

# **MEETING OF THE COUNCIL**



**Thursday, 12th October, 2023**

**7.00 pm**

**Council Chamber  
Thanet District Council  
Margate**

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



**We may be able to provide this document in a different format such as Braille, audio or large print, or in another language. Please call 01843 577165 for details.**

Date: **4 October 2023**  
Ask For: Gabriella Stewart  
Direct Dial: **(01843) 577207**  
Email: **gabriella.stewart@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 October 2023 at 7.00 pm for the purpose of transacting the business mentioned below.

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

Interim Head of Legal and Monitoring Officer

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 Chair 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. **APOLOGIES FOR ABSENCE**

2. **MINUTES OF THE PREVIOUS MEETING** (Pages 5 - 20)

To approve the Minutes of the meeting of Council held on 13 July 2023, copy attached.

3. **ANNOUNCEMENTS**

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

4. **DECLARATIONS OF INTEREST** (Pages 21 - 22)

To receive any declarations of interest. Members are advised to consider the advice contained within the Declaration of Interest advice attached to this Agenda. If a Member declares an interest, they should complete the [Declaration of Interest Form](#)

5. **PETITIONS**

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

<u>Item No</u>	<u>Subject</u>
5a	<b><u>JACKEY BAKERS PETITION</u></b> (Pages 23 - 28)
5b	<b><u>NORTHDOWN PARK PETITION</u></b> (Pages 29 - 34)
6.	<b><u>QUESTIONS FROM THE PRESS AND PUBLIC</u></b> (Pages 35 - 36)
	To receive questions received from the press or public in accordance with Council Procedure Rule 13.
7.	<b><u>QUESTIONS FROM MEMBERS OF THE COUNCIL</u></b> (Pages 37 - 40)
	To receive questions from Members of the Council in accordance with Council Procedure Rule 14.
8.	<b><u>NOTICE OF MOTION</u></b>
	To receive any Notices of Motion from Members of Council in accordance with the Council Procedure Rule 3.
8a	<b><u>MOTION REGARDING PAUSING NEW PLANNING PERMISSIONS FOR MAJOR APPLICATIONS</u></b> (Pages 41 - 52)
9.	<b><u>LEADERS REPORT</u></b> (Pages 53 - 54)
	To receive a report from the Leader of the Council in accordance with Council Procedure Rule 2.4.
10.	<b><u>REPORT OF THE CHAIRMAN OF THE OVERVIEW AND SCRUTINY PANEL</u></b> (Pages 55 - 62)
11.	<b><u>ADOPTION OF THE WESTGATE-ON-SEA NEIGHBOURHOOD PLAN</u></b> (Pages 63 - 128)
12.	<b><u>ANNUAL TREASURY MANAGEMENT REVIEW 2022/23</u></b> (Pages 129 - 156)
13.	<b><u>BUDGET MONITORING 2023/24: REPORT NO.1</u></b>
	Report to follow.
14.	<b><u>AMENDING THE MEMBERS ALLOWANCE SCHEME 2023/24</u></b> (Pages 157 - 172)
15.	<b><u>FUNDING NEW AFFORDABLE HOMES</u></b> (Pages 173 - 178)
16.	<b><u>REVIEW OF OUTSIDE BODIES</u></b> (Pages 179 - 186)
17.	<b><u>CHANGES TO COMMITTEE'S</u></b> (Pages 187 - 190)

Item  
No

Subject

## COUNCIL

**Minutes of the meeting held on 13 July 2023 at 7.00 pm in Council Chamber, Council Offices, Cecil Street, Margate, Kent.**

**Present:** ; Councillors Edwards (Chair), Owen-Hughes, Albon, Ara, Austin, Bambridge, Barlow, J Bayford, Boyd, Braidwood, Bright, Bright, Britcher, Crittenden, Currie, d'Abbro, Davis, Dawson, Dennis, Donaldson, Driver, Duckworth, Everitt, Farooki, Fellows, Garner, D Green, Huxley, Keen, Kup, Makinson, Manners, Matterface, Pat Moore, Munns, Nichols, Anne-Marie Nixey, Ovenden, Packman, Pope, Pressland, Pugh, Rattigan, Rogers, Rusiecki, Scobie, W Scobie, Scott, Smith, Towing, Whitehead, Wing, Wright, Worrow and Yates

### **1. APOLOGIES FOR ABSENCE**

There were no apologies for absence.

### **2. MINUTES OF THE PREVIOUS MEETING**

It was proposed by the Chair, seconded by the Vice-Chair and agreed that the minutes of the Council meeting held on 18 May 2023 be approved and signed by the Chair.

### **3. ANNOUNCEMENTS**

The Chair announced that former Councillor John Kirby had recently passed away. Members paused for a minute's silence in respect of Councillor Kirby.

### **4. DECLARATIONS OF INTEREST**

There were no declarations of interest.

### **5. PETITIONS**

There were no petitions considered at the meeting.

### **6. QUESTIONS FROM THE PRESS AND PUBLIC**

#### **(a) QUESTION NO.1 FROM A MEMBER OF THE PUBLIC REGARDING NOISE DISTURBANCES FROM CRAMPTONS**

The questioner was not present at the meeting to ask the question, therefore the question will be responded to in writing.

#### **(b) QUESTION NO.2 FROM A MEMBER OF THE PUBLIC REGARDING PROTECTION OF FARMLAND**

Ms Brown asked the Leader the following question:

'Is the new administration at TDC prepared to continue the work that the former Leader of the council Ash Ashbee started and lobby the Secretary of State at DLUHC to consider Thanet as a special case and grant protection to the district's farmland due to the rarity across the country of the grade of farmland and favourable growing conditions that exist in Thanet?'

The Leader responded with the following points:

- The council had responded to the Government's consultation on draft changes to national planning guidance (the National Planning Policy Framework): this could be viewed on the council's website.
- It set out, among other matters, the case that the Government should give specific protection to best and most versatile farmland (grades 1, 2 and 3a).
- The Labour group, via Cllr Whitehead, had submitted its own response to the NPPF consultation and this had taken a similar view, so the council's position on this issue remains unaltered by the change of administration.

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

Ms Feary asked Councillor Albon the following question:

'I would like to ask why public toilets at local beaches close so early, for instance at Dumpton Gap, they close at 3.35, the cafe has a licence to remain open until 8pm, there are over 30 beach huts there. No other facilities nearby. Children have just left school, and surely with the lighter evenings, the toilets should remain open longer. On Stone Bay, they close at 16.10, on Joss bay it's 1645. Thanet Huts Facebook page, there are many comments regarding the state of the toilets or the lack of them. This leaves many people without essential facilities.

In 2019 Visit England carried out a survey on what influences where people visit, and 54% cited public toilets as a factor.'

Councillor Albon responded with the following points:

- The 28 public toilets in Thanet were open according to the summer opening times, which could be found on the council's website.
- The majority of the toilets were cleaned by three mobile units each consisting of a member of the cleansing team working from a small van. At Margate, Viking Bay and Ramsgate Sands static cleaners were deployed due to the high footfall in those locations. The level of available resources and the need for cleaning at each site were both factors in determining the opening and closing times at each location. The rota for unlocking and locking was set up to ensure that facilities in the areas with the highest number of visitors are open for the longest periods.
- At locking up time, staff worked in teams to protect them from anti-social behaviour which could occur in certain locations. There were cost implications for keeping the toilets open for longer hours. Keeping toilets open beyond the early evening presents a higher risk of vandalism which could lead to temporary closures and costly repairs. For this reason the latest closing times were between 8pm and 8.30pm at the main bays.
- Toilets also could be closed up to 15 minutes prior to the publicised closing time to enable thorough cleaning to be completed at each location.

(d) **QUESTION NO.4 FROM A MEMBER OF THE PUBLIC REGARDING BROWNFIELD SITES**

Ms McCourt asked the Leader the following question:

'We have brownfield sites at Tivoli Road, and at Station Yard, All Saints Ave Margate; two builders' businesses use these locations, which are within residential areas. Our previous leader advised that a Russian owner was linked to this Station Yard site, who was uncontactable. I believe this council could take action and, where necessary, compulsory purchase these brownfield sites for housing. Empty homes and businesses

in and around Margate and Cliftonville too could be developed. Turning these properties and sites into habitable homes for local people should be a priority.

What lengths will this council go to in order to prioritise brownfield sites as exemplified here for housing before losing our prime farmland to developers, who prioritise profits over providing the homes for our residents? Our environment, wildlife, services and air quality is in jeopardy unless this council does all it can to STOP the loss of our precious farmland.'

The Leader responded with the following points:

- The identification of suitable brownfield sites for development was a key part of the Local Plan process. A similar process is being undertaken for the Local Plan update.
- However, the local planning authority also had a responsibility to ensure that there is sufficient and suitable land available to support economic regeneration and local businesses. This included the retention, where appropriate, of existing employment sites that contribute to that objective.
- The two sites mentioned had been identified as fulfilling that purpose, and are protected for employment use on the adopted Local Plan.
- In relation to empty homes, an allowance had already been made in the Local Plan (agreed by the Planning Inspectors) for the contribution to the housing land supply of empty homes brought back into use.

(e) **QUESTION NO.5 FROM A MEMBER OF THE PUBLIC REGARDING THE MAINTENANCE OF FORMAL PUBLIC GARDENS**

Ms Bailey asked Councillor Albon the following question:

'The flowerbeds along Victoria Parade & Gardens have always looked beautiful and attracted very positive comments. However, this year they are overgrown with weeds and brambles and look extremely unkempt. The Broadstairs Tourism & Leisure Association have received several enquiries as to what has happened and where the gardeners are. Could you please tell us what has changed this year and what the plans are going forward in regard to reinstating and maintaining the formal public gardens in this popular tourist destination?'

Councillor Albon responded with the following points:

- Unfortunately the team had experienced staff shortages this year, which coupled with machinery breakdowns, had impacted their ability to deliver the usual standard of service in this location. The supervisors had been working in Victoria Gardens over the last week or so to try and resolve the weed issue.
- Recruitment for the vacant posts, as well as management and seasonal roles had begun, so going forward the situation would improve.

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

(a) **QUESTION NO.1 FROM A MEMBER REGARDING THE LIMITED LIABILITY PARTNERSHIP**

Councillor Wing asked Councillor Yates the following question:

'The following Limited Liability Partnership; East Kent Opportunities LLP was incorporated on 4th March 2008 and remains active and according to Companies House is a joint partnership between KCC and TDC. The last set of accounts were formally registered. For what purpose was this LLP setup, how does it generate income/profits and what has/does this money finance?'

Councillor Yates responded with the following points:

- East Kent Opportunities LLP (EKO) was incorporated in 2008 as a joint venture between Thanet District Council and Kent County Council with the express aim of bringing forward two sites in Thanet in a complementary way to support Economic Development and Regeneration in the area.
- Due to the fact that this was an Economic Development/Regeneration project, no allowance had been made in the budget for any income/profit. Instead these have been treated as windfalls as and when they have materialised and in some instances used to repay investment costs associated with unlocking the site, for example the cost of the spine road.

Councillor Wing followed up her question by asking is the LLP linked directly or indirectly to any land along the Haine road, and whether the LLP had benefited financially from any of the various subsequent housing developments?

Councillor Yates responded that he would respond to this question via email correspondence. Councillor Yates was unable to confirm the linkage regarding Haine road during the time of the meeting.

(b) **QUESTION NO.2 FROM A MEMBER REGARDING PUBLIC TOILETS**

Councillor Towning asked Councillor Albon the following question:

'We are unable to use the public toilets in Thanet.

Will you inform the meeting what steps have been taken to repair and have the toilets available? for local residents and visitors to use.'

Councillor Albon responded with the following points:

- There were currently 28 public toilets open daily in Thanet. Last week the public toilets on Cavendish Street in Ramsgate reopened. The toilets were closed in March 2022 due to continued anti-social and criminal behaviour. We had refurbished the toilet block, and installed new litter bins and a planter. CCTV is also being installed to discourage further anti-social behaviour at the block.
- Although the toilets at Margate clock tower had been closed now since 2019 we have once again put temporary toilets in place this season.
- Looking ahead there is an objective to improve toilet provision in key locations across the district and officers are scoping plans which will be shared later this year.

Councillor Towning followed up his question by asking what the real plan was, would there be another review?

Councillor Albon responded that the previous Conservative administration had been in control two years prior. The issue raised was being looked into by the council.

(c) **QUESTION NO.3 FROM A MEMBER REGARDING RIGHT TO BUY HOUSING SALES**

Councillor Bayford asked Councillor Whitehead the following question:

'It is pleasing to note that, following pressure from many authorities including TDC, the Government has changed the rules concerning receipts from Right to Buy housing sales, allowing councils to keep 100% of the monies raised, subject to certain conditions. Would



the Cabinet member for Housing outline how TDC intends to take advantage of this new freedom over the two years for which it is available?’

Councillor Whitehead responded with the following points:

- As stated, for the financial years 2022/23 and 2023/24, local authorities would be able to retain the Treasury share of Right To Buy receipts, but these could only be utilised in the same way as retained 1-4-1 receipts.
- In 2022/23 the Treasury share was £196,112.11 and for 2023/24 it had been predicted that this amount was to be £65,371.86, which equates to 4 right to buy sales.
- This equated to an estimate of just under £261,500 over 2 years. This was a welcome amount, and would be utilised as part of the 40% subsidy required as part of the £8.1m already in the approved Housing Revenue Account Capital Programme to provide additional, genuinely affordable homes for residents.
- Our ambitions to provide new affordable homes are the subject of a report later on this agenda, and the right to buy receipts are an important part of the funding for this programme.

Councillor Bayford followed up her question by asking whether there were any plans to re-establish a housing cabinet advisory group, and when would this likely happen?

Councillor Whitehead responded that the housing cabinet advisory group was one of the four cabinet advisory groups which would be brought forward shortly.

(d) **QUESTION NO.4 FROM A MEMBER REGARDING A PRIVATELY FUNDED CAFE IN NORTHDOWN PARK**

Councillor Manners asked Councillor Duckworth the following question:

‘One of my constituents has secured almost 500 signatures in a petition asking TDC to facilitate offering a concession and thereafter inviting expressions of interest for a privately funded cafe operation in Northdown Park. Can this be looked at as a priority? Indeed can we now look forward to TDC encouraging enterprise and community cohesion as part of its property strategy?’

Councillor Duckworth responded with the following points:

- We are currently conducting a thorough review of Northdown Park and all its facilities. The estates team is carefully evaluating every aspect, including the buildings, sports and recreation facilities, public conveniences, refreshments, and other relevant factors. The main goal is to assess different options and make well-informed decisions.
- As part of the review, we are considering the possibility of offering refreshments and light snacks in the park’s pavilion, subject to necessary consents. However, it’s important for us to prioritise the protection of our green spaces and make the most of the existing buildings before considering the construction of new cafes.
- Our aim is to ensure a comprehensive evaluation that takes into account the feasibility of various options. By utilising the existing infrastructure and exploring potential enhancements, we can maintain the park’s natural beauty while providing additional amenities for residents to enjoy.

(e) **QUESTION NO.5 FROM A MEMBER REGARDING THE THEATRE ROYAL’S REPAIR AND REFURBISHMENT**

Councillor Bambridge asked Councillor Duckworth the following question:

'The Theatre Royal in Margate is a unique piece of Margate history, much loved - and much missed since its closure.

Recently the council was awarded £2m from Government funds towards the theatre's repair and refurbishment. Out of this the sum of £370,000 was determined for urgently needed repairs required to keep this fine old building wind and watertight and to prevent its condition from deteriorating further.

Can Cllr Duckworth assure me that steps will definitely be taken to ensure that these urgent repairs will be carried out before the onset of next winter and can I please be advised of the timetable for the works?'

Councillor Duckworth responded with the following points:

- The urgent repairs for Theatre Royal Margate are currently being drawn up and a package put out for a contractor to complete the works. Based on advice from our conservation architect and theatre historian initially there will be a smaller package of works of temporary waterproofing repairs to the roof. There are several reasons for this;
- Discovery of the Sunburner in the ceiling which has heritage significance. It is an early Victorian gas light and ventilation system which needs careful investigation.
- In order to properly ventilate the theatre it is very likely modern plant and extraction will need to be located on the roof and will need to be included into the final designs.
- An overall master plan is required with conservation principles applied to safeguard the heritage of the theatre.
- The building will be watertight before autumn/ early winter. Safeguarding the building until the major works begin.
- The council will be applying for National Lottery Heritage Funding in the coming six months for this project and the more Town Deal funding available to form match funding the better chance the lottery bid will have.

Councillor Bambridge followed up her question by asking whether some of the reallocated GRASS funding for Margate Town Deal could be used to further secure the future of the Theatre Royal or Winter Gardens.

Councillor Duckworth responded that this was not the case, there had been no decisions on reallocating the GRASS funding money. It was hoped that the situation would be resolved amicably and the council was hopeful to continue to fund this project.

(f) **QUESTION NO.6 FROM A MEMBER REGARDING BIRCHINGTON'S NEIGHBOURHOOD PLAN**

Councillor Kup asked the Leader the following question:

'We have seen an updated plan submitted to the council for 1600 homes in Birchington - it is more important than ever that our villages and towns, like Birchington, have robust and thorough Neighbourhood Plans in place to ensure there is still some level of protection to our unique villages and towns. Birchington's Neighbourhood Plan has been delayed due to circumstances with the appointed examiner. Can the cabinet member please tell me what the council will do so that this does not happen again, to ensure we are supporting our towns and villages?'

The Leader responded with the following points:

- The delay to the Birchington Neighbourhood Plan examination was the result of some very unusual circumstances. However, the Examination fact-check report

has now been received and when the final report is received, it will be reported to Cabinet.

- The other Neighbourhood Plans currently being prepared are running to the anticipated programme.

(g) **QUESTION NO.7 FROM A MEMBER REGARDING VILLAGES AND THE LOCAL PLAN REVIEW**

Councillor Pugh asked the Leader the following question:

‘As the council conducts the Local Plan Review to extend the local plan to 2031-2040, what protections will be put in place for villages in Thanet to ensure that they are protected not just from overdevelopment but also from merging with one another?’

The Leader responded with the following points:

- The precise level of housing that will need to be accommodated in the district had not been determined, nor has the location or scale of any new development sites.
- Decisions about Local Plan allocations and other policies would be made by Members (including Full Council) at different stages of the plan-making process.
- The separation of settlements had been a feature of Local Plans in Thanet for many years, primarily through the Green Wedge policy separating the urban areas. In the villages, this was primarily achieved by the Village Confines policy (Local Plan Policy SP24).

Councillor Pugh followed up his question by asking whether the Leader, as a cross party effort, would consider this review to cover the entirety of the district, looking at reinstating village gaps to ensure protections?

The Leader responded that the Local Plan Review was a lengthy process which was being held up by multiple issues. The input from all other parties across the chamber was welcomed.

(h) **QUESTION NO.8 FROM A MEMBER REGARDING THE REGENERATION ALLIANCE AND RAMSGATE SOCIETY PROPOSAL**

Councillor Davis asked the Leader the following question:

‘There has been a great deal of interest in and support for the Ramsgate Regeneration Alliance and Ramsgate Society proposal to establish a regular Tall Ships event at the historic Royal Harbour of Ramsgate. This support is from the public, community groups, local businesses, and the Sail Training Association, who have successfully run such events for many years.

This project would provide huge financial gain, both to the local economy and to this Authority, in the region of twelve to fifteen million pounds per event.

Will the Leader, as portfolio holder for the Royal Harbour, support this exciting initiative, with its potential to create jobs, training opportunities, and a huge boost to this island's tourism and leisure economy?’

The Leader responded with the following points:

- Tall ships events had taken place at Ramsgate before, most recently in the 1990's. The visit of the El Galeon earlier this year also proved to be a popular local attraction.

- Any new event proposal should be submitted to the council using the dedicated event app which can be found on the council's website. The application can then be reviewed by relevant officers including the Harbour Master at Ramsgate such that feedback from an initial assessment of the proposal can be given.
- Cllr Davis had suggested that such an event would generate employment, training opportunities and £12-15m benefit for the local economy. The details of anticipated benefits associated with an event accompanied by a robust business case along with an assessment of enabling costs should be included with an application for all such major events.
- With no information other than the content of the councillor's question it is not possible at this time to confirm or deny support for such an event. It was important that we do not commit limited resources and valuable officer time to proposals that do not deliver benefits to the council or local area. However, subject to a favourable outcome to an initial assessment of the event proposal, further officer time was supported, being committed to offering feedback and guidance to an organiser such that they can further develop their plans.

Councillor Davis followed up his question by asking whether the Leader would agree to meet with the directors of the sales association and the relevant officers in order to progress this matter further?

The Leader responded that he was open to this suggestion.

(i) **QUESTION NO.9 FROM A MEMBER REGARDING SOUTHERN WATER**

Councillor Scott asked the Leader the following question:

'How does this administration propose to challenge whether Southern Water has the ability to provide uninterrupted safe water for all households in Thanet and that the company has the extra capacity to dispose of and treat waste from the potential 21,000 new homes that could be added to the water supply and treatment network in Thanet if the proposed additional numbers are added to the Local Plan following the review? It is not a satisfactory solution to have on-site sewage disposal systems or cesspits installed on new developments with the waste being taken away in lorries.'

The Leader responded with the following points:

- Alongside the Local Plan, the council prepared an Infrastructure Delivery Plan to ensure that the necessary infrastructure to support development. This involved engagement with a range of statutory bodies and service providers (including the Environment Agency and Southern Water). This will also be a key part of the Local Plan update process.
- At the time of the meeting, none of the current plans for the strategic housing allocations in the 2020 Local Plan included on-site sewerage disposal systems.
- It should be noted that, in 2024, the "right to connect" to the sewerage network as part of new development is to be removed for surface water run-off, which is the primary component that results in flooding and sewage release.

Councillor Scott followed up his question by asking what actions the council would take in order to ensure that Southern Water would avoid further issues, or pursue the company for reparations?

The Leader responded that it was agreeable that the situation was unacceptable. The reparations did not solve the problem previously, a more comprehensible approach was needed.

(j) **QUESTION NO.10 FROM A MEMBER REGARDING THE COLLABORATIVE WORKING WITH TOWN AND PARISH COUNCILS**

Councillor Fellows asked the Leader the following question:

'I want to ask Councillor Everett for his assurance that the Scrutiny Review that was completed last term about 'Collaborative working with Town and Parish Councils' will be progressed through Cabinet as soon as possible so the recommendations that the scrutiny review working group made can be implemented. These recommendations will benefit all our residents and are wanted by town and parish councils and will also help to relieve some pressure on services offered by TDC.'

The Leader responded that this was correct.

Councillor Fellows followed up his question by asking whether the Leader would push for Thanet District Council to create a better culture for dealing with Town and Parish Council's so that they could be treated as the powerhouses of local representations that they are?

The Leader responded that he was impressed with the work of Ramsgate Town Council. The Town and Parish Councils were considered an important part of the democratic set up in Thanet.

(k) **QUESTION NO.11 FROM A MEMBER REGARDING MANSTON AIRPORT**

Councillor Rogers asked the Leader the following question:

'Canterbury City Council and Dover District Council have both had a detailed presentation by Riveroak Strategic Partners at their full councils. Cllr Green objected to a presentation at Overview and Scrutiny and suggested that it was delayed until after the court case on the 5th and 6th July which was granted. My question is, as Manston Airport is in Thanet, can all councillors receive a full presentation by Tony Freudman, director of Riveroak, not just those on the Overview and Scrutiny Committee? All councillors deserve to know the true facts so residents of Thanet can be better informed.'

The Leader responded with the following points:

- The Development Control Order Application, made by Riveroak Strategic Partners (RSP) was initially granted by the Department of Transport in July 2020. It was subsequently quashed by the High Court in February 2021, following an application for a judicial review of the decision.
- The Secretary of State at the time, conceded that the decision approval letter issued did not contain enough detail to support the decision.
- Subsequently, the DCO was granted for a second time in August 2022 by the Minister for Transport. This second decision has also been the subject of a judicial review application, which was considered by the High Court earlier this month, on 4th and 5th of July. We are currently awaiting the outcome of this hearing.
- Once the outcome of the judicial review process is known, the council would be happy to arrange for members to be briefed on the outcome of the application and, depending on the outcome, the next steps in the process, and to invite Tony Freudman to attend.

Councillor Rogers followed up her question by stating that there was misinformation online, Councillor Rogers asked whether Councillors should be able to have access to the correct information?

The Leader responded that there was a lot of misinformation on social media. Facts are important, and Councillors should debate on the matters of fact rather than through misinformation of social media.

(l) **QUESTION NO.12 FROM A MEMBER REGARDING THE PARKING REVIEW**

Councillor Dawson asked Councillor Keen the following question:

‘Can Cllr Keen please update the council on where we are with the Parking Review that was sent out to tender under the previous administration?’

Councillor Keen responded with the following points:

- This had been delayed due to staffing resources within the team but would be live on the tender portal in the next 7 days of this council meeting.
- As part of this review stakeholders including Councillors would be involved in providing feedback on the needs of the district.

Councillor Dawson followed up her question by asking whether the Labour administration would look at options such as public consultation to ensure that the council works with businesses and residents across Thanet so that this was fair to all residents and businesses?

Councillor Keen responded that part of the tender was for a full public consultation.

(m) **QUESTION NO.13 FROM A MEMBER REGARDING EMPTY HOMES**

Councillor Austin asked Councillor Whitehead the following question:

‘With rising rents and mortgage costs and a shortage of affordable homes, we all know many residents are struggling to keep a roof over their heads.

Meanwhile, we’re also aware we have empty homes in the District – and that the simplest, cheapest, most sustainable way to increase the housing supply is to make sure these are filled.

This council has had success in filling empty homes previously through the No Use Empty scheme. Could Cllr Whitehead please:

Update us on current estimates of how many empty homes in the District might be available for occupation (ie not including second homes, AirBNBs etc)?

Let us know what’s happening to get as many of these occupied as possible?

Tell us whether her administration plans to set targets for getting empty homes occupied?’

Councillor Whitehead responded with the following points:

- Questions were frequently received and answered on empty homes, and it’s a topic which was explored at length on many occasions; and it is a very important issue, without doubt, but it was disagreed with regarding the assertion that bringing empty homes back into usage is the simplest and cheapest way to increase the housing supply; if that were true, Councils across the country would not be facing significant numbers of empty properties.
- The key issue was the difference between private and public ownership, and the relative powers Councils have in relation to both. Empty properties within the councils portfolio can, and will be brought back into usage; the council had legal ownership, and could take action to make that happen.
- In terms of ownership, the council currently had 11 properties that would be classified as empty properties. Seven of these are fire damaged; three are welfare units, and one is currently under consideration for future housing plans.
- These properties can be brought back into use or already have future use, and the council would be acting to ensure that they fulfil a very necessary social use.

- Properties owned by private individuals are not within the councils jurisdiction in the same way, and the councils powers are exceedingly limited in terms of direct actions that we can take to bring them back into usage; and the reason for the existence of empty properties is often not simple, frequently involving complex probate, issues of capacity, and illness. Lengthy multi agency approaches, often spanning years, are often necessary to bring even severely dilapidated homes into use; and a property in private ownership simply being empty, without linked dilapidation or significant social disruption, is not grounds to bring it into public hands, as they are considered private assets, with legal protections relating to that.
- The key indicator for measurement here is the number of homes registered as unoccupied and unfurnished for more than six months on the Council Tax register. This overall figure is broken down into: under two years (953), two to five years (112), five to 10 years (40) and over 10 years (19). The combined number as of 03 July 2023 is 1,124. Empty homes undergoing structural alterations and major repairs are eligible for a 12-month discount, due to the importance of providing housing stock in good condition. There are 112 homes subject to such a discount. A further 315 properties have been left empty for more than six months for varying reasons, but primarily as they are awaiting probate, as referenced earlier. In total, the council believes that there are 1,551 long term empty homes that are of concern, and that we continue to monitor.
- So, to recap, in total it was estimated that there are 1,551 properties that are currently long term empty, of differing duration; 1,540 of these properties are privately owned.
- We do currently have a dedicated full time empty homes officer. Their role is to engage with the owners of empty homes to help them bring their properties back into use, with support via the No Use empty scheme. When the informal approach is unsuccessful, the council considers whether there are any appropriate legal powers that could be used to help bring about reoccupation. It should be noted, however, that it is not unlawful to own an empty home. We offer loans and support via No Use Empty to bring properties requiring work back into usage; this has been very successful. We have also previously increased Council tax on long term empty properties to up to three times standard rate, dependent on how long the property is empty; these all act as incentives to bring property back into use.
- The councils target for the 2023/24 year is to help bring 120 long term empty homes back into use; our empty properties Officer works incredibly hard, and we will continue to support those efforts.
- Although the overall number of empty properties is often quoted, it is also very worth noting that over the past 15 years our council has been the most successful local authority in the whole of Kent in terms of empty property interventions and in the number of homes brought back into use; this is a statistic that is often forgotten in these discussions.

Councillor Austin followed up her question by asking whether the council had any plans to explore whether it owned any properties which could be suitable for conversion?

Councillor Whitehead responded that there was an issue of sustainability of buildings that had been used for business. The council was looking at energy efficiency and sustainability. It was considered difficult to make these buildings energy efficient.

## 8. **NOTICE OF MOTION**

### (a) **Motion regarding pausing new planning permissions for major applications**

It was proposed by Councillor Garner and seconded by Councillor Austin that:

'Motion to pause the granting of new planning permissions, for builds of more than 10 dwellings, and allow for a review into the impacts the current housebuilding programme is having across Thanet.

While it is important that new homes are built in Thanet, it is likely that the continual increases in mortgage interest rates will have a slow-down effect on both the build of new homes and of their purchase, possibly for the rest of 2023.

This presents us with an opportunity to pause the granting of new planning applications, for builds of more than 10 dwellings, and review and address the concerns of residents on the following issues:

Southern Water's infrastructure is not fit for purpose to service the current households and businesses in the district. What impact will the proposed number of new dwellings have on the current residents in Thanet and on the environment around our coastline because of increased sewage releases?

There are too many dwellings across Thanet which remain unoccupied. Investigate how many empty properties there are across the district and the reasons for this.

How many previously approved planning applications are still to commence development?

How many of the already approved numbers of affordable homes have been built and made available at an affordable price?

Have the GP surgeries, primary schools, social amenities promised in previously approved planning applications been adequately delivered by the builders?

What is the impact of the recent new builds on traffic and highways in Thanet?

This Council agrees to pause the granting of new planning permissions, for builds of more than 10 dwellings, and set up a cross party working group of 7 councillors to work with officers to carry out the review, using the Treasury Green Book Gate Review (see link below) process as a guide for that review.'

Members voted to debate the motion; due to paragraph 3.8 of the constitution stating 'The Council should not debate any motion which would give rise to a significant change to income of the Council, to its expenditure or contract terms, unless it has received a report from the Chief Finance Officer or the Monitoring Officer as appropriate setting out the legal of financial effect of the motion,' the Council did not debate this motion at the meeting, and deferred it to the next meeting of Council.

A full report on the financial impact of the proposed motion would be written for Members' consideration, so that an informed debate could take place in the October 2023 Council meeting.

## 9. LEADERS REPORT

The Leader, Councillor Everitt, presented his report to Council, covering the following key points:

- The new Labour administration began with the plan for a major extension of affordable council housing for residents in need.
- There were many challenges ahead, which residents had noted. Including issues with public toilets, multi-storey car parks, open spaces, fly tipping and lack of street cleaning in residential areas.
- The levelling up award for Ramsgate was a fundamental part of the council's plans. It had the potential to utilise the port, and the potential to unlock additional income for the council to spend on frontline services.
- Thanet Parkway station was due to open.



- The Winter Gardens had suffered from decades of underinvestment. This was considered a major challenge, estimated for a £6 million price tag, which would require external funding.
- Kent County Council had put forth proposals to close the Richborough Household Waste and Recycling Centre permanently. There had been a revised consultation which included options that included Deal closing instead of Richborough.
- The representatives of the Local Government Boundary Commission for England had advised that a review would be carried out of the district council ward boundaries during 2023 and 2024.

Councillor Pugh, as Leader of the Conservative Group, made the following points:

- Congratulations were given to Councillor Everitt on becoming Leader of the Council.
- The proposals for more affordable housing in the district was welcomed.
- The leaders report neglected to mention the Margate digital project, which had been submitted by and secured under the previous conservative administration.
- It was important that the council delivered on all of the various projects concerning the Ramsgate Levelling up.
- It was questioned whether the leader would confirm to progress both Levelling up projects.
- The Labour administration was to continue to follow the programme for identifying potential operators which had been set out by the Conservatives.
- The process to establish a Margate Town Council was long overdue.

The Leader responded to Councillor Pugh's comments with the following points:

- The council wanted to build affordable housing, however the difficulty was regarding finding the land.
- Commitments were to all the schemes and programmes, this included the Margate digital project.
- Inflation had an effect on the Levelling Up awards.
- The Margate Winter Gardens process which the Conservative administration had set out was being followed, however other options were also being considered.

Councillor Garner, as Leader of the Green Group, made the following points:

- Congratulations to the Leader were given.
- Well wishes were given to the previous Leader of the Council, Ash Ashbee.
- It was hoped that the council would be able to build up the stock of council owned homes over the next few years.
- The ambition regarding issues such as litter, public toilets and parking. These issues made a difference to the quality of life to residents and visitors alike.
- Regarding the Thanet Parkway, the planting should be looked at, and where needed also replaced.
- On the issue of Thanet Parkway, the Green Group disagreed.
- The group would join the administration in lobbying regarding the Richborough centre, and other centres stay open.
- It was important that the council did more for residents on the coastline that would be adversely impacted during peak tourism period.
- The expressed commitment to transparency was welcomed.

The Leader responded to Councillor Garner's comments with the following points:

- The planting around the Thanet Parkway would be looked at.
- The Parkway was all about growth and housing. Over time the station would be a success.

Councillor Worrow, as Leader of Thanet Independents, made the following points:

- Congratulations were given to the Labour Group and the Leader.
- It was hoped that wards such as Westgate, Garlinge and Birchington would also be focussed upon as well as Ramsgate.

The Leader responded to Councillor Worrow's comments with the following point:

- It was noted that the administration was not going to focus solely on Ramsgate.

## 10. **REPORT OF THE CHAIRMAN OF THE OVERVIEW AND SCRUTINY PANEL**

Councillor Fellows, the Chairman of the Overview and Scrutiny Panel, presented the report and the following points were noted:

- This was the first report for the Overview and Scrutiny Panel of the new administration.
- There had been newly elected councillors which had joined the first meeting, and the meeting was considered lively.
- The next meeting would be held on 20th July 2023, in which the leader had been invited to attend.
- All members of the council and the public were welcome to attend Scrutiny meetings.

Members noted the report.

## 11. **APPOINTMENT OF MONITORING OFFICER**

It was proposed by the Leader, seconded by Councillor Albon and Members agreed that the recommendation set out in the report be agreed, namely:

1. That Ingrid Brown be appointed as the Council's Monitoring Officer from her first day of service;
2. That, in the meantime, Sameera Khan should continue in that role until either she leaves the Council's service, or until Ingrid Brown's first day of service, whichever is earlier;
3. That, if Sameera Khan leaves the Council's service before Ingrid Brown begins,
4. Nick Hughes, as deputy Monitoring Officer, should cover the role for the interim period."

## 12. **APPOINTMENT OF HEAD OF PAID SERVICE**

It was proposed by the Leader, seconded by Councillor Albon and Members agreed that the recommendation set out in the report be agreed, namely:

1. For Full Council to extend the appointment of Colin Carmichael as Interim Chief Executive, Head of the Paid Service, and Returning Officer for a further year, until 31 July 2024;
2. To note that the Appointment Panel has the responsibility of determining the timing and process of the appointment of a permanent Chief Executive.'

## 13. **AFFORDABLE HOUSING**

Councillor Whitehead proposed, Councillor Albon seconded and Members agreed the recommendations as set out in the report be adopted namely:

'It is recommended that Council:

1. Adopt the target to deliver at least 400 new affordable homes by 2027 and agree the proposed funding and delivery proposals set out in this report.
2. Replace the current phased approach to budgeting for the affordable housing programme with a single acquisitions and development budget.
3. Note that detailed projects will be presented to the Cabinet for approval as they are identified.
4. Approve an additional HRA capital budget of £7.485m to deliver 51 new affordable homes, as set out in 3.3 and 3.4 below, subject to Cabinet approving the details.'

**14. ALLOWANCES REPORT - RECOMMENDATIONS FROM EKJIRP**

The Chair proposed, the Vice Chair seconded and Council agreed the recommendations of the East Kent Joint Independent Remuneration Panel be adopted namely:

'A. That it be recommended to Thanet District Council that the Members' Allowances Scheme 2023-24, as set out in Annex 1 of the report, be approved.

B. In respect of the Dependant Carers' Allowance, the Panel would propose a move to actual cost reimbursement instead of a reimbursement based on the National Living Wage.'

**15. REPRESENTATION ON NON-EXECUTIVE OUTSIDE BODIES**

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

'1. That Council agrees that Councillor Mike Garner be the Council's nominee on the Thanet Rural Regeneration Group for 2023/24.'

**16. EXCLUSION OF PUBLIC AND PRESS**

The Chair proposed, the Vice Chair seconded and Council AGREED that the public and press be excluded from the meeting for agenda item 17, as it contains exempt information as defined in paragraphs 1 & 2 of Part 1 of Schedule 12A of the Local Government Act 1972 (as amended).

Live streaming ended and Full Council went into private session.

**17. MEDIATION PAYMENT FOR A FORMER EMPLOYEE**

It was proposed by the Leader, seconded by Councillor Yates and Members agreed that the mediation payment for a former employee.

Meeting concluded : 9.05 pm

This page is intentionally left blank



## **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](#).

## Response to Jackey Bakers Petition

<b>Meeting</b>	<b>12 October 2023</b>
<b>Report Author</b>	Nicholas Hughes, Committee Services Manager
<b>Portfolio Holder</b>	Cllr Albon, Cabinet Member for Cleansing and Coastal Services
<b>Status</b>	For Information
<b>Classification:</b>	Unrestricted
<b>Ward:</b>	Northwood

### Executive Summary:

The report outlines a petition that was received by the Council. The petition requests that the Council improves its management of Jackey Bakers. This included improvements towards the facilities for football matches, bins to improve the amount of littering, updated and working changing room facilities and a hard standing car park to improve congestion. The proposed response notes that such improvements would be looked into by the Open Spaces team, this included signs regarding no parking, improvements to the facilities for football matches and additional bins.

### Recommendation(s):

The report is for information only.

### Corporate Implications

#### Financial and Value for Money

Response to petition has no financial implications.

#### Legal

Response to petition has no legal implications.

#### Risk Management

Response to petition poses no considerable risk to the council.

#### Corporate

Petitions are an important way of the public engaging with the Council on matters of importance to them and responses should be timely and in accordance with the Council's agreed procedures.

## Equality Act 2010 & Public Sector Equality Duty

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

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

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

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

## Corporate Priorities

This report relates to the following corporate priorities: -

- Communities and Community engagement.

### 1.0 Introduction

1.1 The Council received a petition with 1941 valid signatures on 30 June 2023 relating to the Council's management of the public open space, Jackey Bakers from Mrs June Tyrell. This included improved facilities for football matches, more bins to improve the amount of littering, changing room facilities and a hard standing car park.

### 2.0 The Current Situation

2.1 The petition contained the following petition prayer:

*"Jackey Bakers is a public open space, given to the people of Ramsgate, by Dame Janet back in 1924. Over the years, we have seen a decline in the way Jackey Bakers is managed. We want a safe place to be able to walk our dogs, somewhere the children can run around and improved facilities for the weekly football matches. Jackey Bakers is lacking bins, both normal waste and dog waste. More bins should improve the amount of littering that is left on a daily basis. The changing room has had no hot water or electricity for a couple of years, meaning the footballers have nowhere to change or clean up. The football pitches are in a very poor state, not being rolled and the grass not being cut, especially around the goals. This is causing injuries each week. Car parking is also another concern. Planning permission has previously been requested for a hard standing car park to be built at the Sainsbury's end of Jackey Bakers, yet has never happened. Highfield Road is becoming*



*congested due to the amount of cars being parked there on a Sunday morning, and only recently caused issues for emergency services to get through. Each week the pitches are in use, funds are accumulating, but where is this money going? Some weeks, this amounts to just over £400! So let's all come together and make Jackey Bakers fit for purpose, by the people of Ramsgate, for the people of Ramsgate!"*

## 2.2 The Response

The formal response to the petition that was sent to the petitioner is attached at Annex 1 to the report.

## 3.0 Decision Making Process

- 3.1 A petition that receives over 1500 signatories would normally be subject to a debate at a meeting of the Full Council. However in this case due to the date that the petition was received, this would have meant that the Council taking no action regarding the petition until this meeting, a wait time of some months. This would have been unfair on the petitioner, so after discussing this issue with the petitioner, they agreed for the petition to be treated as a petition with 50 - 1500 signatories, so that the Council could act much sooner namely that a "senior officer of the Council, after consulting with the relevant portfolio holder, should respond to the petition, and a report on the petition noting what action has been taken should be referred to the next meeting of Cabinet or Council for their information."
- 3.2 This approach has allowed for a great deal of work to be planned and undertaken in relation to the wishes of the petitioners as set out in the petition response at Annex 1, whilst retaining transparency and accountability to the public, which is an important aspect of democratic governance.

Contact Officer: Nicholas Hughes (Committee Services Manager)

Reporting to: Sameera Khan (Interim Head of Legal & Monitoring Officer)

### Corporate Consultation

**Finance:** Matt Sanham (Head of Finance and Procurement)

**Legal:** Sameera Khan - Interim Head of Legal & Monitoring Officer

This page is intentionally left blank

# Agenda Item 5a

## Annex 1

**Copy of Letter From:** Tony Marmo to Petitioner June Tyrrell  
**Sent:** 04/10/23

Dear June,

It was really nice to meet you on the site of Jackey Bakers last week and to discuss what can be achieved on the site in the short, medium and long term. I am writing to you as part of the Council's formal response to the petition received in June 2023. As I stated on site the Council is committed to improving the facilities at Jackey Bakers for football.

In the short term we agreed that:

1. A sign shall be placed on the gates at the entry to the site so that no parking occurs in front of the gates, as this is an access point for emergency services - I have passed this onto the Open Spaces team for action.
2. A review should take place of the number of bins on site as you felt that certain locations required bin provision as people were leaving litter behind due to lack of bins - I have passed this onto the Cleansing team so that a review can be undertaken.
3. New goal posts ordered for pitch 3 as the current goals do not have holes for hooks required to hang the nets from - I have passed this onto the Open Spaces team for action.
4. We discussed the goal mouths in pitches 6 & 7 to see if they can be improved or the pitches rotated as you felt the goal mouths were in a poor state - I have passed this onto the Open Spaces team for action.
5. I shall try to provide a further container for use as a temporary changing facility for teams that are not arriving readily changed, or want to change after they have finished playing. The container will be purely for changing and will not contain showering facilities.

At this point I wanted to thank you for the recognition you made on site about the standard of grass cutting, marking of the pitches and the new goal posts installed. I will pass this onto the relevant team.

I confirmed that in the medium term:

# Agenda Item 5a

## Annex 1

1. The existing pavilion is no longer fit for purpose and has reached the end of its life span. The Council therefore proposes to demolish the pavilion subject to planning consent and the procurement of demolition services.
2. Once this has been achieved the Council can then put temporary changing facilities on the concrete slab where the pavilion sat and use the services already in place.

I confirmed that in the long term:

1. The Council will explore options for car parking and new permanent facilities at the site. Potential options for funding will also be explored as part of this process.

I trust this is an accurate reflection of our discussions and I look forward to working with you on this subject moving forward.

Kind regards

## Response to Northdown Park Petition

<b>Meeting</b>	<b>12 October 2023</b>
<b>Report Author</b>	Nicholas Hughes, Committee Services Manager
<b>Portfolio Holder</b>	Cllr Yates, Portfolio holder for Corporate Services
<b>Status</b>	For Information
<b>Classification:</b>	Unrestricted
<b>Ward:</b>	Cliftonville East

### Executive Summary:

The report outlines a petition that was received by the Council. The petition requests that Thanet District Council facilitates allowing a private operator to fund, open and run a cafe operation, ideally with some covered space. This was proposed to be within or adjacent to a nearby TDC structure (the Pavilion) or nearer the main play area as a new structure. The proposed response notes that the Council was working on reopening the Pavillion at Northdown Park, and this would incorporate refurbished changing rooms and toilets, refreshments and a seating area available under a sheltered area.

### Recommendation(s):

The report is for information only.

### Corporate Implications

#### Financial and Value for Money

Response to petition has no financial implications.

#### Legal

Response to petition has no legal implications.

#### Risk Management

Response to petition poses no considerable risk to the council.

#### Corporate

Petitions are an important way of the public engaging with the Council on matters of importance to them and responses should be timely and in accordance with the Council's agreed procedures.

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

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

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

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

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

## Corporate Priorities

This report relates to the following corporate priorities: -

- Communities and Community engagement.

### 1.0 Introduction

1.1 The Council has received a petition with 539 valid signatures relating to the Council facilitating and allowing a private operator to fund, open and run a cafe from local resident Scott Manclark.

### 2.0 The Current Situation

2.1 The petition contained the following petition prayer:

*“Local people, especially parents, lack any real social hubs within Northdown Park where their children can play safely whilst they meet and chat with each other.*

*A cafe at the Northdown Park play area (or any other suitable locations within the park) would in my opinion help reduce antisocial behaviour and be a valuable community meeting space where parents could keep an eye on their children playing.*

*We want Thanet District Council to facilitate allowing a private operator to fund, open and run a cafe operation, ideally with some covered space. This could be within or adjacent to a nearby TDC structure (the Pavilion) or nearer the main play area as a new structure.”*

2.2 **The Response**

The formal response to the petition that was sent to the petitioner is attached at Annex 1 to the report.

## 3.0 Decision Making Process

- 3.1 An official response should be provided for an ordinary petition that is signed by 50 or more petitioners, but fewer than 1500. The senior officer of the Council, after consulting with the relevant portfolio holder, should respond to the petition, and a report on the petition noting what action has been taken should be referred to the next meeting of Cabinet or Council for their information.
- 3.2 This response ensures that the petitioners are informed of the Council's actions and that the Council is held accountable for addressing the concerns raised in the petition. It also provides transparency and accountability to the public, which is an important aspect of democratic governance.

Contact Officer: Nicholas Hughes (Committee Services Manager)

Reporting to: Sameera Khan (Interim Head of Legal & Monitoring Officer)

### Corporate Consultation

**Finance:** Chris Blundell (Director of Corporate Services - Section 151)

**Legal:** Sameera Khan - Interim Head of legal & Monitoring officer

This page is intentionally left blank



# Agenda Item 5b

## Annex 1

Copy of Email From: Andreea Plant (Head of Property) to Petitioner Scott Manclark  
Sent: 25/09/23

Dear Mr Scott Manclark,

Thank you for your petition and your commitment to enhancing Northdown Park.

We are pleased to inform you that we are already working on reopening the Pavilion at Northdown Park, Margate.

This will incorporate refurbished changing rooms and toilets, as well as an outlet for light bites and refreshments (subject to necessary consent). There will also be seating available under a sheltered area to encourage a more social atmosphere. If this is well-received, there may be potential to explore the idea of a full-scale cafe in the future.

Your petition manifesto aligns with our goals to improve the facilities within the park, making it more inviting for sport users, parents and children alike.

We appreciate your involvement and encourage you to stay engaged as we move forward with this project.

Thank you for advocating for Northdown Park's improvement.

Yours Sincerely,  
Andreea Plant

This page is intentionally left blank

## QUESTIONS FROM THE PRESS AND PUBLIC

<b>Council</b>	<b>12 October 2023</b>
<b>Report Author</b>	<b>Committee Services Manager</b>
<b>Portfolio Holder</b>	<b>Leader of the Council</b>
<b>Classification:</b>	<b>Unrestricted</b>
<b>Key Decision</b>	<b>No</b>

### **Executive Summary:**

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

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

This report is for information.

### **Corporate Implications**

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

There are no identified financial implications from this report.

#### **Legal**

There are no legal implications directly from this report.

#### **Corporate**

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

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

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

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

There are no specific equality issues arising from this report.

## Corporate Priorities

This report relates to the following corporate priorities: -

- *Communities*

### 1.0 Introduction and Background

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

Contact Officer: Nick Hughes, Committee Services Manager

Reporting to: Sameera Khan (Interim Head of Legal & Monitoring Officer)

### Annex List

There are no Annexes with this report.

### Background Papers

There are no Background Papers with this report.

### Corporate Consultation

**Finance:** Chris Blundell, Acting Deputy Chief Executive & S151 Officer

**Legal:** Sameera Khan (Interim Head of Legal & Monitoring Officer)

## QUESTIONS FROM THE MEMBERS OF THE COUNCIL

<b>Council</b>	<b>12 October 2023</b>
<b>Report Author</b>	<b>Committee Services Manager</b>
<b>Portfolio Holder</b>	<b>Leader of the Council</b>
<b>Classification:</b>	<b>Unrestricted</b>
<b>Key Decision</b>	<b>No</b>

### **Executive Summary:**

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

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

This report is for information.

### **Corporate Implications**

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

There are no identified financial implications from this report.

#### **Legal**

There are no legal implications directly from this report.

#### **Corporate**

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

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

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

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

There are no specific equality issues arising from this report.

## Corporate Priorities

This report relates to the following corporate priorities: -

- *Communities*

### 1.0 Introduction and Background

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

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

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

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

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

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

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

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

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

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

Contact Officer: Nick Hughes, Committee Services Manager

Reporting to: Sameera Khan (Interim Head of Legal & Monitoring Officer)

## **Annex List**

There are no Annexes with this report.

## **Background Papers**

There are no Background Papers with this report.

## **Corporate Consultation**

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

**Legal:** Sameera Khan (Interim Head of Legal & Monitoring Officer)

This page is intentionally left blank



## Motion regarding pausing new planning permissions for major applications

<b>Council</b>	12 October 2023
<b>Report Author</b>	Bob Porter (Director of Place)
<b>Portfolio Holder</b>	Cllr Rick Everitt, Leader of the Council
<b>Status</b>	For Decision
<b>Classification:</b>	Unrestricted
<b>Key Decision</b>	Policy Framework
<b>Reasons for Key</b>	N/A
<b>Previously Considered by</b>	Council - 13 July 2023
<b>Ward:</b>	All wards

### Executive Summary:

Full council considered a notice of motion at its meeting on 13 July 2023, that proposed pausing new planning permissions for major applications.

This report sets out the financial, legal and planning implications of the proposed motion to properly inform members of the council.

The report recommends that council reject the notice of motion, setting out the relevant reasons, in section 3.

### Recommendation(s):

Members adopted the Motion or not.

### Corporate Implications

#### Financial and Value for Money

The advice from Central Government within the National Planning Practice Guidance sets out the circumstances in which costs may be awarded against either party in planning appeals. It is anticipated that appellants for existing major planning applications would seek an appeal against the non-determination by the Council.

Costs may be awarded where a party has behaved unreasonably; and the unreasonable behaviour has directly caused another party to incur unnecessary or wasted expense in the appeal process. Costs may be awarded following an application by the appellant or unilaterally by the Inspector. It is considered that a failure to determine major planning applications due to the reasons provided would be unreasonable given the advice in the

National Planning Policy Framework on determining applications (Paragraph 11) and the presence and purpose of the Thanet Local Plan 2020.

It is therefore expected that a costs award would occur in all cases against the Council where the Council would not determine an application based on this motion and an appeal is made. There are no funds allocated for any potential fines meaning cost awards will result in significant spend that is outside of the budgetary framework, nor budget allocated for additional resources for planning appeals and public inquiries. Consequently, there would be an impact on the amount of budget available for service delivery and/or reserves available to mitigate risk and there would be an unavoidable need to reduce spending on council wide service delivery in order to meet these costs.

Further financial risks, related to the loss or repayment of planning fees is also set out below. The financial impact related to the loss of planning fees is potentially substantial.

## **Legal**

Choosing to not determine planning applications over 10 units due to proposed amendments to the National Planning Policy Framework(NPPF) is not acceptable as the NPPF is statutory guidance and an adopted Local Plan has more weight in terms of material consideration.

Further, in choosing to not determine planning applications, the Council will leave itself open to a number of possible planning appeals being lodged by developers for non-determination and it is more than likely that should such developers choose to apply for costs against the Council based on unreasonable behaviour, such applications will likely succeed leading to the Council having to pay for significant costs to developer applicants. Further, it is possible that an external interested party may choose to apply for a judicial review against the Council's decision to pass this motion based on illegality, irrational and unreasonable grounds.

## **Risk Management**

The proposed Notice of Motion poses some significant risks to the council. In summary these are:

### **Planning Risks:**

- The government intervenes in the council's Planning Service by 'designating the council, and taking over decision making responsibilities for defined types of applications, such as major housing applications.
- The Council is unable to demonstrate a 5 year housing land supply, making resisting the development of unallocated land more difficult.
- Applicants submit appeals for non-determination of planning applications, which the council will find difficult to defend without a material planning reason for delay.
- Loss of local democratic control, with major planning decisions made by the Planning Inspector of Secretary of State for Levelling Up, Housing and Communities.
- Delay to the council's own affordable housing programme.

### **Financial Risks:**

- Loss of Planning Fee Income. If the council is designated by the Secretary of State for Levelling Up, Communities and Housing it will not receive any planning fee income for applications within the scope of the designation. In the financial year

22/23, major planning application fees received totalled £404,944, with the income £509,705 in the financial year 21/22.

- Award of appeal costs and cost of defending appeals. It is very likely that costs would be awarded against the council for any appeals against non determination as a result of this proposal. The scale of the award would vary depending on the complexity of the appeal. This represents a significant financial risk when applied across all currently live major applications.
- Repayment of planning fees. Where no agreement to extend the time period for determination is made, then after 26 weeks (from the valid date of a planning application) the planning fee should be refunded to applicants. Currently those major housing applications expiring after 12th October 2023, without extension of time agreements, have planning fees totalling £93,724, which would be liable to be repaid if determinations were paused for more than 3 months.

### **Reputational Risks:**

- The reputational risk in relation to the council's ability to manage an effective Planning Service and deliver its Local Plan.

### **Corporate**

The delivery of new housing through the Local Plan and planning applications supports the Council's priorities of supporting neighbourhoods ensuring local residents have access to good quality housing, and promoting inward investment through setting planning strategies and policies that support growth of the economy.

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

The PSED is not engaged by the issues addressed in this Report. Although the proposal in the Notice of Motion would have an impact on housing supply, and the local housing market, it would have a general effect. It would not disproportionately impact people with protected characteristics.

### **Corporate Priorities**

This report relates to the following corporate priorities:

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

## **1.0 Introduction and Background**

- 1.1 Full council considered a notice of motion at its meeting on 13 July 2023, that proposed pausing new planning permissions for major applications. The motion was proposed by Councillor Garner and seconded by Councillor Austin. The motion read as follows:

*'Motion to pause the granting of new planning permissions, for builds of more than 10 dwellings, and allow for a review into the impacts the current housebuilding programme is having across Thanet.*

*While it is important that new homes are built in Thanet, it is likely that the continual increases in mortgage interest rates will have a slow-down effect on both the build of new homes and of their purchase, possibly for the rest of 2023.*

*This presents us with an opportunity to pause the granting of new planning applications, for builds of more than 10 dwellings, and review and address the concerns of residents on the following issues:*

- 1. Southern Water's infrastructure is not fit for purpose to service the current households and businesses in the district. What impact will the proposed number of new dwellings have on the current residents in Thanet and on the environment around our coastline because of increased sewage releases?*
- 2. There are too many dwellings across Thanet which remain unoccupied. Investigate how many empty properties there are across the district and the reasons for this.*
- 3. How many previously approved planning applications are still to commence development?*
- 4. How many of the already approved numbers of affordable homes have been built and made available at an affordable price?*
- 5. Have the GP surgeries, primary schools, social amenities promised in previously approved planning applications been adequately delivered by the builders?*
- 6. What is the impact of the recent new builds on traffic and highways in Thanet?*

*This Council agrees to pause the granting of new planning permissions, for builds of more than 10 dwellings, and set up a cross party working group of 7 councillors to work with officers to carry out the review, using the Treasury Green Book Gate Review (see link below) process as a guide for that review.*

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/1002663/1174-APS-0-CCS0521656666-001\\_IPA\\_Gateway\\_Web.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1002663/1174-APS-0-CCS0521656666-001_IPA_Gateway_Web.pdf) ‘

- 1.2 Members voted to debate the motion. However, due to paragraph 3.8 of the constitution stating, ‘The Council should not debate any motion which would give rise to a significant change to income of the Council, to its expenditure or contract terms, unless it has received a report from the Chief Finance Officer or the Monitoring Officer as appropriate setting out the legal of financial effect of the motion,’ the Council did not debate this motion at the meeting, and deferred it to the next meeting of Council.
- 1.3 This report sets out the financial, legal and planning implications of the proposed motion to properly inform members of the council.

## **2.0 The Current Situation**

2.1 The adopted Local Plan (2020) allocates a range of sites to meet the housing needs of the district (including sites that would be affected by this NoM). In addition, the Local Plan contains numerous policies that seek to address many of the infrastructure and related matters raised in the notice of motion. This is either through specific site requirements for strategic housing allocations, or through topic-specific policies, such as:

- Policy SP39 - QEQM Hospital
- Policy SP40 - New Medical Facilities at Westwood
- Policy SP41 - Community Infrastructure
- Policy SP42 - Primary and Secondary Schools
- Policy SP45 - Transport Infrastructure
- Policy GI04 - Amenity Green Space and Equipped Play Areas
- Policy CC02 - Surface Water Management
- Policy SE04 - Groundwater Protection
- Policy CM01 - Provision of New Community Facilities
- Policy TP01 - Transport Assessments and Travel Plans
- Policy TP02 - Walking
- Policy TP03 - Cycling
- Policy TP04 - Public Transport

2.2 As part of the Local Plan process, the Council engaged with a range of service providers and statutory bodies in relation to the provision of key elements of infrastructure. This work was undertaken through an infrastructure delivery plan process, and was subject to scrutiny by the independent Planning Inspectors. The same approach will be applied for the Local Plan update.

S38(6) of the Planning and Compulsory Purchase Act 2004 gives primacy to the Local Plan in decision-making, stating that “If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.”

Material considerations can cover a range of factors. However, the principle of development on allocated sites is already established through the Local Plan process. The National Planning Policy Framework (NPPF) states that decisions should apply a presumption in favour of sustainable development. This means approving development proposals that accord with an up-to-date development plan without delay. In addition, where the most important policies for determining applications are out-of-date, also granting permission unless any adverse impacts of development so would significantly and demonstrably outweigh the benefits. The NPPF does not provide a mechanism for any form of blanket moratorium on the determination of planning applications.

2.3 A major development is defined by the General Procedure Order 2015 as development involving any one or more of the following:

- the provision of dwellinghouses, where the number of dwellinghouses to be provided is 10 or more or the number is not defined by the site area is 0.5hectares or more.

- the provision of a building or buildings where the floor space to be created by the development is 1,000 square metres or more.
- development carried out on a site having an area of 1 hectare or more.

## 3.0 The Implications of the Motion

- 3.1 The statutory time limits for determining applications for planning permission are set out in article 34 of the Town and Country Planning (Development Management Procedure (England) Order 2015 (as amended). These are 13 weeks for applications for major development, 16 weeks for application accompanied by an Environmental Statement, and 8 weeks for all other types of development. These time periods begin when an application has been made valid in accordance with national and local requirements. The National Planning Practice Guidance states that “once a planning application has been validated, the local planning authority should make a decision on the proposal as quickly as possible”.
- 3.2 Section 62B of the Town and Country Planning Act 1990 (as amended) allows the Secretary of State to designate local planning authorities that “are not adequately performing their function of determining applications”, when assessed against published criteria. Those criteria relate to:
- the speed of decisions made by local planning authorities for applications for major and non-major development, measured by the percentage of applications that have been determined within the statutory period or such extended time as has been agreed between the local planning authority and the applicant
  - the quality of decisions made by local planning authorities for applications for major and non-major development, measured by the proportion of decisions on applications that are subsequently overturned at appeal (including those arising from a ‘deemed refusal’ where an application has not been determined within the statutory period)
- 3.3 Designation effectively means that the Secretary of State (SoS) will remove planning powers from the Local Planning Authority and directly determine planning applications. The SoS is also able to determine which type of applications this will apply to, for example all major applications for 10 or more homes. The time taken to determine major housing applications is one of these criteria, and in the event that the council were to consistently exceed the 13 week timescale for major housing applications there is a significant risk of designation. This would mean that the Council would lose control of the outcome of the application, as applicants would have the choice to apply directly to the Planning Inspectorate, rather than the Council. In addition to the significant reputational damage that this designation would cause, the council would also not receive the planning fees for those applications made directly to the Planning Inspectorate.
- 3.4 Separately to designation by the SOS, In the event that valid planning applications are not determined within these timescales, or alternative timescales agreed by the council and the applicant, then the applicant has the right to submit an appeal for non-determination. Any appeal would be determined by the Planning Inspectorate

who would decide the applications in accordance with NPPF and the Thanet Local Plan.

- 3.5 In addition to the loss of local democratic control over the outcome of an application, the outcome of an appeal for non-determination can also include an award for costs. It is highly likely that any attempt at a blanket moratorium on the determination of planning applications for the reasons given would be considered unreasonable by the Planning Inspectorate leading to the risk of substantial cost awards against the council. The National Planning Practice Guidance states Local Planning Authorities are at risk of an award of costs if they behave unreasonably, for example, by unreasonably refusing or failing to determine planning applications. Examples provided include:
- preventing or delaying development which should clearly be permitted, having regard to its accordance with the development plan, national policy and any other material considerations.
  - vague, generalised or inaccurate assertions about a proposal's impact, which are unsupported by any objective analysis.
  - acting contrary to, or not following, well-established case law.
- 3.6 As at 22 September 2023, the Council had 26 active planning applications for major housing development. If all were to be left undetermined, all could be determined by the Planning Inspectorate, if appealed after the expiration of deadlines with a risk of costs. This cost award would take into account all or part of an applicant's costs of the appeal including consultants fees. The scale of the applications would potentially result in public inquiries on the appeals, further increasing the costs awarded anticipated as this would include legal fees/barrister costs. For the public inquiry on the Shottendane Road planning application (OL/TH/20/0847) the Council's costs for consultants and a barrister came to £48,700, without including staff costs. It is anticipated that these costs would be exceeded by applicants if a public inquiry were requested, with the Council liable for its own costs and potentially for part or all of the applicants costs.
- 3.7 In addition to statutory timescales for determination, if the motion were to pass and major housing decisions ceased to occur, the Council would be liable to repay some of the planning fee income already received. Government guidance states that where no agreement to extend the time period for determination is made, then after 26 weeks (from the valid date of a planning application) the planning fee should be refunded to applicants. Currently those major housing applications expiring after 12th October 2023, without extension of time agreements, have planning fees totalling £93,724, which would be liable to be repaid if determinations were paused for more than 3 months. This could potentially also affect major housing applications submitted after this date not yet received.
- 3.8 Local Planning Authorities are required to demonstrate a 5 year housing land supply. A 5 year land supply is a supply of specific deliverable sites sufficient to provide 5 years' worth of housing (with an appropriate buffer) against a housing requirement set out in adopted strategic policies. The number of housing sites in the district that have outline or full planning consent, in comparison to the requirements set out in the Local Plan, is a factor in demonstrating that the council has a 5 year housing land

supply in place. The existence of a 5 year housing land supply is a material consideration in determining planning applications for housing on sites that are not allocated in the Local Plan for housing. And conversely, not having a 5 year housing land supply makes it more difficult for the council to resist applications for housing on non-allocated sites. Currently the Council cannot demonstrate a 5 year supply. Therefore the proposed motion would make it more difficult for the council to resist the development of unallocated sites, as housing applications on allocated sites within the Local Plan would be delayed/left undetermined. This would give greater weight to housing applications on unallocated sites at appeal, as the Council would not be able to demonstrate it is attempting to provide a 5 year supply: Potentially leading to development in undesirable areas of the district including the green wedge and countryside.

- 3.9 The council has committed to its own programme of affordable housing delivery, with an express ambition to deliver or acquire at least 400 new affordable homes during the period of the current administration. The proposed motion would impact on the council's ability to deliver this ambition.
- 3.10 Any pause on the determination of major housing applications for an unspecified time period would not be able to change the planning policy framework for the Council in the determination of planning applications. This means that after the review suggested, the Council would still be required by planning legislation to determine planning applications against the Local Plan, as it would still be the statutory development plan. Appeals made during any review period would be determined by the Planning Inspector, also against the adopted Local Plan.

## 4.0 Detailed questions in the motion

- 4.1 The proposed motion raises six specific questions. This section updates members on the current position in relation to these questions, as follows:

1. *Southern Water's infrastructure is not fit for purpose to service the current households and businesses in the district. What impact will the proposed number of new dwellings have on the current residents in Thanet and on the environment around our coastline because of increased sewage releases?*

The management of surface water is the responsibility of another statutory body and set out in legislation:

- Water Industry 1991 Act
- Flood and Water Management Act 2010

These duties extend to the management of flood events caused by surface water run off into the drainage network, and arrangements are set out in Southern Water's Drainage and Waste Water Management Plan.

Southern Water is a consultee in the preparation of the Local Plan. The Local Plan contains a policy ([Policy CC02](#)), which sets a requirement for the provision of sustainable drainage systems in new development, designed to reduce potential surface water run-off from development sites, and ensure no



net increase in surface water run-off. The impact of new dwellings on the capacity of the existing network is assessed individually during the planning application process. It is not considered that the approval of new dwellings, subject to required mitigation being enacted, would cause a worsening of the current problems caused by the existing drainage network. The provision of sustainable drainage systems in new development is due to become a legal requirement in 2024.

In addition, the retrofit of sustainable urban drainage (SUDs) helps to reduce surface water runoff entering the sewerage system, for example [George V Park](#), Westbrook.

- 2. There are too many dwellings across Thanet which remain unoccupied. Investigate how many empty properties there are across the district and the reasons for this.*

Figures for empty homes in the district were presented to Council on 13 July this year.

The key indicator is the number of homes registered as unoccupied and unfurnished for more than six months on the Council Tax register. This figure stood at 1,124 in July 2023.

Additionally, there are 112 empty homes undergoing structural alterations and major repairs are eligible for a 12-month discount, due to the importance of providing housing stock in good condition. A further 315 properties have been left empty for more than six months for other reasons, primarily as they are awaiting probate. In total, there are 1,551 long term empty homes.

The Council has a dedicated full time empty homes officer. Their role is to engage with the owners of empty homes to help them bring their properties back into use, including accessing support via the No Use Empty scheme. When the informal approach is unsuccessful, the council considers whether there are any appropriate legal powers that could be used to help bring about reoccupation.

Our target for the 2023/24 year is to help bring 120 long term empty homes back into use.

In relation to planning, the adopted Local Plan (See Local Plan Policy H021) already makes provision for the contribution of empty homes to housing land supply (540 units over the Local Plan period). This identifies a proportion of empty properties being returned to residential use.

- 3. How many previously approved planning applications are still to commence development?*

At 31 March 2023, a total of 2,137 units had not been started on site but did have a planning permission in place (outline 1,797 units; full or reserved matters 322 units; 18 prior notifications). In addition, a number of sites where development has started have not progressed significantly in the last year, with some 426 units not yet started.

This is not relevant to the determination of individual planning applications. However, consented sites being delayed in coming forward, for whatever reason, is a good ground for approving new applications on allocated sites, increasing the diversity of housing land supply, and improving delivery.

4. *How many of the already approved numbers of affordable homes have been built and made available at an affordable price?*

Information on the number of dwellings completed following planning permission being granted is provided in the Council's Annual Monitoring Report published each year. Affordable housing is sought on major housing applications in accordance with Policy SP23. A proportion of the total number of dwellings with planning permission but not completed (outlined in question 3 above) would be affordable, however this amount will depend on the individual planning agreements on individual cases.

The number of new affordable homes delivered by all registered providers, including the council and Housing Associations is recorded on the Homes England website. This shows:

- 19/20 - 132,
- 20/21 - 64,
- 21/22 - 186.

Figures for 2022/23 are not yet available from Homes England.

5. *Have the GP surgeries, primary schools, social amenities promised in previously approved planning applications been adequately delivered by the builders?*

The Local Plan process seeks to identify the key social and physical infrastructure needed to support new development and the phasing of that infrastructure. This work will be reviewed as part of the Local Plan update.

However, the provision of these services and infrastructure is the responsibility of other statutory/public bodies and service providers. Individual planning proposals are required to mitigate their own impact on social and physical infrastructure and this is dealt with through planning agreements under Section 106 of the Planning Act connected to planning decisions. The provision on site or providing a financial contribution to off-site infrastructure is

linked to trigger points with Section 106 agreements. The Council is scheduled to publish data on all contributions secured, received and spent in planning agreements for the financial years 19/20, 20/21 and 21/22 within the next 3 months.

6. *What is the impact of the recent new builds on traffic and highways in Thanet?*

The impact of the planned 17,140 homes over the plan period was assessed as part of the Local Plan process. Transport modelling was undertaken (with KCC), which informed both the Local Plan proposals and the measures set out in the district Transport Strategy. This work will be reviewed as part of the Local Plan update.

Individual major housing planning applications are required to submit transport assessments which model the impact of traffic on the highway network. This includes assessments of individual junctions to assess capacity.

For significant development this includes creating modelling scenarios using traffic flow data from Kent County Council's bespoke traffic model. The model was created for the Local Plan, to account for the cumulative amount of development expected across the district. This information is used in the determination of applications, to ensure that required mitigation (for example new roundabouts, adjustments to junctions, new lanes etc) is in place prior to the occupation of new dwellings. Temporary traffic issues from construction vehicles, for example on the Haine Road corridor, is not considered to be an accurate reflection of the operation of the highway network as a result of new development.

## **5.0 Decision Making Process**

5.1 The Motion was proposed by Cllr Garner and seconded by Cllr Austin at the Council meeting of 13 July 2023. The motion couldn't be forwarded to the Cabinet as Planning was not an Executive function and so Cabinet would have no remit over it. As such, only Council could decide upon the motion. It was then agreed by the Meeting to debate the motion.

5.2 At this point however, paragraph 3.8 of the constitution was explained to the meeting namely:

“viii. The Council should not debate any motion which would give rise to a significant change to income of the Council, to its expenditure or contract terms, unless it has received a report from the Chief Finance Officer or the Monitoring Officer as appropriate setting out the legal or financial effect of the motion.”

5.3 Council then agreed to request such a report to come to the next meeting of Council in order to allow for an informed debate (this report). Council is now free to debate the motion and after that debate can decide whether it wishes to adopt the motion or not.

Contact Officer: *Bob Porter (Director of Place)*

Reporting to: *Colin Carmichael (Chief Executive)*

## **Annex List**

None

## **Background Papers**

None

## **Corporate Consultation**

**Finance:** *Chris Blundell (Director of Corporate Services - Section 151)*

**Legal:** *Sameera Khan (Interim Head of Legal & Monitoring Officer)*

## LEADER'S REPORT TO COUNCIL

<b>Council</b>	<b>12 October 2023</b>
<b>Report Author</b>	<b>Committee Services Manager</b>
<b>Portfolio Holder</b>	<b>Leader of the Council</b>
<b>Classification:</b>	<b>Unrestricted</b>
<b>Key Decision</b>	<b>No</b>

### Executive Summary:

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

### Recommendation(s):

None - This report is for information only.

### Corporate Implications

#### Financial and Value for Money

There are no identified financial implications from this report.

#### Legal

There are no legal implications directly from this report.

#### Corporate

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

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

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

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

The Council demonstrates due regard to the aims of the Public Sector Equality Duty when

conducting its business, this due regard is mirrored in the leaders report which provides an update on key issues arising since the last meeting of Council.

## CORPORATE PRIORITIES

This report relates to the following corporate priorities: -

- Growth
- Environmental
- Communities

### 1.0 Introduction and Background

#### 1.1 Council Procedure Rule 2.4 provides that:

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

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

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

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

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

**Contact Officer:** Nick Hughes, Committee Services Manager

**Reporting to:** Sameera Khan, Interim Head of Legal and Monitoring officer

#### Annex List

There are no Annexes with this report.

#### Background Papers

There are no Background Papers with this report.

#### Corporate Consultation

**Finance:** Matthew Sanham Head of Finance and Procurement

**Legal:** Sameera Khan (Interim Head of Legal & Monitoring Officer)

## Overview & Scrutiny Panel Chair's Report to Council

<b>Council</b>	12 October 2023
<b>Report Author</b>	Committee Service Manager
<b>Status</b>	For Information
<b>Classification:</b>	Unrestricted
<b>Key Decision</b>	No
<b>Ward:</b>	Thanet Wide

### Executive Summary:

This report summarises activities of the Overview & Scrutiny Panel for 2023/24 and asks the Members to comment, make suggestions and note the OSP work programme.

### Recommendation(s):

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

### Corporate Implications

#### Financial and Value for Money

There are no financial implications arising directly from this report but elements of the suggested work programme may have financial and resource implications which would need to be managed within existing resources, or alternatively compensating savings found.

#### Legal

The role of scrutiny is set out in section 9F of the Local Government Act 2000. The council must also have regard to the statutory guidance on Overview and Scrutiny from the ministry of Housing, Communities and Local Government when exercising its functions.

#### Risk Management

There are risks arising directly from this report.

#### Corporate

The work programme should help to deliver effective policy decision making by scrutinising executive decisions before, and at times after, implementation.

The working parties assist with the work of scrutiny as they would carry-out an in-depth study of any issue referred to the groups under their terms of reference. An active Scrutiny programme is part of good governance.

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

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

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

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

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

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

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

## **CORPORATE PRIORITIES**

This report relates to Communities.

### **1.0 Introduction and Background**

- 1.1 At each ordinary Council meeting, the Chairman of the Overview and Scrutiny Panel presents a progress update report on the activities of the Panel since the last Council meeting. This is in accordance with Council Procedure Rule 15.1 of Part 4 of the Council Constitution. The report is subject to comment or debate by members.
- 1.2 This is an update to Full Council on the work of the Panel since the last Council meeting and allows for discussion of the Panel's planned activities, which hopefully strengthens the Council's scrutiny function.
- 1.3 This report follows on from the update report that was presented at Council on 13 July 2023



## 2.0 THE WORK PROGRAMME

### Scrutiny Review Topics

- 2.1 At the Panel meeting on 30 May 2023, Members put forward a number of topics and these were finalised at the July meeting. The matrix for scoring and prioritising review topics is attached as Annex 2 to the report. If the list is not progressed to completion during the current year, any remaining topics would then be carried over into the following municipal year.
- 2.2 The Panel agreed to investigate the following topics:
1. Impact of tourism
  2. Fly tipping and abandoned vehicles;
  3. Grant funding review.
- 2.3 They further set up the Tourism Review Working Party to conduct the review on the first topics and the membership is as follows:
- Councillor Austin;
  - Councillor Britcher;
  - Councillor Green;
  - Councillor Kup;
  - Councillor Packman
- 2.4 The Tourism Working Party met on 24 August and agreed their work programme which included two other meetings to discuss issues relating to their investigation with senior officers in street cleansing, finance, neighbourhoods and coastal services.
- 2.5 Additional detail of the work programme is contained in Annex 1 whilst Annex 2 is the scoring matrix table.

### Cabinet Presentations at OSP Meetings

- 2.6 Members requested a presentation on the Parking Strategy.
- 2.7 Future Cabinet Member Presentations: The Panel further agreed that for future Panel meetings, each Cabinet Member would be invited to present on the key reviews currently taking place in their respective portfolio areas once those reviews have been completed.

### Key Decisions

- 2.8 There was now an arrangement between Cabinet and the Overview & Scrutiny Panel that all key decisions need to be reviewed by the Panel before Cabinet approved such decision decisions. This would increase the role that non cabinet members play in shaping future key decisions and strategic decisions that are being made by the Council.
- 2.9 As a result of this arrangement the Panel reviewed the following proposals at an extraordinary meeting on 19 September before they were considered and approved by Cabinet on 21 September 2023:

- a. Broadstairs Flood and Coast Protection scheme;
- b. Viking Bay to Dumpton Gap Sea Wall Repairs Scheme;
- c. LED Street Lighting Contract;
- d. Coastal Zone Maintenance Contract;
- e. New contract for the supply of electricity to 264 sites within TDC's portfolio;
- f. Department for Levelling Up, Housing and Communities Funding update Simplification Pathfinder Pilot.

2.10 The Panel further reviewed the following key decisions o mat its meeting on 26 September:

- a. Health & Safety Policy;
- b. Three year extension of the Dog Public Space Protection Order.

2.11 The above key decisions will be considered by Cabinet on 19 October.

## 3.0 Options

3.1 Members are being asked to comment on and note the report.

3.2 Members may opt to make suggestions for the Panel to consider.

**Contact Officer:** Charles Hungwe, Deputy Committee Services Manager, Tel: 01843 577186

**Reporting to:** Nick Hughes, Committee Services Manager, Tel: 01843 577208

### Annex List

Annex 1: OSP Work Programme for 2023/24

Annex 2: Scrutiny Scoring Matrix Table for 2023/24

### Background Papers

None

### Corporate Consultation

**Finance:** Chris Blundell, Director of Corporate Resources & S151 Officer

**Legal:** Sameera Khan, Interim Head of Legal & Monitoring Officer

Overview & Scrutiny Panel Work Programme for 2023/24		
Meeting Date	Indicative Agenda Items	Issue Source
26 September 2023	Cabinet Member Presentation	Panel Requested Item
	Health & Safety Policy	Key Decision Item
	Three year extension of the Dog Public Space Protection Order	Key Decision Item
	Review of OSP Work Programme for 2023/24	Standing Agenda Item
	Forward Plan & Exempt Cabinet Report List	Standing Agenda Item
21 November 2023	Cabinet Member Presentation	Panel Requested Item
	Establishing the OSP Work Programme for 2023/24	Standing Agenda Item
	Forward Plan & Exempt Cabinet Report List	Standing Agenda Item
16 January 2024	Cabinet Member Presentation	Panel Requested Item
	Review of OSP Work Programme for 2023/24	Standing Agenda Item
	Forward Plan & Exempt Cabinet Report List	Standing Agenda Item
15 February 2024	Cabinet Member Presentation	Panel Requested Item
	Review of OSP Work Programme for 2023/24	Standing Agenda Item
	Forward Plan & Exempt Cabinet Report List	Standing Agenda Item
12 March 2024	Cabinet Member Presentation	Panel Requested Item
	Review of OSP Work Programme for 2023/24	Standing Agenda Item

	Forward Plan & Exempt Cabinet Report List	Standing Agenda Item
18 April 2024	Cabinet Member Presentation	Panel Requested Item
	Review of OSP Work Programme for 2023/24	Standing Agenda Item
	Forward Plan & Exempt Cabinet Report List	Standing Agenda Item
28 May 2024	Cabinet Member Presentation	Panel Requested Item
	Review of OSP Work Programme for 2023/24	Standing Agenda Item
	Forward Plan & Exempt Cabinet Report List	Standing Agenda Item

**Table as at September 2023**

Title Of the Scrutiny Review	Review Type	Date added to the scoring table	Membership	Is the topic related to a priority or value within the Council's Corporate Plan?	Is the topic of high public concern?	Is the topic currently under performing as per the Council's quarterly performance monitoring?	Will the topic result in recommendations that save that Council money or generate income?	Time on the list?	Implications for officer resource allocation	Total	Rank	Completion Status
<p><b>topic:</b> Planning Enforcement Review</p> <p><b>Question:</b> a review into Planning enforcement procedures, protocols, and responsibilities. This is an area of great concern to both members of the public and other bodies, such as Parish councils. "Maintaining strong enforcement action..." is listed as a priority in the current Corporate Plan.</p>	B	23/6/23	TBC	20	10	0	0	0	10 - 1- 3 Months review	40	T-4th	
<p><b>topic:</b> Fly tipping and abandoned vehicles</p> <p><b>Question:</b> Fly tipping and rubbish is becoming worse across the district. It is costing the council more money to tackle the issues and with the risk of closure of the KCC waste and recycling centres. We need to ensure there is enough support to ensure officers have the resources, processes and equipment to ensure effective and efficient delivery.</p>	B	23/6/23	TBC	20	10	0	10	0	10 - 1- 3 Months review	50	T-2nd	
<p><b>topic:</b> Review of Protocols and Procedures for Emergency Decisions</p> <p><b>Questions:</b> I write to request a review of the protocols and procedures regarding the making of Emergency decisions, particularly regarding Berths 4 &amp; 5 at the port of Ramsgate, along with previous decisions regarding Berths 2 &amp; 3. To "Continue to look for a viable future for the Port of Ramsgate and the Royal Harbour for the benefit of the town and the wider district" is a stated priority in the current Corporate statement.</p>	A	23/6/23	TBC	0	10	0	0	0	20 - up to 1 month	30	7th	
<p><b>topic:</b> Health and Wellbeing</p> <p><b>Question:</b> What ways we might work more effectively with partners to boost health &amp; well-being in Thanet.</p>	B	23/6/23	TBC	20	0	0	10	0	10 - 1- 3 Months review	40	T-4th	
<p><b>topic:</b> Impact of tourism</p>	A	23/6/23	TBC	10	10	0	20	0	20 - A one day	60	1st	The Tourism Review Working Party met on

<b>Question:</b> Negative impacts of tourism & how we might mitigate them									scrutiny review			24 Aug and agreed a work programme. They have arranged for two further meetings scheduled for 12 Sept and 26 Sept. They will be in discussion with key officers and portfolio holders responsible for Corporate Resources, Neighbourhoods and Cleansing & Coastal Services to investigate the subject under review.
<b>topic:</b> Grant funding review  <b>Question:</b> I'd like a review to see firstly what we might have missed out on and then how we can be in best position going forward to apply for grants as and when then are available	B	23/6/23	TBC	10	10	0	20	0	10 - 1- 3 Months review	50	T-2nd	
<b>topic:</b> Cost of Living  <b>Question:</b> how we can work with partners to help residents avoid debt/ tackle it when it arises.	B	23/6/23	TBC	10	20	0	0	0	10 - 1- 3 Months review	40	T-4th	

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

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

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

#### **Request for Officer Reports**

- **Review of Section 106 Management:** how S.106 contributions are allocated, and what procedures are in place to ensure effective delivery
- **Broken Waste Bin Review:** To review the large number of broken waste bins (mainly missing lids) in Thanet. Waste collection is a statutory service however the number of broken bins leads to added rubbish and litter in all wards particularly those with densely populated areas which adversely affects the quality of residents lives and their health. The open bins attract vermin as well as foxes and seagulls who rip open the bags which should be contained in a fully functional bin with a lid. I request that these broken bins are repaired/or replaced by the council free of charge to residents.
- **Update on externally funded regeneration projects:** Regular 2-monthly updates on all externally funded regeneration projects - To include eg business plan, project management framework, progress against workplan, spend against projections, issues arising, risk analysis etc: appropriate focus for each meeting/ project to be agreed with Cabinet member & Regeneration team by the OSP Chair.
- **Review of governance and performance of on-street parking income:** investigate the governance arrangements, the resources employed in policing on street parking and in collecting and managing the fund and what overhead this represents.

## Adoption of the Westgate-on-Sea Neighbourhood Plan

<b>Council</b>	12 October 2023
<b>Report Author</b>	Adrian Verrall, Strategic Planning Manager
<b>Portfolio Holder</b>	Councillor Everitt, Leader of the Council
<b>Status</b>	For Decision
<b>Classification:</b>	Unrestricted
<b>Key Decision</b>	No - Policy Framework
<b>Previously Considered by</b>	Cabinet - 21 September 2023
<b>Ward:</b>	Westgate-on-Sea

### Executive Summary:

Under the Localism Act 2011, Neighbourhood Plans can be prepared by local communities and are led by Town or Parish Councils or a Neighbourhood Forum in areas which do not have a Town or Parish Council. If Thanet Council adopt a neighbourhood plan it would have the same significance as other Development Plan Documents (eg the Local Plan) for the Relevant neighbourhood area.

Westgate-on-Sea has prepared a neighbourhood plan which has been examined by an independent Examiner and progressed to referendum, as agreed by Cabinet on 15 June 2023.

The referendum took place on 31 August 2023. The result was that 553 people voted for the neighbourhood plan and 135 voted against it. As more than half of those who voted, voted in favour of the neighbourhood plan, the plan now comes into force as part of the Development Plan, and the Council must formally 'make' (adopt) the plan within 8 weeks of the date of the referendum.

### Recommendation(s):

That Thanet District Council make the Westgate-on-Sea Neighbourhood Plan.

### Corporate Implications

#### Financial and Value for Money

There are no financial implications associated with this report.

## Legal

The Council must make the Neighbourhood Plan under section 38A(4) of the Planning and Compulsory Purchase Act 2004 or refuse to make the Neighbourhood Plan under section 38A(6) of the same Act

## Risk Management

The only risk associated with this report would be if the Council were to refuse to 'make' the plan for reasons other than those set out in paragraph 1.3 of the report. See also the 'Options' section.

## Corporate

There are no corporate risks associated with this report.

## Equality Act 2010 & Public Sector Equality Duty

This decision relates only to the "making" of the Plan, which has been considered through Examination, and been supported through the referendum. The Council's only role at this stage is to consider whether the making of the plan would breach, or would otherwise be incompatible with, any EU obligation or any of the Convention rights (within the meaning of the Human Rights Act 1998). If not, the plan must be "made".

## Corporate Priorities

This report relates to the following corporate priorities: -

- *Environment*
- *Communities*

## 1.0 Introduction and Background

- 1.1 Under the Localism Act 2011, Neighbourhood Plans can be prepared by local communities and are led by Town or Parish Councils or a Neighbourhood Forum in areas which do not have a Town or Parish Council. If Thanet Council adopts a neighbourhood plan it would have the same significance as other Development Plan Documents (eg the Local Plan) for the relevant neighbourhood area.
- 1.2 The draft Westgate-on-Sea Neighbourhood Plan has been examined by an Independent Examiner who issued his report on 24 April 2023. The Examiner recommended a number of modifications to the Plan and that, subject to those modifications being accepted, it should proceed to referendum
- 1.3 The referendum took place on 31 August 2023. The result was that 553 people voted for the neighbourhood plan and 135 voted against it. As more than half of those who voted, voted in favour of the neighbourhood plan, the plan now comes into force as part of the Development Plan, and the Council must formally 'make' (ie adopt) the plan within 8 weeks of the date of the referendum. The only circumstances the Council can refuse to make the neighbourhood plan is if it is considered it would



breach, or be incompatible with any EU obligation or any of the Convention rights (within the meaning of the Human Rights Act 1998). This includes matters such as Strategic Environmental Assessment. No breaches of any European Union obligation or any of the Convention rights (within the meaning of the Human Rights Act 1998) have been identified during the Neighbourhood Plan process and the Council is now requested to make the decision to formally make the Westgate-on-Sea Neighbourhood Plan.

- 1.5 The Neighbourhood Plan forms part of the development plan for Thanet, and will be part of the decision making process for determining planning applications in the Westgate-on-Sea neighbourhood plan area.
- 1.6 The making of the Westgate Neighbourhood Plan was reported to Cabinet on 21 September 2023. Cabinet recommended that the Westgate-on-Sea Neighbourhood Plan is made at a meeting of the full Council.

## 2.0 Options

- 2.1 **Option 1 (Recommended)** That Council make the Westgate-on-Sea Neighbourhood Plan
- 2.2 **Option 2 (Not recommended)** That Council decide not to make the Westgate-on-Sea Neighbourhood Plan.

In accordance with section 38A(6) of the Planning and Compulsory Purchase Act 2004, the only circumstances under which the Council can refuse to make a neighbourhood plan is if it is considered that the making of the plan would breach, or would otherwise be incompatible with, any EU obligation or any of the Convention rights (within the meaning of the Human Rights Act 1998). This is not considered to be the case for the Westgate-on-Sea Neighbourhood Plan.

Contact Officer: *Adrian Verrall (Strategic Planning Manager)*  
Reporting to: *Bob Porter (Director of Place)*

### Annex List

Annex 1: Westgate-on-Sea Neighbourhood Plan

### Background Papers

*Title: Details of where to access a copy*  
*Title: Details of where to access a copy*

### Corporate Consultation

**Finance:** *Chris Blundell (Director of Corporate Services - Section 151)*  
**Legal:** *Sameera Khan (Interim Head of Legal & Monitoring Officer)*

This page is intentionally left blank

Westgate-on-Sea Town Council



# Neighbourhood Development Plan

2021 - 2040



Referendum Version, 2023



Produced by the Neighbourhood Plan Steering Group

## Contents

1	Introduction.....	5
2	Planning policy framework.....	7
3	The Neighbourhood Development Area.....	9
4	Time period covered by the Neighbourhood Plan.....	10
5	Strategic Environmental Assessment and Habitats Regulation Assessment.....	10
6	Complications for the Neighbourhood Planning process in Westgate-on-Sea.....	10
7	About Westgate-on-Sea.....	11
8	Our vision and objectives for Westgate-on-Sea.....	17
9	Schedule of planning policies.....	18
10	SUSTAINABILITY.....	19
	<b>WSNP 1 Sustainable Development.....</b>	<b>19</b>
11	DESIGN.....	20
	11.1 Seafront.....	20
	<b>WSNP2 Protection of Seafront Character in the West Zone.....</b>	<b>23</b>
	11.2 Design Guidelines.....	23
	<b>WSNP3 Design Guidelines.....</b>	<b>25</b>
12	ECONOMY.....	25
	12.1 Tourism.....	25
	<b>WSNP4 Safeguarding leisure and tourism facilities.....</b>	<b>26</b>
	12.2 The High Street and shopping area.....	26
	<b>WSNP5 Protection of shopping areas.....</b>	<b>27</b>
	12.3 Existing Businesses.....	28
	<b>WSNP6 Retention of employment space.....</b>	<b>28</b>
13	HERITAGE.....	28
	13.1 Conservation areas.....	28

<b>WSNP7 Conservation areas</b> .....	<b>29</b>
13.2 Heritage assets .....	30
<b>WSNP8 Local heritage assets</b> .....	<b>31</b>
13.3 Protection of scheduled ancient monuments .....	32
<b>WSNP9 Protection of scheduled ancient monuments</b> .....	<b>34</b>
14 RESPONDING TO THE CLIMATE CRISIS .....	34
14.1 Low carbon and future looking developments with renewable energy.....	34
<b>WSNP10 Low carbon development with renewable energies</b> .....	<b>35</b>
14.2 Surface water flood risk in Westgate-on-Sea .....	36
<b>WSNP11 Surface water flood risk areas</b> .....	<b>36</b>
15 GREEN AND OPEN SPACES.....	37
15.1 Local green spaces.....	37
<b>WSNP12 Designation of Local Green Spaces (LGS)</b> .....	<b>37</b>
15.2 Green wedge .....	38
<b>WSNP13 The Green Wedge</b> .....	<b>39</b>
15.3 Protection of prime agricultural land.....	40
<b>WSNP14 Building on the best and most versatile agricultural land</b> .....	<b>41</b>
16 BIODIVERSITY.....	41
16.1 Trees.....	41
<b>WSNP15 Protecting and promoting trees</b> .....	<b>41</b>
16.2 Protection of wildlife and biodiversity .....	41
<b>WSNP16 Protection of protected species and biodiversity</b> .....	<b>42</b>
17 FACILITIES .....	42
17.1 Community assets .....	42
<b>WSNP17 Safeguarding community facilities</b> .....	<b>43</b>
17.2 Infrastructure of Westgate-on-Sea .....	43

<b>WSNP18 Provision of Infrastructure .....</b>	<b>44</b>
17.3 Developer Contributions .....	44
<b>WSNP19 Developer Contributions.....</b>	<b>45</b>
18 NEW DEVELOPMENTS: The houses allocated on the agricultural land in Westgate and Garlinge.....	45
<b>WSNP20 POLICY STATEMENT - The houses allocated on the agricultural land in Westgate and Garlinge .....</b>	<b>47</b>
19 COMMUNITY ACTIONS .....	48
19.1 Extensive improvements to the Westgate-on-Sea Railway Station .....	48
19.2 Community Asset Transfers .....	48
19.3 Planting in Westgate .....	49
19.4 Westgate Day .....	50
19.5 Speed of traffic.....	51
<b>CA1 Speeding Traffic.....</b>	<b>51</b>
19.6 Speed of cyclists along the promenade .....	51
<b>CA2 West Bay promenade by law extension.....</b>	<b>52</b>
19.7 Traffic control around the schools .....	52
<b>CA3 Traffic control around schools.....</b>	<b>52</b>
19.8 Litter .....	52
<b>CA4 Cleaning of Westgate by the Town Council and residents .....</b>	<b>52</b>
19.9 Dogs Fouling .....	52
<b>CA5 Dogs Fouling action .....</b>	<b>53</b>
19.10 Protecting historical aspects of Westgate-on-Sea .....	53
<b>CA6 Heritage .....</b>	<b>53</b>
19.11 Things to do in Westgate.....	53
<b>CA7 Things to do in Westgate .....</b>	<b>53</b>

# Agenda Item 11

## Annex 1

19.12	Activities for young people.....	54
	<b>CA8 Activities for young people .....</b>	<b>54</b>
20	Community Actions relating to the SP17 development.....	54
	<b>CA9 New development: communication with the prospective developers. ....</b>	<b>54</b>
20.1	Houses for local people.....	54
	<b>CA10 Houses for local people .....</b>	<b>54</b>
20.2	Local Housing Needs Assessment .....	55
	<b>CA11 Local Housing Needs Assessment .....</b>	<b>55</b>
20.3	Fields for food, not for houses .....	55
	<b>CA12 Lobbying for a change in the law .....</b>	<b>56</b>
21	Monitoring and reviewing .....	57
22	Appendices .....	59
	Appendix 1: Developer Contributions- Potential Projects.....	59
	Appendix 2: Policy SP17 of Thanet Local Plan.....	60

### 1 Introduction

Westgate-on-sea is a lovely seaside town with historic character and charm. It has the best of both worlds with two beautiful beaches to the north and parks and countryside to the south. The quaint town centre retains its heritage and also boast independent shops, cafes, restaurants and bars.

Westgate-on-Sea Town Council and the residents of Westgate want to protect and enhance the town for the benefit of present and future generations. We hope that this neighbourhood plan will help to fulfil this aim.

The Westgate-on-Sea Neighbourhood Plan (NP) is a new kind of planning document. It is part of the Government's approach to planning which aims to give local communities more influence in their neighbourhood's development. The NP has been produced by the Neighbourhood Plan Steering Group (NPSG), and a sub-committee of the Westgate-on-Sea Town Council, formed of Town Councillors and community members. A number of Garlinge residents have also been members of the group, as the housing allocation in the TDC Local Plan called "Westgate" spans both Westgate-on-Sea and Garlinge and greatly affects both areas. The NP has been prepared through consultation with residents through the feedback at the launch meeting (~250 residents) and the big community survey (500 residents responded).



Figure 1-1 Farmland South of Westgate and Garlinge.  
All photographs are Copyright Dr Hannah Scott unless otherwise stated

The main concern around development in Westgate is the allocation of 2000 houses on high quality farmland. The land is being sold by Quex Park Estates, Birchington to the developers Millwood Homes (owned by Places for People). This allocation has shocked and distressed many of our residents.

Westgate-on-Sea Town Council has written to Thanet District Council (TDC) numerous times and organised protest walks against what it feels is over development in the town and lack of concern over open space, our farming heritage and food security. Please go to the Westgate-on-Sea Town Council Website to read the letters sent to TDC regarding the allocation during



# Agenda Item 11

## Annex 1

the three Local Plan consultations in 2015, 2017 and 2018 and the final local plan modification in 2020: <https://www.westgateonsea.gov.uk/community/westgate-on-sea-town-council-13327/local-plan-consultation/>. We have been informed that the housing need for Thanet was calculated and that the development is necessary to meet the housing need for the area.

We opposed the building of houses on this top-quality agricultural land however we were soon made aware that it is not lawful for this Neighbourhood Plan to allocate less houses in Westgate than proposed in the TDC Local Plan. Therefore, this document cannot be used to stop the housing allocations. Any development that does go ahead can however be influenced by the policies that we include within this document, and therefore this is the main rationale for writing the NP at this time. These policies can look at housing design, infrastructure and biodiversity of new areas, and aim to get the best development possible, if it does have to go ahead. We are adamant that the area south of the allocation in Westgate (West of Minster Road) should remain as open space, to allow residents to walk along the bridle path and continue to enjoy the views across the countryside. We have added a policy regarding this. We will also continue to lobby the government for a change in the law on building on agricultural land.

A further threat to Westgate-on-Sea is the demolition of large, detached houses for the purpose of building large blocks of flats along Sea Road. One such building, which the Westgate-on-Sea Town Council and TDC refused, was approved under appeal to the Planning Inspectorate, and is now being used to set a precedent for these oversized, out of character blocks of flats on the west side of Sea Road. Policies will be set in place within this document to prevent this type of business-driven planning that negatively affects the character of our seafront.

A further concern recently is the cutting down of trees to enable developments. At a time when climate change is clearly affecting the UK through heatwaves and flooding, the Town Council would like to see all trees in the conservation area preserved (unless a danger) and more trees planted. Alongside these aims, the proposed planning policies aim to protect and enhance our historic town centre, our community assets and green spaces throughout the town.



Figure 1-2 Westgate Bay

A further section called Community Actions is included in this plan, setting out strategies for managing other important aspects of the town that are not under planning law. These aspects have been raised by residents in surveys and feedback during the workshops and Saturday morning surgeries. Only the planning policies in the first section of this document will be reviewed by the independent planning examiner.

## **2 Planning policy framework**

If the Westgate-on-Sea Neighbourhood Plan is passed at a local referendum and then ‘made’ by TDC, it will become part of the Development Plan alongside the TDC Local Plan. Therefore, the new neighbourhood plan (NP) is an important document which will be used to determine planning applications in Westgate-on-Sea.

Neighbourhood Planning was introduced through the Localism Act 2011. It provides communities with the opportunity to have greater influence over housing development, building development, protecting green spaces, transport and traffic management and provision of community facilities.

The Ministry of Housing, Community and Local Government (HCLG, 2018) stated:

“Neighbourhood planning gives communities direct power to develop a shared vision for their neighbourhood and shape the development and growth of their local area. They are able to

# Agenda Item 11

## Annex 1

choose where they want new homes, shops and offices to be built, have their say on what those new buildings should look like and what infrastructure should be provided, and grant planning permission for the new buildings they want to see go ahead. Neighbourhood planning provides a powerful set of tools for local people to ensure that they get the right types of development for their community where the ambition of the neighbourhood is aligned with the strategic needs and priorities of the wider local area.”<sup>1</sup>

Unfortunately, the town has not been afforded the opportunity to decide where houses will be allocated in the town as the large allocation in the TDC Local Plan has already been decided. As the NP sits within the National Planning Policy Framework (NPPF) and the Local Plan produced by TDC, then it must be aligned with these and cannot allocate fewer housing than that allocated in the Local Plan. However, we can still have a say in how these houses are designed and other aspects as described in the introduction.

The HCLG (2018) go on to say: “Neighbourhood planning enables communities to play a much stronger role in shaping the areas in which they live and work and in supporting new development proposals. This is because unlike the parish, village or town plans that communities may have prepared, a neighbourhood plan forms part of the development plan and sits alongside the local plan prepared by the local planning authority. Decisions on planning applications will be decided using both the Local Plan, the Neighbourhood Plan, and any other material considerations.

Neighbourhood planning provides the opportunity for communities to set out a positive vision for how they want their community to develop over the next 10, 15, 20 years in ways that meet identified local need and make sense for local people. They can put in place planning policies that will help deliver that vision or grant planning permission for the development they want to see.

To help deliver their vision communities that take a proactive approach by drawing up a Neighbourhood Plan or Order and secure the consent of local people in a referendum, will

---

<sup>1</sup> <https://www.gov.uk/guidance/neighbourhood-planning--2>

benefit from 25% of the revenues from the Community Infrastructure Levy arising from the development that takes place in their area.”<sup>2</sup>

We are therefore hopeful that once ‘made’ the NP will enable the town to access a significant proportion of the Community Infrastructure Levy arising from developments taking place in the town by identifying projects where CIL receipts could be spent. To explain this further, Locality produce guidance for local communities on how communities can benefit from CIL receipts: <https://neighbourhoodplanning.org/toolkits-and-guidance/understanding-community-infrastructure-levy-cil/>

### 3 The Neighbourhood Development Area

The Westgate-on-Sea Neighbourhood Plan Area, to which this Neighbourhood Plan relates, was designated by TDC on 20<sup>th</sup> October 2016 and covers the Westgate-on-Sea Parished area, as shown in the map below.

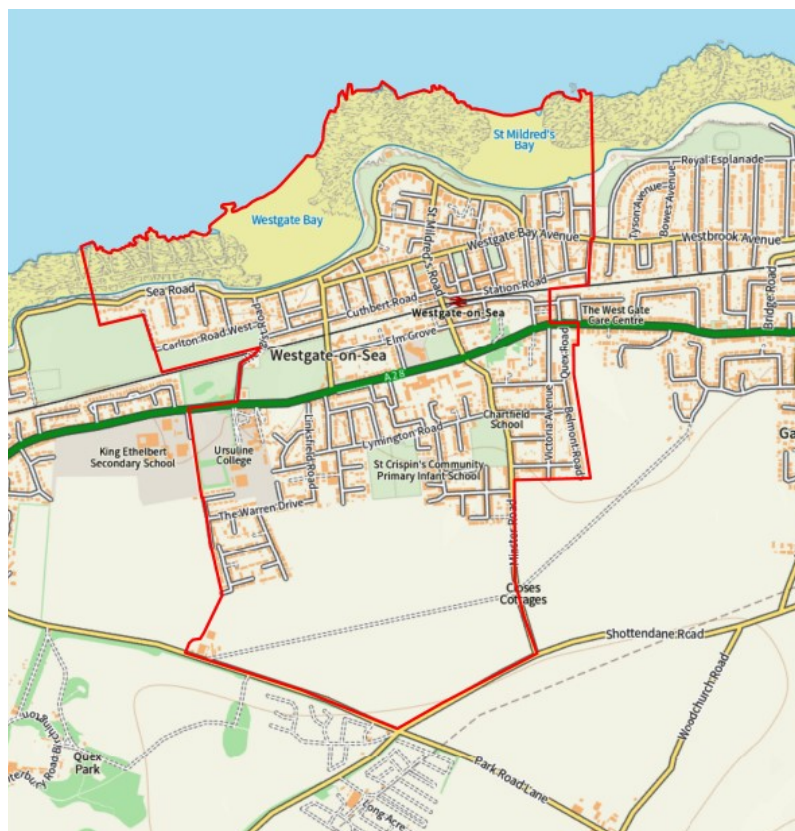


Figure 3-1 The Westgate-on-Sea Neighbourhood Plan area<sup>1</sup> Map copied with permission of TDC. © Crown copyright Ordnance Survey 100018261. Reproduced by Westgate-on-Sea Town Council under PGSA licence number 100058504

<sup>2</sup> <https://www.gov.uk/guidance/neighbourhood-planning--2>

#### **4 Time period covered by the Neighbourhood Plan**

This NP will align with the time scale of the TDC Local Plan which runs from 2011 – 2040. Therefore, this NP will have a plan period from 2021 – 2040. It will be reviewed at five yearly intervals.

#### **5 Strategic Environmental Assessment and Habitats Regulation**

##### **Assessment**

A Strategic Environmental Assessment (SEA) is required under European Legislation for all plans which may have significant effect on the environment. A Habitat Regulation Assessment (HRA) refers to appropriate assessment required to assess the potential implication on European wildlife sites. It is the role of TDC to screen this NP and consult bodies such as Historic England, Natural England and the Environment Agency.

The initial draft of this Plan was screened by TDC and shown to have no significant impact on Natura 2000 sites. Further to this, TDC as Local Planning Authority, did not consider that the Regulation 16 version (September 2022) of the Neighbourhood Plan included any major changes to existing policies, or added any new policies, that would warrant further screening. On this basis, the Local Planning Authority was satisfied that the report of January 2020 was up-to-date and relevant to the Regulation 16 version of the Neighbourhood Plan.

The SEA and HRA Screening Report is available as a background document to this Plan on the Town Council's Neighbourhood Planning web-page.

#### **6 Complications for the Neighbourhood Planning process in Westgate-on-Sea**

There have been two major complications whilst drawing up this NP.

- 1) The housing allocations on the agricultural land as stipulated by the TDC Local Plan and the moving goal posts: 1000 to 2000 houses.
- 2) That the 2000 house allocation spans both Westgate-on-Sea and Garlinge boundaries, while the whole allocation affects Westgate.

Some NPs have the luxury of starting from scratch and allocating areas for housing that they deem suitable, however this has not been the case for Westgate. However, having an NP in place will enable these top down TDC allocations to meet the aspirations of the community, for example through design and style, so that they can be best integrated into the community. The position of the NP in regard to the new development, is set out in Section 18 and there are several Community Actions that are being proposed in Section 19 that set out how the WTC will best support the community and manage the large-scale developments being proposed on the surrounding farmland.

### **7 About Westgate-on-Sea**

Westgate-on-Sea is blessed with an accessible coastline, rich agricultural land and has, within recorded history, seen a succession of settlers. These include the Romans (circa AD 43), the Anglo Saxons (many place and road names originating from the nobility and elite of this era), the Vikings, Medieval England, through to the Victorians to the Edwardians and their railways.



Figure 7-1 West Bay

As with many seaside towns, the affordability of package holidays abroad led to a decline in tourism in the late 1900's however recently the area is bucking the trend. Margate, the neighbouring town, has recently been called the "UK's hippest resort" by the Sunday Times, with its new art quarter opposite the Turner Art Gallery. Tourists often visit quieter and quainter Westgate, with the ability to dip into the hustle and bustle of Margate as and when.

Westgate is a fairly affluent area, however there is a significant gap between rich and poor, as is present in all areas of the Isle of Thanet.

It has a friendly character and two wonderful beaches: West Bay and St Mildred's Bay, which are popular with tourists in the summer.

# Agenda Item 11

## Annex 1

People also travel in from wide area to go to the Carlton cinema in the old Town Hall building. The town has good public transport, being accessible from other areas of Thanet via the Stagecoach bus service. There is also a train service to London Victoria and St Pancras and a National Express coach service to London.

In addition to this, there is a Community Transport Scheme for transporting the elderly and less able to shops, doctor/hospital appointments and for local community outings.

Westgate-on-Sea town centre is notable for its extensive shop front canopies in Station Road and environs, historical buildings and churches. The town also has a number of squares (Ethelbert and Adrian) and parks e.g., Lymington Recreation Ground and Lymington green. The Town Council has been working on securing funds to improve



the canopies in Station Road. The Town council has also joined the [Figure 7-2 Lymington play area](#) In Bloom competition and have planted wildflower seeds, bulbs and trees on Lymington Community green (See community action section for more details).

In the southern area of the town, the Lymington Community Centre is a hub of activity as is our well attended Westgate Library. The Cambourne Avenue retail area also has a plethora of local shops and the allotments bring joy to many of our residents.

### **Events in the town**

Each year the town organises a Pancake race through the high street which is attended by the local infant and junior school and is a fun day for all ages.

In 2019, a new annual event called Westgate Day began and was a great success. The Scarecrow Festival also began in 2020. These will hopefully continue for years to come. (See community action section for more details).

### **Education offering**

There are quality schools in the town including St Crispin's CP Infant School, St Saviour's Church of England Junior School, Chartfield Independent Primary School & Ursuline College. The town is also home to the London House School of English, which teaches English as a Second Language to foreign students. This boosts the local economy as many residents become host parents during the school holidays.

### **Population and Demographics**

There were 6,996 usual residents as at Census day 2011. Of these, 95.8% lived in households and 4.2% lived in communal establishments. The average (mean) age of residents was 43.9 years; however, Westgate has a large elderly population. The full data from the 2021 census will not be published until March 2023.

In total there were 3,623 household spaces at the census. Of these, 3,255 (89.8%) had at least one usual resident and 368 (10.2%) had no usual residents.

### **Town history by Dr Dawn Crouch**

In the mid to late 1800s our area was rediscovered by the modern developers who created a private estate at Westgate utilising the area's natural beauty of the white cliffs, wide bays, pure water and proximity to the Cities of Canterbury and London to attract both the aristocracy, middle classes and families to the new and exclusive seaside and health resort. Developments provided large private homes, smaller town houses and unique terraces of small seaside homes, and after the two world wars came many private boarding houses and several hotels. This popular style of seaside accommodation thrived until the early 1960s when the advent of cheap air flights opened up the world for everyone, offering guaranteed sunshine at exciting foreign destinations at the expense of the traditional English seaside holiday.

The town is notable for once being the location of a Royal Naval Air Service seaplane base at St Mildred's Bay, which defended the Thames Estuary coastal towns during World War I. The town is also the subject of Sir John Betjeman's poem, Westgate-on-Sea. Residents have included the 19th-century surgeon Sir Erasmus Wilson and former Archbishop of Canterbury



# Agenda Item 11

## Annex 1

William Temple. The artist Sir William Quiller Orchardson painted several of his best-known pictures while living in Westgate-on-Sea. The British composer Arnold Cooke attended the town's Street Preparatory School in the early 20th century, and Eton headmaster Anthony Chenevix-Trench spent the earliest few years of his education in the town.

In the 19<sup>th</sup> Century during the early years of 'modern' development Westgate-on-Sea became a popular location for the establishment of schools, parents from the Cities and overseas favoured the fresh air for their offspring and at one time there were around twenty schools. However, two world wars and evacuation policies brought a fairly rapid end to this era, many buildings were converted into residential flats and slowly the retirement market opened up.

The most recent addition to Westgate-on-Sea has been its own Town Council which has offices neatly situated on St Mildred's Road in the heart of the town, providing information and support for the community. Previously in 1894 Westgate-on-Sea became a civil parish within the Isle of Thanet Rural District but by the early 1930s the Parish had been swallowed up by urbanisation and the Parish Council no longer existed until its re-establishment on 7<sup>th</sup> May 2015 as the Westgate-on-Sea Town Council.

For a full history of the town by Dr Dawn Crouch please see the Westgate-on-Sea Town Council website: <https://www.westgateonsea.gov.uk/community/westgate-on-sea-town-council-13327/westgates-history/>.

### **Local Heritage Statement**

The importance of heritage cannot be underestimated for it provides a window into the past on lifestyle, habitat and behaviours which have shaped how we live in the present. Thanet District Council's Local Plan (Policy HE03 on Heritage Assets) makes it clear that local heritage assets will be identified in a 'Local List' as part of Thanet's Heritage Strategy.

The Localism Act 2011 and the National Planning Policy Framework (NPPF) (March 2012 - updated July 2021) underline the importance of planning at both the local and neighbourhood levels. Neighbourhood Development Planning encourages communities to influence and map the future of their area.

# Agenda Item 11

## Annex 1

A Neighbourhood Development Plan (NDP) can be a forceful tool in forming part of the statutory development plan (Local Plan) for the area. It enables appropriate future developments to enhance the environmental, social and economic needs and possibilities of the area through the identification of its historic assets which need protecting, including areas which could benefit from changes.

NDPs and their heritage policies highlight the significance of, and the need to protect, historical assets which have shaped an area and, in the case of Westgate-on-Sea, created - through historical development identified by the architecture and use of the land - a highly attractive draw to the Isle of Thanet as a whole, which is currently considered to be a deprived area, despite its beautiful coastline and open countryside.

Westgate-on-Sea takes its name from the medieval Westgate Manor and before the 1850s was a simple farming community at the mouth of the Thames Estuary. The farming heritage and its present-day contribution to food production is seriously under threat by proposed building developments. The open spaces of rich agricultural land are, surprisingly, unprotected by legislation despite their considerable contribution to national food production<sup>3</sup> and, with climate change in developed countries, has the potential to enhance its contribution to the nation's food production with an increased ability to produce a greater variety of crops, grown and distributed directly, so reducing carbon emissions and supporting the global goal of a cleaner environment.

During the late 19th Century, with the advent of the railway, wealthy construction developers recognised the benefits of sea-water bathing and the fresh air at Westgate-on-Sea and created an exclusive resort within a private estate to provide vacation homes for the upper and upper-middle classes of London. Part of the construction process required accommodation for the skilled workers who created the architectural designs commissioned by the city dwellers. Today, a large proportion of our heritage is evidenced by the artisans' cottages on the south side of the town, many display features which even the best of present-day skilled craftsmen struggle to replicate, hence their invaluable contribution to both the

---

<sup>3</sup> 'A scientific consensus exists that three of the most important 21st Century issues are food security, depleting natural resources and climate change – agriculture is at the heart of this trilemma.'  
<http://raconteur.net/sustainability>

# Agenda Item 11

## Annex 1

history and the historic character of the town. A fine example of this 'character' can be seen along Station Road with its terraced shops and canopied walkways.

In addition, beneath the agricultural land near the southern boundary and between Westgate-on-Sea and Birchington lies a significant archaeological site known as Quex Park Settlements. An archaeological site provides evidence of past human activity and contributes to the history of place and people, Historic England consider these Settlements to be a substantially important source of knowledge on Romano/British innovation and lifestyle and have placed the Settlements on its 'at risk' register.

The Local List of Non-Designated Historic Assets for Westgate-on-Sea identifies what are considered to be the best examples of historically meaningful buildings and features within the town. It is a publicly accessible guide to the historic landscape of the locality, providing appropriate information to aid planning decisions within an historic environment. The Local List supports conservation, whilst effecting changes and developments which positively impact on the assets' significance both in the present and for the future.

Westgate-on-Sea has the natural resources to continue to provide fresh air and open spaces for the wellbeing of all who live in and visit the area. In addition, the town is an enduring example of the influence of London developers on English architecture within a seaside setting during the late 19th Century. Westgate-on-Sea, and the surrounding area, has the potential to become a nationally recognised area of notable heritage and wellbeing, as opposed to being deprived, undervalued and oversaturated by unsympathetic modern development.



Figure 7-3 View of shops

## 8 Our vision and objectives for Westgate-on-Sea

The overall vision for Westgate is as follows:

Recognising Westgate-on-Sea is a special place to live in and visit, we aim to retain this status, by protecting our environment and communities, whilst seeking to encourage change which will enhance the appeal of the area, as well as its sustainability.

Our vision is to conserve and enhance the heritage and sea scape of our town with its backing of quality agricultural heritage, to retain its uniqueness within the county and the area of Thanet in general.

To improve and expand within a realistic and acceptable framework, to build for the future without impacting the environment negatively.

### Objectives:

1. To protect the character of the seafront whilst encouraging sustainable growth in tourism. *(Achieved by policy WSPN1, 2 and 4)*
2. To protect the town centre and encourage businesses and employment. *(Achieved by policy WSPN5 and 6)*
3. To protect the local heritage of the town, the conservation areas and the nearby Schedule Ancient Monuments. *(Achieved by policy WSPN7, 8 and 9)*
4. To protect and enhance our local community assets and local green spaces. *(Achieved by policy WSPN12, 13 and 17)*
5. To protect the small-town identity whilst allowing suitable, sustainable development. *(Achieved by Policies WSNP2 and WSNP3)*
6. To encourage low carbon developments with renewable energies and green innovation within the town. *(Achieved by policy WSPN10)*
7. To work with the developers of the potential 2000 houses allocated in Westgate-on-Sea locality (including Garlinge) to ensure that the development has the least negative and the most positive outcomes as possible. *(Achieved by policy WSPN1, 19 and 20)*

A list of specific objectives for the new 2000 home housing allocation are set out in section 18.

## 9 Schedule of planning policies

The planning policies have been holistically grouped into themes, covering design, the economy, heritage, sustainability, green space, biodiversity, and facilities.

### **Design:**

1. Seafront
2. General design principles

### **Economy:**

3. Tourism
4. Shopping area
5. Business Uses

### **Heritage:**

6. Conservation areas
7. Heritage Assets
8. Scheduled ancient monument

### **Responding to the climate crisis:**

9. Low carbon developments
10. Surface water flooding

### **Green and Open Spaces:**

11. Local Green Spaces
12. The Green Wedge
13. Agricultural land

### **Biodiversity:**

14. Trees
15. Protected species and biodiversity

### **Facilities:**

16. Community Facilities
17. Provision of infrastructure
18. Developer Contributions
19. Section 106 monies

### **New developments: The houses allocated on the agricultural land in Westgate and Garlinge:**

20. Design of the 2000 houses
21. Residents abutting the new development

## **10 SUSTAINABILITY**

### **10.1 Sustainable Development**

Section 2 of the National Planning Policy outlines that the purpose of the planning system is to contribute to the achievement of sustainable development. At a high level, this sustainability objective can be summarised “as meeting the needs of the present without compromising the ability of future generations to meet their own needs” (NPPF Paragraph 9).

At a local level, in accordance with Objective 5, it is important to understand what makes Westgate-on-Sea special, unique and what gives it its character now, in order that development proposals can build on these positives. By building on these identified principles the town can thrive and grow in a sustainable manner, without detrimentally impacting on current and future residents.

Therefore, in order to deliver sustainable development, this Neighbourhood Plan seeks to address the three overarching objectives of sustainable development, economic, social and environmental objectives, through a variety of planning policies. In addition to setting an overarching policy to support sustainable development in the Neighbourhood Area.

The following overarching policy is the aspiration for sustainable development across the Neighbourhood Plan area:

#### **WSNP 1 Sustainable Development**

**When considering new development in the Westgate-on-Sea Neighbourhood Area, a positive approach that reflects the presumption in favour of sustainable development, as set out in the National Planning Policy Framework, should be at the forefront of all proposals.**

## 11 DESIGN

### 11.1 Seafront

The Westgate-on-Sea coastline is recognised nationally and internationally for nature conservation and scientific interest.

It is part of the Thanet Marine Conservation Zone (MCZ) which contains the best examples of a variety of features found within the south-east region, including rare areas of subtidal chalk that extends seawards from the chalk reefs, cliffs and coves.



Figure 11-1 Looking out across West Bay

The chalk seabed within the area is the longest continuous stretch of coastal chalk in the UK<sup>4</sup>

The coastal area is also a valuable asset and resource in terms of tourism, sport and leisure. There are two beaches and bays in Westgate on Sea, both of which were awarded blue-flag status in 2018, West Bay, and St Mildred's Bay.

Recently there have been some developments along Sea Road which have been out of character and over massed for the area and have also been built much further forward than the neighbouring properties e.g., 8 Westleigh Road. The NDP proposes a level of protection in the form of Seafront Character Zones:

Sea Road will be separated into two zones: The West zone to the West of Domneva Road is primarily composed of large, detached houses, set back from the road and with a good degree of separation between the properties. The properties are mainly 2 storeys high, with only a few that extend into their roof space. The East zone to the East of Domneva Road is mainly comprised of taller dwellings (often 3 storeys) which are often separated into flats. We would not discourage development in the East zone, however we will not support any demolition of existing properties for the purpose of building new flats such as 8 Westleigh Road in the West Zone. Demolition of existing building for new builds of detached housing in the style already

---

<sup>4</sup> Thanet MCZ factsheet

<http://publications.naturalengland.org.uk/publication/5573527184867328?category=1721481>

# Agenda Item 11

## Annex 1

found in the area will be taken on their own merit, however over massing, those moving forward of a neighbourly building line and out of character applications will not be supported.

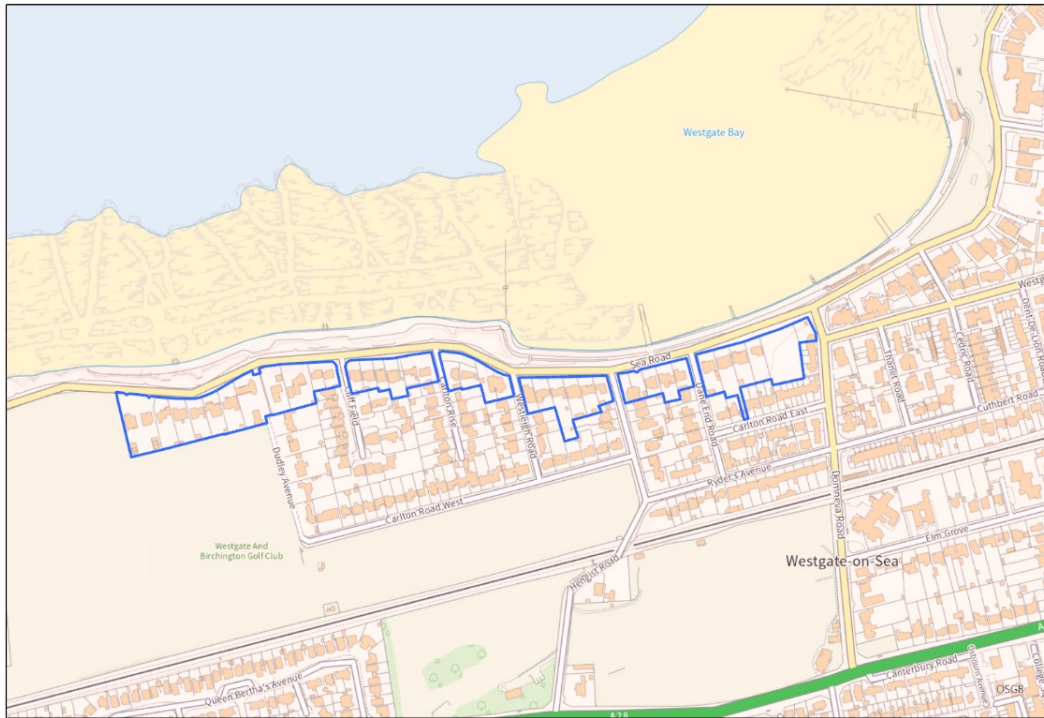


Figure 11-2 Seafront Character West Zone in Westgate-on-Sea. © Crown copyright Ordnance Survey 100018261. Reproduced by Westgate-on-Sea Town Council under PGSA licence number 100058504

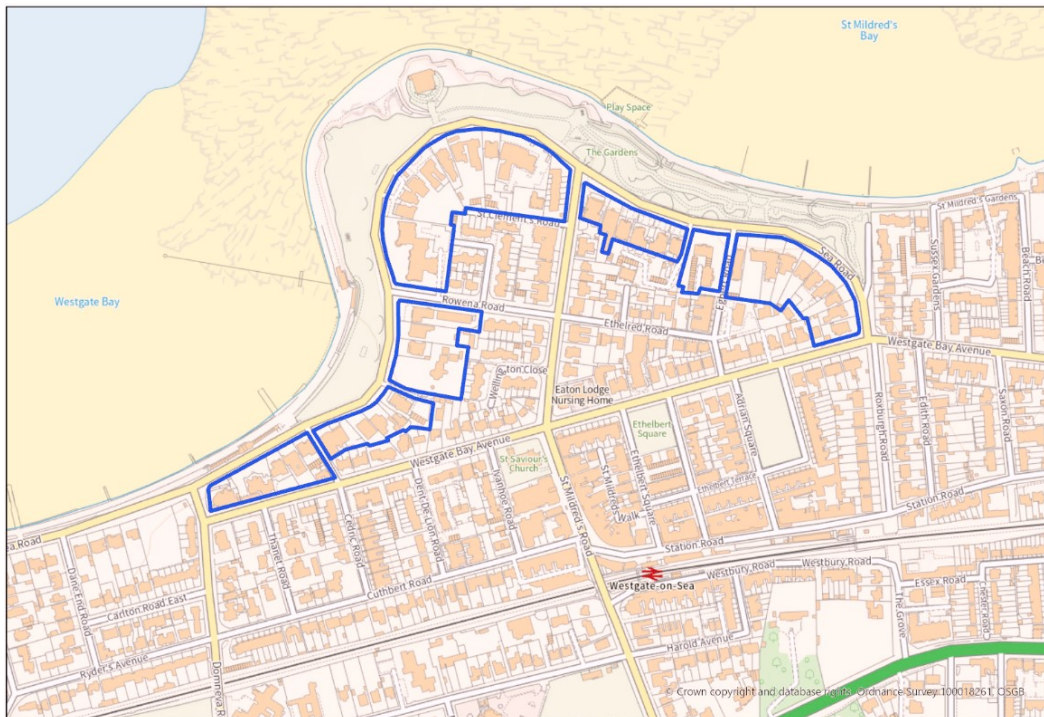


Figure 11-3 Seafront Character East Zone in Westgate-on-Sea. © Crown copyright Ordnance Survey 100018261. Reproduced by Westgate-on-Sea Town Council under PGSA licence number 100058504



The 'West Zone' to the west of Domneva Road



Figure 11-4 The West zone to the West of Domneva Road

The 'East Zone' to the east of Domneva Road



Figure 11-5 The East Zone to the East of Domneva Road

**WSNP2 Protection of Seafront Character in the West Zone**

**Proposals for the redevelopment of properties and sites in the West Zone of Sea Road, as defined on Figure 11-2, for the purpose of building flats and apartments, will not be supported where such proposals would lead to over-massing of the site, built development that is projected forward of the existing building line in the vicinity of the site and is in discord with the prevailing character of the West Zone.**

**Other proposals for development in the Seafront Character Zones should be planned and designed in accordance with the Design Guidelines set out in Section 11.2 of the Plan.**

## **11.2 Design Guidelines**

There is in the existing building stock of Westgate a wide range of architectural styles, including buildings that are distinctively Victorian and Edwardian and historic cottages. It is essential that new building work throughout the Neighbourhood Development Plan Area protects and enhances this heritage and this applies outside of the conservation area. In these areas design of development should be in keeping with the character of the area. The specific Conservation Areas policies will also be rigorously applied (See Section 13.1).

Contemporary designs will only be supported under special circumstances where the Town Council feels the design is of a standard that adds to the quality of the built environment without detracting from its existing character, including designs that improve energy efficiency including renewable energy. As the climate emergency is paramount, the installation of insulation and air source heat pumps to remove the need of fossil fuels for heating homes will be supported where they are added in a sympathetic manner. Solar pv will also be supported.

The Town Council will raise objections where standard designs widely adopted by national house builders and others are used, making little or no attempt to reflect the local heritage or take into account the climate emergency.

### **Design Guidelines for infill developments and householder applications:**

All new buildings in the Westgate-on-Sea Neighbourhood Development Plan Area should strongly reflect the characteristics of the specific area in which they are to be located.

The characteristics will include particularly:

- Existing external materials and finishes in the immediate area.
- The size and scale of existing buildings in the immediate area.
- Fenestration of existing buildings and the prevailing architectural style.
- The existing pattern and density of development in the immediate area.
- The prevailing existing landscape, streetscape or other external setting that characterises the area in which the buildings are to be located.

The same criteria will be applied to extensions and external alterations where the characteristics of the host building will also be a fundamental consideration.

### **Design Guidelines for new large developments:**

Buildings and the spaces around them should be thought about holistically, with the landscape and public realm, including open space provision, being as important as the building itself.

- Development should not detract from the character and amenity of the nearby area
- Development should not adversely impact on surrounding properties but should seek to maintain privacy and alleviate possible noise issues to existing neighbouring properties as well as seek to lessen its impact on the surrounding area.
- New builds should be in scale to the locality and height restricted (to include roof space) to scale with similar nearby properties.
- Parking provision in accordance with the adopted parking standards of Kent County Council.
- Road widths must demonstrate they are adequate for safe access by service and emergency vehicles at all times having regard to existing or projected on-street car parking.
- Where pedestrian walkways are provided alongside roads, the walkways should be wide enough to allow safe passage of pedestrians without recourse to use of the roadway. Access from and to existing roads should not impede local traffic or reduce parking provision for neighbouring properties.

- As traffic generated by new development will increase traffic on existing highways, measures to control vehicle speeds and/or to provide for pedestrian safety shall be considered. Developers to speak to local Speed Watch group.
- The density of new development should be in keeping with the character of the area and any relevant Conservation Areas.
- The National Planning Policy Framework (NPPF) acknowledges the link between planning and healthy communities and states that the planning system should support strategies to improve health and cultural wellbeing, promote healthy communities and identify policies that will deliver the provision of health facilities.
- Proposals should also take account of the guidance contained in the emerging Kent Design Guide, produced by Kent County Council.
- These guidelines apply to proposed developments containing more than 10 new dwellings.

### **WSNP3 Design Guidelines**

**Proposals for new development in the Plan area should take account of the Design Guidelines set out in Section 11.2 of the Plan in the planning and design of such proposals. Proposals which demonstrably reflect the Design Guidelines will be supported by the Town Council.**

## **12 ECONOMY**

To promote a prosperous economy, the NPPF states that Neighbourhood Plans should promote the retention and development of local services, this could include local shops, meeting places, sports venues, cultural buildings and public houses.

### **12.1 Tourism**

Tourism plays a large role in the economy of Westgate-on-Sea and the protection of existing features that encourage visitors to the community is paramount. These include the cafes and restaurants along the seafront and in the town, visitor accommodation including guest houses, B&B and AirBnB's, as well as the extremely popular cinema. We would also like to encourage the enhancement of the range and quality of the facilities along the seafront and in the town, as requested in the community survey. The development of B&Bs or boutique hotels would also be encouraged in the East Zone of the seafront as would improvements to the Public Rights of Way (PRoW) network.



Figure 12-1 Popular Carlton Cinema on St Mildred's Road

**WSNP4 Safeguarding leisure and tourism facilities**

**Proposals for the change of use or redevelopment of land or premises currently associated with leisure or tourism will only be supported where:**

- a) The applicant can demonstrate that the site/premises is no longer viable and/or
- b) Development of the site for other appropriate uses will facilitate the relocation of an existing leisure or tourist facility to a more suitable site

## 12.2 The High Street and shopping area

Unlike many town centres which have been contracting, the town centre of Westgate-on-Sea is functioning well. However, there are opportunities to improve the High Street and the feedback from the surveys shows that residents would like to see it thriving. It is important to maintain the active street frontage and protect the shops in the high street from being converted into housing. Despite acknowledging that permitted development rights can enable the conversion of some units without planning permission, it is important to encourage more employment and businesses in the High Street.



Figure 12-2 Popular independent shop on St Mildred's Road

WTC will seek to protect existing businesses and shops from change of use that will erode the frontages of the local centre and undermine its function as a commercial centre. In order to support this aim WTC, in addition to policy WSNP3, will be seeking to work with TDC to implement an Article 4 direction which will remove permitted development rights and the conversion of existing commercial premises at ground floor level.

**WSNP5 Protection of shopping areas**

Planning applications that fall within the designated areas shown on Maps A and A1 in Figures 12-3 and 12-4 will need to include an impact assessment proportional to the scale of the proposal on the effect of the development on that shopping area and how any identified issues can be mitigated or the shopping area enhanced.

Planning applications in Westgate High Street and Lymington Road shopping area (as shown on Map A and A1) for the following classes will be supported:

Class E

Class F

Sui Generis use classes will be considered on an individual basis

Class C3 (Residential) will only be supported at first floor level and above, or on the periphery of the shopping area, where change of use to residential may be acceptable on the ground floor and above.



Figure 12-3 MAP A High Street in Westgate-on-Sea - highlighted area of map © Crown copyright Ordnance Survey 100018261 Reproduced by Westgate-on-Sea Town Council under PGSA licence number 100058504



Figure 12-4 MAP A1 Shopping area on Lymington Road © Crown copyright Ordnance Survey 100018261 Reproduced by Westgate-on-Sea Town Council under PGSA licence number 100058504

### **12.3 Existing Businesses**

Not only does Westgate benefit from a vibrant and commercially active central shopping area. There are several other businesses located in the Parished area which actively provide employment and help to sustain the local economy. It is important that these enterprises are actively maintained to help provide a balanced community for all.

#### **WSNP6 Retention of employment space**

**Proposals for the change of use or redevelopment of land or premises identified for or currently in employment use will only be supported where:**

- a) The applicant can demonstrate that the site/premises is no longer capable of meeting employment needs; or**
- b) Development of the site for other appropriate uses will facilitate the relocation of an existing business to a more suitable site or where there is no reasonable prospect of the site being used for employment uses; or**
- c) Unacceptable environmental problems are associated with the current use of the site and the proposal will remove them; or**
- d) Relocation of the business will make better use of the existing or planned infrastructure.**

### **13 HERITAGE**

The town of Westgate benefits from a fruitful heritage, with several listed buildings, conservation areas, areas of archaeological importance, scheduled ancient monuments, and a historic economic core and seafront setting. It is important that these heritage assets are maintained and protected for future generations to enjoy and benefit from, as they provide a sustainable means for the future and a link to the past.

#### **13.1 Conservation areas**

A Conservation area is a part of the locality of special architectural or historic interest, the character or appearance of which is desirable to preserve or enhance. Conservation area designation is a means of recognising the importance of the quality of the area as a whole, as well as protecting individual buildings, trees and street furniture. It enables us to preserve and enhance a Conservation Area's character, environment and appearance, and to control and manage change.

Westgate-on-Sea has a number of conservation areas in which higher levels of protection is given (See map below). These policies cover aspects like the design and materials used in

order to be built in sympathy with the surrounding architecture. They are applied to all aspects of design including the doors, windows, porches and roofs of properties. The conservation areas also provide trees with more protection (See tree policy, WSNP15). For guidelines on the conservation areas please refer to the Conservation Area background document. For more details, please enquire with the local conservation Area Action Group (CAAG) and the TDC conservation officer.

### **WSNP7 Conservation areas**

**Development proposals within the designated Conservation Areas in the Plan area, as shown on Figure 13-1, or those which could have adverse impacts upon the character of the Conservation Areas by virtue of their proposed siting, design, use and potential impacts such as noise and traffic generation, will be considered in accordance with the relevant policies in this plan and those in the adopted Thanet Local Plan, to ensure that the character and setting of the Conservation Areas is protected.**



Figure 13-1 Conservation Areas in Westgate-on-Sea © Crown copyright Ordnance Survey 100018261. Reproduced by Westgate-on-Sea Town Council under PGSA licence number 100058504



### 13.2 Heritage assets

The Town Council is encouraged under the NPPF to prepare a list of heritage assets. This list includes buildings and other structures or features that are not currently listed but do make an important contribution to the character of the Westgate-on-Sea Neighbourhood Development Plan Area.



Figure 13-2 Town Hall Westgate

Work on the local heritage assets list began in 2015 when the Westgate-on-Sea Conservation Area Advisory Group (CAAG), and with the support of local historians (e.g., James Brazier and Dr Dawn Crouch) and the Westgate-on-Sea Heritage Centre, created an initial list of local heritage assets (See separate background document which lists the heritage assets, the intention is to consult on this list in parallel with the Regulation 14 pre-submission consultation).

The Town Council places great importance in the retention of local heritage assets as they are a finite resource which form part of its rich built heritage. Therefore, although buildings and assets on the local list do not enjoy the full protection of statutory listing, they will be rigorously protected due to their important contribution to local character and sense of place.

Proposals for development that affect non-designated historic assets should fully consider the scale of any harm or loss to the overall conservation of local assets, keeping in mind their significance as set out in the NPPF 2021.

**WSNP8 Local heritage assets**

Planning permission will not be supported for development resulting in the loss of existing buildings or structures on the Local List of heritage assets. Alterations, extensions or other development which would adversely affect the appearance or setting of such buildings or structures will also not be supported. The Town Council will however make exceptions for renewable energy installations e.g., roof solar pv and air source heat pumps on a case-by-case basis, supporting the installation of these wherever possible.

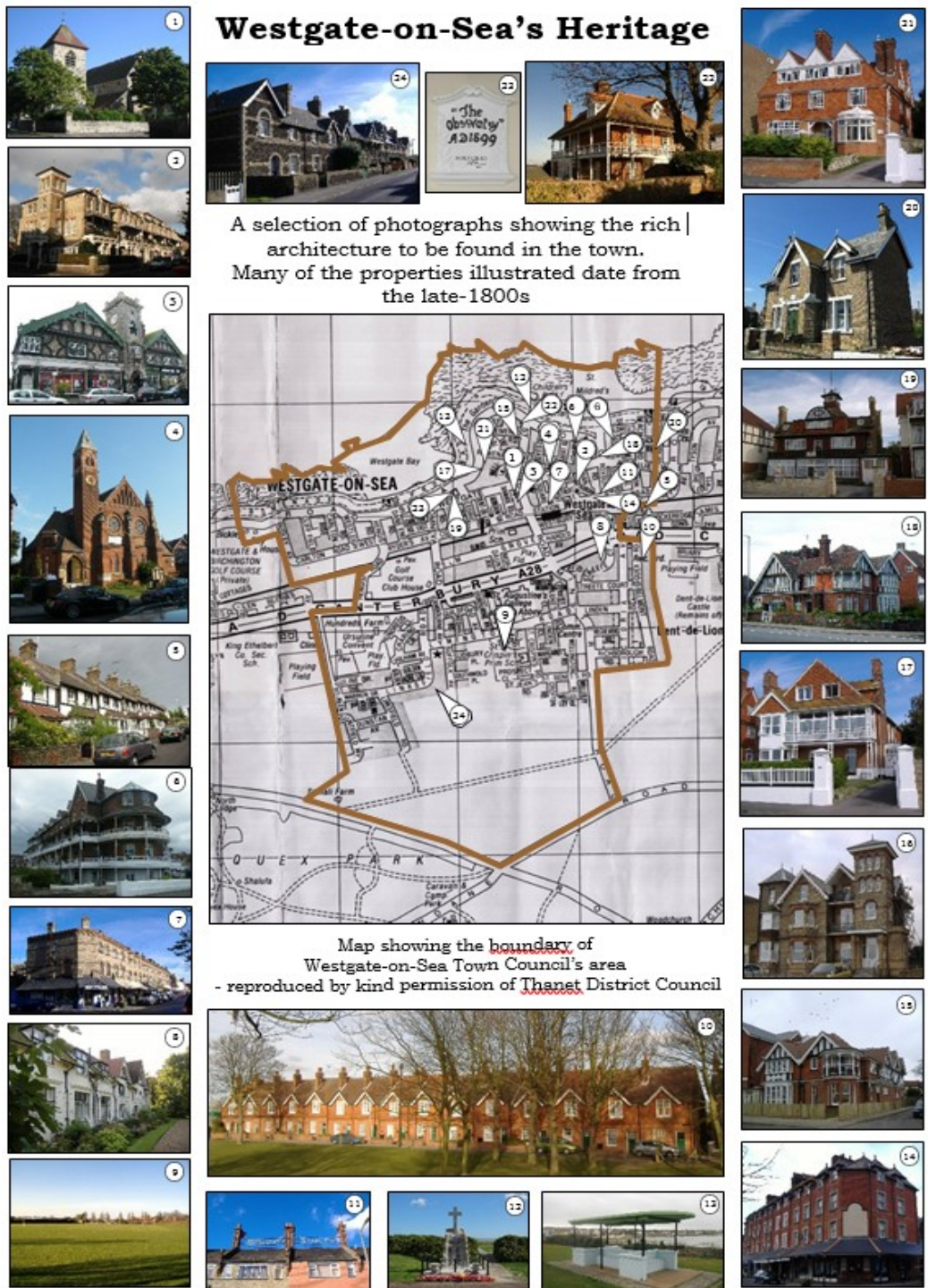
Details of the designated Historic Assets and the non-designated Heritage Assets within the Plan area are contained in the supporting documents to this Plan entitled 'Westgate-on-Sea Designated Historic Assets' and 'Westgate-on-Sea Local List of Undesignated Heritage Assets'.

**KEY to Heritage Buildings**


- 1 St Saviour's Church, Westgate Bay Avenue \*
- 2 Former Tower House, Adrian Square
- 3 Town Hall Buildings, St Mildred's Road \*
- 4 Christ Church (now United Reform Church), Westgate Bay Avenue
- 5 Essex Road Cottages
- 6 Sussex Mansions, Sussex Gardens
- 7 Row of Shops, Station Road
- 8 Streete Court Cottages
- 9 Lymington Road Recreation Ground (Westgate's original WWI Memorial)
- 10 Row of Cottages, Quex Road (Lewis Cottages)
- 11 Jackson's Stables sign, Station Road
- 12 War Memorial, Sea Road \*
- 13 Public Shelter, Upper Promenade, West Bay
- 14 Row of Shops, Station Road
- 15 *St Clement's*, St Clement's Road
- 16 *Osborne House*, Sea Road
- 17 *Exbury*, Sea Road \*
- 18 *Forest House*, Westgate Bay Avenue
- 19 *The Observatory*, 99 Sea Road \*
- 20 *Bertha Cottage*, Old Boundary Road
- 21 *Waterside*, 61 Sea Road \*
- 22 *Ellingham*, St Clement's Road \*
- 23 *The Observatory* date-stone, 99 Sea Road
- 24 Former Waterworks Cottages, Linksfield Road

**\* Grade II Listed Building**

### Westgate-on-Sea's Heritage



A selection of photographs showing the rich architecture to be found in the town. Many of the properties illustrated date from the late-1800s



Map showing the boundary of Westgate-on-Sea Town Council's area - reproduced by kind permission of Thanet District Council

Figure 13-3 Heritage map produced by Cllr Joanna Cornford

### 13.3 Protection of scheduled ancient monuments

Although not within the Westgate NP Development Area, Dent de Lion is a Grade 2 Scheduled Ancient monument within the allocation for 2000 houses. Also, a relatively unknown ancient monument is in the boundaries on Westgate near to Somali Farm shop called Quex Park Settlements. These allocations can be seen on the following map.

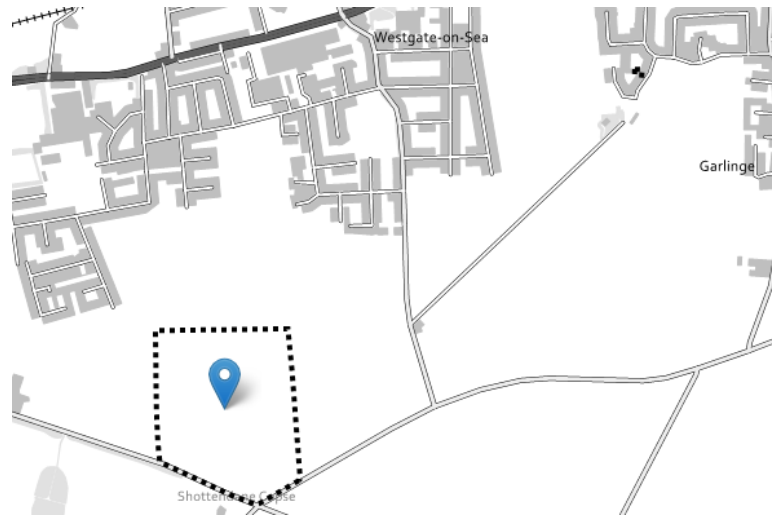


Figure 13-4 Scheduled Ancient Monuments, Left hand side: Quex Park Settlements, Right hand side black dots is Dent de Lion. © Crown copyright Ordnance Survey 100018261.

Dent de Lion is an important feature on the landscape of Garlinge and more details can be found in the Dent de Lion background document. The map below from 1763 with few landmarks on the Westgate and Garlinge area apart from Dent de Lion (Dandelion) showing the age and importance of this site.

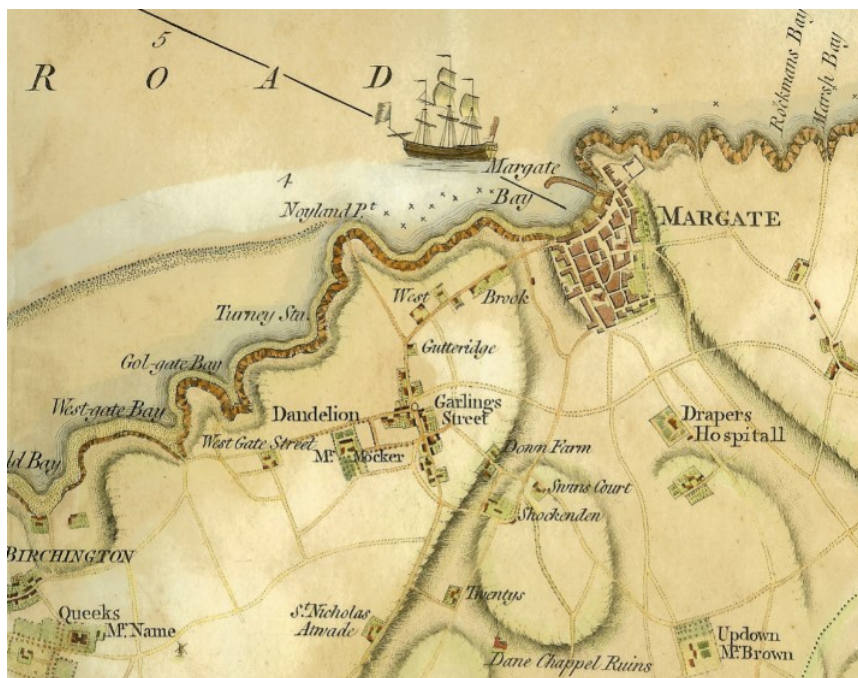


Figure 13-5 1763 map of Westgate and Garlinge area with Dent de Lion (Dandelion) marked.

Quex Park Settlements is thought to be an underground Romano- British settlement. These ancient monuments and their settings are protected by their status as Schedule Ancient Monuments by National Heritage. The NPPF states that as heritage assets are irreplaceable any harm or loss should require clear and convincing justification.

**WSNP9 Protection of scheduled ancient monuments**

**The Town Council will not support proposals which would cause detrimental impact to Scheduled Ancient Monuments. All planning applications for development which may affect the site or setting of a Scheduled Ancient Monument will be required to include a Heritage Impact Assessment.**

## **14 RESPONDING TO THE CLIMATE CRISIS**

### **14.1 Low carbon and future looking developments with renewable energy**

Globally, greenhouse gases such as CO<sub>2</sub> are increasing mainly due to burning fossil fuels for energy and transport e.g., gas for gas boilers, petrol and diesel for cars. This is causing our climate to warm and the frequency of heat waves and floods to increase.

There is clear evidence to show that climate change is happening. Measurements show that the average temperature at the Earth's surface has risen by about 1°C since the pre-industrial period. 17 of the 18 warmest years on record have occurred in the 21st century and each of the last 3 decades have been hotter than the previous one<sup>5</sup>.

The Town Council would like to encourage developers to use low carbon materials and to install high grade insulation, reducing energy wastage and therefore energy needs for the householder. Since the introduction of Energy Performance Certificates (EPC) in 2007, the district is still only achieving low levels of A to C energy efficiency in new builds for example, 0.4% of EPCs lodged in 2016 achieving an "A" energy rating, 7% achieving EPC rating B and 22% achieving energy rating C<sup>6</sup>. We would like to see excellent energy efficiency in any new builds in Westgate.

We would also like to encourage renewable energies to become a standard integral feature of housing developments including

- 1) air source or ground source heat pumps which remove the need of fossil fuel gas boilers and use small amounts of electricity to warm a house.

---

<sup>5</sup> <https://www.gov.uk/guidance/climate-change-explained>

<sup>6</sup> Source: <https://www.gov.uk/government/statistical-data-sets/live-tables-onenergy-performance-of-buildings-certificates> in The Draft Local Plan: <https://www.thanet.gov.uk/wp-content/uploads/2018/11/CD1.1-Draft-Thanet-Local-Plan-Reg-19.pdf>.

- 2) Solar pv which will help provide the electricity for the air source heat pump and reduce reliance on grid electricity

Not only do these measures reduce the reliance on fossil fuels which produce greenhouse gases but also reduces energy cost for the householder, reducing fuel poverty.

Sustainable transport and connectivity are extremely important in any new development. New developments should provide new and usable walking routes and links to the existing Public Rights of Way network. Kent County Council policy currently seeks to improve and upgrade the existing PRow network where it links with amenities, public transport nodes, work and education to increase the attractiveness of Active Travel and support modal shift and Westgate Town Council support this approach to sustainable travel.

Regarding emissions from transport, it is encouraging to see in the Local Plan that developments of ten units or more are required to add electric car charging points. Sales of new petrol and diesel cars will be phased out by 2030 and all new cars and vans will be zero emissions by 2035. This is coupled with the drive towards sustainable travel, including cycling and walking, which will be included in the Westgate-on-Sea Highway Improvement Plan moving forward.

An exciting prospect for homeowners with drives is the use of roof solar electricity production which can charge their electric car, allowing travel to become truly carbon neutral. We would like developers to consider installing such a set up as a standard feature of the homes.

Another feature of design that assists energy efficiency is the use of passive solar; orienting the housing in a way that enables cooling in the summer and warmth in the winter. This is particularly important as the UK is due to suffer more heat waves in the next decade.

**WSNP10 Low carbon development with renewable energies**

**Development that incorporates low carbon materials, insulation that is of good quality in the walls, floor, roofs and windows, installation of renewable energy technology such as air source or ground source heat pumps and solar pv and intelligent orientation for heating and cooling will be supported by the Town Council.**

**New buildings in the Plan area should be designed in accordance with the Building Regulations and should seek to incorporate the highest standards of energy efficiency.**

## **14.2 Surface water flood risk in Westgate-on-Sea**

There have been flooding events in Westgate caused by excess surface water. This has occurred during heavy rainfall due to run off from the agricultural land and along roads such as Belmont Road, Quex Road, Victoria Avenue and Mordaunt Ave and Elm Grove and around Streete Court Road. Residents and the Town council are concerned that if this can occur over good quality soil, then the risk could increase when the area is concreted over.

The government has put in place good sustainable drainage (SUDS) standards and ensure that developers take surface water flood risk into account, however, the on-going maintenance of the sustainable drainage systems are of concern. The Town council would like to see a plan that ensures that SUDs are used in areas at risk of surface water flooding and that there is a plan around who will maintain and clean these areas so they remain permeable to water.

This is particularly important as climate change will increase the likelihood of heavy rainfall and flash floods.

### **WSNP11 Surface water flood risk areas**

**Planning applications in areas with an identified risk of flooding will only be supported if they contain a full surface water flood risk assessment, surface water drainage and mitigation report proportional to the location and scale of the development, including how the sustainable drainage systems employed will be maintained and will be fit for purpose in the future, especially during more intense rainfall caused by climate change.**

**\*This NDP does not set specific criteria on what is required in terms of the contents of the report on surface water flood risk, surface water drainage and mitigation. But all new residential development in Flood Zone 2 and 3 and any new development over ten dwellings in Flood Zone 1 would need to provide it.**

**Advice on flood risk and the preparation of flood risk assessments is contained in Planning Practice Guidance (PPG) at <https://www.gov.uk/guidance/flood-risk-and-coastal-change>**

## 15 GREEN AND OPEN SPACES

### 15.1 Local green spaces

It is very important that green spaces within Westgate-on-Sea are protected. Many spaces in the town did not have a specific designation and so it was important that this was addressed so that they can be conserved for future residents and visitors to enjoy. During the 2017 Local Plan consultation and the 2021 call for sites, TDC invited the Town



Figure 15-1 Recreation ground

Council to submit areas for consideration as Local Green Spaces. Each space should 1) be in reasonable proximity to the community it serves and 2) be demonstrably special to a local community and hold a particular local significance because of its beauty, historical significance, recreational value, tranquillity or richness of wildlife. However, it cannot be an extensive tract of land. The list of open spaces proposed by the town council is shown in the table below. All of these areas were accepted within the TDC Local Plan and are shown in the map below.

Table 15-1 Local green space allocation in Westgate-on-Sea

Recreation Ground	Lymington Road, Westgate-on-Sea, CT8 8ER
Community Green	Lymington Road, Westgate-on-Sea, CT8 8ER
Open Space	Victoria Avenue, Westgate-on-Sea CT8 8BJ
Open Space	Adrian Square, Westgate-on-Sea CT8 8TE
Open Space	Ethelbert Square, Westgate-on-Sea, CT8 8SR

#### **WSNP12 Designation of Local Green Spaces (LGS)**

**Development proposals in the designated Local Green Spaces listed in Table 15-1 will be managed in accordance with national policy for Green Belts.**



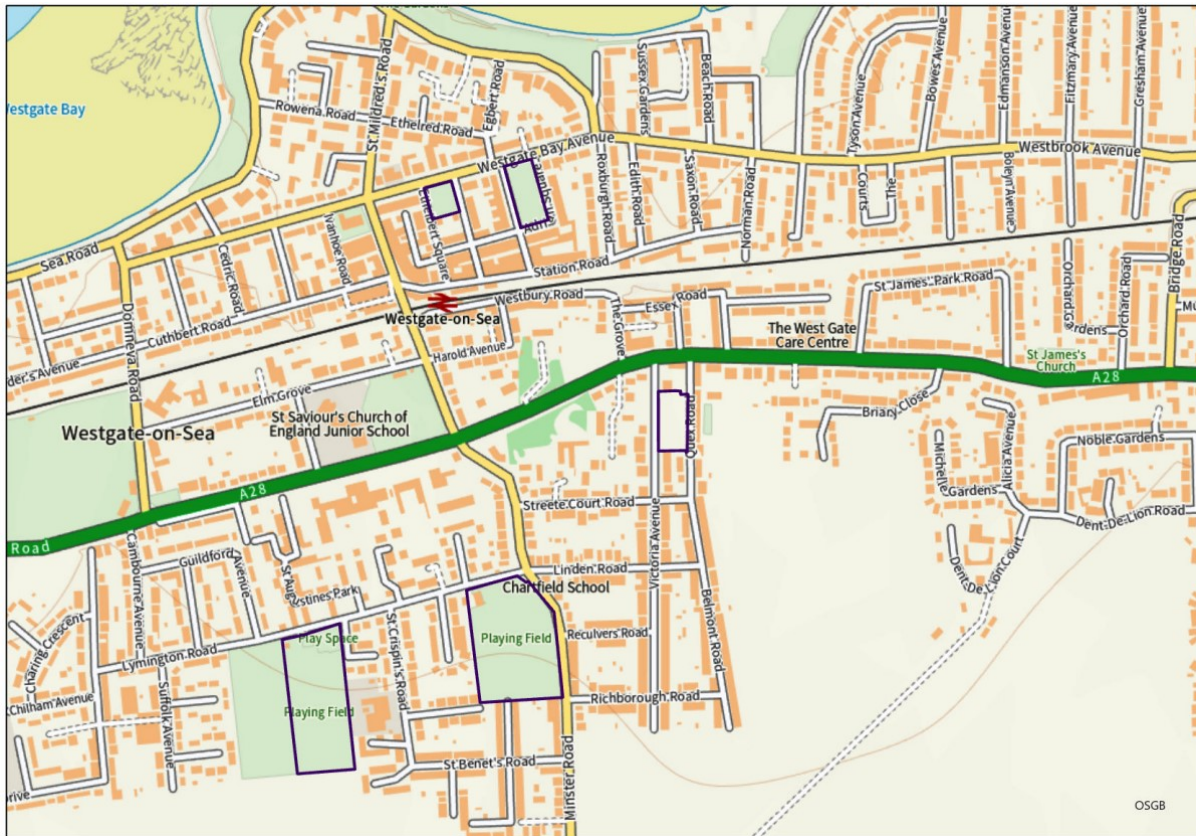


Figure 15-2 Map of local green spaces in Westgate-on-Sea© Crown copyright Ordnance Survey 100018261 Reproduced by Westgate-on-Sea Town Council under PGSA licence number 100058504

## 15.2 Green wedge

The coastal towns of Thanet are separated by three particularly important areas of open countryside which are known as the Green Wedges indicated in the figure below.

The principal functions of and stated policy aims for Thanet's Green Wedges are:

- Protect areas of open countryside between the towns from the extension of isolated groups of houses or other development.
- Ensure physical separation and avoid coalescence of the towns, retaining their individual character and distinctiveness.
- Conserve, protect and enhance the essentially rural and unspoilt character, and distinctive landscape qualities of the countryside that separates the urban areas, for the enjoyment and amenity of those living in, and visiting, Thanet.

# Agenda Item 11

## Annex 1

- Increase access and usability without compromising the integrity of the Green Wedges.

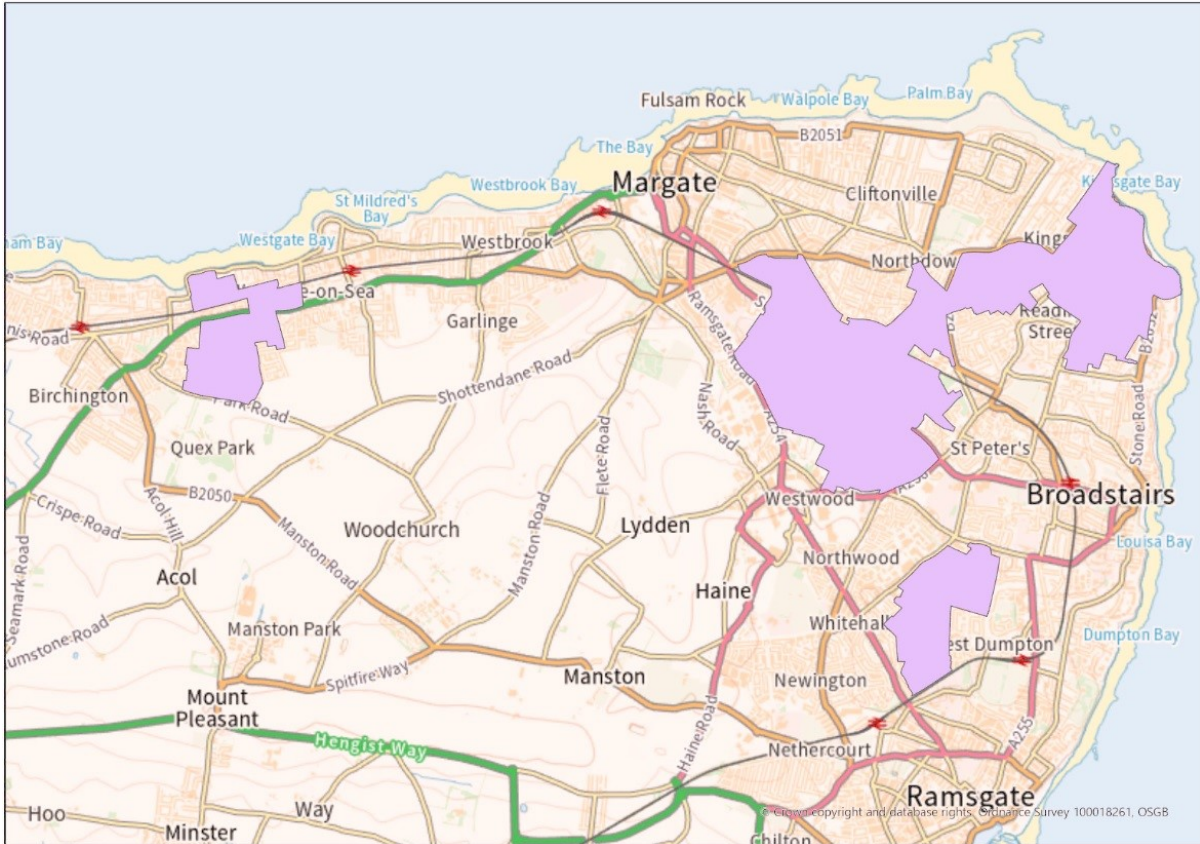


Figure 15-3 Thanet's Green Wedges. © Crown copyright Ordnance Survey 100018261 Reproduced by Westgate-on-Sea Town Council under PGSA licence number 100058504

### **WSNP13 The Green Wedge**

Within the defined Green Wedge as shown on Figure 15-3, priority will be given to protecting the countryside from built development and ensuring that the physical separation and coalescence of the Thanet Towns is avoided.

Within the Green Wedges new development (including changes of use) will not be supported unless it can be demonstrated that the development is:

- 1) not detrimental or contrary to the stated aims of the policy; or
- 2) essential for the proposed development to be located within the Green Wedge.

There is a green wedge between Westgate and Birchington. It takes in The Westgate and Birchington Golf Club to the North and Quex agricultural land and Kind Ethelbert's schools playing field to the South.



Figure 15-4 Westgate and Birchington Golf club, land part of the green wedge.

The Town Council considers it was remiss of Thanet District Council not to have recognised that the agricultural land between Westgate and Garlinge is effectively a Green Wedge which

should be recognised in the same way as the Green Wedges in South Thanet (which do not transverse the land all the way to the seafront). The allocation of 2000 houses will effectively join Westgate and Garlinge and the physical separation between the two distinct areas will be lost.

### **15.3 Protection of prime agricultural land**

Westgate-on-Sea has some of the best agricultural soil in the country, being classed the best and most versatile agricultural land (grade 2). Many residents have a connection to this land, either through family members working the land or through the wonderful views taken in whilst walking, cycling or even riding horses along the footpaths and bridle ways which transect the farmland. The NPPF sets out that the best and most versatile agricultural land should only be used as a last resort and low-quality land should be used first.

“The National Planning Policy Framework expects local planning authorities to take into account the economic and other benefits of the best and most versatile agricultural land. This is particularly important in plan making when decisions are made on which land should be allocated for development. Where significant development of agricultural land is demonstrated to be necessary, local planning authorities should seek to use areas of poorer quality land in preference to that of a higher quality”<sup>7</sup>

The Town Council will also not accept the loss of agricultural land south of allocated area within the Westgate NP area.

---

<sup>7</sup> <https://www.gov.uk/guidance/natural-environment#brownfield-land-soils-and-agricultural-land>

**WSNP14 Building on the best and most versatile agricultural land**

**Proposals for development on land classified as the best and most versatile agricultural land, other than that covered by site allocations contained in the adopted Thanet Local Plan, will not be supported by the Town Council.**

## **16 BIODIVERSITY**

### **16.1 Trees**

Trees are a vital part of Westgate-on-Sea and contribute significantly to the character and appearance of the local landscape. Not only are they visually pleasing but they are the lungs of our town. Many trees in Westgate are within the conservation area and as such have higher levels of protection. Any cutting or removal of these trees needs planning permission. If the trees in a conservation area do not already have a Tree Protection Order, then one can be requested if an application to remove these are made.

The Town Council will also promote to residents the value of retaining the trees in their gardens (outside of conservation areas) and will promote the provision of additional appropriate trees in the town and within new developments.

**WSNP15 Protecting and promoting trees**

**Applications for the removal of protected trees will not be supported unless they are shown to be a hazard.**

**Applications for planning permission on sites where the proposal includes the retention of all viable existing trees will be supported, as long as they meet the criteria of other policies within this Plan. The provision of additional, suitable trees on new planning applications will be supported.**

### **16.2 Protection of wildlife and biodiversity**

Resident feedback highlights how important the presence of wildlife and nature is to the local area of Westgate and how this plethora of fauna and flora creates a sense of place and peace and harmony for the residents. Many local people that look onto the agricultural fields are delighted to regularly see bats in their gardens during the summer months and do not want the development to disturb these protected species.

Local known species include, foxes, slow worms, bats and various species of farmland birds including lapwings and skylarks that make the land their home. Furthermore, the land set

aside for nature around the perimeter of the farmland and along the footpaths provide a variety of wildflowers for pollinators such as bees and butterflies, which are under threat at present from a worldwide reduction in biodiversity.

It is therefore important to not only protect existing species but enhance their numbers wherever possible. For example, the Town Council will encourage the improvement in the biodiversity of an area through use of wildflower areas, foraging areas, allotments, woodland areas and the planting of seeds for pollinators. The planting of wildflowers/plants for pollinators along road verges, on roundabouts and in greenspaces will be encouraged.

### **WSNP16 Protection of protected species and biodiversity**

**The Town Council will only support development proposals in the Plan area if a survey of the existing wildlife and wildlife habitats present on the site has been undertaken, and the proposals include appropriate measures to ensure that any protected species and their habitats are fully protected. In accordance with the Environment Act 2021, proposals will need to include a Biodiversity Net Gain (BNG) requirement of at least 10% above the baseline position.**

## **17 FACILITIES**

### **17.1 Community assets**

Westgate-on-Sea has a variety of community assets including a library, a community centre and various meeting places. These are important as they contribute to the social well-being of the area. Planning applications for new community facilities will be encouraged and the loss of any facility would be seen as a last resort.



**Figure 17-1 Bake n Ale House and United Services Club**

Community facilities can also be allocated as Assets of Community Value (ACV) with TDC. These are identified as buildings or land deemed to be of community value and full guidelines are set out in Section 88 of the Localism Act 2011. Once the building or piece of land has been listed as an ACV, the community can start the Community Right to Bid Process, which enables the community to take ownership of the asset. In the Westgate-on-Sea Neighbourhood Area there are two listed ACVs: The Westgate Pavilion and The Walmer Castle Public House. A full

list of ACVs in Thanet can be found on their website<sup>8</sup>. The designation of Assets of Community Value will be encouraged to enable the protection of community facilities.



Figure 17-2 The Westgate Pavilion

### **WSNP17 Safeguarding community facilities**

**Existing community facilities or those gaining planning permission for such use will be safeguarded from other prejudicial development on or adjacent to the site.**

**Where it is demonstrated that a community facility is no longer viable, then planning applications for change of use or redevelopment will only be considered if they are supported by an assessment which sets out why the current community use and potential alternative community uses are no longer viable or appropriate on the site.**

## **17.2 Infrastructure of Westgate-on-Sea**

Many residents are concerned about the effect of the houses on the infrastructure of the area. It is the view of the Town Council that the transport plan was not written in conjunction with the planned houses. The new inner circuit road has also been a mystery to many and the transportation consultation also went under the radar of the Town Council and others.

It is imperative that if the houses do go ahead, they must not put unsustainable pressure on our roads in the area, in particular, Minster Road which travels from North- South from Canterbury Road to Shottendane Road. Many children cross this road to go to school and is dangerous at present, without the added pressure from additional cars associated with the development. Garlinge residents are also very concerned about their very narrow High Street.

---

<sup>8 8</sup> <https://www.thanet.gov.uk/publications/community-development/assets-of-community-value-for-listing/>.

The provision of doctors and dentists is also a concern and this must be addressed in the developer's plan. The provision of water and proper sewerage system is a concern for residents and Southern Water. Given the fact that Southern Water cannot cope if there is heavy rainfall this is very worrying. If the development goes ahead these issues must be addressed.

**WSNP18 Provision of Infrastructure**

**Proposals for new development in the Plan area should make provision for supporting infrastructure which is;**

- a) Necessary to make the development acceptable in planning terms**
- b) Directly related to the development**
- c) Fairly and reasonably related in scale and kind to the development.**

### **17.3 Developer Contributions**

Development contributions are based on the principle that developers should, where necessary, provide appropriate mitigation for developments brought forward, including where additional infrastructure is required to support the development. Specifically, contributions can only be sought and secured in order to satisfactorily address the direct impacts of new development upon infrastructure provision.

The Town and Country Planning Act 1990 enables developer contributions to be secured through Section 106 Agreements, and the Planning Act 2008 and accompanying Community Infrastructure Levy (CIL) Regulations provide the legislative framework for the introduction of the CIL, although it has not yet been introduced in the Thanet District Council area. It is a locally determined levy on various types of new development calculated on the amount of new floorspace.

At the present time, the District Council continues to secure infrastructure requirements and other planning obligations, such as affordable housing provision, through Section 106 Agreements.

The Plan area, through the adopted Thanet Local Plan, includes a strategic housing site allocation (Policy SP17) which will deliver a large amount of new residential development during the Plan period. It is expected that Section 106 Agreements will be negotiated as part of planning permissions granted by the District Council for this development in order to

secure the supporting infrastructure and other planning obligations that will be necessary to ensure that the development is acceptable in planning terms.

The Town Council considers that it will be important to address the direct impacts of the proposed new development upon the local area, particularly upon the existing transport and community infrastructure within the Plan area. The Town Council will liaise with the District Council to ensure that such impacts are fully addressed in the assessment of planning applications and that, where necessary, developer contributions are sought through Section 106 Agreements to mitigate any direct impacts upon infrastructure provision in the Plan area that are identified. Furthermore, the Town Council considers that it will be important to achieve the long-term cohesion of both the existing and new communities within the Plan area, and that any necessary investment in community infrastructure to support this key objective should be recognised. On this basis, Appendix 1 lists four projects that it considers should be assessed for potential developer contributions, as part of Section 106 Agreements, linked to the planned growth of the town over the Plan period.

### **WSNP19 Developer Contributions**

**Developer contributions that are secured through the grant of planning permissions in the Plan area for the provision of new and improved infrastructure should, if appropriate, include the projects listed at Appendix 1 in this Plan.**

## **18 NEW DEVELOPMENTS: The houses allocated on the agricultural land in Westgate and Garlinge.**

The TDC allocation for the 2000 houses is shown below within the dotted red line. The full district policy setting out the strategic proposals for this site are set out in policy SP17 of the TDC Local Plan, which has been reproduced in Appendix 2 of this NP.



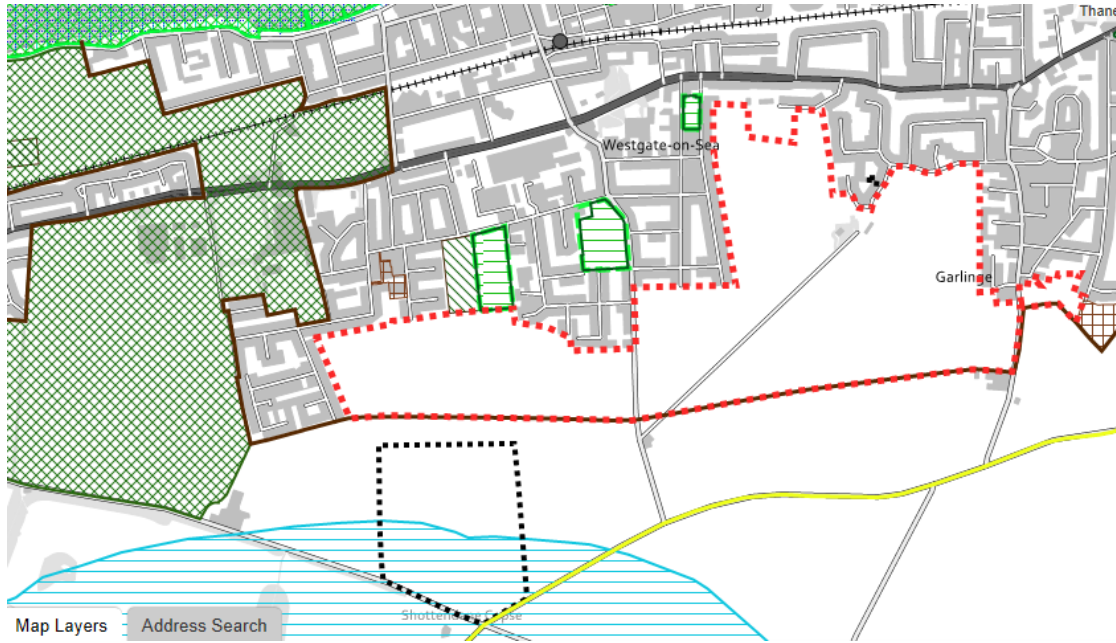


Figure 18-1 2000 house allocation at Westgate and Garlinge (red line) © Crown copyright 2018 Ordnance Survey 100018261.

The housing trajectory and delivery rate of the new development is set in Figure 17.2 below:

Site Address	Total units	2019 /20	2020 /21	2021 /22	2022 /23	2023 /24	2024 /25	2025 /26	2026/ 27	2027/ 28	2028 /29	2029 /30	2030/ 31	2031/ 32
<b>STRATEGIC SITES</b>														
Westgate Policy SP15	2000	0	25	75	100	150	200	250	250	250	250	250	200	

Figure 18-2 Copied from Appendix B TDC Local Plan

The Neighbourhood Plan objectives regarding the new development are listed below:

- To ensure that the development is of high standard and has green infrastructure throughout (WSNP3).
- To ensure that the development has an appropriate mix of houses to cater for all ages within Westgate, including affordable housing (at least 30%) and housing for the elderly to down-size to, with some social and health care included.
- To ensure that flood risk is addressed (WSNP11).
- To ensure that trees, biodiversity and wildlife are protected on the allocations (WSNP15 and 16).
- To ensure the protection of historical sites within the Local Plan allocation area (see WSNP8 and 9).
- To ensure housing will be highly energy efficient, incorporating low carbon or carbon zero options and renewable energy e.g., air source heat pumps and solar pv (WSNP10).

In order to deliver these objectives a statement in the form of policy WSNP21 has been drafted setting out the position of the Town Council.

**WSNP20 POLICY STATEMENT - The houses allocated on the agricultural land in Westgate and Garlinge**

Development of the site known as SP17 in the adopted Thanet Local Plan will only be supported by the Town Council, if it meets all the requirements set out in this Plan.

In furtherance to this, development should be high-quality, well-designed and respond to the Westgate-on-Sea town development boundary, ensuring a complementary and considerate boundary transition between the existing and new development. Specifically, the siting and design of new-build development should not impact on the residential amenity of existing residents.

To promote a cohesive town, the Town Council will support designs that will facilitate social interaction, healthy inclusive communities and promote green links and infrastructure through and out of the development to the existing built environs of the Westgate-on-Sea community.

## 19 COMMUNITY ACTIONS

Those actions that do not come under planning law but are deemed to be of importance to the town are listed below.

### 19.1 Extensive improvements to the Westgate-on-Sea Railway Station

Westgate-on-Sea Town Council agreed a large-scale improvement plan to the Westgate-on-Sea Train Station in conjunction with Southeastern and Network Rail. The plan was undertaken in three parts with the first part of the three-part improvement plan completed in 2019.

The initial investment totalled £125,000 which was part of a £1,250,000 investment to happen over a two-year period. The initial works included the opening of a new waiting room on the London bound platform 1, new raised bedding areas created with railways sleepers, improved seating areas, the addition of new lighting, new bins, new



Figure 19-1 Westgate Railway Station

community notice boards, all areas of plant overgrowth cut back and cleared, repointing and fixing of brick walls and the station weeded and deep cleaned. The bridge was also replaced by a new modern one.

As part of the first stage The Bumblebee Conservation Trust agreed to sponsor the replanting of the station with wildflowers which as well as looking beautiful will encourage wildlife back to the area including, we hope, the endangered Shrill Carder Bee. The work was carried out by local volunteers and community groups.

Discussions are on-going about adding more stopping services to the station however these changes need to be planned two years in advance.

### 19.2 Community Asset Transfers

The Community Asset transfers for the War Memorial Recreation Ground on Lymington Road have now completed with the transfer of ownership passing to the Town from Thanet District Council.

This is a great opportunity for the community of Westgate-on-Sea to learn and appreciate the benefits of community ownership and shape the future of the site. We aim to encourage local people of all ages, abilities and interests to come along and get involved. This is an amazing time to strengthen community cohesion and to promote sustainable living and learn new skills.

Of course, with ownership comes responsibility and the Town Council would like to invite volunteers in the community to contact us as we want to undertake renovation works to improve the facilities and utilise them to their full potential.

The Town Council will be carrying out consultation opportunities later in 2021 and would urge all residents to get involved; the draft proposals for the site are hoped to enhance the landscape, improve biodiversity and renovate the facilities. We want to have a multi-use facility that will include football matches, coaching opportunities for young people, a functional skate park and an improved play area for mothers and toddlers.

### **19.3 Planting in Westgate**

Westgate-on-Sea Town Council are planning to improve and update green spaces in Westgate. Plans have already covered the replanting of Westgate-on-Sea Train station with wildflowers and the addition of new beds, both War Memorials will have redeveloped gardens and contemplation areas, Lymington Road Recreation Ground will have the addition of new Trees and planting, Sea Road will be given a fresh lease of life creating more attractive sheltered spaces using trees and plants making it a nice alternative spot next to the beach. The Town Council entered the South & South-East In Bloom competition in 2019 and each year since then.

In December 2018 Cllr Robert Micallef and local resident Denise Packer started the project by planting over 1250 Spring Flowering bulbs in Lymington Recreation Ground, Community Centre Green and the planters within the Town Centre. Cllr Dr Hannah Scott then organised a tree planting day in 2019 and more trees and planting are to come through the work of our Town Clerk Gill Gray and volunteers.



Figure 19-2 Wildflowers

Donations so far include:

TCV & OVO Energy have donated trees and hedgerows.

The Bumblebee Conservation Trust have donated 7kg in Poppy and Wildflower seeds.

TDC have supported the planting along Sea Road.

Woodland Trust have donated more trees.

Grow Wild have donated packets of seeds.

B&Q, Homebase and Thompson Morgan donated spring flowering bulbs.

£10,000 from Lottery Funding for Westgate in Bloom for 3-years.

### 19.4 Westgate Day

The Town Anniversary has been created by Cllr Helen Page along with our Town Clerk Gill Gray to acknowledge Westgate as a unique town, its history, culture and environment. The date, 18th July, was agreed through discussion with Dr Dawn Crouch, Curator of Westgate Heritage Centre. It links to the historical year 1870 when the Westgate estate blossomed and the first three digits 187 were taken and agreed on 18th July. The Westgate Estate was formed from the amalgamation of four previous estates. Charles Nightingale Beazley (a London architect) was appointed Estate Architect in 1870 and that was the year that he produced his plan for the layout of Westgate's roads.

Aims

- To bring attention and focus to the history of the Town, its people and achievements.
- To create a sense of pride and belonging for all who live in Westgate.
- Long term: through education of our young people, create a sense of ownership and responsibility for their town.
- Involve the local community (individuals, businesses, organisations)
- Engender: Pride; Respect; Sense of Community; Good Standards.

In the first year, 2019, there were two aspects to this:

# Agenda Item 11

## Annex 1

1. Schools participated in Westgate-related project work leading up to the Anniversary with prize-giving. Project themes were: History & Heritage; Art & Creativity; Environment & Coast; Writing & Poetry. There was also an inter-generational project joining St Michael's care home and young people.

2. A celebration day on the following Sunday started on 21<sup>st</sup> July 2019 with entertainment, fun and food/ refreshments involving local people and businesses along Sea Road (roughly opposite The Swan pub and along to opposite Westcliff House) and the squares. In the future the Lymington Green is proposed to be used when the Town Council can obtain permission from TDC.

The Town Council aims for it to be a great event every year, post Covid.

In 2021 a Town Council sub-committee was formed to engage with local groups and facilitate local events for the benefit of everyone.



Figure 19-3 Sea Road, Westgate

### 19.5 Speed of traffic

Speeding of traffic along roads such as Sea Road, Westgate Bay Avenue, St Mildred's Road and Minster Road was a cause for concern for many residents in the Community Survey.

#### **CA1 Speeding Traffic**

**Westgate-on-Sea Town Council have been conducting a Speed Watch Campaign led by Cllr Matthew Scott and Gill Gray, the Town Clerk. The Town Council have purchased one Speed Indicator Device and are enlisting the support of resident volunteers who will be trained. The information gathered by these cameras can be used in prosecution and therefore the scheme hopes to greatly reduce the speed along the roads of Westgate-on-Sea.**

### 19.6 Speed of cyclists along the promenade

There have been a number of complaints about the speed at which cyclists travel along the promenade in front of the beach huts at West Bay. It may be possible to extend the By-laws to ensure that cyclists dismount in front of the beach huts all along the West Bay promenade to prevent possible injury to pedestrians.

**CA2 West Bay promenade by law extension**

The WTC will continue to work with TDC regarding the extension of the By-laws to investigate the possibility of cyclists dismounting in front of all of the beach huts along West Bay.

**19.7 Traffic control around the schools**

Residents stated that they were concerned about the traffic control around the schools e.g., St Crispin's school.

**CA3 Traffic control around schools**

WTC will continue to work with TDC and KCC to ensure the safety of school children is improved around and in the vicinity of the schools in Westgate-on-Sea. WTC will continue to communicate with KCC regarding a possible crossing and/or traffic slowing along Minster Road.

**19.8 Litter**

The prevalence of litter on our streets and the lack of bins were also of concern to residents.



Figure 19-4 Full litter bins

**CA4 Cleaning of Westgate by the Town Council and residents**

The Town Council have employed three part time cleansing operatives to enhance the cleaning of the town. They have also installed fourteen and then a further seven new Westgate-on-Sea Town Council bins in the town which the cleansing operatives empty on a regular basis.

Some residents take an extra carrier bag with them when they go for a walk and collect rubbish as they go, which is an excellent example of our community spirit in Westgate.

WTC will continue to communicate with TDC to ensure that the town always has TDC cleaners as well as the WTC cleaning operatives.

WTC will also investigate a water bottle filling scheme where local business sign up to allow residents and visitors to fill up their re-useable water bottles, to reduce the number of plastic bottles in the town.

**19.9 Dogs Fouling**

A further concern of residents was dog faeces. Some residents wanted more bins and others wanted more enforcement. Dog poo can be disposed of in the fourteen new bins that WTC

added in 2018 and the further seven added in 2020, so it is hoped that the prevalence of dog faeces will be reduced. Other actions are below:

### **CA5 Dogs Fouling action**

**WTC encourages TDC to send FIDO – the dog fouling cleaning machine to Westgate-on-Sea as often as possible.**

**WTC would like to work with the children in the local schools in the future to produce posters for the town on the issue of litter and dog fouling.**

### **19.10 Protecting historical aspects of Westgate-on-Sea**

A high percentage of residents felt that it was very important to protect and restore the heritage of Westgate-on-Sea. Recently, the Town Council has investigated funding streams in order to possibly restore the High Street Canopies.

### **CA6 Heritage**

**WTC will continue to investigate funding streams to restore the Town's canopies.**

**WTC will work with local interest groups such as CAAG and The Westgate Heritage Centre to ensure sites are protected.**

### **19.11 Things to do in Westgate**

The residents have explained in the Community Survey that they would like to see more things to do in Westgate, especially in the evening.

### **CA7 Things to do in Westgate**

**WTC will aim to create a town that businesses want to come to by protecting the town centre and enhancing the cleanliness in the town and on the beach. Recently, Millie's Bar on the Seafront has opened, the Walmer Castle has been converted into a Greek Restaurant and a café/sandwich bar called Bethanys has opened on Lymington Road. The Westgate Bay Café has been renovated to create a high-quality seafood restaurant with sea and sunset views called Finbars. Paul's bar and The Swan have also recently been refurbished and a new Pizza restaurant has opened in the High Street. Ginger's, the Gin Bar has also had a make-over and is a classy evening venue. Therefore, the opportunities for residents in the evenings in Westgate are growing.**

**The Town Council has also initiated and supports a new Business Forum, which will enable local businesses to communicate and exchange ideas.**

**Residents can encourage businesses to come to the area by supporting the local shops.**



### **19.12 Activities for young people**

Our community surveys also revealed that residents felt that there should be more things for young people to do. The Town Council therefore helped to fund the local youth club at the Lymington Community Centre.

#### **CA8 Activities for young people**

**The WTC would encourage local groups, especially those that run activities for teenagers to apply for WTC community grants. These are small funds of usually between £100 - £1000. WTC would also encourage local people to start new sports and activity clubs in Westgate and will give support to these groups.**

## **20 Community Actions relating to the SP17 development**

Many residents are concerned about the new development. One way in which the resident's voice can be heard is through the consultations that the developers will run. The Neighbourhood Plan Steering Group of the Town Council has raised the issues with the developers. Although the planning policies will apply, the finer details of the sites can be discussed with the developers through their consultation days.

#### **CA9 New development: communication with the prospective developers.**

**The WTC will raise our concerns and the concerns of the residents with regards to the development (agricultural land, noise and design) and also encourage the developers to run communication days to ensure that the residents can voice their ideas and concerns.**

### **20.1 Houses for local people**

It is clear that many of the houses built in Thanet are for people moving into the area from places such as London, as has been the trend for hundreds of years. WTC is concerned that local people should be able to access the social housing first.

#### **CA10 Houses for local people**

**The WTC will communicate with TDC regarding the social housing allocation in the 2000 house development. The general housing stock will be controlled by market forces and on the open market, however WTC would like to see the social housing being allocated to local – Westgate and Garlinge - people first.**

## 20.2 Local Housing Needs Assessment

It is clear that the 2000 house allocation is to address the “objectively assessed housing need” of Thanet as a whole, rather than the need of the town. The TDC Local Plan Hearing in Public in 2019 showed that TDC views Thanet as one urban area and allocated the housing need according to the total need of the Island, rather than according to the need of each town. Westgate and Garlinge are therefore providing land for the housing need of Thanet rather than for the sustainable growth of their small towns. We believe that this is not the best way to allocate housing and that housing should be allocated according to each town’s needs. Otherwise, what is the point of localism and the neighbourhood plan process?

Therefore, in 2023 or earlier, a Local Housing Needs Assessment of Westgate-on-Sea will be undertaken by the Town Council to assist TDC in the design of the next Local Plan and allocations of any strategic housing sites. This will also assist the creation of the next NP from 2031 – 2051 with the aim to prevent what the Town Council deems as over- development in the town.

### **CA11 Local Housing Needs Assessment**

**By 2024, a Local Housing Needs Assessment of Westgate-on-Sea will be funded by the Town Council which will assist the creation of the next NP 2031 – 2051.**

At the TDC Local Plan Hearing in Public, it was clear that there was an appetite to move towards a Kent Plan or Southeast Plan rather than individual District Local Plans to address the objectively assessed housing need of Kent/South East. This would give a larger area and more variety of land to be chosen for houses instead of the agricultural dense land in Thanet. The Town Council would like to encourage this move by TDC and the government, as it will save some of Thanet’s agricultural land in the future, because according to the NPPF, grade one and two agricultural land should only be built on as a last resort.

## 20.3 Fields for food, not for houses

Throughout this process, it has been hard to accept that we seem to not have a say over this strategic allocation of 2000 houses, which is disproportional to size of Westgate and Garlinge and will destroy top grade agricultural land. We have and we will continue to lobby the government to change the law on building on top quality agricultural land. If the NPPF is not

# Agenda Item 11

## Annex 1

changed then we could see the whole of the Isle of Thanet built on as there is no law to simply protect countryside.

### **CA12 Lobbying for a change in the law**

**WTC will continue to lobby government for a change in the law on building on agricultural law to protect our countryside for future generations.**

## 21 Monitoring and reviewing

The NDP policies will be monitored by WTC and formally reviewed every five years to ensure that they continue to provide adequate policy coverage and are still relevant. This will partly be achieved by undertaking a town survey, which will assess if the policies and community projects are still relevant to the community. Future reviews of the Plan will take account of the emerging review of the Thanet Local Plan which will cover the period from 2031 up to 2040.

Through liaison with TDC planning department the NDP will be checked against emerging planning changes both at national and local levels. The monitoring criteria will be as follows:

POLICY	5-year outcome
<b>WSNP1 Sustainable Development</b>	In accordance with NPPF.
<b>WSNP2 Protection of Seafront Character in the West Zone</b>	No demolition for the building of blocks of flats or over-massing in the West Zone .
<b>WSNP3 Design Guidelines</b>	All new developments to have followed the Westgate-on-Sea design guidelines: Section 10.
<b>WSNP4 Safeguarding leisure and tourism</b>	No net loss of features that attract visitors to the area.
<b>WSNP5 Protection of shopping areas</b>	No net loss of business use classes to residential on the ground floor within the areas defined as shopping areas.
<b>WSNP6 Retention of Employment space</b>	No net loss of employment space in Westgate-on-Sea.
<b>WSNP7 Conservation Areas</b>	All planning applications submitted in the conservation areas should be detailed and follow the conservation area rulings.
<b>WSNP8 Local Heritage Assets</b>	No loss of local heritage assets. Appearance or setting of such buildings or structures not affected.
<b>WSNP9 Protection of Scheduled Ancient Monuments</b>	No loss of the setting of Dent de Lion or Quex Settlements. Full Historic assessment of relevant sites, mitigation strategies and plans produced.
<b>WSNP10 Low carbon development with renewable energies</b>	No development built with low energy efficiency.
<b>WSNP11 Surface water flood risk</b>	Full surface water flood risk assessment of relevant sites, mitigation strategies and maintenance plans produced.

# Agenda Item 11

## Annex 1

<b>WSNP12 Designation of Local Green Spaces (LGS)</b>	No net loss of designated LGS.
<b>WSNP13 The Green Wedge</b>	No built development on the green wedge.
<b>WSNP14 Building on the best and most versatile agricultural land</b>	No increased number of houses on the best and most versatile land apart from that which is already allocated in the Local Plan.
<b>WSNP15 Protecting and promoting trees</b>	No net loss of trees with TPOs or within the conservation areas. Provision of new suitable trees within the new developments.
<b>WSNP16 Protection of protected species and biodiversity</b>	Full wildlife assessment of relevant sites, mitigation strategies and plans produced. No net loss of wildlife in Westgate-on-Sea and possible increase in biodiversity.
<b>WSNP17 Safeguarding community facilities</b>	No net loss of community facilities.
<b>WSNP18 Provision of Infrastructure</b>	No unsustainable increase in pressure on existing infrastructure.
<b>WSNP19 Developer Contributions</b>	Developer contributions secured through the granting of planning permission are, if appropriate, used towards the projects identified in Appendix 1.
<b>WSNP20 Site Policy Statement</b>	That the new development on land, allocated under policy SP17 of the Thanet Local Plan, meets the aspiration so the statement.

The community projects will be monitored each year against the aims and objectives of the Town Council.

## **22 Appendices**

### **Appendix 1: Developer Contributions- Potential Projects**

#### **Projects identified by Westgate-on-Sea Town Council**

Renovation and expansion of the Community Centre on Lymington Road, Westgate on Sea

Renovation of the Westgate Library building to sustain future and improvements to give access to the top floor for everyone

Improvements to Minster Road for pedestrians and vehicles

If viable, Section 106 monies to be used to support carbon neutral development

## **Appendix 2: Policy SP17 of Thanet Local Plan**

### **Policy SP17 - Strategic Housing Site – Westgate-on-Sea**

Land is allocated for up to 2,000 new dwellings with an approximate average density of 35 dwellings per hectare (net) at land to the east and west of Minster Road, Westgate-on-Sea.

Proposals will be judged and permitted only in accordance with masterplan for the whole site which should include:

- 1) a minimum of 16 ha of open space to include functional green space(s) between existing urban edge and new development;
- 2) a fully serviced area of 2.05 ha (to be provided at the cost of the developer) to accommodate a new two-form entry primary school, and its construction in a location and in a form agreed with the County Council;
- 3) a range of community facilities in accordance with Policy SP14, including small scale convenience retail provision to serve the day-to-day needs of the residents;
- 4) provision of serviced 1 ha of land suitable for a new medical centre to cater for the additional needs created by the development;
- 5) linkages to new and existing public transport infrastructure, including bus and rail services;
- 6) vehicular access from Minster Road and Dent-de-Lion Road;
- 7) the provision of a link road between Dent de Lion Road and Minster Road (including necessary junctions) and the provision of a new signal controlled junction at High Street Garlinge/A28;
- 8) improvements at Dent-de-Lion Road/High Street, Garlinge junction;
- 9) an assessment to identify necessary measures to manage on-street car parking in Dent-de-Lion Road and Garlinge High Street, between the site and the A28, and potential methods of delivery;
- 10) the upgrade of Shottendane Road to Local Distributor standard; and
- 11) a proportionate contribution to necessary off-site highway improvements in accordance with Policy SP47.

Masterplanning will be informed by and address

- 1) an archaeological evaluation;
- 2) the preservation and/or enhancement of the setting of scheduled ancient monuments and the listed Dent de Lion Gateway, and the measures to be undertaken;
- 3) the capacity of any utility services and infrastructure and any need (and provision of) improved or additional infrastructure (as may be advised or reasonably required by service providers);
- 4) appropriate arrangements for surface water management/sustainable drainage schemes in line with Margate Surface Water Management Plan,
- 5) Landscape and Visual Impact Assessment to address any visual impact on views to and Thanet Local Plan Adopted July 2020 53 from the adjacent Green Wedge and protecting wide open landscapes and strategic views; and
- 6) the integration of development and landscaping to take account of public rights of way and the provision of a soft edge between the site and open countryside.

All development proposals must be planned and implemented in a coordinated manner and accompanied by an infrastructure delivery and phasing plan.

Proposals will be accompanied by a Transport Assessment which shall:

- 1) assess the impact of development on the local road network and address any implications for on-street car parking arrangements in Dent-de-Lion Road and Garlinge High Street, between the site and the A28; and
- 2) identify measures to promote multi-modal access, including footway and cycleway connections, and an extended bus service accessible to the residential development and rail linkages.



## Annual Treasury Management Review 2022/23

<b>Council</b>	12 October 2023
<b>Report Author</b>	Chris Blundell, Director of Corporate Services and Section 151 Officer
<b>Portfolio Holder</b>	Councillor Rob Yates, Cabinet Member for Corporate Services
<b>Status</b>	For Decision
<b>Classification</b>	Unrestricted
<b>Previously Considered by</b>	Governance & Audit Committee Cabinet
<b>Ward</b>	Thanet Wide

### Executive Summary:

This report summarises treasury management activity and prudential/ treasury indicators for 2022/23. However, the Council's 2021/22 and 2022/23 accounts have not yet been audited and hence the figures in this report are subject to change. The Chartered Institute of Public Finance and Accountancy (CIPFA) defines treasury management as:

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

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

*the pursuit of optimum performance consistent with those risks.”*

The regulatory environment places responsibility on members for the review and scrutiny of treasury management policy and activities. This report is, therefore, important in that respect, as it provides details of the 2022/23 year-end position for treasury activities.

Key reporting items to consider include:

- 2022/23 capital expenditure on long term assets was £16.2m (2021/22: £12.7m), against a budget of £49.8m.
- The Council's gross debt, also called the borrowing position, at 31 March 2023 was £19.9m (31 March 2022: £20.2m).
- The Council's underlying need to borrow to finance its capital expenditure, also called the Capital Financing Requirement (CFR), was £52.2m at 31 March 2023 (31 March 2022: £51.7m).
- Therefore it can be reported the Council has complied with the requirement to hold less gross debt than its CFR.
- The maximum debt held by the Council during 2022/23 was £20.2m, which was well within the statutory authorised limit of £96.0m.

- At 31 March 2023 the Council's investment balance was £60.6m (31 March 2022: £51.3m).
- A marked reduction in GF capital receipts over the last few years, which has implications for funding the future capital programme.

## **Recommendation(s):**

That Council:

1. Notes the actual 2022/23 prudential and treasury indicators in this report;
2. Approves this Annual Treasury Management Report for 2022/23.

## **Corporate Implications**

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

The financial implications are highlighted in this report.

### **Legal**

Section 151 of the 1972 Local Government Act requires a suitably qualified named officer to keep control of the Council's finances. For this Council, this is the Director of Corporate Services and Section 151 Officer, and this report is helping to carry out that function.

### **Risk Management**

Risk management is as per the provisions of the annual Treasury Management Strategy Statement, Minimum Revenue Provision Policy Statement and Annual Investment Strategy.

### **Corporate**

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

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

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

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

## **CORPORATE PRIORITIES**

This report relates to the following corporate priorities: -

- Growth
- Environment

- Communities.

## 1. Introduction and Background

- 1.1. The Chartered Institute of Public Finance and Accountancy (CIPFA) defines treasury management as:  
*“The management of the local authority’s borrowing, investments and cash flows, its banking, money market and capital market transactions; the effective control of the risks associated with those activities; and the pursuit of optimum performance consistent with those risks.”*
- 1.2. The Council is required to operate a balanced budget, which broadly means that cash raised during the year will meet cash expenditure. Part of the treasury management operation is to ensure that this cash flow is adequately planned, with cash being available when it is needed. Surplus monies are invested in low risk counterparties or instruments commensurate with the Council’s low risk appetite, providing adequate liquidity initially before considering investment return.
- 1.3. The second main function of the treasury management service is the funding of the Council’s capital plans. These capital plans provide a guide to the borrowing need of the Council, essentially the longer-term cash flow planning, to ensure that the Council can meet its capital spending obligations. This management of longer-term cash may involve arranging long or short-term loans, or using longer-term cash flow surpluses. On occasion, when it is prudent and economic, any existing debt may also be restructured to meet Council risk or cost objectives.

## 2. Reporting Requirements

- 2.1. This Council is required by regulations issued under the Local Government Act 2003 to produce an annual treasury management review of activities and the actual prudential and treasury indicators for 2022/23. This report meets the requirements of both the Chartered Institute of Public Finance & Accountancy (CIPFA) Code of Practice on Treasury Management (the Code) and the CIPFA Prudential Code for Capital Finance in Local Authorities (the Prudential Code).
- 2.2. During 2022/23 the minimum reporting requirements were that the full Council should receive the following reports:
  - an annual treasury strategy in advance of the year (Council 10/02/2022):  
<https://democracy.thanet.gov.uk/documents/s75310/Treasury%20Mgmt%20Strategy%202022-23%20Council.pdf>
  - a mid-year treasury update report (Council 08-12-2022):  
<https://democracy.thanet.gov.uk/documents/s79524/Council%208%20Dec%202022%20-%20Mid%20Year%20Report%20Council%202022-23.pdf>

- an annual review following the end of the year describing the activity compared to the strategy (this report).
- 2.3. The regulatory environment places responsibility on members for the review and scrutiny of treasury management policy and activities. This report is, therefore, important in that respect, as it provides details of the 2022/23 year-end position for treasury activities and highlights compliance with the Council's policies previously approved by members.
- 2.4. This Council confirms that it has complied with the requirement under the Code to give prior scrutiny to all of the above treasury management reports by the Governance and Audit Committee before they were reported to the full Council. Member training on treasury management issues has been arranged for 27 September 2023 in order to support members' scrutiny role, and further training will be arranged as required. The Council's external treasury management advisor is Link Group, Treasury Solutions (Link).
- 2.5. The Council's 2021/22 and 2022/23 accounts have not yet been audited and hence the figures in this report are subject to change

### 3. The Council's Capital Expenditure and Financing

- 3.1. The Council undertakes capital expenditure on long-term assets. These activities may either be:
- Financed immediately through the application of capital or revenue resources (capital receipts, capital grants, revenue contributions etc.), which has no resultant impact on the Council's borrowing need; or
  - If insufficient financing is available, or a decision is taken not to apply resources, the capital expenditure will give rise to a borrowing need.

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

	2021-22 Provisional Actual £'000	2022-23 Budget £'000	2022-23 Provisional Actual £'000
Capital expenditure - GF	7,425	41,658	12,055
Capital expenditure - HRA	5,301	8,140	4,099
<b>Capital expenditure - Total</b>	<b>12,726</b>	<b>49,798</b>	<b>16,154</b>
<b>Financed by:</b>			
Capital receipts	933	3,936	1,159
Capital grants	5,660	32,637	7,104
Revenue and reserves	4,978	8,708	5,940
Borrowing	1,155	4,517	1,951
<b>Total</b>	<b>12,726</b>	<b>49,798</b>	<b>16,154</b>

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

*“Slippage will not be an acceptable norm. Capital schemes will be at risk of having their Council funding re-directed should there be delays that cannot be substantiated (schemes that are externally funded may require more flexibility however).”*

## 4. The Council's Overall Borrowing Need

- 4.1. The Council's underlying need to borrow to fund its capital expenditure is termed the Capital Financing Requirement (CFR). The CFR can be thought of as the outstanding debt that still needs to be repaid in relation to the capital assets (buildings, vehicles etc) that the Council has purchased or invested in. It can also be helpful to compare it to the outstanding balance that is still payable on a loan or a mortgage, in this case we are considering how much of the Council's debt still needs to be paid for.
- 4.2. Part of the Council's treasury activities is to address the funding requirements for this borrowing need. Depending on the capital expenditure programme, the treasury service organises the Council's cash position to ensure that sufficient cash is available to meet the capital plans and cash flow requirements. This may be sourced through borrowing from external bodies (such as the Government, through the Public Works Loan Board [PWLB], or the money markets) or utilising temporary cash resources within the Council.
- 4.3. **Reducing the CFR** – the Council's (non HRA) underlying borrowing need (CFR) is not allowed to rise indefinitely. Statutory controls are in place to ensure that capital assets are broadly charged to revenue over the life of the asset. The Council is required to make an annual revenue charge, called the Minimum Revenue Provision – MRP, to reduce the CFR. This is effectively a repayment of the non-Housing Revenue Account (HRA) borrowing need (there is no statutory requirement to reduce the HRA CFR). This differs from the treasury management arrangements which ensure that cash is available to meet capital commitments. External debt can also be borrowed or repaid at any time, but this does not change the CFR.
- 4.4. The total CFR can also be reduced by:
- the application of additional capital financing resources (such as unapplied capital receipts); or
  - charging more than the statutory revenue charge (MRP) each year through a Voluntary Revenue Provision (VRP).
- 4.5. The Council's 2022/23 MRP Policy (as required by DLUHC Guidance) was approved as part of the Treasury Management Strategy Report for 2022/23 on 10 February 2022.
- 4.6. The Council's CFR for the year is shown below, and represents a key prudential indicator. It includes any PFI and leasing schemes on the balance

sheet, which increase the Council's borrowing need. No borrowing is actually required against any such schemes as a borrowing facility is included in the contract.

CFR - GF	31 March 2022 Provisional Actual £'000	31 March 2023 Budget £'000	31 March 2023 Provisional Actual £'000
Opening balance	28,449	23,165	23,165
Add unfinanced capital expenditure (as above)	627	3,936	1,867
Less MRP/VRP*	(5,911)	(1,111)	(1,110)
Less PFI & finance lease repayments	0	0	0
Closing balance	23,165	25,990	23,922

CFR - HRA	31 March 2022 Provisional Actual £'000	31 March 2023 Budget £'000	31 March 2023 Provisional Actual £'000
Opening balance	28,236	28,514	28,514
Add unfinanced capital expenditure (as above)	528	581	84
Less MRP/VRP*	(250)	(285)	(286)
Less PFI & finance lease repayments	0	0	0
Closing balance	28,514	28,810	28,312

*\* Includes voluntary application of capital receipts*

Borrowing activity is constrained by prudential indicators for gross borrowing and the CFR, and by the authorised limit.

- 4.7 **Gross borrowing and the CFR** - in order to ensure that borrowing levels are prudent over the medium term and only for a capital purpose, the Council should ensure that its gross external borrowing (borrowing undertaken with financial institutions or external organisations) does not, except in the short term, exceed the total of the CFR in the preceding year (2022/23) plus the estimates of any additional capital financing requirement for the current (2023/24) and next two financial years.
- 4.8 This essentially means that the Council is only borrowing to fund capital expenditure and is not borrowing to support revenue expenditure. Under statutory requirements Councils are not allowed to borrow to fund their revenue budget activities.

- 4.9 By assessing this indicator over four years it allows the Council some flexibility to borrow in advance of its immediate capital needs in 2022/23. The table below highlights the Council's gross borrowing position against the CFR and shows that the Council has complied with this prudential indicator, as the Council's gross debt of **£19.9m** is less than the **£52.2m** CFR at 31 March 2023.

	<b>31 March 2022 Provisional Actual £'000</b>	<b>31 March 2023 Budget £'000</b>	<b>31 March 2023 Provisional Actual £'000</b>
CFR GF	23,165	25,990	23,922
CFR HRA	28,514	28,810	28,312
<b>Total CFR</b>	<b>51,679</b>	<b>54,800</b>	<b>52,234</b>
Gross borrowing position	(20,216)	(48,157)	(19,882)
Underfunding of CFR	31,463	6,643	32,352

- 4.10 **The authorised limit** - the authorised limit is the “affordable borrowing limit” required by s3 of the Local Government Act 2003. Once this has been set, the Council does not have the power to borrow above this level.
- 4.11 **The operational boundary** – the operational boundary is the expected borrowing position of the Council during the year. Periods where the actual position is either below or over the boundary are acceptable subject to the authorised limit not being breached.
- 4.12 **Actual financing costs as a proportion of net revenue stream** - this indicator identifies the trend in the cost of capital, (borrowing and other long term obligation costs net of investment income), against the net revenue stream.
- 4.13 The table below shows that during 2022/23 the Council's maximum gross debt position was **£20.2m** and therefore it has maintained gross borrowing within its authorised limit and operational boundary.

	<b>2022/23 £000</b>
Authorised limit	96,000
Maximum gross borrowing position during the year	20,216
Operational boundary	86,000
Average gross borrowing position	20,018

	<b>2022/23 %</b>
Financing costs as a proportion of net revenue stream - GF	4.9
Financing costs as a proportion of net revenue stream -HRA	2.2

## 5. Treasury Position as at 31 March 2023

- 5.1. The Council's treasury management debt and investment position is organised by the treasury management service in order to ensure adequate liquidity for revenue and capital activities, security for investments and to manage risks within all treasury management activities. Procedures and controls to achieve these objectives are well established both through member reporting detailed above, and through officer activity detailed in the Council's Treasury Management Practices. At the end of 2022/23 the Council's treasury position (excluding any borrowing for PFI and finance leases) was as follows:

	31 March 2022 Principal £'000	Rate/ Return %	Average Life Years	31 March 2023 Principal £'000	Rate/ Return %	Average Life Years
<b>Gross Debt Position</b>						
GF debt	7,629	3.44%	15.7	7,295	3.50%	15.5
HRA debt	12,587	4.24%	8.8	12,587	4.36%	8.1
<b>Total debt (all fixed rate)</b>	<b>20,216</b>	<b>3.95%</b>	<b>11.4</b>	<b>19,882</b>	<b>4.04%</b>	<b>10.8</b>
<b>CFR compared to Gross Debt</b>						
GF CFR	23,165			23,922		
HRA CFR	28,514			28,312		
<b>Total CFR</b>	<b>51,679</b>			<b>52,234</b>		
<b>Under- borrowing</b>	<b>31,463</b>			<b>32,352</b>		
<b>Net Debt / Investment</b>						
Total debt	20,216	3.95%	11.4	19,882	4.04%	10.8
Total investments	(51,308)	0.10%		(60,599)	2.28%	
<b>Net debt / (investment)</b>	<b>(31,092)</b>			<b>(40,717)</b>		

- 5.2. This table shows that, as previously stated, gross debt was £19.882m and the CFR was £52.234m at the end of 2022/23. This means the Council is in an under borrowed position of £32.352m, as external gross debt is less than the CFR.
- 5.3. This table also shows that the Council's investments totalled £60.599m at the 2022/23 year end and therefore was in a net investment position, as investments held exceeded gross debt by £40.717m.



# Agenda Item 12

5.4. As at 31 March 2023, all of the debt is from the Public Works Loan Board (PWLB), which is a facility operated by the UK Debt Management Office on behalf of HM Treasury and provides loans to local authorities, apart from a market loan of £4.5m principal at 4.19% with an average life of 0.5 years.

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

	31 March 2022 actual £000	2022/23 upper limits £000	31 March 2023 actual £000
Under 1 year	4,834	9,941	4,759
1 year to under 2 years	259	9,941	2,487
2 years to under 5 years	2,662	9,941	262
5 years to under 10 years	2,356	9,941	2,356
10 years to under 20 years	7,185	9,941	7,098
20 years to under 30 years	1,920	9,941	1,920
30 years to under 40 years	0	9,941	0
40 years to under 50 years	1,000	9,941	1,000
50 years and above	0	9,941	0
<b>Total debt</b>	<b>20,216</b>		<b>19,882</b>

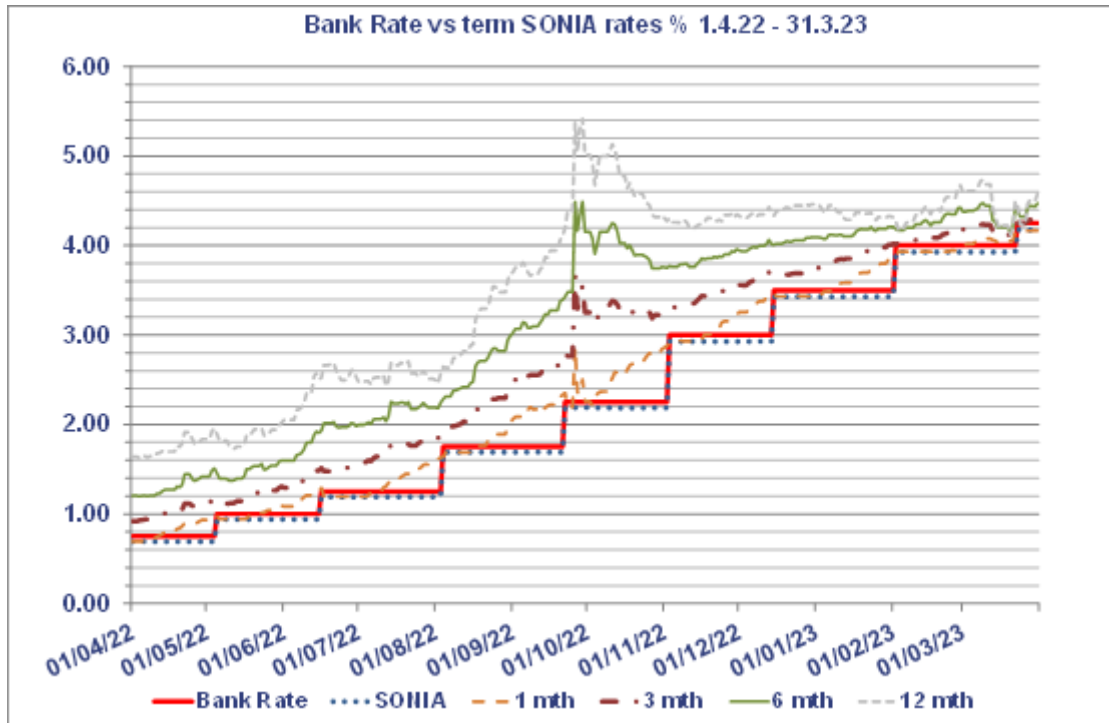
5.6. The following table shows the value of the type of investments the Council was holding at year-end. All investments at the 2021/22 and 2022/23 year-end were for under one year.

	31 March 2022 actual £000	31 March 2022 actual %	31 March 2023 actual £000	31 March 2023 actual %
Banks - Instant Access	30	0.06	30	0.05
Banks - Notice Accounts	4,055	7.90	4,055	6.69
Banks - Fixed Term Deposits	100	0.19	2,000	3.30
Money Market Funds	46,124	89.90	53,512	88.31
Bond Funds	999	1.95	1,002	1.65
<b>Total Treasury Investments</b>	<b>51,308</b>	<b>100.00</b>	<b>60,599</b>	<b>100.00</b>

## 6. The Strategy for 2022/23

### 6.1. Investment strategy and control of interest rate risk

6.1.1. The following chart tracks the Bank of England base rate of interest and the Sterling Overnight Index Average (SONIA) during 2022/23.



- 6.1.2 Investment returns picked up throughout the course of 2022/23 as central banks, including the Bank of England, realised that inflationary pressures were not necessarily transitory, and that tighter monetary policy was called for.
- 6.1.3 Starting April at 0.75%, Bank Rate moved up in stepped increases of either 0.25% or 0.5%, reaching 4.25% by the end of the financial year, with the expectation of a further one or two increases in 2023/24.
- 6.1.4 The sea-change in investment rates meant local authorities were faced with the challenge of pro-active investment of surplus cash for the first time in over a decade, and this emphasised the need for a detailed working knowledge of cashflow projections so that the appropriate balance between maintaining cash for liquidity purposes, and “laddering” deposits on a rolling basis to lock in the increase in investment rates as duration was extended, became an on-going feature of the investment landscape.
- 6.1.5 With bond markets selling off, equity valuations struggling to make progress and, latterly, property funds enduring a wretched Q4 2022, the more traditional investment options, such as specified investments (simple to understand, and less than a year in duration) became more actively used. This Council does not invest in equity or property funds, and the bond fund it uses is classified as a short duration fund.
- 6.1.6 Meantime, through the autumn, and then in March 2023, the Bank of England maintained various monetary policy easing measures as required to ensure specific markets, the banking system and the economy had appropriate levels of liquidity at times of stress.
- 6.1.7 Nonetheless, while the Council has taken a cautious approach to investing, it is also fully appreciative of changes to regulatory requirements for financial institutions in terms of additional capital and liquidity that came about in the

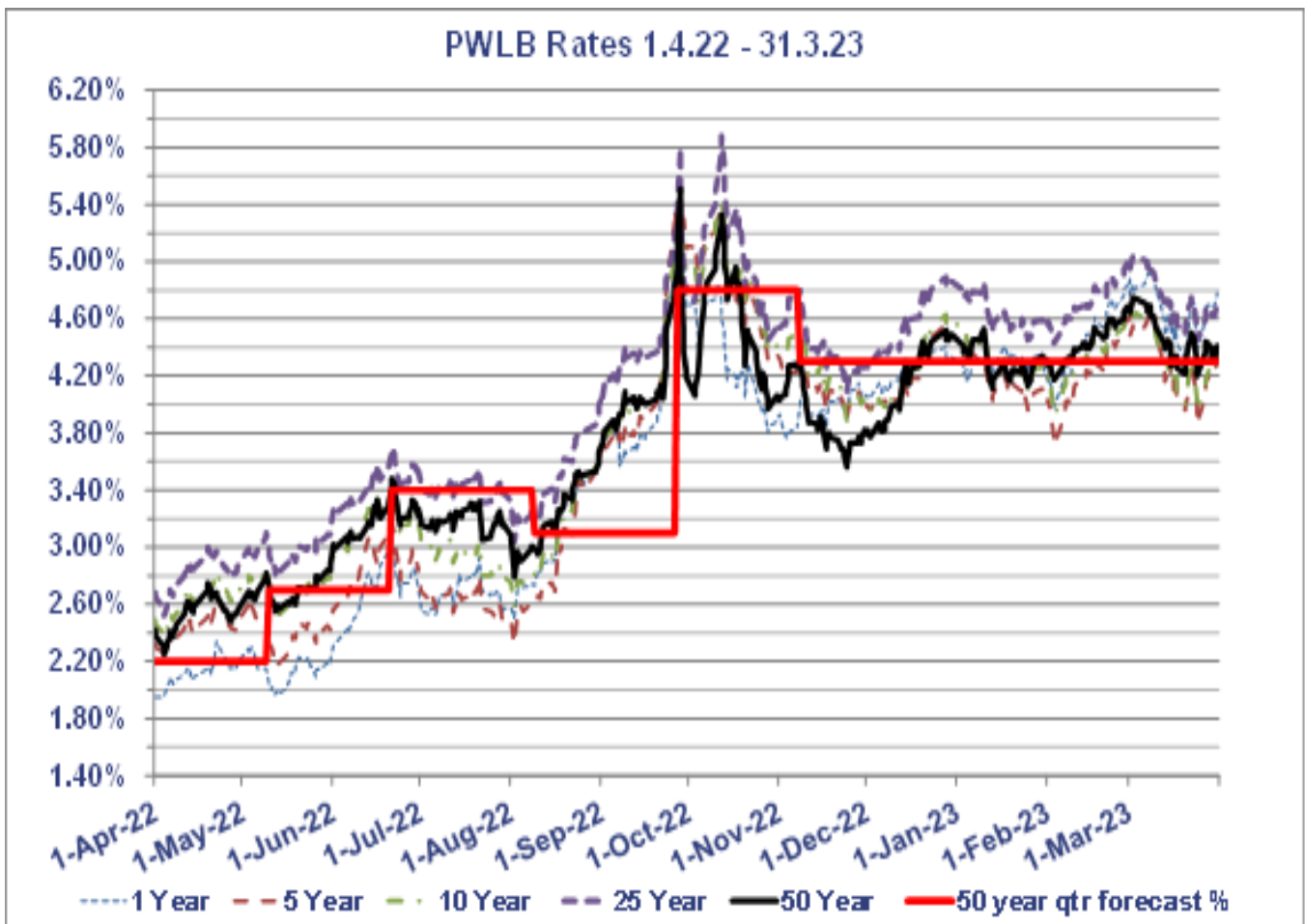
aftermath of the Great Financial Crisis of 2008/9. These requirements have provided a far stronger basis for financial institutions, with annual stress tests by regulators evidencing how institutions are now far more able to cope with extreme stressed market and economic conditions.

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

- 6.2.1. During 2022/23, the Council maintained an under-borrowed position. This meant that the capital borrowing need (the Capital Financing Requirement) was not fully funded with loan debt, as cash supporting the Council's reserves, balances and cash flow was used as an interim measure. This strategy was prudent as investment returns were initially low and minimising counterparty risk on placing investments also needed to be considered.
- 6.2.2. A cost of carry generally remained in place during the year on any new long-term borrowing that was not immediately used to finance capital expenditure, as it would have caused a temporary increase in cash balances; this would have incurred a revenue cost – the difference between (higher) borrowing costs and (lower) investment returns. The Council sought to avoid taking on long-term borrowing at elevated levels and has focused on a policy of internal borrowing.
- 6.2.3. The policy of avoiding new borrowing by running down spare cash balances, has served well over the last few years. However, this was kept under review to avoid incurring higher borrowing costs in the future when this authority may not be able to avoid new borrowing to finance capital expenditure and/or the refinancing of maturing debt.
- 6.2.4. Against this background and the risks within the economic forecast, caution was adopted with the treasury operations. The Section 151 Officer therefore monitored interest rates in financial markets and adopted a pragmatic strategy based upon the following principles to manage interest rate risks:
  - if it had been felt that there was a significant risk of a sharp FALL in long and short term rates, (e.g. due to a marked increase of risks around relapse into recession or of risks of deflation), then long term borrowings would have been postponed, and potential rescheduling from fixed rate funding into short term borrowing would have been considered.
  - if it had been felt that there was a significant risk of a much sharper RISE in long and short term rates than initially expected (e.g. perhaps arising from an acceleration in the start date and in the rate of increase in central rates in the USA and UK, an increase in world economic activity or a sudden increase in inflation risks), then the portfolio position would have been re-appraised. Most likely, fixed rate funding would have been drawn whilst interest rates were lower than they were projected to be in the next few years.
- 6.2.5 Interest rate forecasts were initially suggesting only gradual rises in short, medium and longer-term fixed borrowing rates during 2022/23 but by August it had become clear that inflation was moving up towards 40-year highs, and the

Bank of England engaged in monetary policy tightening at every Monetary Policy Committee meeting during 2022, and into 2023, either by increasing Bank Rate by 0.25% or 0.5% each time. The CPI measure of inflation was above 10% in the UK by the end of 2022/23 but is expected to fall back by year end. Nonetheless, there remain significant risks to that central forecast.

Link Group Interest Rate View 27.03.23												
	Jun-23	Sep-23	Dec-23	Mar-24	Jun-24	Sep-24	Dec-24	Mar-25	Jun-25	Sep-25	Dec-25	Mar-26
BANK RATE	4.50	4.50	4.25	4.00	3.50	3.25	3.00	2.75	2.75	2.50	2.50	2.50
3 month ave earnings	4.50	4.50	4.30	4.00	3.50	3.30	3.00	2.80	2.80	2.50	2.50	2.50
6 month ave earnings	4.50	4.40	4.20	3.90	3.40	3.20	2.90	2.80	2.80	2.60	2.60	2.60
12 month ave earnings	4.50	4.40	4.20	3.80	3.30	3.10	2.70	2.70	2.70	2.70	2.70	2.70
5 yr PWLB	4.10	4.10	3.90	3.80	3.70	3.60	3.50	3.40	3.30	3.20	3.20	3.10
10 yr PWLB	4.20	4.20	4.00	3.90	3.80	3.70	3.50	3.50	3.40	3.30	3.30	3.20
25 yr PWLB	4.60	4.50	4.40	4.20	4.10	4.00	3.80	3.70	3.60	3.50	3.50	3.40
50 yr PWLB	4.30	4.20	4.10	3.90	3.80	3.70	3.50	3.50	3.30	3.20	3.20	3.10



6.2.6 PWLB rates are based on gilt (UK Government bonds) yields through H.M.Treasury determining a specified margin to add to gilt yields. The main influences on gilt yields are Bank Rate, inflation expectations and movements in US treasury yields. Inflation targeting by the major central banks has been successful over the last 30 years in lowering inflation and the real equilibrium

rate for central rates has fallen considerably due to the high level of borrowing by consumers: this means that central banks do not need to raise rates as much now to have a major impact on consumer spending, inflation, etc. This has pulled down the overall level of interest rates and bond yields in financial markets over the last 30 years. Indeed, in recent years many bond yields up to 10 years in the Eurozone turned negative on expectations that the EU would struggle to get growth rates and inflation up from low levels. In addition, there has, at times, been an inversion of bond yields in the US whereby 10-year yields have fallen below shorter-term yields. In the past, this has been a precursor of a recession.

- 6.2.7 However, since early 2022, yields have risen dramatically in all the major developed economies, first as economies opened post-Covid; then because of the inflationary impact of the war in Ukraine in respect of the supply side of many goods. In particular, rising cost pressures emanating from shortages of energy and some food categories have been central to inflation rising rapidly. Furthermore, by the financial year-end the FOMC, ECB and Bank of England were all being challenged by persistent inflation exacerbated by very tight labour markets and high wage increases relative to what central banks believe to be sustainable.
- 6.2.8 Gilt yields have been on a continual rise since the start of 2021, peaking in the autumn of 2022. At the close of the day on 31 March 2023, all gilt yields from 1 to 50 years were between 3.64% and 4.18%, with the 1 year being the highest and 6-7.5 years being the lowest yield.
- 6.2.9 Regarding PWLB borrowing rates, the various margins attributed to their pricing are as follows: -
- **PWLB Standard Rate** is gilt plus 100 basis points (G+100bps)
  - **PWLB Certainty Rate** is gilt plus 80 basis points (G+80bps)
  - **Local Infrastructure Rate** is gilt plus 60bps (G+60bps)
- 6.2.10 There may be a fall in gilt yields and PWLB rates across the whole curve over the next one to two years as Bank Rate first rises to dampen inflationary pressures and a tight labour market, and is then cut as the economy slows, unemployment rises, and inflation (on the Consumer Price Index measure) moves closer to the Bank of England's 2% target.
- 6.2.11 As a general rule, short-dated gilt yields will reflect expected movements in Bank Rate, whilst medium to long-dated yields are driven primarily by the inflation outlook.
- 6.2.12 The Bank of England is also embarking on a process of Quantitative Tightening, but the scale and pace of this has already been affected by the Truss/Kwarteng "fiscal experiment" in the autumn of 2022 and more recently by the financial market unease with some US (e.g., Silicon Valley Bank) and European banks (e.g., Credit Suisse). There is expected to be a gradual reduction of the Bank's original £895bn stock of gilt and corporate bonds, selling it back into the market over several years. The impact this policy will have on the market pricing of gilts, while issuance is markedly increasing, is unknown as at 31 March 2023.

- 6.3. **Change in strategy during the year** – the strategy adopted in the original Treasury Management Strategy Report for 2022/23 (approved by the Council on 10 February 2022) was revised during 2022/23 in the mid-year treasury update report (approved by the Council on 8 December 2022).

## 7. **Borrowing Outturn for 2022/23**

- 7.1. **Borrowing** – Due to investment concerns, both counterparty risk and comparatively low investment returns, no borrowing was undertaken during the year.
- 7.2. **Borrowing in advance of need** - The Council has not borrowed more than, or in advance of, its needs purely in order to profit from the investment of the extra sums borrowed.
- 7.3. **Rescheduling** – No rescheduling was done during the year as the average 1% differential between PWLB new borrowing rates and premature repayment rates made rescheduling unviable.
- 7.4. **Repayments** – The Council repaid £0.334m of maturing debt using investment balances, as below:

<b>Lender</b>	<b>Principal £'000</b>	<b>Interest Rate</b>	<b>Repayment Date</b>
Salix	4	0.00%	01-04-22
PWLB	43	3.08%	25-04-22
PWLB	50	2.48%	27-05-22
PWLB	72	1.28%	20-06-22
PWLB	43	3.08%	24-10-22
PWLB	50	2.48%	28-11-22
PWLB	72	1.28%	20-12-22
<b>Total</b>	<b>334</b>		

- 7.5. **Summary of debt transactions** – The average interest rate on the debt portfolio increased from 3.95% to 4.04% during the year. This was due to the repayment of maturing debt as shown above.

## 8. **Investment Outturn for 2022/23**

- 8.1. **Investment Policy** – the Council's investment policy is governed by DLUHC investment guidance, which has been implemented in the annual investment strategy approved by the Council on 10 February 2022. This policy sets out the approach for choosing investment counterparties, and is based on credit

ratings provided by the three main credit rating agencies, supplemented by additional market data (such as rating outlooks, credit default swaps, bank share prices etc.).

- 8.2. The investment activity during the year conformed to the approved strategy, and the Council had no liquidity difficulties.
- 8.3. **Resources** - the Council's cash balances comprise revenue and capital resources and cash flow monies. The Council's core cash resources comprised as follows:

<b>Balance Sheet Resources</b>	<b>31 March 2022 Provisional £000</b>	<b>31 March 2023 Provisional £000</b>
GF Balance	2,011	TBA*
Earmarked Reserves	21,502	TBA*
HRA Balance	6,364	TBA*
Capital Receipts Reserve	7,396	8,222
Major Repairs Reserve	15,014	TBA*
Capital Grants Unapplied	43	TBA*
<b>Total Usable Reserves</b>	<b>52,330</b>	<b>TBA*</b>

\*2022/23 accounts in preparation and figures not yet available

- 8.4. **Investments held by the Council**
- The Council maintained an average balance of £58.428m of internally managed funds.
  - The internally managed funds earned an average rate of return of 2.28%.
  - The comparable performance indicator to the end of 2023 was the average 7 day SONIA compounded rate which was 2.19%.
  - This compares with an original budget assumption of £35m investment balances earning an average rate of 0.50%.
  - Total investment income was £1,333k compared to a budget of £175k.
- 8.5. **Investments held by fund managers** – the Council does not use external fund managers on a discretionary basis for any part of its investment portfolio.

## 9. Investment risk benchmarking

- 9.1. The following investment benchmarks were set in the Council's 2022/23 annual treasury strategy:

- 9.1.1. **Security** - The Council's maximum security risk benchmark for the current portfolio, when compared to historic default tables, is:
- 0.05% historic risk of default when compared to the whole portfolio (excluding unrated investments).
- 9.1.2. **Liquidity** – in respect of this area the Council seeks to maintain:
- Liquid short term deposits of at least £10m available with a week's notice.
  - Weighted average life benchmark is expected to be in the range of 0 to 1 years, with a maximum of 5 years.
- 9.1.3. **Yield** - local measures of yield benchmarks are:
- Investments – internal returns above the 7 day SONIA compounded rate.
- 9.1.4. The Council kept to the above benchmarks during 2022/23.

## 10. Fair Value of Investments (IFRS 9)

- 10.1 Following the consultation undertaken by the Department of Levelling Up, Housing and Communities [DLUHC] on IFRS 9, the Government has extended the mandatory statutory override for local authorities to reverse all unrealised fair value movements resulting from pooled investment funds to 31<sup>st</sup> March 2025. Local authorities are required to disclose the net impact of the unrealised fair value movements in a separate unusable reserve throughout the duration of the override in order for the Government to keep the override under review and to maintain a form of transparency.
- 10.2 As at 31 March 2023, the Council had £1m in a pooled investment fund accounted for at fair value, with an unrealised fair value gain of £24k.

## 11. International Financial Reporting Standard 16 (IFRS 16)

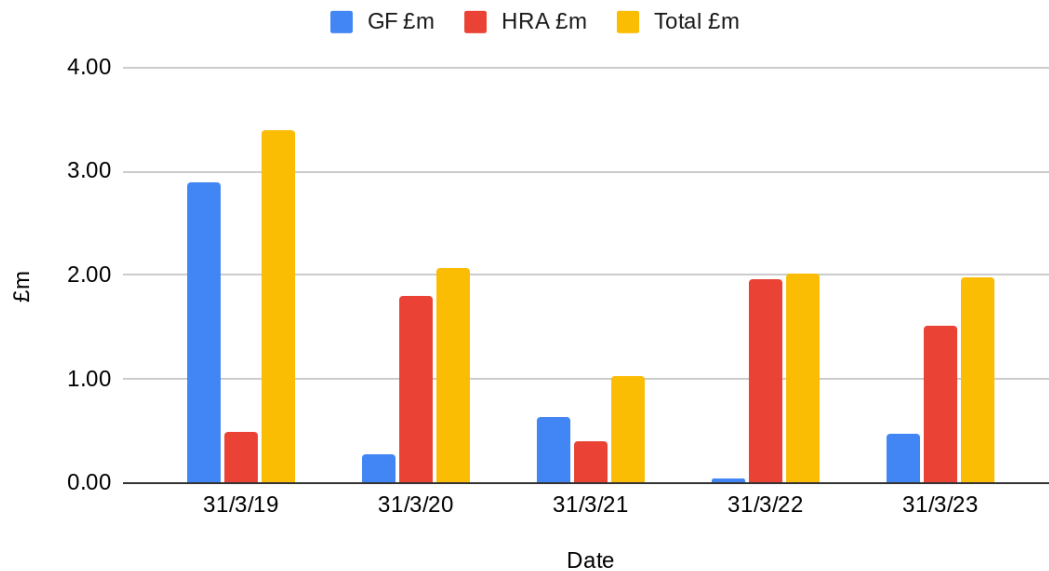
- 11.1 The implementation of IFRS16 (bringing almost all lease liabilities onto the balance sheet together with the corresponding 'right of use' assets) has been delayed once more to 2024/25.

## 12. Capital Receipts

- 12.1 The chart below shows a 5 year summary of net capital receipts. It excludes the 2020/21 and 2021/22 capital receipts from the Dreamland disposal, as these have been used to reduce the Council's capital financing requirement (CFR) rather than finance the future capital programme.



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



- 12.2 As can be seen from this chart, there has been a marked reduction in GF capital receipts over the last few years, which has implications for funding the future capital programme.

### 13. Capital Financing

- 13.1 The 2022/23 accounts are in preparation and figures are not yet available to compare the Council's CFR (showing how much of the Council's capital / long-term assets had yet to be funded) against its Capital Adjustment Account (showing how much had effectively been paid off or funded) and its Revaluation Reserve (showing the aggregate increase in value of these assets since acquisition by the Council).

### 14. Options

- 14.1 The recommended option (to ensure regulatory compliance as set out in section 1 of this report) is that Council:
- Notes the actual 2022/23 prudential and treasury indicators in this report.
  - Approves this Annual Treasury Management Report for 2022/23.
- 14.2 Alternatively, Council may decide not to do this and provide reason(s) why.

### 15. Disclaimer

- 15.1 This report is a technical document focussing on public sector investments and borrowings and, as such, readers should not use the information contained within the report to inform personal investment or borrowing decisions. Neither Thanet District Council nor any of its officers or employees makes any representation or warranty, express or implied, as to the accuracy or completeness of the information contained herein (such information being subject to change without notice) and shall not be in any way responsible or

liable for the contents hereof and no reliance should be placed on the accuracy, fairness or completeness of the information contained in this document. Any opinions, forecasts or estimates herein constitute a judgement and there can be no assurance that they will be consistent with future results or events. No person accepts any liability whatsoever for any loss howsoever arising from any use of this document or its contents or otherwise in connection therewith.

Contact Officer: Chris Blundell, Director of Corporate Services & Section 151 Officer

Reporting to: Colin Carmichael, Interim Chief Executive

## **Annex List**

**Annex 1:** Report Guidance

**Annex 2:** Abbreviations and Definitions

**Annex 3:** The Economy and Interest Rates

## **Corporate Consultation Undertaken**

**Finance:** n/a

**Legal:** Sameera Khan, Interim Head of Legal & Monitoring Officer

## ANNUAL TREASURY MANAGEMENT REVIEW 2022/23

### Annex 1: Report Guidance

#### Borrowing Need

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

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

#### Public Works Loan Board - PWLB

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

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

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

#### Financing Costs as a Proportion of Net Revenue Stream

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

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

#### Borrowing and Investments

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

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

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

This page is intentionally left blank

**ANNUAL TREASURY MANAGEMENT REVIEW 2022/23**

**Annex 2: Abbreviations and Definitions**

<b>Basis Point</b>	One hundredth of one percentage point so, for example, 100 basis points (otherwise known as bps or bips) is 1%.
<b>CE</b>	Capital Economics - is the economics consultancy that provides Link Group, Treasury Solutions, with independent economic forecasts, briefings and research.
<b>CFR</b>	Capital Financing Requirement - the council's annual underlying borrowing need to finance capital expenditure and a measure of the council's total outstanding indebtedness.
<b>CIPFA</b>	Chartered Institute of Public Finance and Accountancy – the professional accounting body that oversees and sets standards in local authority finance and treasury management.
<b>CPI</b>	Consumer Price Inflation – the official measure of inflation adopted as a common standard by countries in the EU. It is a measure that examines the weighted average of prices of a basket of consumer goods and services, such as transportation, food and medical care. It is calculated by taking price changes for each item in the predetermined basket of goods and averaging them.
<b>DLUHC</b>	The Department for Levelling Up, Housing and Communities - the Government department that directs local authorities in England.
<b>ECB</b>	European Central Bank - the central bank for the Eurozone.
<b>EU</b>	European Union.
<b>EZ</b>	Eurozone - those countries in the EU which use the euro as their currency.
<b>Fed</b>	The Federal Reserve, often referred to simply as "the Fed," is the central bank of the United States. It was created by Congress to provide the nation with a stable monetary and financial system.
<b>FOMC</b>	The Federal Open Market Committee – this is the branch of the Federal Reserve Board which determines monetary policy in the USA by setting interest rates and determining quantitative easing policy. It is composed of 12 members -- the seven members of the Board of Governors and five of the 12 Reserve Bank presidents.
<b>FTSE 100</b>	The Financial Times Stock Exchange 100 Index - a share index of the 100 companies listed on the London Stock Exchange with the highest market capitalisation.

# Agenda Item 12

## Annex 2

<b>GDP</b>	Gross Domestic Product – a measure of the growth and total size of the economy.
<b>G7</b>	The group of seven countries that form an informal bloc of industrialised democracies--the United States, Canada, France, Germany, Italy, Japan, and the United Kingdom--that meets annually to discuss issues such as global economic governance, international security, and energy policy.
<b>Gilts</b>	Gilts are bonds issued by the UK Government to borrow money on the financial markets. Interest paid by the Government on gilts is called a coupon and is at a rate that is fixed for the duration until maturity of the gilt (unless a gilt is index linked to inflation). While the coupon rate is fixed, the yields will change inversely to the price of gilts, i.e. a rise in the price of a gilt will mean that its yield will fall.
<b>HRA</b>	Housing Revenue Account.
<b>ILO</b>	International Labour Organisation
<b>IMF</b>	International Monetary Fund - the lender of last resort for national governments which get into financial difficulties.
<b>MPC</b>	The Monetary Policy Committee is a committee of the Bank of England, which meets for one and a half days, eight times a year, to determine monetary policy by setting the official interest rate in the United Kingdom (the Bank of England Base Rate, commonly called Bank Rate), and by making decisions on quantitative easing.
<b>MRP</b>	Minimum Revenue Provision - a statutory annual minimum revenue charge to reduce the total outstanding CFR (the total indebtedness of a local authority).
<b>PFI</b>	Private Finance Initiative – capital expenditure financed by the private sector i.e. not by direct borrowing by a local authority.
<b>PWLB</b>	Public Works Loan Board – this is the part of H.M. Treasury which provides loans to local authorities to finance capital expenditure.
<b>QE/QT</b>	Quantitative Easing (QE) – is an unconventional form of monetary policy where a central bank creates new money electronically to buy financial assets, like government bonds (but may also include corporate bonds). This process aims to stimulate economic growth through increased private sector spending in the economy and also aims to return inflation to target. These purchases increase the supply of liquidity to the economy; this policy is employed when lowering interest rates has failed to stimulate economic growth to an acceptable level and to lift inflation to target. Once QE has achieved its objectives of stimulating growth and inflation, QE will be reversed by selling the bonds the central bank had previously purchased, or by not replacing debt that it held which matures. This is called quantitative tightening (QT). The aim of this reversal is to ensure that inflation does not exceed its target once the economy recovers from a sustained period of depressed growth and inflation. Economic growth, and increases in inflation, may

# Agenda Item 12

## Annex 2

threaten to gather too much momentum if action is not taken to 'cool' the economy.

- RPI** The Retail Price Index is a measure of inflation that measures the change in the cost of a representative sample of retail goods and services. It was the UK standard for measurement of inflation until the UK changed to using the EU standard measure of inflation – CPI. The main differences between RPI and CPI is in the way that housing costs are treated and that the former is an arithmetical mean whereas the latter is a geometric mean. RPI is often higher than CPI for these reasons.
- SONIA** The Sterling Overnight Index Average. Generally, a replacement set of indices (for LIBID) for those benchmarking their investments. The benchmarking options include using a forward-looking (term) set of reference rates and/or a backward-looking set of reference rates that reflect the investment yield curve at the time an investment decision was taken.
- S&P 500** Standard & Poor's 500 Index - a share index of 500 of the largest companies listed on US stock exchanges
- TMSS** The annual Treasury Management Strategy Statement report that all local authorities are required to submit for approval by the full council before the start of each financial year.
- VRP** A Voluntary Revenue Provision to repay debt, in the annual budget, which is additional to the annual MRP charge (see above definition).

This page is intentionally left blank



**ANNUAL TREASURY MANAGEMENT REVIEW 2022/23**

**Annex 3: Link’s Review of the Economy and Interest Rates (issued by Link on 6 April 2023)**

**1. UK**

1.1 Against a backdrop of stubborn inflationary pressures, the easing of Covid restrictions in most developed economies, the Russian invasion of Ukraine, and a range of different UK Government policies, it is no surprise that UK interest rates have been volatile right across the curve, from Bank Rate through to 50-year gilt yields, for all of 2022/23.

1.2 Market commentators’ misplaced optimism around inflation has been the root cause of the rout in the bond markets with, for example, UK, EZ and US 10-year yields all rising by over 200 basis points in 2022. The table below provides a snapshot of the conundrum facing central banks: inflation is elevated but labour markets are extraordinarily tight, making it an issue of fine judgement as to how far monetary policy needs to tighten.

	<b>UK</b>	<b>Eurozone</b>	<b>US</b>
<b>Bank Rate</b>	4.25%	3%	4.75%-5%
<b>GDP</b>	0.1% q/q Q4 (4.1% y/y)	0.1% q/q Q4 (1.9% y/y)	2.6% Q4 Annualised
<b>Inflation</b>	10.4% y/y (Feb)	6.9% y/y (Mar)	6.0% y/y (Feb)
<b>Unemployment Rate</b>	3.7% (Jan)	6.6% (Feb)	3.6% (Feb)

1.3 Q2 of 2022 saw UK GDP deliver growth of +0.1% q/q, but this was quickly reversed in the third quarter, albeit some of the fall in GDP can be placed at the foot of the extra Bank Holiday in the wake of the Queen’s passing. Q4 GDP was positive at 0.1% q/q. Most recently, January saw a 0.3% m/m increase in GDP as the number of strikes reduced compared to December. In addition, the resilience in activity at the end of 2022 was, in part, due to a 1.3% q/q rise in real household disposable incomes. A big part of that reflected the £5.7bn payments received by households from the government under the Energy Bills Support Scheme.

1.4 Nevertheless, CPI inflation picked up to what should be a peak reading of 11.1% in October, although hopes for significant falls from this level will very much rest on the movements in the gas and electricity markets, as well as the supply-side factors impacting food prices. On balance, most commentators expect the CPI measure of inflation to drop back towards 4% by the end of 2023. As of February 2023, CPI was 10.4%.

1.5 The UK unemployment rate fell through 2022 to a 48-year low of 3.6%, and this despite a net migration increase of c500k. The fact remains, however, that with many economic participants registered as long-term sick, the UK labour force shrunk by

# Agenda Item 12

## Annex 3

c500k in the year to June. Without an increase in the labour force participation rate, it is hard to see how the UK economy will be able to grow its way to prosperity, and with average wage increases running at over 6% the MPC will be concerned that wage inflation will prove just as sticky as major supply-side shocks to food (up 18.3% y/y in February 2023) and energy that have endured since Russia's invasion of Ukraine on 22 February 2022.

- 1.6 Bank Rate increased steadily throughout 2022/23, starting at 0.75% and finishing at 4.25%.
- 1.7 In the interim, following a Conservative Party leadership contest, Liz Truss became Prime Minister for a tumultuous seven weeks that ran through September and October. Put simply, the markets did not like the unfunded tax-cutting and heavy spending policies put forward by her Chancellor, Kwasi Kwarteng, and their reign lasted barely seven weeks before being replaced by Prime Minister Rishi Sunak and Chancellor Jeremy Hunt. Their Autumn Statement of the 17<sup>th</sup> of November gave rise to a net £55bn fiscal tightening, although much of the "heavy lifting" has been left for the next Parliament to deliver. However, the markets liked what they heard, and UK gilt yields have reversed the increases seen under the previous tenants of No10/11 Downing Street, although they remain elevated in line with developed economies generally.
- 1.8 As noted above, GDP has been tepid throughout 2022/23, although the most recent composite Purchasing Manager Indices for the UK, US, EZ and China have all surprised to the upside, registering survey scores just above 50 (below suggests economies are contracting, and above suggests expansion). Whether that means a shallow recession, or worse, will be avoided is still unclear. Ultimately, the MPC will want to see material evidence of a reduction in inflationary pressures and a loosening in labour markets. Realistically, that is an unlikely outcome without unemployment rising and wage settlements falling from their current levels. At present, the bigger rise in employment kept the ILO unemployment rate unchanged at 3.7% in January. Also, while the number of job vacancies fell for the ninth consecutive month in February, they remained around 40% above pre-pandemic levels.
- 1.9 Link's economic analysts, Capital Economics, expect real GDP to contract by around 0.2% q/q in Q1 and forecast a recession this year involving a 1.0% peak-to-trough fall in real GDP.
- 1.10 The £ has remained resilient of late, recovering from a record low of \$1.035, on the Monday following the Truss government's "fiscal event", to \$1.23. Notwithstanding the £'s better run of late, 2023 could see a housing correction of some magnitude as fixed-rate mortgages have moved above 4.5% and affordability has been squeezed despite proposed Stamp Duty cuts remaining in place.
- 1.11 As for equity markets, the FTSE 100 started 2023 strongly, rising to a record high of 8,014 on 20<sup>th</sup> February, as resilient data and falling inflation boosted earnings. But global equities fell sharply after concerns over the health of the global banking system emerged early in March. The fall in the FTSE 100 was bigger than the drop in the US S&P 500. Indeed, at around 7,600 now, the FTSE is 5.2% below its record high on 20<sup>th</sup> February, while the S&P 500 is only 1.9% lower over the same period. That's despite UK banks having been less exposed and equity prices in the UK's financial sector not falling as far. It may be due to the smaller decline in UK interest

# Agenda Item 12

## Annex 3

rate expectations and bond yields, which raise the discounted value of future earnings, compared to the US.

### **2. USA**

- 2.1 The flurry of comments from Fed officials over recent months suggest there is still an underlying hawkish theme to their outlook for interest rates. Markets are pricing in further interest rate increases of 25-50bps, on top of the current interest rate range of 4.75% - 5%.
- 2.2 In addition, the Fed is expected to continue to run down its balance sheet once the on-going concerns about some elements of niche banking provision are in the rear-view mirror.
- 2.3 As for inflation, it is currently at c6% but with the economy expected to weaken during 2023, and wage data already falling back, there is the prospect that should the economy slide into a recession of any kind there will be scope for rates to be cut at the backend of 2023 or shortly after.

### **3. EU**

- 3.1 Although the Euro-zone inflation rate has fallen below 7%, the ECB will still be mindful that it has further work to do to dampen inflation expectations and it seems destined to raise rates to 4% in order to do so. Like the UK, growth has remained more robust than anticipated but a recession in 2023 is still seen as likely by most commentators.

This page is intentionally left blank

## **AMENDING THE MEMBERS ALLOWANCES SCHEME 2023/24**

Council	<b>12 October 2023</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:**

The Leader of the Council has via the Chief Executive asked Democratic Services to present a report to Council that gives a 10% increase to both the basic councillor allowance and all special responsibility allowances. This report shows the calculations for that increase and gives Council the opportunity to agree to changing the allowances scheme to reflect them. Any changes to the scheme will then be forwarded to the East Kent Joint Independent Remuneration Panel for their review and recommendations.

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

To adopt the proposed amended 2023/24 Members' Allowances Scheme as set out at annex 1 to this report inclusive of the 10% increase to basic and special responsibility allowances and to index link a yearly rise in allowances to the cost of living increase that staff members receive and to refer the scheme to EKJIRP to consider, with any amendments being reported back to Council.

### **Corporate Implications**

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

The financial implications of the decision to uplift the existing allowances is included within the body of this report and can be contained within existing wider Council budgets. Assumptions around future year increases are already factored into the 24/25 Medium Term Financial Strategy and as a result, are also containable.

#### **Legal**

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

Section 18 of the Local Government and Housing Act 1989 permits the Secretary of State, by regulations, to make a scheme providing for the payment of a basic allowance, an

attendance allowance and a special responsibility allowance to members of a local authority. Section 100 of the Local Government Act 2000 permits the Secretary of State, by regulations, to provide for travelling and subsistence allowances for members of local authorities, allowances for attending conferences and meetings and reimbursement of expenses. In exercise of these powers the Secretary of State has made the Local Authorities (Members' Allowances) (England) Regulations 2003.

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

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

## **Corporate**

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

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

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

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

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

## **Corporate Priorities**

This report relates to the following corporate priorities: -

- Communities

## **1.0 Introduction and Background**

1.1 The Leader of the Council has via the Chief Executive asked Democratic Services to calculate the impact of a 10% increase to both the basic councillor allowance and all special responsibility allowances. This report shows those calculations and gives Council the opportunity to agree to changing the allowances scheme to reflect them, it also covers a potential index link to staff cost of living increases for future increases Any changes to the scheme will then be forwarded to the East Kent Joint Independent Remuneration Panel for their review and recommendations.

## 2.0 Basic Allowance

2.1 The current level of basic allowance stands at £4,570 per year. This amount has stayed the same since part way through the 2012/13 financial year. The last increase in 2012/13 was 4.8%. To put this into some context, if an CPI inflation increase had been made every financial year to date the basic allowance would now have been £6,131, some £1,531 difference.

2.2 A 10% increase would increase the basic allowance from £4,570 to £5,027 per year. This would mean an additional expenditure of £25,592 per year.

2.3 Comparing our proposed basic allowance with the other basic allowance rates in Kent, the proposed rate would still be the second lowest in Kent.

Authority	Basic Allowance
Thanet (current)	£4,570
Dover	£5,000
Thanet (proposed)	£5,027
Maidstone	£5,065
Ashford	£5,286.79
F&H	£5,727
Tonbridge & Malling	£5,175
Gravesham	£5,318
Dartford	£5,439
Tunbridge Wells	£5,500
Sevenoaks	£6,044
Canterbury	£6,476.36
Swale	£6,786
Medway	£11,474
Kent	£16,401.40

## 3.0 Special Responsibility Allowances

3.1 Special Responsibility Allowances (SRA's) are additional allowances payments made to councillors with specific roles, such as Cabinet Members and Chairs and Vice-Chairs. Applying a 10% increase across all allowances and rounding them to the

# Agenda Item 14

nearest £100 would result in additional expenditure of £11,427. The increases for each of the SRA's are shown in the table below.

Role	No.	current rate	new rate	% change	current total	new total
Leader	1	£18,082	£19,900	10.05	£18,082	£19,900
Deputy Leader	1	£10,776	£11,900	10.43	£10,776	£11,900
Cabinet Portfolio Holder	4	£7,990	£8,800	10.14	£31,960	£35,200
Chair of Council	1	£2,188	£2,400	9.69	£2,188	£2,400
Vice Chair of Council	1	£1,530	£1,700	11.11	£1,530	£1,700
Opposition Group Leader	1	£7,990	£8,800	10.14	£7,990	£8,800
Deputy Opposition Group Leader	1	£2,862	£3,100	8.32	£3,100	£3,100
Opposition Spokesperson	4	£2,862	£3,100	8.32	£11,448	£12,400
Scrutiny Panel Chair	1	£7,990	£8,800	10.14	£7,990	£8,800
Scrutiny Panel Vice-Chair	1	£3,216	£3,500	8.83	£3,216	£3,500
Planning Committee Chair	1	£5,204	£5,700	9.53	£5,204	£5,700
Planning Committee Vice-Chair	1	£1,216	£1,300	6.91	£1,216	£1,300
Licensing Committee Chair	1	£3,216	£3,500	8.83	£3,216	£3,500
Licensing Committee Vice-Chair	1	£805	£900	11.80	£805	£900
Governance and Audit Committee - Chair	1	£5,204	£5,700	9.53	£5,204	£5,700
Governance and Audit Committee – Vice-Chair	1	£1,216	£1,300	6.91	£1,216	£1,300
Standards Committee -	1	£1,216	£1,300	6.91	£1,216	£1,300



Chair						
Standards Committee – Vice-Chair	1	£400	£500	25.00	£400	£500
Standards Committee – other Independent Member	2	£250	£300	20.00	£500	£600
“Independent Person”	1	£250	£300	20.00	£250	£300
Substitute “Independent Person”	1	£100	£150	50.00	£100	£150
JTB Chair	1	£1,216	£1,300	6.91	£1,216	£1,300
Total			£118,823			£130,250

3.2 The full scheme amended to reflect a 10% increase is attached to the report at Annex 1.

## 4.0 Commencement Date

4.1 The Leader has indicated that he would like to back-date the increases referred to in paragraphs 2 and 3 above to the beginning of the current term of office, this being Thursday 4 May 2023.

## 5.0 Index linking

5.1 The Leader has also asked Democratic Services to index link an annual rise to the Members Allowances scheme so that it is the same as the increase that staff receive as their cost of living increase.

5.2 Each year the finance team will build into the base budget an inflationary increase for members allowances. As a result this “index linking” is relatively straightforward to achieve as there should be sufficient funds in the budget each year to fund the increases.

5.3 By “index linking” the increase it will remove the chance of allowances being left behind, as reflected in paragraph 2.1 of the report, where justifiable increases in allowances have not been made for political reasons.

5.4 If Members agree to index linking the yearly increase in allowances, Democratic Services will include a paragraph within the scheme to reflect that decision.

## 5.0 Options

5.1 Council can choose;

a) To adopt the proposed amended 2023/24 Members’ Allowances Scheme as set out at annex 1 to this report inclusive of the 10% increase to basic and special responsibility allowances and to index link a yearly rise in allowances to the cost of living increase

that staff members receive and to refer the scheme to EKJIRP to consider, with any amendments being reported back to Council. With these changes being backdated to 4 May 2023.

- b) To keep basic and special responsibility allowances at their current levels and take no further action.
- c) To make other amendments to the 2023/24 Members Allowances Scheme as Council sees fit within existing budgets and to refer the scheme to EKJIRP to consider, with any amendments being reported back to Council.

## 6.0 Next Steps

- 6.1 It is for Council to agree the Members' Allowances Scheme. However the scheme and any amendments made would need to be the subject of consultation with the East Kent Joint Independent Remuneration Panel. The Remuneration Panel can then make recommendations back to Council, any recommendations will then be considered by Council at a future meeting. If no recommendations are received from the EKJIRP, the Council is asked to delegate the authority to approve the final scheme to the S.151 Officer

Contact Officer: Nick Hughes, Committee Services Manager  
Reporting to: Sameera Khan, Interim Head of Legal and Monitoring Officer

### Annex List

Annex 1: 2023/24 Draft Scheme of Members Allowances.

### Background Papers

There are no background papers with this report.

### Corporate Consultation

**Finance:** Matthew Sanham (Head of Finance and Procurement)

**Legal:** Sameera Khan, Interim Head of Legal and Monitoring Officer

# Part 6 - Members' Allowances

## Scheme 2023/24

- 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 2023 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 Dependants' 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

# Agenda Item 14

## Annex 1

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.

# Agenda Item 14

## Annex 1

- 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

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 Dependants' 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 2023 pursuant to a resolution of the Thanet District Council passed on the 23 February 2023.



**MEMBERS' ALLOWANCES SCHEME – 2023/24**

**Basic Allowance**

£5,027 each Member x 56 = £281,512

**Special Responsibility Allowances**

<b>Position</b>	<b>Number</b>	<b>Allowance £</b>	<b>Possible maximum expenditure £</b>
<b>Executive</b>			
Leader	1	£19,900	£19,900
Deputy Leader	1	£11,900	£11,900
Cabinet Portfolio Holder	4	£8,800	£35,200
<b>Non-Executive</b>			
Chairman of Council	1	£2,400	£2,400
Vice Chairman of Council	1	£1,700	£1,700
Opposition Group Leader	1	£8,800	£8,800
Deputy Opposition Group Leader	1	£3,100	£3,100
Opposition Spokesperson	4	£3,100	£12,400
Scrutiny Panel Chairman	1	£8,800	£8,800
Scrutiny Panel Vice-Chairman	1	£3,500	£3,500
Planning Committee Chairman	1	£5,700	£5,700
Planning Committee Vice-Chairman	1	£1,300	£1,300
Licensing Committee Chairman	1	£3,500	£3,500
Licensing Committee Vice-Chairman	1	£900	£900
Governance and Audit Committee - Chairman	1	£5,700	£5,700
Governance and Audit Committee – Vice-Chairman	1	£1,300	£1,300
Standards Committee - Chairman	1	£1,300	£1,300
Standards Committee – Vice-Chairman	1	£500	£500
Standards Committee –	2	£300	£600

# Agenda Item 14

## Annex 1

other Independent Member			
"Independent Person"	1	£300	£300
Substitute "Independent Person"	1	£150	£150
JTB Chairman	1	£1,300	£1,300
<b>TOTAL SRAs only</b>			<b>£130,2505</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 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**

# Agenda Item 14

## Annex 1

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 01/04/2023**

	<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)  
 Campaign to Protect Rural England (T)  
 Citizens' Advice Bureau, Thanet (T)  
 Community Safety Partnership (T)  
 Domestic Violence Forum (T)  
 East Kent Opportunities Ltd (T)  
 East Kent Spatial Development Company (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)  
 Manston Skills and Employment Board (T)  
 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.

## Funding New Affordable Homes

<b>Meeting</b>	12th October 2023
<b>Report Author</b>	Ashley Jackson, Head of Housing and Planning
<b>Portfolio Holder</b>	Cllr Helen Whitehead, Portfolio Holder for Housing
<b>Status</b>	For Decision
<b>Classification:</b>	Unrestricted
<b>Key Decision</b>	No
<b>Reasons for Key</b>	No - Policy and Budget Framework
<b>Ward:</b>	All wards

### Executive Summary:

This report updates members on the approved accelerated affordable housing development programme and recommends that the council allocate funding appropriately as part of the capital budget. This report asks that an additional £12m is allocated to the single acquisition and development of further projects as part of the programme previously approved by Council in July 2023.

Further allocations of funding to the single acquisition and development budget will be included in the 2024/25 budget report in February 2024.

The report sets out how the accelerated programme could be funded and delivered.

Individual site updates will be presented to cabinet, and an update on the accelerated housing programme and delivery will be presented to council annually, as part of the budget setting process.

### Recommendation(s):

It is recommended that Council:

1. Approve an additional interim budget of £12m to the single acquisitions and development budget to continue delivering the accelerated affordable housing delivery pledge.
2. Note that detailed projects will continue to be presented to the Cabinet for approval as they are identified.

### Corporate Implications

## **Financial and Value for Money**

The financial impact of the new schemes proposed is laid out in the body of the report.

## **Legal**

The Council has power under Section 9 of the Housing Act 1985 to erect or acquire houses for the purpose of providing housing accommodation. The houses so acquired must then be dealt with in accordance with the provisions of the Act, and any relevant subsequent legislation and may become subject to Right to Buy.

RTB receipts must be applied in accordance with relevant legislation and guidance and particularly Section 11(6) of the Local Government Act 2003 (LGA 2003) and the Local Authorities (Capital Finance and Accounting)(England) Regulations 2003 (as amended) and the terms of any agreement reached under the Local Government Act 2003 modifying the applicability of the regulations. In finalising the Plan, the Authority must comply with the public sector equality duty as set out in S149 of the Equality Act.

## **Risk Management**

There are a number of key risks linked to the proposals set out in this report and the development and acquisition of new homes generally. The key risk areas are:

**Interest Rates:** The key assumption in accelerating delivery is interest rates on required borrowing. The current affordability model assumes current interest rates, however if these were to unexpectedly increase at the time of borrowing then there would be an adverse impact on the HRA business plan. This can be mitigated largely by continuing to monitor inflation and following external advice from our treasury advisors on forecast rates.

**Rent Levels:** Assumptions have been made about future rent levels within the affordability model and an assumption that affordable rent can be charged. The annual rental increase is linked to CPI inflation and current Bank of England forecasts for CPI have been used when costing up affordability. As it's forecast that rates are to reduce, only a faster reduction in rates would have an impact on the current assumptions and even then the impact isn't likely to be significant.

**Housing Demand Risk:** This is considered to be a very low risk, due to the level of housing need in the district.

**Programme Delay:** This proposed programme does represent a significant step up in the acquisition of new affordable homes for the council, and there is a risk of programme delay. The financial assumptions used within the modelling have included resources for additional project management and design team resources to mitigate this risk.

## **Corporate**

The provision of new affordable homes is a significant priority for the council.

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

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

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

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

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
- To foster good relations between people who share a protected characteristic and people who do not share it.

People with protected characteristics under the Public Sector Equality Duty are represented on the council's housing register and seek support from the council's homelessness services. The proposals set out within this report are considered to be beneficial to people with protected characteristics, as new homes will be allocated in accordance with the council's adopted allocations policy, which has been subject to a full Equalities Impact Assessment.

## Corporate Priorities

This report relates to the following corporate priorities: -

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

## 1.0 Introduction and Background

- 1.1 Council agreed at its meeting on 13 July 2023 to deliver an accelerated affordable housing programme of at least 400 homes over a 4 year period. The report informed members about elements of this programme that had already been agreed, with allocated budgets totalling £28.315m over 3 years and approved a further budget for the first two projects of the accelerated programme of £7.485m. Housing Revenue Account Business plan assumptions include further tranches of funding for new build; £8.1m in 2025/26 and £8.1m in 2026/27.
- 1.2 The previous report projected that the total cost of the accelerated programme would be between £90m and £100m, with £54m to £60m funded from council borrowing and £36m to £40m funded from external sources. Details about the potential sources of external funding were also provided in the July report.
- 1.3 The currently approved budget of £36.816m over 4 years is allocated to existing projects, already agreed by cabinet, which will deliver between 123 and 128 homes. Of this amount, £12.516m is in the 2023/24 approved capital budget and is already committed to existing projects. Further resources over the four financial years from 2023/24 to 2026/27 will be required to complete the programme. The exact costs will depend upon a range of factors, including the size and type of new homes, inflation

over this and the next 3 years and the level of subsidy secured to support the programme. At this stage, the additional resources required are estimated to be around £65m over this period.

- 1.4 This report recommends that the council commit to including these additional resources within the capital programme in tranches for each financial year, with an additional £12m for the current financial year. The subsequent tranches will be reported annually to council as part of the budget setting process each February. The use of this funding is dependent upon the council securing the required level of subsidy or discount to make schemes viable, estimated at around 40% of the total cost.

## **2.0 Scheme Viability**

- 2.1 Officers have developed a detailed viability assessment tool to assess the viability of individual schemes, which is used to inform a go/no-go decision for individual proposals. It is essential for the viability of the overall programme that only schemes that have a positive impact on the HRA Business Plan or General Fund are delivered.
- 2.2 To be viable, schemes need to show an overall surplus over a 30 or 50 year timescale, depending on the duration of any borrowing. The assessment tool operates like a mini business plan and takes into account all relevant costs and income, including rent income, capital costs, professional fees and project management, the costs of borrowing and management, maintenance costs and depreciation over the lifetime of the homes.
- 2.3 Although viable schemes show a surplus over their lifetime, cash flow in the initial years is often in deficit. It is this cash flow deficit that acts as a limiting factor in the scale of the programme. The Council has established a new property reserve of an annual £300k to cover these initial cash flow deficits.
- 2.4 Each new project will be reported to Cabinet with details of its impact on the Housing Revenue Account, and the cash flow position over its lifetime and only schemes that are financially viable will be recommended for approval.

## **3.0 Opportunities to Delivery**

- 3.1 The council has already approved the funding and delivery of a further 47 homes on identified sites as part of the on-going new build programme, with construction due to start early in 2024. There are further capital resources available within the existing approved HRA capital programme, and a site identified with capacity for around 20 homes, however it is important to note that this is dependent upon external funding for 40% of the cost, which is yet to be secured.
- 3.2 In addition, following the approval of the accelerated programme by council in July 2023, the council is in negotiation for the acquisition of a further 51 homes, committing £7.485m.



- 3.3 Since July, opportunities have arisen to acquire a further tranche of new homes. In total, 73 homes across 5 sites. The details of these sites will be presented to Cabinet for approval, setting out details of the costs and financial viability. This report recommends an interim budget of £12m to fund these purchases. Details of the match funding, in the form of discounted purchase values or grant funding, will be considered by Cabinet when considering each individual project..
- 3.2 The council monitors all housing sites that have section 106 sites requiring the delivery of affordable homes, and works with registered providers (housing associations) and developers to ensure that these homes are constructed and transferred to a suitable registered provider. Housing Associations are increasingly looking for large scale sites providing 100 or more affordable homes, and the developers of smaller sites find it more difficult to secure a delivery partner. It is anticipated that further opportunities will arise during the coming period.
- 3.3 There are also a number of landowners approaching the council to explore whether the council would be interested in purchasing land for the delivery of new homes, or in working in partnership, or as part of a joint venture to deliver homes. Subject to approval and contract negotiations have been held with the several developers.
- 3.5 As sites are identified and evaluated, proposals will be presented to Cabinet for approval, where they are affordable and sustainable. Capital budgets will be reviewed as part of routine budget setting and monitoring as these programmes progress, so that council can approve the necessary funding at the appropriate time.

Contact Officer: Ashley Jackson, Head of Housing and Planning  
Reporting to: *Bob Porter (Director of Place)*

## **Corporate Consultation**

**Finance:** *Chris Blundell (Director of Corporate Services - Section 151)*

**Legal:** *Sameera Khan (Interim Head of Legal & Monitoring Officer)*

This page is intentionally left blank

## REVIEW OF OUTSIDE BODIES FOR 2023/24

<b>Council</b>	12 October 2023
<b>Report Author</b>	Deputy Committee Services Manager
<b>Portfolio Holder</b>	Leader of Council
<b>Status</b>	For Decision
<b>Classification</b>	Unrestricted
<b>Key Decision</b>	No

### **Executive Summary:**

This report invites full council agreement to the proposed changes to to update the lists of recognised outside bodies that Thanet District Council can make appointments of Members to serve on these bodies.

### **Recommendations:**

1. That Council agrees the updated list of Executive appointed outside bodies;
2. That Council agrees the updated list of Non-Executive outside bodies.

### **Corporate Implications**

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

There are no direct financial implications from this report.

#### **Legal**

None

#### **Risk Management**

There are no risk implications arising directly from this report.

#### **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.

#### **Equalities Act 2010 and 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.

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:**

- Growth
- Environment
- Communities

## **1.0 Introduction and Background**

1.1 Council has two categories of outside bodies: those that relate to an Executive function and hence appointments should be made by the Cabinet, and those for which appointments should be made by Council.

1.2 There is a need to review the lists of both executive and non executive appointed outside bodies as it has come to the attention of officers that some of those outside bodies either no longer exist in the original format or no longer wish to be considered as outside bodies for the council to nominate Members for appointment on these bodies.

## **2.0 The Current Situation**

2.1 At Full council Members agreed the two lists of outside bodies as well as the nominations for the non executive outside bodies. This list has now been updated to remove those bodies for the reasons stated in para 1.2 above. The Leader has now proposed the updated lists of Executive and Non-Executive outside bodies. These are shown at Annex 1 and Annex 2.

2.2 It is for Council to decide on both the list of Non-Executive outside bodies. The Leader proposed and Members agreed a list of nominations to the Non-Executive outside bodies at the Council meeting on 18 May 2023. There is therefore no further action required.

2.3 Cabinet also agreed the nominations to executive appointed outside bodies on 27 July 2023. There is therefore no further action required regarding nominations.

## **3.0 Decision Making Process**

3.1 Council is the decision making body.

**Contact Officer:** Charles Hungwe, Deputy Committee Services Manager

**Reporting to:** Nick Hughes, Committee Services Manager and Deputy Monitoring Officer

**Annex List:**

Annex 1 - List of Executive appointed outside bodies for 2023/24

Annex 2 - List of Non-Executive outside bodies for 2023/24

**Background Papers:**

None

**Corporate Consultation**

**Finance:** Matt Sanham Head of Finance and Procurement

**Legal:** Sameera Khan (Interim Head of Legal & Monitoring Officer)

This page is intentionally left blank

**Proposed List of Executive Appointed Outside Bodies – for the municipal year 2023/24**

<b>Name of Outside Body</b>	<b>No. of Reps</b>
British Ports Association	1
<del>British Destinations (AGM, Annual Conference and Executive Meetings)</del>	<del>1</del>
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 (MSE) Board	1
<del>Margate Town Partnership</del>	<del>1</del>
South East England Councils	1
<del>Supporting People in Kent Commissioning Body</del>	<del>1</del>
Thanet (Ramsgate) Harbour Users' Groups	1 (+1 reserve)
Thanet Quality Bus Partnership	1
Tourism South East	1
Your Leisure Thanet Sub Group	2

This page is intentionally left blank



**Proposed List of Non-Executive Outside Bodies – for the municipal year 2023/24**

<b>Name of Outside Body</b>	<b>No. of Reps</b>	<b>Councillor/s</b>
<del>Action with Communities in Rural Kent</del>	<del>2</del>	<del>2 vacant</del>
Age UK: Thanet	1	Edwards
Campaign to Protect Rural England	1	Nixey
Citizens Advice, Thanet	2	Matterface/Green
Millmead Children’s Centre Partnership Ltd	1	Boyd
Multiple Sclerosis Society	1	Keen
Parking and Traffic Regulation Outside London	1	J. Bright
<del>Powell Cotton Museum and Quex House</del>	<del>1</del>	<del>Ovenden</del>
River Stour (Kent) Internal Drainage Board	1	W. Scobie
Sandwich and Pegwell Bay National Nature Reserve Steering Group	1	Ovenden
Thanet Countryside Trust	2	J. Bright/1 vacant
Thanet Rural Regeneration Group	1	Vacant
<del>Thanet Sports Network</del>	<del>1 (+reserve)</del>	<del>Crittenden/1 Reserve vacant</del>
Thanet Volunteer Bureau	1	Ara
The Friends of Margate Cemetery	2	Whitehead/Yates
Trust for Thanet Archaeology	2	Ovenden/Whitehead
Young People's Partnership	1	d’Abbro

This page is intentionally left blank

## CHANGES TO COMMITTEES

<b>Council</b>	12 October 2022
<b>Report Author</b>	Nick Hughes, Committee Services Manager
<b>Status</b>	For Information
<b>Classification:</b>	Unrestricted
<b>Ward:</b>	All Wards

### Executive Summary:

Democratic Services have been informed of a number of changes that political groups wish to make to their nominations to committees for the remainder of the 2023/24 municipal year. The report also allows other political groups an opportunity to amend their nominations to committees for the remainder of the 2023/24 municipal year.

### Recommendation(s):

To note the nominations to Committees for the remainder of the 2023/24 municipal year.

### Corporate Implications

#### Financial and Value for Money

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

#### Legal

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

#### Risk Management

There are no risks associated with this report.

#### Corporate

There are no direct Corporate Implications

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

Members are reminded of the requirement, under the Public Sector Equality Duty (section 149 of the Equality Act 2010) to have due regard to the aims of the Duty at the time the decision is taken. The aims of the Duty are: (i) eliminate unlawful discrimination, harassment, victimisation and other conduct prohibited by the Act, (ii) advance equality of opportunity

between people who share a protected characteristic and people who do not share it, and (iii) foster good relations between people who share a protected characteristic and people who do not share it.

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

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

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

## **Corporate Priorities**

This report relates to the following corporate priorities: -

- *Communities*

## **1.0 Introduction and Background**

1.1 The Conservative group wishes to make a change to their nominations to committees for the remainder of the 2023/24 municipal year.

## **2.0 Nominations to serve on Committees**

2.1 The Leader of the Council has informed Democratic Services that he wishes to replace Cllr Will Scobie with himself Cllr Rick Everitt on the Boundary and Electoral Arrangements Working Party.

2.2 The Leader also wishes to replace Cllr Ruth Duckworth from the Governance and Audit Committee and himself, Cllr Rick Everitt, from the list of substitutes for this Committee to be replaced with Cllr Britcher and Cllr Joanne Bright respectively. This is to ensure that CIPFA best practices are followed by ensuring that Cabinet Members are not members of the Council's audit committee.

2.3 The Shadow Leader of the Council has informed Democratic Services that he wished to replace Cllr Towing with Cllr Rusiecki on the Licensing Board.

2.2 This report also allows other political groups an opportunity to amend their nominations to committees for the remainder of the 2023/24 municipal year as well if they choose to do so.

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

Contact Officer: Nicholas Hughes (Committee Services Manager)

Reporting to: Sameera Khan (Interim Head of Legal & Monitoring Officer)

## **Annex List**

None

## **Background Papers**

None

## **Corporate Consultation**

**Finance:** Chris Blundell, Acting Deputy Chief Executive & S151 Officer

**Legal:** Sameera Khan, Interim Head of Legal & Monitoring Officer

This page is intentionally left blank