orders and other exercise of powers made thereunder, it is intended that such delegations shall extend to the powers and duties and functions under the Acts, Regulations and Orders as they exist at present and any subsequent re-enactment or amendment of the relevant statutory provisions or departmental exercise of powers.
- 1.3 The acts of the Chief Executive, Corporate Directors and other named Service Managers under delegated powers shall be deemed to be the acts of the Council.
- 2.0 Any decision taken under delegated powers shall be in accordance with any relevant policy approved by the Council and in compliance with the Financial Procedure Rules and Contract Standing Orders. When the exercise of a delegated power includes the incurring of expenditure such action shall be conditional upon the necessary financial provision being included in an approved budget estimate.

**3.0 Delegation to Officers**

- 3.1 Officers do not have to use their delegated powers: they can ask the person or body that delegated the power to them to make a decision, or refer the matter to the relevant committee.

Officers who have had something delegated to them can authorise officers they line manage to do it on their behalf (unless it was delegated on condition that they do it themselves).

**4.0 Appointment of Proper Officers:**

- 4.1 All members of the senior management structure may act as, or appoint Officers to act as, proper Officers for the purposes of any Act of Parliament or statutory instrument if:
- (a) The Member of the corporate management team or senior management team or one of their staff has budgetary or management responsibility for that function; and
  - (b) The Officer appointed is qualified to carry out the functions of a proper Officer; and
  - (c) The Constitution or the law does not require it to be carried out by someone else.

**Functions to be Discharged by EKSC on Behalf of the Authorities**

**Framework and Definitions**

1. The functions delegated in this Schedule are associated with the following services which are to be delivered by Canterbury City Council, Dover District Council and Thanet District Council through the East Kent Services Committee:
2. Detailed as below:
  - (a) ICT
  - (b) face to face and contact centre customer services
  - (c) revenues and benefits
  - (d) human resources
3. It is contemplated that the East Kent Services Committee will in turn delegate the discharge of these functions to the Director of Collaborative Services and/or the Head of Shared Services or other of their officers.
4. The “Arrangements” means the operating arrangements, Terms of Reference, Committee Procedure Rules and any other minutes or documents for the time being in force by which the East Kent Joint Arrangements Committee is constituted and its powers defined.
5. “Authority” means Canterbury City Council, Dover District Council, or Thanet District Council as the context requires, being the authority on whose behalf the particular powers or functions are being exercised and “Authorities” shall be construed accordingly.
6. “The Committee” means the East Kent Services Committee.
7. “The Department” means as the context requires the East Kent Shared Services department under the Directorship of the Head of Shared Services and or the East Kent Human Resources department under the Directorship of the Director of Collaborate Services.
8. “Scheme of Delegation” means the arrangements for the discharge of functions and delegations set out in this Schedule.

**Exercise of Functions**

9. The Council’s and the Executives of the Authorities delegate the discharge of the functions set out in this Scheme of Delegations to the East Kent Services Committee pursuant to all powers contained in or having effect under the Local Government Acts of 1972 and 2000.
10. The exercise of the powers and functions set out in this Schedule shall without prejudice to any specific delegation or authorisation set out, and subject to any express Conditions/Exclusions/Limitations/Notes specified, be taken to include power to do anything incidental or conducive to the discharge of such functions including (by way of example and not by way of limitation) power to do any of the following:

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- (a) To appoint or designate any officer as an "authorised officer", "inspector", "person duly authorised" or similar under any of the legislation or functions specified for the purposes of enabling any such person to carry such legislation or functions into effect.
  - (b) To authorise any officer for the purposes of any of the above mentioned legislation or functions.
  - (c) To exercise any power or function conferred by or in connection with the specified legislation or functions to:
    - (i) Require any person to provide any information.
    - (ii) Enter or inspect any land, premises, vehicle or vessel.
    - (iii) Take samples of, seize, test, dispose of, destroy, or otherwise deal with any thing or substance in accordance with the applicable legislation.
    - (iv) Make application for any warrant or order to a court of summary jurisdiction and to execute any such warrant or order taking with them any other person as may be authorised.
    - (v) To make or swear any information.
    - (vi) Institute or defend any legal proceedings, and to take all proper steps in the furtherance or compromise of such proceedings (in each case) in consultation with the Solicitor to the Council which may be undertaken in relation to specific cases or in relation to categories of work,.
    - (vii) Execute work.
    - (viii) Sell or dispose of any goods, articles, samples materials or other property (other than land and buildings).
    - (ix) Recover any sums of money due to the Authorities.
    - (x) Authorise any other person to do any of the things mentioned in (i) to (ix) above to the extent permitted by law.
11. The East Kent Services Committee are hereby authorised to discharge on behalf of the Authorities the function of preparing and approving, amending or repealing, any policy, statement, practice note, code of guidance, procedure or similar in connection with the functions hereby delegated and:-
- (a) Until such time as they have done so any reference in this Part to any policy, procedure, process or similar administrative statement of practice 'of the Authority' shall be interpreted as a reference to the relevant policy, procedure process or similar administrative statement of the relevant Authority in force on 11 February 2015.
  - (b) Any reference in this Part to any policy, procedure, process or similar administrative statement of practice 'of the Authority' shall be interpreted as a reference to the relevant policy, procedure process of similar administrative

# Agenda Item 7

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statement as approved by the former East Kent Joint Arrangements Committee or the East Kent Services Committee (or the relevant Authority) after 11 February 2015.

12. Any reference to any Act, Rule, Order or Regulation shall be taken as including a reference to that Act, Rule, Order or Regulation as re enacted, replaced or modified from time to time.
13. References to any statutory provision shall include a reference to any subordinate or secondary legislation made under or taking effect under it from time to time.

### **Administrative**

14. The Committee may only exercise the delegated powers in this schedule in accordance with:-
  - (a) Statutory or other legal requirements, including the principles of public law, the Human Rights Act 1998 (as amended), statutory guidance and statutory codes of practice.
  - (b) The Constitution of the Authority where relevant including standing orders, contract standing orders and financial regulations.
  - (c) The revenue and capital budgets of the Authority, subject to any variation thereof which is permitted by the Authority's Financial Regulations.
  - (d) Consideration of any relevant policy adopted by the Committee.
15. The Committee may not exercise delegated powers where –
  - (a) The matter is reserved to the Authority by the arrangements.
  - (b) The matter is a function which cannot by law be discharged by the Committee.
16. The Committee may not exercise delegated powers in a way which is contrary to the policies and plans approved by or on behalf of the Authority.
17. Where an officer has delegated powers of the Committee or sub-committee (as appropriate) the Committee can still exercise that power if it considers that it is appropriate to do so.
18. If for any reason it is not practical to consult a person required to be consulted in the exercise of a delegation then the Committee must consult someone else they reasonably consider to be an appropriate substitute consultee if reasonably practicable to do so.
19. The delegations in this Scheme of Delegation include the discharge of both executive and non-executive functions
20. Any reference in this Scheme of Delegation to any enactment shall include a reference to any amendment to or re-enactment of the same.
21. Where The Committee has delegated authority to discharge functions by virtue of any other decision by the parties or the absence of the delegation from this Scheme of Delegation shall not prevent the exercise of the delegation.

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22. Where the Committee delegates the exercise of any function to an officer of any of the Authorities that officer may nominate another officer or officers to exercise that duty, function or power, provided that the nominated officer(s) reports to or is responsible to the officer to whom the delegation has been made.
23. Where an officer has delegated authority to discharge functions;
  - (a) By virtue of any other decision of the parties or;
  - (b) Through a specific decision of the Committee, or a sub-committee, either before or after the adoption of this Scheme of Delegation,

The absence of the delegation from this Scheme of Delegation shall not prevent the exercise of the delegation.

### **Functions Related to the Administration and Management of the Shared Service**

Business cases and delivery of services

24. To develop shared service business cases work programmes and projects in relation to the functions which any of the Authorities are minded to delegate to the Committee.
25. With the assistance if necessary of the appropriate Chief Executive of any of the Authorities to obtain from their Authority any information required in preparing a shared service business case.
26. Once a business case is approved to implement the same and deliver the service as defined therein.
27. To make arrangements for the management of the Department.

### **Financial**

28. Acceptance of the lowest tender or bid for the carrying out of works for the committee, the purchase, leasing or hiring of goods, materials and equipment by the committee, or the supply of services to the committee, provided that budget provision is available.
29. Authorise Entry into contract documentation following tender/bid acceptance (subject to the provisions of Financial Regulations and Contract Standing Orders of the Authority relating to the execution of contracts under seal).
30. Authority to negotiate and agree price increases where a contract provides for price increases to be negotiated and agreed by the parties, subject to Contract Standing Orders of the Authority and ensuring sufficient budgetary provision exists.
31. The assignment or novation of a contract.
32. The approval of the appointment of or the acceptance of the tender of a sub-contractor or supplier for specialist work or material provided that this does not result in the budget provision for the works as a whole being exceeded.

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33. Virement between heads of expenditure of up to the limit specified in the Authority's Financial Regulations provided that such virement is in accordance with the conditions for virements in such Financial Regulations. [E/C]
34. Provision of reasonable hospitality to representatives of other authorities, visiting a department or premises under the Committees control subject to agreement by the Chief Executives of each of the parties for expenditure in excess of £500.
35. To negotiate and agree variations in contracts arising out of statutory requirements subject to adequate budgetary provision being available.

### **Shared Services Employees**

36. The Authority's empower the Committee to the intent that the Director has the necessary delegated powers to;-
  - (a) to determine the establishment and make changes to the establishment of the Department
  - (b) to exercise all powers, functions and responsibilities in relation to the employment, management and dismissal of staff engaged [C] in the shared services under the terms, conditions, policies and procedures of the Authority.

### **General**

37. To publicise the services they provide.
38. To deal with issues relating to the Commission for Local Administration relevant to the Committee.

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**Delegation of the functions associated with the provision of ICT services, face to face contact centre customer services and benefits and benefits administration.**

Column 1 Legislation/ Function	Column 2 Brief Description	Column 3 Conditions/ Exclusions Limitations/Notes
1. Council Tax	<p>In connection with the administration of the council tax:</p> <p>(a) to determine occupation, to send invoices, grant reliefs, issue penalties, collect income and take all recovery and other administrative steps necessary to collect the council tax in accordance with any statute or statutory regulations and make determinations and exercise discretions as appropriate, except for matters specifically reserved to the Authorities;</p> <p>(b) to administer the Authorities' Council Tax Reductions Schemes in accordance with any statute or statutory regulations and make determinations and exercise discretion as appropriate, except for matters specifically reserved the Authorities;</p> <p>(c) to represent the Billing Authority in any proceedings tribunal or appeals panel dealing with matters of housing benefit or council tax, and in any proceedings relating to the recovery and enforcement of council tax and penalties before the Magistrates and County Court, and to authorise officers of any Authorities who are represented on the East Kent Services Committee to similarly represent the Billing Authority;</p> <p>(d) to undertake interviews under caution, to issue cautions, administrative penalties and authorise prosecutions in accordance</p>	

	<p>with legislation, and the Authorities' prosecution policy and statement on fraud;</p> <p>(e) to administer discretionary housing payments in accordance with legislation and the Authorities' policy;</p> <p>(f) to complete statutory returns in connection with council tax;</p> <p>(g) to serve or withdraw completion notices under Schedule 4a of the Local Government Finance Act 1988 as amended;</p> <p>(h) to determine liable persons, exemptions, discounts, transitional relief schemes, calculate instalments, appoint bailiffs, debt collection agents and process servers, request a statement of case for the opinion of the High Court, attach earnings and income support, impose a charge upon property, commence bankruptcy proceedings, attach allowances, levy distress, impose charges for levying distress, seek insolvency of the debtor or commitment to prison, to request and execute warrants of arrest and exercise any other administrative step for the collection of council tax;</p> <p>(i) to represent the Authorities in the determination of proposals, alterations and appeals for council tax where appropriate;</p> <p>(j) to represent the Billing Authority in requests for administration orders under the County Courts Acts in respect of unpaid council tax;</p>	
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	<p>(k) to be responsible for the prevention, detection and prosecution of council tax fraud.</p>	<p>Statutory returns must be authorised by the Section 151 Officer of the Authorities</p>
<p>2. Administration of the Housing Benefit Scheme</p>	<p>In connection with the administration of the Housing Benefit Scheme:</p> <p>(a) to be responsible for promoting take up of Housing and Council Tax Support p schemes;</p> <p>(b) to grant Housing Benefit (rent allowances and rent rebates) in accordance with any statute or statutory regulations and make determinations and exercise discretion as appropriate, except for matters specifically reserved for the Council and Committees/Executive;</p> <p>(c) to determine and recover overpayments of Housing Benefit including making decisions on the method of recovery;</p> <p>(d) to make determinations and payments in accordance with the Authorities' Discretionary Housing Payments policy;</p> <p>(e) to undertake interviews under caution, to issue cautions, administrative penalties and authorise prosecutions in accordance with legislation, and the Authorities' prosecution policy in respect of Housing Benefits</p>	

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	<p>(f) to complete statutory subsidy calculations and returns , and all other statistical returns;</p> <p>(g) to undertake all other administrative processes in connection with the Housing Benefit scheme.</p>	<p>Statutory subsidy calculations and returns must be authorised by the Section 151 Officer of the Authorities</p>
<p>3. National Non-Domestic Rate</p>	<p>In connection with the administration of the national non domestic rate:</p> <p>(a) to determine occupation, to send invoices, grant reliefs, collect income and take all recovery and other administrative steps necessary to collect the national non domestic rate in accordance with any statute or statutory regulations and make determinations and exercise discretions as appropriate, except for matters specifically reserved to the Authorities;</p> <p>(b) to represent the Billing Authority in any proceedings before the Valuation Tribunal, and in any proceedings relating to the recovery and enforcement of national non domestic rate before the Magistrates and County Court, and to authorise officers within the Head of Business and Community Transformation's Division to similarly represent the Billing Authority;</p> <p>(c) to complete statutory returns in respect of national non domestic rate;</p> <p>(d) to serve or withdraw completion notices under Schedule 4a of the Local Government Finance Act 1988 as amended;</p>	<p>This includes and recovering money from Business Improvement Districts.</p>

	<p>(e) to determine liable persons, exemptions, transitional relief schemes, calculate instalments, appoint bailiffs, request a statement of case for the opinion of the High Court, impose a charge upon property, levy distress, impose charges for levying distress, seek insolvency of the debtor or commitment to prison or liquidation of companies, to request and execute warrants of arrest and exercise any other administrative step for the collection of national non domestic rate;</p> <p>(f) to represent the Authority in the determination of proposals, alterations and appeals for national non domestic rate where appropriate;</p> <p>(g) to represent the Billing Authority in requests for administration orders under the County Courts Acts in respect of unpaid national non domestic rate;</p> <p>(h) to calculate and pay interest on overpayments of national non domestic rate in accordance with the NDR (Payment of Interest) Regulations 1990;</p> <p>(i) to determine applications under Section 44A of the Local Government Finance Act 1988;</p> <p>(j) to be responsible for the prevention, detection and prosecution of national non domestic rate fraud.</p>	<p>Statutory returns must be approved by the Section 151 Officer of the Authorities</p>
<p>4. ICT</p>	<p>To provide ICT technical support services to the Authorities including:-</p> <p>network infrastructure both LAN and WAN solutions, hardware infrastructure, internet access and web infrastructure solutions.</p>	

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	<p>To provide technical and business advice on ICT solutions and use of technology.</p> <p>To Provide ICT business support services to the Authorities including:-</p> <p>service application system support services including third party supplier liaison, management of corporate databases, including GIS, quality assurance of data and integration with other business systems.</p> <p>To provide associated procurement administration including all quotations, ordering, invoicing and contract management.</p>	<p>Note: The nature and extent of the activities to be undertaken in connection with the discharge of these functions will be as detailed from time to time in a Service Level Agreement</p>
<p>5. Customer Services</p>	<p>To provide 'front of house' contact with the public wishing to make enquiries of the Authorities or to access services in relation to any of its functions whether that contact is made in person, by telephone, by mail or email or the websites of any of the Authorities, including but not limited to</p> <p>(i) Issuing application forms for access to services.</p> <p>(ii) receiving payments due to the Authorities and issuing receipts</p> <p>(iii) providing facilities for the public inspection of documents and the taking of copies thereof</p> <p>(iv) responding to 'low level' customer complaints</p> <p>(v) selling or distributing or issuing any item or thing arising out of the conduct of any undertaking or function of the Authorities</p>	<p>Note:</p> <p>The activities identified in this paragraph 5 are intended to be either incidental or conducive to the discharge of the functions set out in paragraphs 1 to 4 above or intended to be either incidental or conducive to the discharge of all of the other functions of the Authorities.</p> <p>Limitation:</p> <p>Except as is expressly provided in paragraphs 1 to 4, paragraph 5 does not operate as to confer any</p>

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	Such other activities in connection with the offering of services to the public as may be detailed from time to time in the Service Level Agreements	power to exercise any substantive function of the Authorities
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**Portfolio Holders List**

<b>Name of Portfolio</b>	<b>Cabinet Member</b>
Deputy Leader and Cabinet Member for Economic Development	
Cabinet Member for Community Safety and Youth Engagement	
Cabinet Member for Environmental Services and Special Projects	
Cabinet Member for Finance	
Cabinet Member for Housing	

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## REPRESENTATION ON OUTSIDE BODIES

<b>Annual Council</b>	12 May 2022
<b>Report Author</b>	Committee Services Manager
<b>Portfolio Holder</b>	The Leader of the Council
<b>Status</b>	For Decision
<b>Classification:</b>	Unrestricted
<b>Key Decision</b>	No

### Executive Summary:

This report asks the Council to agree a list of Executive and Non-Executive Outside Bodies and to make nominations to serve on the Non-Executive list.

### Recommendation(s):

1. That Council agrees the lists of Executive and Non-Executive outside bodies;
2. That Council agrees the nominations to the Non-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.

### **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.

2.3 The existing list of non-executive outside bodies and representatives is shown at Annex 2 to the report.

2.4 It is for the Council to decide on both the list of Non-Executive outside bodies and the nominations to those Non-Executive outside bodies. The Leader will propose a list of nominations to the Non-Executive outside bodies at the Council meeting.

### **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

*Annex 2:* Existing list of non-executive outside bodies and representatives

## **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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## Proposed List of Executive Appointed Outside Bodies – for the municipal year 2022/23

<b>Name of Outside Body</b>	<b>No. of Reps</b>
British Ports Association	1
British Destinations (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
Manston Skills and Employment Board	1
Margate Town Partnership	1
South East England Councils	1
Supporting People in Kent Commissioning Body	1
Thanet (Ramsgate) 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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**Proposed List of Non-Executive Outside Bodies – for the municipal year 2022/23**

<b>Name of Outside Body</b>	<b>No. of Reps</b>	<b>Councillor/s</b>
Action with Communities in Rural Kent	2	
Age UK: Thanet	1	
Campaign to Protect Rural England	1	
Citizens Advice, Thanet	2	Rawf / Keen
Millmead Children's Centre Partnership Ltd	1	Duckworth
Multiple Sclerosis Society	1	Gregory
Parking and Traffic Regulation Outside London	1	Rattigan
Powell Cotton Museum and Quex House	1	Farrance
River Stour (Kent) Internal Drainage Board	1	Parish Cllr Crow-Brown
Sandwich and Pegwell Bay National Nature Reserve Steering Group	1	Ovenden
Thanet Countryside Trust	2	
Thanet Rural Regeneration Group	1	Wright
Thanet Sports Network	1 (+reserve)	Garner (Scott)
Thanet Volunteer Bureau	1	Scott
The Friends of Margate Cemetery	2	Tomlinson / Yates
Trust for Thanet Archaeology	2	Wright / Whitehead
Young People's Partnership	1	Boyd

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## **Covering Report Draft Calendar of Meetings 2022-23**

<b>Annual Council</b>	12 May 2022
<b>Report Author</b>	Committee Service Manager
<b>Portfolio Holder</b>	Leader of Council
<b>Status</b>	For Decision
<b>Classification:</b>	Unrestricted
<b>Key Decision</b>	Yes
<b>Ward:</b>	Thanet Wide

### **Executive Summary:**

Before the end or at the beginning of each municipal year the Council ought to agree a calendar of meetings for the following year in order to help plan the council's business more efficiently. The purpose of this report is therefore to present proposals for a calendar of meetings to cover the period beginning May 2022 to May 2023.

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

That Council agrees the updated calendar of meetings for May 2022 to May 2023 as set out at Annex 1 to the report.

### **Corporate Implications**

#### **Financial and Value for Money**

There are no financial implications arising directly from this report.

#### **Legal**

There are no financial legal implications arising directly from this report. However, it should be noted that only Full Council can finalise the decision on adopting an annual schedule of council meetings.

In making any decision, the Council must give due regard to section 149 of the Equality Act 2010.

#### **Corporate**

In order to enable the efficient administration of council business and delivery of council services, there needs to be planned activities that cover the period of a municipal/financial year. Planned schedule of meetings advises both officers and Members on when to carry out given council activities and to that end enhances the decision making process..

## **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.*

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

## **CORPORATE PRIORITIES**

This report relates to the following corporate priorities: -

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

### **1.0 Introduction and Background**

1.1 The current multi-year calendar of meetings was approved by Council on 16 May 2019 and ran from 2020-2023. Members are being asked to consider the final year of this multi year calendar 2022-2023. Members will be asked to consider a multi-year calendar running from 2023 to 2026 in May 2023.

1.3 It is therefore proposed in the report that Members agree the calendar of meetings at this Annual meeting.

1.4 Council has the ability to make in year changes to this work programme.

### **2.0 The Current Situation**

2.1 The current calendar of meetings runs up to the end of May 2023.

- 2.2 Council is asked to approve the amended calendar of meetings for 2022 to 2023 as set out in Annex 1.

## **3.0 Options**

- 3.1 That Council agrees the calendar of meetings for May 2022 to May 2023.
- 3.2 That Members suggest any appropriate amendments to the proposed calendar of meetings for 2022 to 2023.

Contact Officer: Nick Hughes, Committee Services Manager, Tel: 01843 577208  
Reporting to: Estelle Culligan, Director of Law and Democracy

### **Annex List**

Annex 1: Calendar of council meetings for May 2022 - May 2023

### **Background Papers**

None

### **Corporate Consultation**

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

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## Annex 1

### Calendar of Meetings 2022/23

#### May 2022

Monday, 02	Offices closed
Thursday, 12	Annual Council
Wednesday, 18	Planning Committee
Tuesday, 24	Overview & Scrutiny Panel
Monday, 30	Offices closed
Tuesday, 31	Standards Committee

#### June 2022

Thursday 09	Joint Transportation Board
Tuesday 14	Licensing Board
Wednesday 15	Planning Committee
Thursday, 16	Cabinet
Tuesday, 21	Members Briefing

#### July 2022

Thursday, 14	Council
Wednesday, 20	Planning Committee
Thursday, 21	Overview & Scrutiny Panel
Tuesday, 26	Licensing Board
Wednesday, 27	Governance & Audit Committee
Thursday, 28	Cabinet

#### August 2022

Wednesday, 17	Planning Committee
Monday, 29	Offices closed
Tuesday, 30	Overview & Scrutiny Panel

#### September 2022

Tuesday, 06	Licensing Board
Tuesday, 06	Members Briefing
Thursday, 08	Council
Tuesday, 13	Standards Committee
Thursday, 15	Joint Transportation Board
Wednesday, 21	Planning Committee
Thursday, 22	Cabinet
Wednesday, 28	Governance & Audit Committee

#### October 2022

Tuesday 04	Licensing Board
Thursday, 13	Council
Wednesday, 19	Planning Committee
Thursday, 20	Cabinet
Tuesday, 25	Overview & Scrutiny Panel *

#### November 2022

Thursday, 10	Standards Committee
Wednesday, 16	Planning Committee
Thursday, 17	Cabinet*
Tuesday, 22	Licensing Board
Tuesday, 22	Overview & Scrutiny Panel
Wednesday, 30	Governance & Audit Committee

#### December 2022

Thursday, 08	Council*
Tuesday, 13	Joint Transportation Board
Wednesday, 14	Planning Committee
Thursday, 15	Cabinet
Monday, 26	Offices closed

#### January 2023

Monday, 02	Offices Closed
Thursday, 05	Licensing Board
Tuesday, 10	Members Briefing
Thursday, 12	Cabinet (budget)
Thursday, 17	Overview & Scrutiny Panel (budget)
Wednesday, 18	Planning Committee
Thursday, 26	Cabinet (budget)

#### February 2023

Thursday, 02	Members Briefing
Thursday, 09	Council (budget)
Tuesday, 14	Licensing Board
Wednesday, 15	Planning Committee
Thursday, 16	Overview & Scrutiny Panel
Thursday, 23	Council (Council Tax)

**March 2023**

Wednesday, 08	Governance & Audit Committee
Thursday, 09	Standards Committee
Tuesday, 14	Overview & Scrutiny Panel
Wednesday, 15	Planning Committee
Thursday, 16	Cabinet
Tuesday, 21	Licensing Board
Thursday, 23	Joint Transportation Board
Thursday, 30	Council

**April 2023**

Tuesday, 04	Members Briefing
Friday, 07	Offices closed
Monday, 10	Offices closed
Wednesday, 19	Planning Committee
Thursday, 20	Overview & Scrutiny Panel

**May 2023**

Monday, 01	Offices closed
Thursday, 18	Annual Council
Monday, 29	Office closed
Tuesday, 30	Overview & Scrutiny Panel
Wednesday, 31	Standards Committee

**Times of Meetings**

All meetings, except for those of the Licensing Board and Licensing Sub-Committees, are held at 7.00 pm. The Licensing Board meetings are held at 10.00 am. Licensing Sub-Committee meetings are held either at 10.00 or 11.00 am. Members' Briefings are held at 6.15 pm

\*To consider council fees & charges

## **MEMBERS ALLOWANCES SCHEME 2022/23 REVIEW BY EKJIRP**

Council	<b>12 May 2022</b>
Report Author	<b>Nicholas Hughes – Committee Services Manager</b>
Status	<b>For Decision</b>
Classification:	<b>Unrestricted</b>
Key Decision	<b>No</b>
Ward:	<b>All Wards</b>

### **Executive Summary:**

This report is provided to allow the Council to consider the recommendations from the East Kent Joint Independent Remuneration Panel (EKJIRP) regarding the 2022/23 Members allowances scheme for TDC.

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

To consider the recommendations of the EKJIRP:

“RESOLVED: That it be recommended to Thanet District Council that the Members’ Allowances Scheme 2022-23, as set out in Annex 1 of the report, be approved.”

### **Corporate Implications**

#### **Financial and Value for Money**

The cost of scheme of allowances as set out in Annex 1 of the report can be accommodated from existing approved budgets.

#### **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 This report is provided to allow the Council to consider the recommendation from the East Kent Joint Independent Remuneration Panel (EKJIRP) regarding the 2022/23 Members allowances scheme for TDC.



## **2.0 Review of the 2022/23 scheme**

2.1 The EKJIRP reviewed the 2022/23 Allowances scheme as agreed by TDC on 24 February 2022. They made the following recommendation:

“RESOLVED: That it be recommended to Thanet District Council that the Members’ Allowances Scheme 2022-23, as set out in Annex 1 of the report, be approved.”

2.2 The full scheme is attached to the report at Annex 1.

## **3.0 Options**

3.1 Council can choose to accept the recommendations of the EKJIRP or not.

Contact Officer: Nick Hughes, Committee Services Manager  
Reporting to: Estelle Culligan, Director of Law and Governance and Deputy Monitoring Officer

### **Annex List**

Annex 1: 2022/23 Draft Scheme of Members Allowances.

### **Background Papers**

There are no background papers with this report.

### **Corporate Consultation**

**Finance:** Matthew Sanham Financial Services Manager

**Legal:** Estelle Culligan, Director of Law and Governance and Deputy Monitoring Officer

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# Part 6 - Members' Allowances

## Scheme 2022/23

- 1.1 This scheme is made in exercise of the powers conferred by The Local Authorities (Members' Allowances) (England) Regulations 2003 and of all other enabling powers, the Council having had regard to the recommendations made to it by an independent remuneration panel.
- 1.2 This scheme shall take effect on and from the 1 April 2022 and shall remain effective for the purposes of the determination and payment of any allowances to Members until it is next reviewed by Council.
- 1.3 Where a Member of the Council is also a Member of another authority, that Member may not receive allowances from more than one authority in respect of the same duties.
- 1.4 This scheme shall be construed in accordance with the meanings contained within the above Regulations.

### **Basic Allowance**

- 1.5 The annual entitlement to Basic Allowance for each Member is the amount detailed in **Schedule 1**.

### **Special Responsibility Allowance**

- 1.6 The annual entitlement to a Special Responsibility Allowance for each Member having a special responsibility is the relevant amount in relation to that responsibility detailed in **Schedule 1**.
- 1.7 Where a Member would otherwise be entitled to claim more than one Special Responsibility Allowance only one shall be payable, normally the higher unless the member gives notice in writing to the Committee Services Manager that he or she wishes to receive the lower.
- 1.8 Where Members of the Council are divided into at least two political groups and a majority belong to the same political group a Special Responsibility Allowance shall be paid to at least one person who is not a member of the controlling group.

### **Dependants' Carers' Allowance**

- 1.9 Members are entitled to claim Dependants' Carers' Allowance for expenses necessarily incurred in arranging care on account of any 'Approved Duty'. The current allowance is included in **Schedule 1**.
- 1.10 The definition of a dependant for the purpose of payment of this allowance is that used in S57A (3) of the Employment Rights Act 1996. This is a spouse or partner, a child, a parent, a person who lives in the same household but who is not an employee, tenant, lodger or boarder.

- 1.11 Additionally the secondary carer must not be a member of the claimant's immediate family i.e. spouse or partner, other children of the Member or the Member's spouse or any member of the Member's family who lives at the same address as the Member. Nor can it be an employee, tenant, lodger or boarder who lives at that address.
- 1.12 Payment of Dependents' Carers' Allowances will be on the production of invoices and is limited to no more than one hundred hours per quarter. [**Note:** To avoid excess administration in processing claims, these should be submitted on a quarterly basis.]

### **Travelling and Motor Mileage Allowances**

- 1.13 Members will be reimbursed car mileage only from their home to place of duty and return in respect of attendance at Approved Duties, or as the Council's representative, in accordance with the rates set out in **Schedule 1**.
- 1.14 If a Member visits the vicinity of the place of duty for some other purpose and then goes directly to the approved duty, a claim should not be made.
- 1.15 Subject to paragraph 1.16 below, for journeys outside the District, car mileage reimbursement will be capped at the cost of an equivalent journey by public transport (meaning the standard open rail fare together with reasonable taxi/bus fares, parking charges and underground fares incurred, or which would have been incurred if the Member had travelled by public transport). If, however, the costs of an equivalent journey by public transport equals or exceeds car mileage costs, full mileage costs will be reimbursed.
- 1.16 Notwithstanding that the cost of car mileage reimbursement would exceed the cost of an equivalent journey by public transport, a Member will nevertheless be entitled to claim mileage for out of district travel:-
- (i) If he or she car shares with either an officer or one or more members, any of whom would have been entitled to make a mileage claim had they travelled independently; or
  - (ii) If the Committee Services Manager agrees in writing that the meeting, seminar, conference, event, presentation, service or other approved duty that necessitated the journey was not reasonably practical to make by public transport due to any or a combination of the following factors:-
    - the distance from the members home to the nearest railway station;
    - the location of the meeting;
    - the start or finish time of the meeting;
    - the amount of luggage to be taken; and
    - the overall journey time on public transport compared to travel by car.
- 1.17 The written agreement of the Committee Services Manager under paragraph 1.16 above should normally be sought in advance of the intended journey but in exceptional circumstances may be obtained subsequently. In addition, where it is

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likely that a Member will be travelling to the same destination one more than one occasion, the Committee Services Manager shall be entitled to give the Member his agreement in writing to all such journeys.

- 1.18 Travelling and motor mileage allowances may be payable for attendance at any official meetings of the Council to which members of more than one party are invited to attend and also for representation on those bodies included in **Schedule 2**.

### **Subsistence**

- 1.19 Payment of subsistence allowances in connection with any approved duty shall be in accordance with the provisions, including the maximum amounts payable, set out in **Schedule 1**.

### **Explanation of "Approved Duty"**

- 1.20 Approved Duties comprise the following:-
- a) a meeting of the authority or of any committee or sub-committee of the authority, or of any other body to which the authority makes appointments or nominations, or of any committee of such a body;
  - b) any other meeting, the holding of which is authorised by the authority, or a committee or sub-committee of the authority, or a joint committee of the authority and one or more other authorities, or a sub-committee of such a joint committee, provided that –
    - i) where the authority is divided into two or more political groups, it is a meeting to which members of at least two such groups have been invited, or
    - ii) if the authority is not so divided, it is a meeting to which at least two members of the authority have been invited;
  - c) a meeting of any association of authorities of which the authority is a member.
  - d) the carrying out of any other duty approved by the Council, or any duty of a class so approved, for the purpose of or in connection with the discharge of the functions of the Council or any of its committees or sub-committees. [Attendances at meetings of the bodies listed in Schedule 2 have been approved.]
  - e) There is also a general duty permitting the Leader or nominated deputy to represent the Council at formal meetings not specified elsewhere, with other authorities, official bodies or agencies for the purposes of any function of the Council, but excluding meetings organised by private individuals or commercial organisations.
- 1.21 Scrutiny Panel Members attending meetings of the Cabinet are entitled to claim travelling allowance and any Member speaking on an issue relevant to their Ward at a meeting of the Cabinet with the consent of the Leader or in accordance with Council rules is also entitled to claim travelling allowance.

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- 1.22 If any Overview or Scrutiny Panel requires a Member of the Cabinet to attend before it in relation to matters within that Member's remit, then that Member is entitled to claim travelling expenses.
- 1.23 Where Cabinet Members attend non-executive meetings to observe only this is not deemed to be an approved duty and travelling expenses will not be paid.
- 1.24 Where any Member attends any Committee to speak on an item with the Chairman's consent, this attendance will be an approved duty for payment of travelling expenses.
- 1.25 Members are entitled to claim travelling expenses for Committee briefings and for all Partnership meetings or Chairman and Vice-Chairman meetings with the Lead Officer and these meetings are therefore approved duties.
- 1.26 This Scheme does not allow for travelling expenses to be paid to individual Members arranging meetings with officers as this is deemed to be part of the Member's role and Members' allowances paid are calculated to reflect these extra duties.
- 1.27 For any other ad hoc briefings e.g. on major developments, Members from all political groups with in excess of 5 Members will need to be invited to these briefings in order for travelling allowances to be paid.
- 1.28 No allowance shall be payable if such payment would be contrary to provision made by or under any enactment.
- 1.29 Members who attend committee meetings of which they are not a member (under Council Procedure Rule 20(1)) shall be entitled to claim travelling expenses.
- 1.30 Co-opted and Independent members shall be treated as Members of the Council for the purposes of Approved Duties.

### **Renunciation**

- 1.31 A Member may, by notice in writing given to the Democratic Services and Scrutiny Manager, elect to forego any part of his/her entitlement to an allowance under this scheme.

### **Part Year Entitlements**

- 1.32 The provisions of this paragraph shall have effect to regulate the entitlements of a Member to Basic and Special Responsibility Allowances where in the course of the year
  - The Scheme is amended; or
  - That Member becomes, or ceases to be, a Member, or
  - He/she accepts or relinquishes a special responsibility in respect of which a Special Responsibility Allowance is payable
- 1.33 If an amendment, or amendments, to this scheme change(s) the amount of the Basic Allowance or a Special Responsibility Allowance to which a Member is entitled, then for each period in a particular year during which the relevant amounts are applicable, the entitlement to such allowance(s) shall be calculated on the basis of the equivalent

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daily rate(s) that is/are applicable to the relevant periods.

- 1.34 Where the term of office of a Member begins or ends at any time other than at the beginning or end of a year, the entitlement of that Member to a Basic Allowance shall be calculated on the basis of the equivalent daily rate that is applicable to the relevant period.
- 1.35 Where both:
- this Scheme is amended as described in sub-paragraph 1.32; and
  - the term of office of a Member begins and/or ends as described in paragraph 1.33; then
  - the entitlement of any such Member to a basic allowance shall be calculated on the basis of the equivalent daily rate that is applicable to the relevant periods.
- 1.36 Where a Member has during part of, but not throughout, a year such special responsibilities as entitle him/her to one or more Special Responsibility Allowances, that Member's entitlement shall be calculated on the basis of the equivalent daily rate(s) that is/are applicable to the relevant periods.
- 1.37 Where this scheme is amended as mentioned in paragraph 1.32 and a Member has during part, but does not have throughout the whole, of any period mentioned in paragraph 1.33 any such special responsibilities as entitle him/her to one or more Special Responsibility Allowances, that Member's entitlements shall be calculated on the basis of the equivalent daily rate(s) that is/are applicable to the relevant periods.

### **Repayment and Withholding of Allowances**

- 1.38 Where payment of any Basic Allowance or Special Responsibility Allowance has already been made after a Member, ceases to be a Member of the Council or is in any other way not entitled to receive any such allowance in respect of that period, the Council may require that such part of the allowance as relates to any such period be repaid.

### **Payments and Claims**

- 1.40 Allowances will be paid in instalments of one-twelfth of the amounts specified in this scheme by BACS transfer on the 19<sup>th</sup> of the month, one month in arrears.
- 1.41 Where a payment of one-twelfth of the amount specified in this scheme in respect of a Basic Allowance or a Special Responsibility Allowance would result in the Member receiving more than the amount to which, by virtue of paragraph 1.33, he/she is entitled, the payment shall be restricted to such amount as will ensure that no more is paid than the amount to which he/she is entitled.
- 1.42 Claims for Dependents' Carers' Allowances, Travel and Subsistence Allowances and Co-optee's Allowance (if applicable) shall be made within three months from the date on which an entitlement arises.
- 1.43 Nothing in the above paragraph shall prevent the Council from making a payment where an allowance is not claimed within that period.

**Pensions**

- 1.44 In accordance with the Local Government Pension Scheme (Transitional Provisions, Savings and Amendment) Regulations 2014, no Member of Thanet District Council is entitled to be a member of the Local Government Pension Scheme after 11 May 2015.

With effect from the 1st day of April 2022 pursuant to a resolution of the Thanet District Council passed on the 24 February 2022.



**MEMBERS' ALLOWANCES SCHEME – 2022/23**

**Basic Allowance**

£4,570 each Member x 56 = £255,920

**Special Responsibility Allowances**

Position	Number	Allowance £	Possible maximum expenditure £
<b>Executive</b>			
Leader	1	18,082	18,082
Deputy Leader	1	10,776	10,776
Cabinet Portfolio Holder	4	7,990	31,960
<b>Non-Executive</b>			
Chairman of Council	1	2,188	2,188
Vice Chairman of Council	1	1,530	1,530
Opposition Group Leader	1	7,990	7,990
Deputy Opposition Group Leader	1	2,862	2,862
Opposition Spokesperson	4	2,862	11,448
Scrutiny Panel Chairman	1	7,990	7,990
Scrutiny Panel Vice-Chairman	1	3,216	3,216
Planning Committee Chairman	1	5,204	5,204
Planning Committee Vice-Chairman	1	1,216	1,216
Licensing Committee Chairman	1	3,216	3,216
Licensing Committee Vice-Chairman	1	805	805
Governance and Audit Committee - Chairman	1	5,204	5,204
Governance and Audit Committee – Vice-Chairman	1	1,216	1,216
Standards Committee - Chairman	1	1,216	1,216
Standards Committee – Vice-Chairman	1	400	400
Standards Committee – other Independent	2	250	500

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Member			
"Independent Person"	1	250	250
Substitute "Independent Person"	1	100	100
JTB Chairman	1	1,216	1,216
<b>TOTAL SRAs only</b>			<b>£118,485</b>

Total basic + SRAs = £374,405

(1) Co-optees and "independent" Members shall be treated as Members of Thanet District Council for this purpose.

### **Dependants' Carers' Allowances**

An allowance for any approved duty of £8.91 per hour (*or the national living wage whichever is higher*) subject to the conditions set out in paragraph 4 of the 'Members Allowances Scheme'.

### **Motor Mileage Allowance**

Payable in accordance with the Mileage rates as set out in the TDC staff travel plan:

For the duration of this scheme the rates are as follows:

(i) For journeys within the District (casual user rate)

21.69 pence per mile

(ii) In exceptional circumstances and provided approval of the Committee Services Manager is obtained prior to the journey (see paragraph 1.16 of the Scheme) for journeys outside the District (essential user rate)

45 pence per mile\*

(iii) Journeys by rail outside the District

standard open class rail fare

(iv) Cycling Allowance (HMRC Guidance)

20.4p per mile

\* Normally for journeys outside of the district the equivalent of a standard open class rail will be paid.

### **Subsistence Allowances**

Subsistence allowances will be payable to Members who are prevented by their official duties from taking a meal at their home, or place of work where they normally take their meals, and thereby incur additional expenditure. A Member will be required to submit receipts in order for reimbursement to be made.

### **Overnight Accommodation**

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Members who are required to make overnight stays in the performance of their official duties should, whenever possible, pre-book accommodation of an appropriate standard and obtain approval from the Head of Legal and Democratic Services. Arrangements should be made for an invoice to be submitted directly to the Council. If this is not possible, a detailed VAT receipt MUST be obtained to substantiate the claim.

### **Out of Pocket Expenses**

Expenses are claimable if a Member is required to stay away from home overnight. They cover such items as newspapers and personal telephone calls.

### **Allowances payable as at 01/04/2022**

	<b>Subsistence Allowances (£)</b>	
<b>Subsistence</b>	Breakfast	7.36
	Lunch	10.17
	Tea	4.03
	Evening Meal	12.59
<b>Out of pocket expenses</b>	Per night	5.73
	Per week	22.90

**DUTIES WHICH ARE APPROVED FOR THE PURPOSE OF  
CLAIMING TRAVELLING & SUBSISTENCE**

**Representation on the following bodies**

Action with Communities in Rural Kent (T)  
 Age UK: Thanet (T)  
 British Ports Association (TS)  
 British Destinations (AGM, Annual Conference and Executive meetings) (TS)  
 British Resorts Association (AGM, Annual Conference and Executive Meetings) (TS)  
 Campaign to Protect Rural England (T)  
 Canterbury Festival (T)  
 Citizens' Advice Bureau, Thanet (T)  
 Community Safety Partnership (T)  
 Domestic Violence Forum (T)  
 East Kent Housing Board (T)  
 East Kent Opportunities Ltd (T)  
 East Kent Spatial Development Company (T)  
 Kent Coast Volunteering (T)  
 Kent and Medway Independent Persons Forum (T)  
 Kent Police and Crime Panel (T)  
 Local Government Association Coastal Special Interest Group (TS)  
 Local Government Association Strategic Aviation Specialist Interest Group  
 Local Government Association District Council's Network (TS)  
 Local Government Association (General Assembly) (TS)  
 Margate Town Partnership (T)  
 Millmead Children's Centre Partnership (T)  
 Multiple Sclerosis Society (T)  
 Parking and Traffic Regulation Outside London (Adjudication Joint Committee) (T)  
 Powell Cotton Museum and Quex House (T)  
 River Stour (Kent) Internal Drainage Board (T)  
 Sandwich and Pegwell Bay National Nature Reserve Steering Group (T)  
 South East England Councils (SEEC) (TS)  
 Supporting People in Kent Commissioning Body (T)  
 Thanet Countryside Trust (T)  
 Thanet Harbour Users' Groups (T)  
 Thanet Quality Bus Partnership (T)  
 Thanet Rural Regeneration Group (T)  
 Thanet Sports Network (T)  
 The Friends of Margate Cemetery Trust (T)  
 Trust for Thanet Archaeology (T)  
 Tourism South East (T)  
 Your Leisure Thanet Sub-Group (T)  
 Youth Advisory Group (T)

(TS) Travel and Subsistence allowance may be claimed.

(T) Travel allowance only may be claimed.