



Date: 17 January 2024
Our ref: Cabinet/Agenda
Ask For: Charles Hungwe
Direct Dial: (01843) 577207
Email: charles.hungwe@officer.thanet.gov.uk

CABINET

25 JANUARY 2024

A meeting of the Cabinet will be held at **7.00 pm on Thursday, 25 January 2024** in the Council Chamber, Council Offices, Cecil Street, Margate, Kent.

Membership:

Councillor Everitt (Chair); Councillors: Whitehead, Albon, Duckworth, Keen and Yates

AGENDA

Item
No

Subject

1. **APOLOGIES FOR ABSENCE**

2. **DECLARATIONS OF INTEREST** (Pages 3 - 4)

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

3. **MINUTES OF PREVIOUS MEETING** (Pages 5 - 10)

To approve the summary of recommendations and decisions of the Cabinet meeting held on 11 January 2024, copy attached.

4. **DRAFT CORPORATE PLAN FOR 2024-28**

Report to follow

5. **DECISION FOR COASTAL & BEACH PUBLIC SPACES PROTECTION ORDER (PSPO) RENEWAL TO 2027** (Pages 11 - 18)

6. **LAND AT SHOTTENDANE ROAD** (Pages 19 - 64)

7. **TEMPORARY STAFF CONTRACT** (Pages 65 - 68)

8. **2024/25 FEES AND CHARGES**

Item
No

Subject

Report to follow

9. **EKS TRANSITION PROGRAMME BUSINESS CASE FOR APPROVAL**

Report to follow

10. **PURCHASE OF 7 HOMES AT NORTHWOOD ROAD BROADSTAIRS FOR AFFORDABLE RENT** (Pages 69 - 74)

11. **RAMSGATE REGENERATION PROGRAMME** (Pages 75 - 100)

12. **DANE PARK DEPOT WASTE** (Pages 101 - 106)

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

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

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

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

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

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

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

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

An associated person is defined as:

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

An Authority Function is defined as: -

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



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

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

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

Gifts, Benefits and Hospitality

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

What if I am unsure?

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

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

CABINET

Minutes of the meeting held on 11 January 2024 at 7.00 pm in Council Chamber, Council Offices, Cecil Street, Margate, Kent.

Present: Councillor Rick Everitt (Chair); Councillors Whitehead, Albon, Duckworth, Keen and Yates

In Attendance: Austin, J Bayford, Davis, Garner, Kup, Rattigan, Rogers and Wing

72. APOLOGIES FOR ABSENCE

There were no apologies made at the meeting.

73. DECLARATIONS OF INTEREST

There were no declarations of interest.

74. MINUTES OF PREVIOUS MEETING

Councillor Everitt proposed, Councillor Albon seconded and Members agreed the minutes as a correct record of the meeting held on 14 December 2023.

75. TREASURY MANAGEMENT STRATEGY STATEMENT, MINIMUM REVENUE PROVISION POLICY STATEMENT AND ANNUAL INVESTMENT STRATEGY FOR 2024/25

Cabinet considered the treasury management strategy proposals for 2024/25. These proposals were a requirement for Councils to adopt in accordance with the CIPFA Code of Practice on Treasury Management. The strategy included the Council's climate net zero target and Cabinet was pleased to report that this had started to bear fruit with £2m in the Standard Chartered fixed term deposit during 2023/24 and an option to continue into 2024/25, Investments were referenced against the United Nations Sustainable Development Goals including, but not limited to, climate change, health, financial inclusion and education. This fund represented around a 4.5% fixed return to the Thanet tax payers over the period of investment.

The strategy report also covered the capital spending and financing plans and treasury strategy, backed by prudential indicators and limits. The report also presented for approval the Council's Minimum Revenue Provision policy, capital strategy, investment strategy and non-treasury investments report for the next financial year. This report was also considered by the Governance & Audit Committee on 29 November 2023

Councillor Yates proposed Councillor Keen seconded and Cabinet agreed the following:

1. To note, and make comments as appropriate on, this report and annexes, including each of the key elements listed below.
 - a. The Capital Plans, Prudential Indicators and Limits for 2024/25 to 2026/27, including the Authorised Limit Prudential Indicator;
 - b. The Minimum Revenue Provision (MRP) Policy;
 - c. The Treasury Management Strategy for 2024/25 to 2026/27 and the Treasury Indicators;
 - d. The Investment Strategy for 2024/25 contained in the Treasury Management Strategy, including the detailed criteria;
 - e. The Capital Strategy for 2024/25;

- f. The Non-Treasury Investments Report for 2024/25;
2. To recommend this report and annexes, including each of the key elements listed above, to Council for approval.

76. 2024-28 MEDIUM TERM FINANCIAL STRATEGY

Cabinet received the report on the Medium Term Financial Strategy (MTFS) which provided an integrated view of the whole of Thanet District Council's (TDC) finances. This covered the General Fund revenue and Capital budgets along with the HRA Revenue and Capital budgets, setting out its strategic approach to these; risks to be managed and the policies to be applied over the period 2024-2028. It also covered indicative budgets and Council Tax for the medium term. Whilst the report was focused on the Council's future financial position, it was helpful to look back at past circumstances.

Members noted that clearly there was great uncertainty as to what form local government finance would take over the medium term, let alone the shape of the macroeconomic environment. Nonetheless, the Council continued to prudently identify longer-term budget savings, which could be implemented if and when necessary to close the forecast budget gaps as presented within the report. The key assumption in place under this central forecast was that the reform of the local government finance system was implemented in 2026/27, resulting in:

- Funding allocations being broadly the same in 2025/26, including one final year of NHB at £228k;
- That business rates baselines and related compensation funding remain at current levels and are increased by inflation;
- No core grant funding (RSG, NHB or otherwise) allocated from 2026/27 onwards with a consequent £1.365m loss of funding;
- A reset of the business rates systems in 2026/27, leading to a loss of £1.6m in accumulated growth.

Other key assumption applied include:

- Continued high inflation and stagnant economic growth at least into 2025/26;
- Consequent 3% pay award assumed in the later years of MTFS;
- Financial pressures on the Homelessness service remain high;
- That the Council Tax referendum limit is 3% in 2025/26 and then 2% afterwards and that the council sets council tax at these limits (as per government funding assumptions);
- The Council tax base grows about 2% in each of the following three years of the MTFS;
- Significant borrowing repayments associated with the financing of the capital programme, including budget provision for electrification of refuse collection vehicles.

Councillor Yates proposed Councillor Duckworth seconded and Cabinet agreed the following:

1. That the 2024/28 MTFS be agreed and referred to Council for Approval.

77. HRA BUDGET 2024/25

Members discussed the HRA budget for 2024/25 and confirmed that next year's HRA budget was underpinned by a 7.7% increase in rents next year, representing CPI (as at September) + 1%. The majority of which would be covered by increased benefit or Universal Credit payments to Council tenants. This rent increase was needed to continue

to drive the HRA to a balanced and sustainable financial position, and also to finance the Council's ambitious house building programme and housing investment plan. The Council did not have rents that were above the Local Housing Allowance levels.

Through consultation with the Portfolio Holder, there had been a change in the budget since the draft was presented to Cabinet in October, this being the creation of a Hardship Fund. This fund ensured that £30k was allocated to assist those tenants on a low income who may be struggling to meet the rent or associated service charges levied. The criteria of the fund would be developed and published by the Tenant and Leasehold team to ensure that these specific tenants were supported.

Councillor Rattigan spoke under Council Procedure Rule 20.1.

Councillor Yates proposed Councillor Albon seconded and Cabinet agreed the following:

1. That the HRA budget for 2024/25 be recommended to Council for approval;
2. That the revised Housing Revenue Account capital programme (Annex 1) for 2024-28 be recommended to Council for approval.

78. COUNCIL TAX BASE CALCULATION REPORT 2024/25

Cabinet considered proposals for the Council the Council Tax base for 2024-25, which had increased by 1.52% on the previous financial year. The report made a number of recommendations on the following:

- Empty homes discount for properties unoccupied and unfurnished;
- Determining the long term empty premiums;
- Discontinuation of the council Tax 'Class D' discount for properties undergoing structural alteration and/or major repair.

These changes would be effective from 1 April 2024, and this report formally approved the Council Tax Reduction Scheme (CTRS), effective from 1 April 2024. The report included the application of a 100% Council Tax premium on properties that were unoccupied and furnished, often referred to as 'second homes' ('Class B' properties), applicable from 1 April 2025, in line with the Levelling-Up and Regeneration Act 2023. Cabinet agreed that all of these changes would increase the Council's capacity to support those that were most disadvantaged in the District.

Councillor Yates proposed Councillor Keen seconded and Cabinet agreed the following:

1. To determine that for the financial year 2024/25, the empty homes discount for properties unoccupied and unfurnished ('Class C' properties) remains at 0%, so that Council Tax will be payable in full on these properties;
2. To approve the District's Council Tax Base for 2024/25 as 46,454.06 and the tax base for the towns and parishes in the Council's administrative area, as set out in the table at Appendix 2;
3. To determine the "Long Term Empty Premium" for properties that have been left empty and substantially unfurnished:
 - (a) for periods of 1 year but less than 5 years, a Long Term Empty premium to be charged at 100%; and
 - (b) for periods of 5 years but less than 10 years, a Long Term Empty premium to be charged at 200%; and
 - (c) for periods of 10 years or more a Long Term Empty premium to be charged at 300%;

4. To formally approve the discontinuation of the council Tax 'Class D' discount, for properties undergoing structural alteration and/or major repair, effective from 1 April 2024;
5. To formally approve the Council Tax Reduction Scheme (CTRS) as set out in this report, effective from 1 April 2024;
6. To formally approve the application of a 100% Council Tax premium on properties that are unoccupied and furnished, often referred to as 'second homes' ('Class B' properties), applicable from 1 April 2025, in line with the Levelling-Up and Regeneration Act 2023.

79. 2024/25 FEES AND CHARGES

Members debated proposals for the Fees and Charges for 2024/25. These proposals were presented to Cabinet in October as part of the main budget report in order to support the 2024-25 budget setting process. The review of fees and charges commenced in the early summer and proposed fees and charges were then received by Cabinet in October for recommendation. These projections were based on a broad 8%, which was based on inflation as of June 2023. This was expected to generate additional income of around £350k.

Work undertaken looked to ensure that charges would remain competitive and that income budget expectations were realistic, allowing us to manage existing shortfalls of actual income against budget; expected income growth from fees and charges for the forthcoming year excluded items such as Selective Licensing, On Street Parking and specific growth items covered elsewhere in the budget. Since this report was presented in October, inflation had reduced to nearer 4% and as a result Cabinet took the opportunity to review the fees and where possible, bringing these to nearer to 5%. The budget for 2024/25 being proposed now included the allocation of £116k to help facilitate this. As a result of this work, it had not been possible to provide the revised annex to this report this evening. This information would be brought to Cabinet meeting for consideration towards the end of January.

The following Members spoke under Council Procedure Rule 20.1.

Councillor Davis;
Councillor Rattigan;
Councillor Wing.

Councillor Yates proposed Councillor Whitehead seconded and Cabinet agreed the following:

1. To consider the fees and charges as set out and agree to receive an updated schedule at its meeting on 25 January 2024 to form the basis of its recommendation to Council for approval.

80. DRAFT 2024/25 BUDGET

Cabinet was pleased to be able to present a balanced budget for 2024-25 to the meeting. Members thanked Officers from across the Council and in particular Finance Officers for their hard work putting together the draft Council budget. Members noted that the budget process kicked off in August 2023 with a series of prioritisation meetings. The end product of the process was a compassionate, progressive, and resident-focused budget for all of us to review.

Members discussed the content of the budget proposals and noted that a planned approach to budget setting, combined with an efficient use of resources, had allowed the Council to present this balanced budget, which allowed for investment in key service areas that contributed towards the Council's Corporate Priorities as well as helping to deliver against what residents want, as reflected in the feedback from the Residents Survey. This year's financial settlement was broadly in line with the Council's basic assumptions, with little or no change from that which was presented in October. However, the certainty over settlement had allowed the Council to review these assumptions, this had freed up capacity:

- To employ two further graffiti cleaning operatives in 2024/25. Together with equipment and transport, the cost of which will be £80k.
- Over and above the investment above, Cabinet had considered the use of Glyphosate as the principal chemical means by which to control the presence of weeds on land within the Council's ownership. The Council currently applied Glyphosate using a relatively safe spotting method. It was important to note that Kent County Council also used Glyphosate, in spray form, to control weeds on the highways, and Cabinet understood that they will continue to do so. As a result of concerns expressed about the safety of the Council's practices, Thanet District Council would be utilising Hot Foam to control weeds in the coming year. The hot foam equipment could also be used to clean graffiti and chewing gum from walls and pavements. The additional cost of this would be £100k;
- Sports Development £50k - recent conversations with the Kent Football Association had been positive about funding that could become available through the Association to increase the work that TDC did with local communities to improve their access to sports and facilities. This included potential support for pitch improvements at Jackey Bakers for the 2024/25 football season. A one-off sum of £50k was included to be drawn from reserves as required pending an application for grant funding.
- Given inflation had been reducing over the past months, Cabinet was where possible, reducing the resident focused fees and charges to no more than 5%;
- As part of the overall budget setting process, Cabinet would seek to update the schedule of the proposed fees and charges for 2024/25 in the annex to the Fees and Charges report in time for the meeting of the Cabinet on 25 January 2024 for recommendation to Council for approval in February;

Cabinet acknowledged that given the timescales of the announcement of the provisional settlement only just before Christmas, and the latest reduction in CPI, announced on December 20th, it would not be possible to update the schedule in time for the meeting of the Overview and Scrutiny Panel on 16 January 2024. The main areas covered by this review would be, Parking, Garden Waste, Waste Bin Replacement and the Crematorium. Therefore, in the Cabinet report that was considered at the meeting, there was £116k that had been allocated for the reduction of the fees and charges.

Councillor Davis and Councillor Rattigan spoke under Council Procedure Rule 20.1.

Councillor Yates proposed Councillor Duckworth seconded and Cabinet agreed the following:

1. That the outcomes of the budget consultation be noted;
2. That the draft 2024/25 General Fund revenue budget, as amended from the original draft for consultation, be considered and noted;
3. That the 2024-28 General Fund capital programme, as amended, be considered and noted;
4. That the Flexible use of Capital Receipts policy as presented be approved.

Agenda Item 3

Meeting concluded : 7.44 pm

Extending Beach and Coast Public Spaces Protection Order

Cabinet	25 January 2024
Report Author	Lisa Collingwood (Beach and Coast Manager) Tony Marmo, Head of Coastal and Public Realm
Portfolio Holder	Cllr Steve Albon, Cleansing and Coastal Services
Status	For Decision
Classification:	Unrestricted
Key Decision	Yes
Reasons for Key	Significant effect on communities
Previously Considered by	Cabinet - 18 March 2021
Ward:	All Thanet Wards

Executive Summary:

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

In 2021 Thanet District Council (TDC) consulted on a new beach and coast PSPO. The PSPO would help protect our coastline and beaches through one code of conduct that would replace all previous beach byelaws. The PSPO was adopted and came into force on 1 April 2021. The introduction of the new PSPO has created a safer beach environment for all to enjoy, through deterring crime, anti-social behaviour and other undesirable activities. This report proposes TDC continue the current PSPO until 1st April 2027.

PSPO extension can only be granted if criteria under [Section 60 of the Act](#) have been met. This includes that an extension is necessary to prevent activity recurring, or there has been an increase in frequency or seriousness of the activity.

Recommendation(s) to Cabinet:

That Cabinet approve the renewal of the current PSPO until 30 March 2027 as adopted in accordance with the Anti-Social Behaviour (ASB), Crime and Policing Act 2014.

Corporate Implications

Financial and Value for Money

The extension of the PSPO will require the continued provision of the full coastal team (coastal enforcement staff, coastal maintenance officer, adequate signage maintenance, and raising public awareness through Education Officer campaigning). This will be met from agreed and approved budgets from within the service.

Legal

The relevant legislation is set out in the body of this report. This decision will enable TDC to issue fixed penalty notices under the Anti-social behaviour act 2014, Part 4 Legislation.

Risk Management

If the PSPO is not extended there is a risk to the quality of our beach and coast environment, with visitors experiencing a diverse range of Anti-Social Behaviours (listed above and in section 2.4 below) that TDC will be unable to educate and enforce against.

If we do not renew the current beach PSPO the blue flag status of the affected beaches would be in jeopardy under *Criterion 4, Criterion 6, Criterion 22, Criterion 25, Criterion 30, Criterion 31* [Blue Flag Criteria](#)

Corporate

The following corporate objectives are covered by this report:

- a) To keep our district safe and clean.
- b) To protect our environment.
- c) To create a thriving place.

Equality Act 2010 & Public Sector Equality Duty

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

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

CORPORATE PRIORITIES

This report relates to the following corporate priorities: -

- Environment
- Communities

1.0 Introduction and Background

1.1 A Public Spaces Protection Order (PSPO) is not the same as a byelaw. PSPO's are intended to deal with a particular nuisance or problem in a particular area that is detrimental to the local community's quality of life. To justify a PSPO there has firstly to be evidence of a nuisance, and secondly that the effect (or the likely effect) of the activities is of a persistent nature making the behaviour unreasonable and rendering the notice justified.

- 1.2 It does this by imposing conditions on the use of that area, which apply to everyone. Orders are designed to ensure the law-abiding majority can use and enjoy public spaces, safe from antisocial behaviour.
- 1.3 In 2021 Thanet District Council (TDC) consulted on a new beach and coast PSPO. The PSPO would help protect our coastline and beaches through one code of conduct that would replace all previous beach byelaws. The PSPO was adopted and came into force on 1 April 2021. The introduction of the new PSPO has created a safer beach environment for all to enjoy, through deterring and reducing crime and anti-social behaviour and other undesirable activities, which our local communities and visitors are impacted by currently.
- 1.4 Public Space Protection Orders are valid for 3 years after which they have to be extended. Such an extension can only be granted if criteria [Section 60 of the Act](#) have been met. This includes that an extension is necessary to prevent activity recurring, or there has been an increase in frequency or seriousness of the activity.

2.0 The Current Situation

- 2.1 The impact of the original order (2021) and the three year PSPO restrictions have had a positive impact and helped prevent detrimental effects on the quality of the districts coastal water, the quality of cleanliness on Thanets blue flag [Blue Flag Criteria](#) and seaside award winning beaches, and protection of our coastline and promenades. The order has helped protect the diversity of bird populations and wildlife at Pegwell Bay upper chalk shore, mudflats and saltmarsh. The order has protected the quality of public health and welfare through enforcement which has been helping promote cleaner beaches, coastline and promenades. Residents and visitors have understood the signage which has been placed at every bay.
- 2.3 Every season beach code of conduct booklets and signs are distributed to visitors, bay inspectors, tourist offices, beach shops, cafes and restaurants. Ensuring the information stays up to date and consistent for a further three years will provide further consistency and ensure the understanding of the PSPO is further embedded into the community. All information is also provided on Thanet District Council website
- 2.4 We are suggesting that the PSPO will be the same as that which has been in place for the last three years as listed below.

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

1. **Obstruction of the promenade including vehicles/driving of vehicles** -No motorised or electric vehicles may be parked or driven on the promenades or beaches as follows:
Cars, vans, lorries, trucks, motorcycles, scooters, segways and any other motorised vehicles. With the exception of mobility scooters and electric bicycles. Unless permission has been granted by the Council and evidence of this can be produced. No deliveries to concessions after 10am.

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

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

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

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

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

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

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

i) Begging or soliciting for money*

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

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

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

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

- 5. Horse/Donkey riding** - **Horse/Donkey riding is not permitted on beaches or promenades** - between 1st May and 30th September, between the hours of 09:00 am and 19:00 pm; or at any time, all year round, within Pegwell Bay (Sandwich & Pegwell National Nature Reserve).

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

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

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

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

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

9. Beach recreational activities and water sports

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

- The use of water craft in a manner that poses a risk to the safety of people or wildlife.
- [Any foreshore activity that poses a risk to the safety of people or wildlife.](#)
- The use of craft in a manner that has the potential to cause harassment, alarm and distress to any other beach or coast users, residents or [wildlife](#).

2.5 Engagement, education and enforcement of the PSPO is required to ensure that it is followed and adhered to. This will be undertaken and overseen by Thanet District Councils Coastal Manager, Coastal Enforcement Officers, Dog Warden Service, Enforcement Education Officer, Bay Inspectors, PCSOs and other council authorised representatives. Targeted patrolling of problem areas to take place as at present, offering leaflets and advice to beach and coast users/visitors. Education prevention methods to be used to prevent breaches of the PSPO, Fixed Penalty Notices and Community Protection Warnings to be issued where appropriate. Education and advice through campaigns and signage/education initiatives to be continued as at present. Beach signs are clearly posted at every bay. PSPO information is available to view on the TDC webpage showing the PSPO Map.

3.0 Options

3.1 Option 1

3.2 That the current PSPO is extended until 2027 and adopted in accordance with the Anti-Social Behaviour (ASB), Crime and Policing Act 2014 to include the following restriction;

3.3 Option 2

3.4 Not to continue the PSPO. This is not recommended as it would leave the district without any legislation or powers to enforce against anti-social behaviour on our beaches and coastline code of conduct (See Annex 1). Officers consider that the 2021 PSPO has proved successful, they have proven an improved deterrent and enabled a better response when problems are observed by authorised officers. The Council is proposing to extend the existing PSPO for a further three years to deal with the problems observed by residents and officers and prevent an increase of some behaviours that have reduced. Without the PSPO extension it is likely that the problem will not be eradicated but escalated [Section 60 of the Act](#)

Contact Officer: Lisa Collingwood (Beach and Coast Manager)

Reporting to: Luke Glover (Deputy Technical Services Manager)

Annex List

Annex 1: Schedule 1 Beach and Coast Map

Background Papers

None

Corporate Consultation

Finance: Matthew Sanham (Head of Finance and Procurement)

Legal: Ingrid Brown (Head of Legal and Democracy & Monitoring Officer)

enjoy our Beaches & Bays

Margate attractions: Dreamland Heritage Park, Margate Museum, Museum of Monstrosities, Shell Grotto, Tudor House, Turner Contemporary Walpole Bay Hotel and Museum

Dogs must be kept on a lead between 10am and 6pm from 1 May to 30 September

Dogs are not allowed on the beach between 10am and 6pm from 1 May to 30 September

Dogs are not allowed on the beach between 1 May and 30 September

Dogs welcome at all times



Coast & Beach PSPO

Broadstairs attractions: Bleak House, Crampton Tower Museum, Dickens House Museum

Ramsgate attractions: Ramsgate Maritime Museum, The Boating Pool, The Grange, The Pinball Parlour



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Land at Shottendane Road

Cabinet	25 January 2024
Report Author	Bob Porter (Director of Place)
Portfolio Holder	Cllr Rick Everitt, Leader of the Council
Status	For Decision
Classification:	Unrestricted
Key Decision	Yes
Reasons for Key	Significant effect on communities
Ward:	Garlinge Ward

Executive Summary:

This report sets out a range of possible development options for the council owned land at Shottendane Road, Garlinge.

The site is owned by the council and held within the general fund.

The report was considered by the Overview and Scrutiny Panel at its meeting on 16 January 2024, when members of the Overview and Scrutiny Committee were invited to review the report prior to its consideration at Cabinet. The recommendations made by the Overview and Scrutiny Panel are detailed in section 1 of the report.

Recommendation(s):

It is recommended that Cabinet agree:

1. To conduct public consultation with the Gypsy and Traveller community and neighbouring residents about the proposal to establish a number of Gypsy and Traveller pitches on land off of Shottendane Road (area shown in annex 6).
2. Subject to the outcome of the consultation, submit an application for outline planning permission for the provision of Gypsy and Traveller Pitches on the land marked 1aii in annex 5.
3. To dispose of part of the land at Shottendane Road (areas marked as 1b and 2b on annex 5) to KCC for the proposed Major Road Network (Inner Circuit) improvements and a linked sustainable drainage scheme.

It is also recommended that Cabinet note:

4. That proposals for the provision of housing on the wider Shottendane Road site could only be considered, following the assessment of all land submitted to the council as part of the 'Call for Sites' and the completion of the current review of the Thanet Local Plan.

Corporate Implications

Financial and Value for Money

The estimated cost for outline planning permission is circa £15k and can be contained within existing resources.

It is noted within the report that, at this stage the costs of delivery are not known, and depend significantly on the delivery arrangements and timescales. The council will not be able to proceed with project delivery unless the necessary resources are secured or alternative delivery options identified, as a result, this project will only proceed once arrangements are made to secure appropriate funding.

Legal

The Government's National Policy Framework published in December 2023 requires Councils to assess and establish housing need in respect of the size, type and tenure of housing needed for different groups in the community. These groups should include travellers. This report demonstrates the results of the Council's assessment of need in relation to travellers. The proposals in this report are aimed at meeting that identified need.

The proposals in this report will support the Council to fulfil its duty under homelessness legislation. The Council's duty to those who are homeless under Section 175 (2) (b) of the Housing Act 1996 extends to those with accommodation that consists of a moveable structure, vehicle or vessel designed or adapted for human habitation. People with such accommodation will be homeless if they do not have somewhere to both place their accommodation and reside in it.

Risk Management

This report discusses a range of development options for land at Shottendane Road, Garlinge. Development proposals raise a number of potential areas of risks, as follows:

Planning Risks: The risk that planning consent is not granted for the proposed developments. In respect of the proposal relating to the provision of gypsy and traveller pitches, informal advice has been obtained from the council's planning service, and details of the relevant local plan policy is set out in this report. The development of the wider site for housing is dependent upon the site being allocated for housing in the current review of the local plan.

Delivery Risk: This report does not set out any delivery proposals at this stage. In the event that planning consent is obtained further reports will be needed setting out detailed delivery options, proposals, and resources required.

Financial Risk: At this stage the costs of delivery are not known, and depend significantly on the delivery arrangements and timescales. The council will not be able to proceed with project delivery unless the necessary resources are secured or alternative delivery options identified.

Demand Risk: Demand risk is considered to be low, and the council has published

information about the need for both affordable homes and gypsy and traveller pitches in its Strategic Housing Market Assessment and Gypsy and Traveller Accommodation Assessment.

Reputational Risk: The council has a statutory duty to consider the housing, accommodation and site needs of all sections of the community, including the requirement to make provision for any unmet need for gypsy and traveller pitches within its local plan. Not doing so would present a significant risk to the council.

Corporate

The proposals set out in this report support priority 2 of the Council's draft Corporate Plan 2024-2028, to deliver the housing we need.

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.

This report considers the potential development options for land at Shottendane Road, Garlinge. These opportunities included the potential for both affordable homes and pitches for the needs of Gypsies and Travellers.

The future residents of any affordable homes and of any Gypsy and Traveller pitches provided include people with protected characteristics under the public Sector equality Duty. Prior to the submission of a planning application, an Equalities Impact Assessment will be completed to consider the impacts on people with protected characteristics and how proposals can best promote and foster good relationships between communities.

Corporate Priorities

This report relates to the following corporate priorities:

- *Communities*

1.0 Introduction and Background

- 1.1 This report sets out a range of possible development options for a council owned site at Shottendane Road, Garlinge.
- 1.2 The site is owned by the council and held within the general fund.
- 1.3 A plan showing the full site location is attached at annex 1.
- 1.4 This report was considered by the Overview and Scrutiny Panel (OSP) at its meeting on 16 January 2024, and the recommendations made by the panel are set out below:
 - The panel recommended that Cabinet agree recommendations 1,3 and 4, but reject recommendation 2.
 - The panel further recommended that, 'That Council holds-off the public consultation until they have identified more suitable sites after looking at all of the Council's land holdings and thereafter conduct a full and transparent consultation.'

2.0 The Shottendane Road Site

- 2.1 The Shottendane Road site is currently used for agriculture. The site is within walking distance of Margate and has access to both Shottendane Road to the South and Caxton Road to the Northwest. The attached site plan at annex 2 shows a bit more detail about current use. The small parcel of land fronting onto Hartsdown Road, marked as plot 3 on the plan attached at annex 2, is in the freehold ownership of the council, but subject to a 99 year lease to a neighbouring resident. A further small parcel to the South West, fronting onto Shottendane Road, marked as plot 2 on the plan attached at annex 2 is also in the freehold ownership of the council and subject to a separate 25 year lease.
- 2.2 The land shown as plot 1 on the plan attached at annex 2 is currently let on an agricultural tenancy agreement from October 1977. Initial legal advice has indicated that the agreement is an Agricultural Tenancy governed by the Agricultural Holdings Act 1986 (AHA 1986). This gives security of tenure to a tenant of an agricultural holding by restricting the circumstances in which it is possible for a landlord to terminate the tenancy. We have obtained legal advice about the best way to bring this agreement to an end and have served a 12 month notice expiring on 11 October 2024.
- 2.3 Once the council has secured possession of the land shown as plot 1 on the plan attached at annex 2, it will be able to re-parcel the land in line with the proposals set out in this report, and consider any interim proposals to continue an agricultural use on areas not immediately required for other uses.

3.0 The need for Affordable Housing

- 3.1 The council's most recent Housing Needs study identified that our district needed 548 new affordable homes each year to meet the needs of our local community. These 548 homes are part of the overall annual target of around 1,200 homes set out in the adopted Thanet local plan. Local financial viability constraints mean that we could at most hope to see 30% of new homes on strategic housing sites delivered as affordable homes.

- 3.2 Due to the viability constraints on market led housing sites, there is a critical need for more affordable housing led sites to be identified and delivered, with land, funding and timetables that are independent of market housing delivery. Poorhole Lane delivered by Town and Country using an offsite manufacturing solution and Riverside Housing at Westwood cross are great examples of affordable housing led development, with a mix of tenures. But more are needed.
- 3.3 In addition, the Council committed to a programme to deliver at least 400 new affordable rented homes by 2027 at its meeting on 12 July 2023. Even combined, these programmes will deliver new affordable homes at a rate that is still a long way short of the 548 needed.
- 3.4 If allocated for housing through the local plan review, the Shottendane Road site offers an opportunity to further increase the supply of new affordable homes, either directly as part of the council's own programme or by working in partnership with other providers.

4.0 Local Plan Call for Sites

- 4.1 Part of the Shottendane Road site was submitted to the most recent call for sites process as part of the review of the Thanet local plan. The land submitted to the call for sites is marked as areas 1a and 1b on annex 3 and covers approximately 14 hectares. A high level capacity study was prepared and submitted showing potential for a combination of residential development and land set aside for community use, open space or woodland. The high level capacity study indicated that the site has capacity for 220 to 260 new homes, even with 50% of the land set aside for community use, open space or woodland. See attached high level capacity study at annex 4.
- 4.2 The site was also assessed for its potential to provide pitches for gypsy and traveller households, as detailed below. An initial assessment considered the potential for an area towards the North West corner of the site, close to the access onto Caxton Road for this purpose (see area marked 1aii in annex 5). The assessment confirms that there is potential to accommodate the 12 separate pitches, covering the entire need identified within the council's published Gypsy and Traveller Accommodation Assessment (See section 5, below).
- 4.3 However a number of smaller schemes, each covering part of either the temporary or permanent pitch requirements would be preferable based upon the initial feedback received from discussions with the Traveller Coalition. A smaller site could be designed and accommodated on the land at Shottendane Road, and is recommended, subject to consultation. The use of a parcel of land for this purpose would impact on the capacity for new housing set out in annex 4, but a combination of both uses is possible. A site assessment showing the provision of 4 pitches is attached at annex 6.
- 4.4 In addition to these uses, the Thanet Local Plan sets out proposals for improvements to the major road network, including a new inner circuit, designed to take pressure off of existing trunk routes along the A28 and A256 corridors. KCC is leading work to complete detailed proposals and has consulted on a preferred 'off-line' route adjacent to Shottendane Road. This new route option cuts across the southern part of the

Shottendane Road site (areas marked as 1b and 2b on annex 5). To enable this proposal to proceed the council will be required to transfer this area of land at the Southern end of the site to KCC for construction of the new road and a linked sustainable drainage project.

- 4.5 The Local Plan review, including the assessment of all submissions to the call for sites process, is currently scheduled to be completed by 2026 with the adoption of a new Local Plan. Any proposals for the development of housing on the land at Shottendane Road can only be considered after the completion of the Local Plan review and if its allocation for housing is agreed through this process. However, if the use of a parcel of the site for gypsy and traveller pitches is supported, an application for planning permission could be submitted in advance of the Local Plan review and assessed using the existing criteria based policy within the current Local Plan.

5.0 The Need for Gypsy and Traveller Site Provision

- 5.1 The council completed a Gypsy and Traveller Accommodation Assessment in 2019, which forms part of the evidence base for the Thanet Local Plan. The study is published on the council's website. The assessment considered the accommodation needs of gypsies, travellers and travelling showpeople. The study identified the need for 7 permanent pitches and 5 transit pitches over the Plan period to 2031. This need is driven entirely by the current and anticipated future needs of groups already in the area. A pitch is defined as providing sufficient spaces for two caravans, two vehicles and utility blocks, supported by communal facilities.
- 5.2 The Council is committed to working with the groups involved, to ensure that their accommodation needs are met. In particular the council is required to ensure that the needs identified within the study are included within the coming review of the Thanet Local Plan, and appropriate policies and/or land allocations agreed.
- 5.3 The identified need for 5 transit and 7 permanent pitches could be met on one, two or multiple sites across the district, in single or multiple ownership, and some of the potential delivery options are considered in section 6 below.
- 5.4 Combining temporary and permanent uses onto the same site may not be the right approach and would need careful consideration and management. Early engagement with the Traveller Coalition suggests that a number of smaller family sized sites, consisting of between 2 and 4 plots would be more appropriate.
- 5.4 The current planning policy position in relation to gypsy and traveller provision is set out in adopted local plan policy [HO20](#), as follows:

The need over the total Plan Period is for 7 permanent pitches and 5 transit pitches. The change of use of land to provide accommodation for Gypsy and Travelling communities will be permitted provided the proposed site is:

- suitable for its intended use (including any associated business activity) and can be accommodated without unacceptable impact on its surroundings and surrounding land uses and the living conditions of persons living in the vicinity of the site;

- has reasonable access to local facilities and services, particularly schools, employment and healthcare,
 - and not within a flood risk area;
 - and will not have an unacceptably detrimental impact on local environmental quality including Green Wedges or sensitive landscape areas.
- 5.5 Pending the next review of the Local Plan the Council will take proactive steps to accommodate all emerging needs of Gypsy and Travelling communities within the District on temporary sites and permanent sites which meet the above criteria.
- 5.6 Shottendane Road has been identified as potentially suitable for the provision of some of the gypsy and traveller pitches required in the district. This followed an assessment of the planning policies and constraints of sites in the council's ownership. If some of the required pitches are provided on the land at Shottendane Road, there will still be a requirement for further sites elsewhere providing for the remaining identified need.

6.0 Delivery of Gypsy and Traveller Pitches

- 6.1 There are a range of potential options for the development of new sites, ranging from district council, county council or private sector owned sites with rented pitches to single family owned and occupied sites. Where an identified site is in council ownership, the council could offer the site or individual pitches for rent, lease or sale. The views of gypsy and traveller families in the district will be an important part of determining the best approach to delivery and any proposed provision will need to be supported by a viable long-term funding plan. The council could only consider the direct delivery of pitches if the costs of provision were fully covered by pitch fees and/or external grant funding.
- 6.2 The council bid to the Government's Gypsy and Traveller site fund in 2021 for a capital grant to assist with the costs of establishing a site. The bid was not successful and the council does not currently have identified capital funding to support the provision of new sites.
- 6.3 Any future Government funding opportunities are likely to be linked to deliverable sites. Having planning consent in place and a site or sites that can be delivered within a prescribed time period are likely to be key factors in any future funding bid.
- 6.4 A key part of an assessment of deliverability is the planning status of any proposed site. The experience from bidding for funding in 2021 showed that sites with outline or detailed planning consent are more likely to be successful for any future funding that becomes available. Outline or detailed planning consent would also create an option for the council to dispose of any proposed site by way of a lease or sale to a family or families wishing to occupy the land or to a third party seeking to establish and manage a site.

- 6.5 Taking these considerations into account, this report proposes that the council should consult with representatives of Gypsy and Traveller families in the district and with other local residents about the outline proposal shown at annex 6, and, depending on the outcome of this consultation, submit a planning application for outline consent. The estimated cost of preparing and submitting an outline planning application is £15,000.

7.0 Options

- 7.1 This report makes the following recommendations:

1. To conduct public consultation with the Gypsy and Traveller community and neighbouring residents about the proposal to establish a number of Gypsy and Traveller pitches on land off of Shottendane Road (area shown in annex 6).
2. Subject to the outcome of the consultation, submit an application for outline planning consent for the provision of Gypsy and Traveller Pitches on the land marked 1aii in annex 5.
3. To the disposal of part of the land at Shottendane Road (areas marked as 1b and 2b on annex 5) to KCC for the proposed Major Road Network (Inner Circuit) improvements and a linked sustainable drainage scheme.

This report further recommends that Cabinet note:

4. That proposals for the provision of housing on the wider Shottendane Road site could only be considered, following the assessment of all land submitted to the council as part of the 'Call for Sites' and the completion of the current review of the Thanet Local Plan.

- 7.2 The Cabinet can approve, amend or reject these recommendations.

Contact Officer: Bob Porter (Director of Place)

Reporting to: Colin Carmichael (Interim Chief Executive)

Annex List

Annex 1: Shottendane Road site plan

Annex 2: Site plan showing current lease arrangements 1, 2 and 3

Annex 3: Site plan showing proposed plots

Annex 4: Shottendane Road - Housing Capacity Study

Annex 5: Site Plan showing potential location for Gypsy and Traveller provision

Annex 6: Shottendane Road - Gypsy and Traveller site assessment

Annex 7: Major Road network land requirements

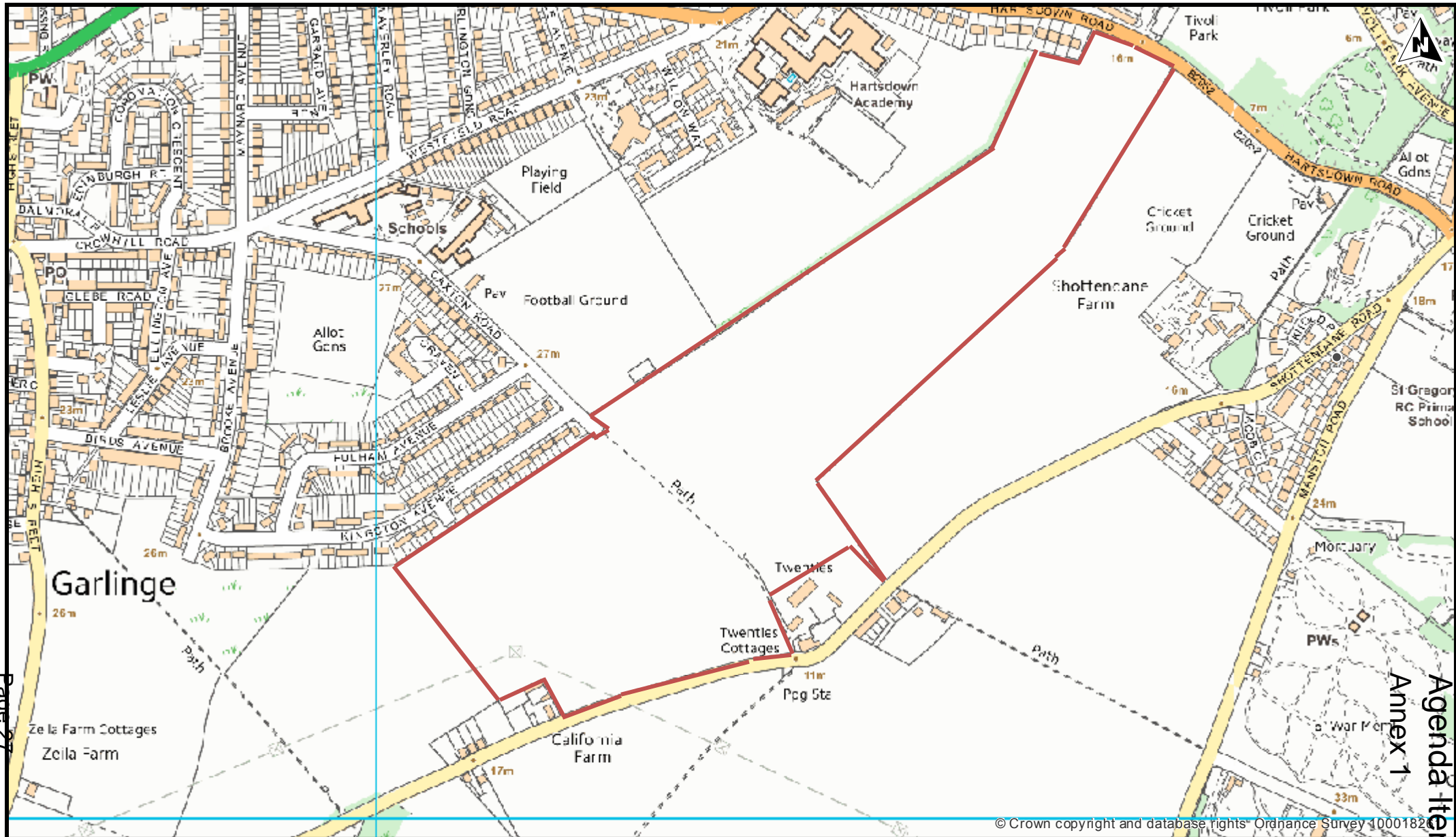
Background Papers

None

Corporate Consultation

Finance: Matthew Sanham (Head of Finance and Procurement)

Legal: Ingrid Brown (Head of Legal and Democracy & Monitoring Officer)



Title: Land at Shottendane Road

Author: Thanet District Council

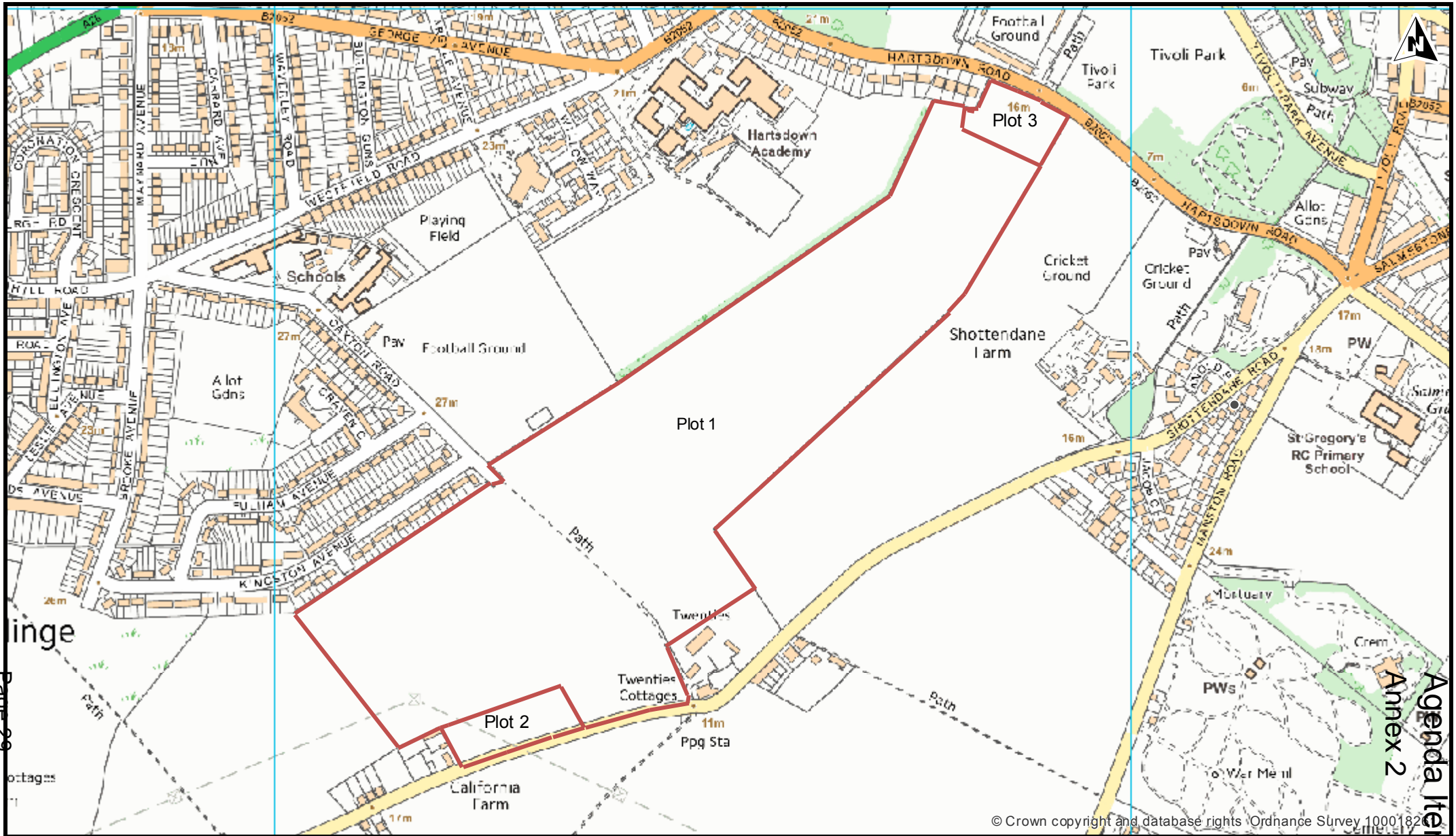
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Date: 23/11/2022

Thanet District Council
 Cecil Street
 Margate
 Kent
 CT9 1XZ



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Title: Plots 1, 2 & 3 Shottendane Road

Author: Thanet District Council

Scale 1:6,000

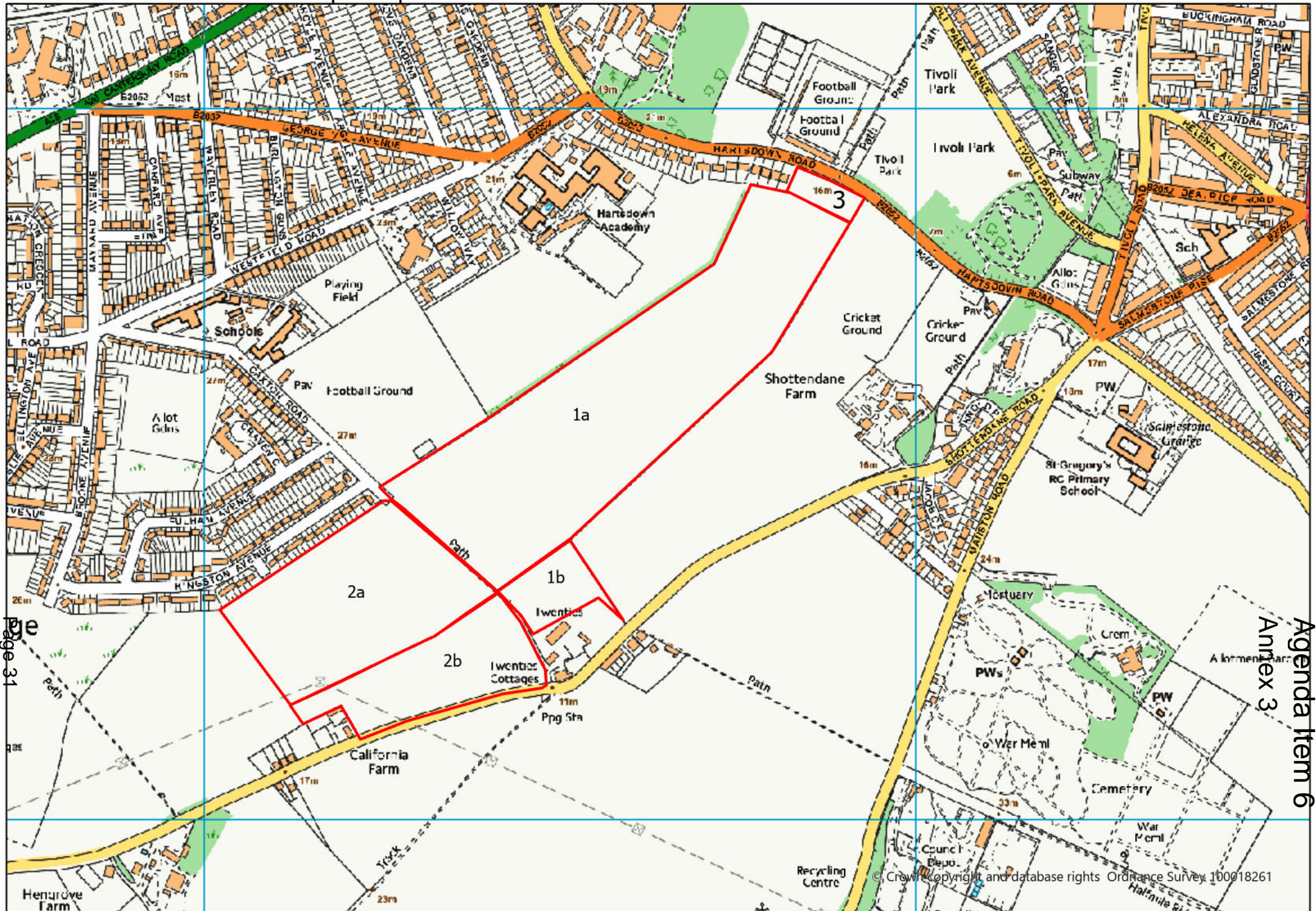
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Land at Shottendane Road - Proposed plots



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Annex 3
Agenda Item 6

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Shottendane Road

Capacity Study

May 2021



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For further information contact:
Partner: Neill Campbell - ncampbell@bptw.co.uk

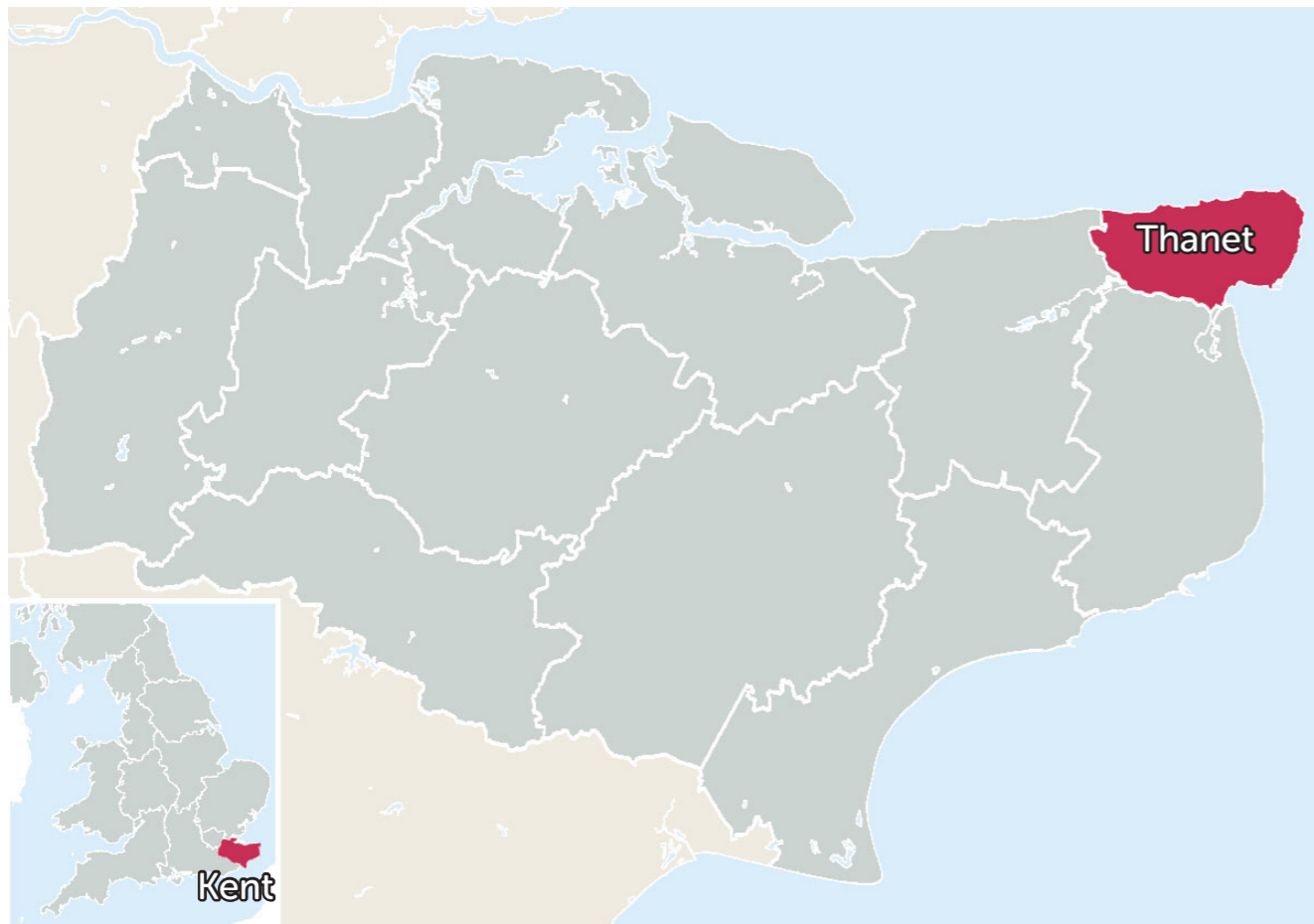
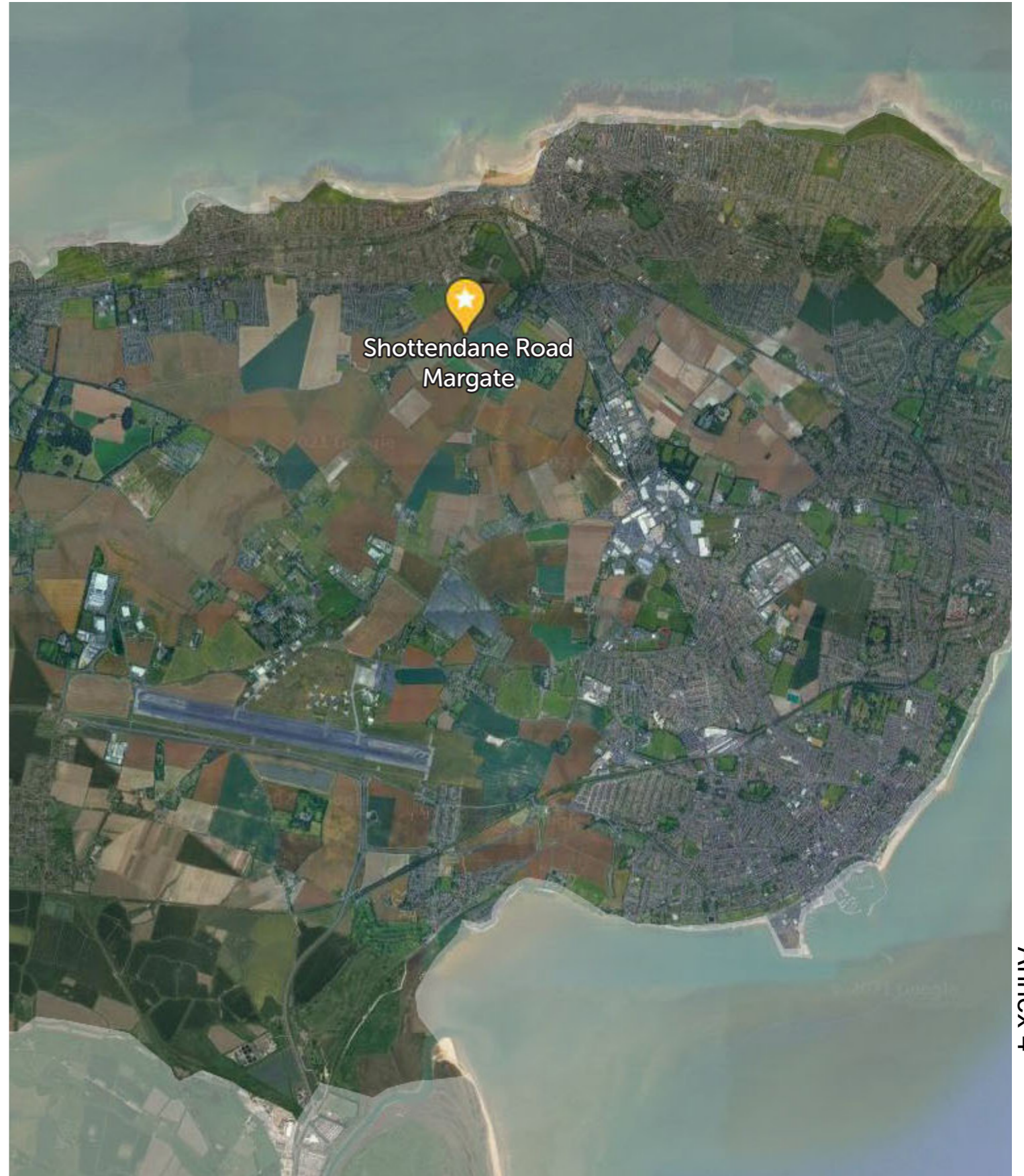
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1.3 Immediate context	8
1.4 Site Access	9
1.5 Existing access points	10
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2.2 Key design concepts	14
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Introduction

The purpose of this document is to set out a site appraisal and high level capacity study of the large vacant site situated between Shottendane Road and Hartsdown Road, on behalf of Thanet District Council, to support their application for the district's Call for Sites.

Note - Dimensions and areas are based on OS information in the absence of more detailed topographical survey information. Legal information for each site is also required to enable more accurate capacity figures.



1.0 Site Analysis

1.1 Site Overview

The development site (outlined in red) is a 14 ha piece of open farmland. It is situated within walking distance of Margate town centre and seafront.



It is bordered by a mix of existing housing, schools, sports grounds and farmland. The Site, within the previous Local Plan, was designated as community woodland but has become open farmland in recent years with mixed designations (refer to accompanying planning note).

The land is predominantly flat and sits between two principle routes into Margate. There is a public right of way that cuts north/south across the site.

The site offers development potential for family housing



Key

-  Main Road
-  Railway line

1.2 Site Context

Bordering sites

The adjacent diagram highlights the main features that border the proposed development site. There is a broad mixture of housing, agricultural land, schools and sports facilities. These are illustrated in greater detail on the following page.



Key

- Kingston Close / neighbouring housing
- Jacob Close / neighbouring housing
- Hartsdown Road housing
- Willow Way housing
- 1 California Farm and Hengrove Cottages
- 2 Twenties Cottages
- 3 Agricultural Land
- 4 Shottendane Farm
- 5 Margate Cricket Club
- 6 Tivoli Woods
- 7 Margate Football Club
- 8 Hartsdown Academy (secondary school)
- 9 Garlinge Primary School & Nursery



1.3 Immediate context



Kingston Close and surrounding residential streets - Low rise terraced housing and flat blocks, low density. No-through routes.



Jacob Close and surrounding residential streets - Mainly low rise dormer bungalows in low density cul-de-sacs.



Housing on Hartsdown Road, large detached houses set back from main road.



Willow Way housing, modern small scale housing development with parking courts in cul-de-sacs



1 California Farm is a stables / riding school and house, adjacent to Hengrove cottages (2 storey semi detached cottages, pictured)



2 Twenties cottages - 2 storey terraced block of 4 houses with agricultural buildings to the rear.



4 Shottendane Farm - assumed private farm house and cluster of agricultural holdings.



5 Margate Cricket club - local cricket club with small pavilion and parking.



6 Tivoli Woods - Public open space/Nature Reserve



7 Margate Football club - small scale football club with spectator stands, training pitches and parking.



8 Hartsdown Academy - Secondary School and Sixth form








9 Garlinge Primary School, Nursery and Childrens Centre.

1.4 Site Access



Key

-  Main Roads
-  Secondary Roads (dead ends)
-  Public Right of Way
-  Assumed existing access point
-  Hard boundary (hedge/fence)

1.5 Existing access points



1 Public footpath accessed from Shottendane Road to the side of Twenties Cottages and agricultural buildings to the rear.



2 Shottendane Road access - red line boundary indicates potential access point here.



3 Hartsdown Road - Gates to assumed private gardens which sit within red line boundary.



4 Playing fields accessed from Caxton Road (within red line boundary) - open to public access and assumed association with school.



5 Caxton Road - open access to public right of way.



6 Kingston Avenue - road terminates with fence/hedge of development site boundary.

1.6 Emerging local development



2.0 Masterplan Concept Development

2.1 Zoning



Surrounding Context

A strategic approach has been taken with regards to splitting the site so as not over-develop the land. The surrounding context dictates where the divide between residential development and open space will sit.

- Existing / future residential development
- Schools
- Playing fields
- Open land
- Site Boundary



50/50 Open space / Residential Development

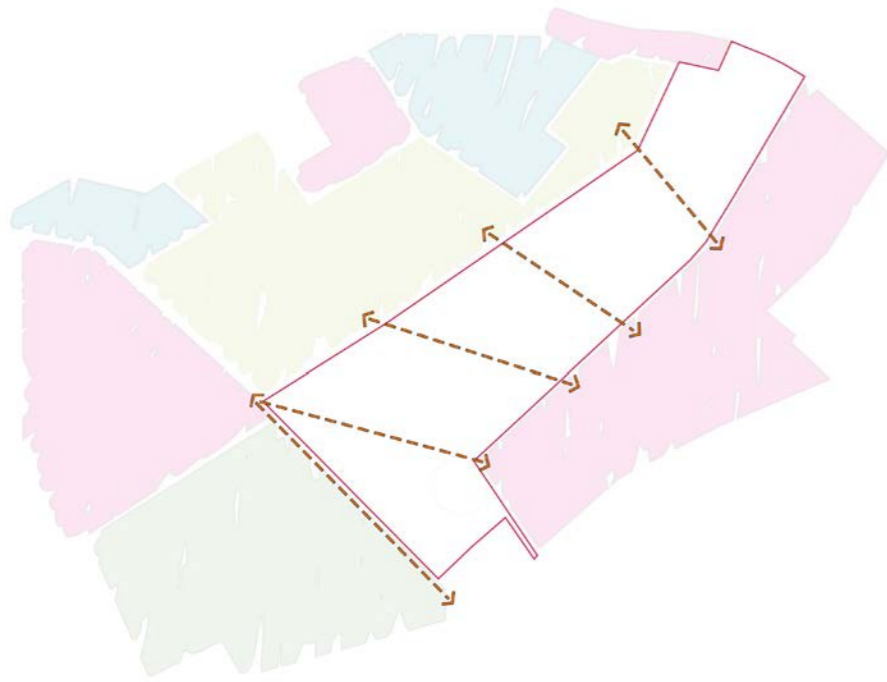
Proposed residential development will align with the adjacent site to the south that has been designated for future residential use.

The land to be left as open space will align with the adjacent open playing field to the north and farmland to the west.

This is roughly a 50/50 split.

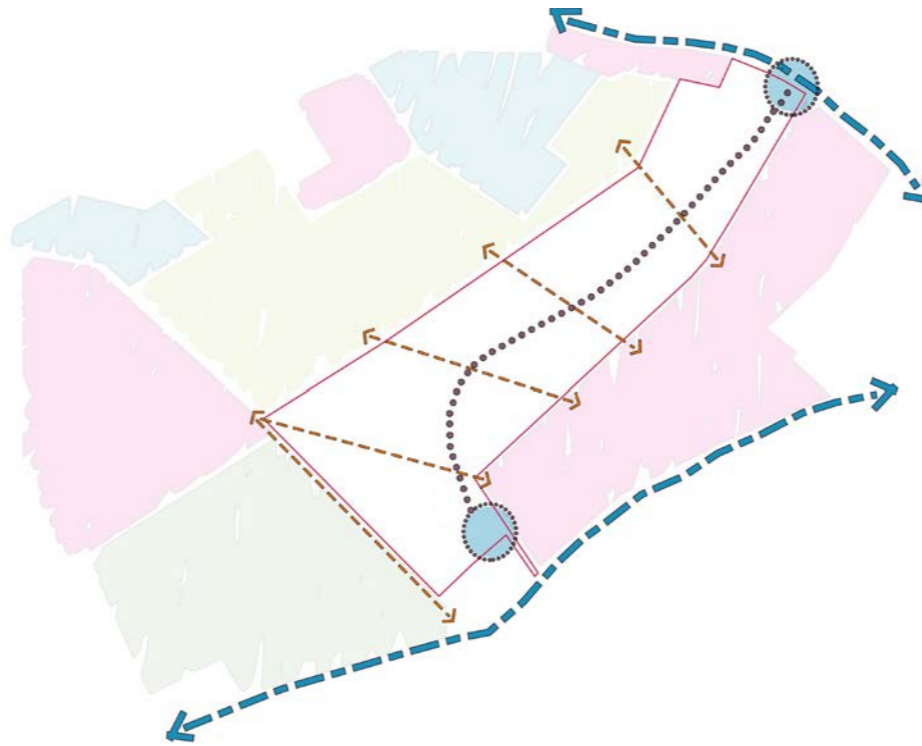
- Proposed housing zone (50% of site)
- Open space / community gardens (50% of site)
- Site Boundary

2.2 Key design concepts



Pedestrian Links

Direct and safe pedestrian/cycling routes will link the site to surrounding residential areas and amenities making the site permeable and accessible.



Vehicular Link

A new vehicular route will allow access through the site and form new junctions with the surrounding road network.



Buffered Edge

Planting will provide a permeable buffer between the emerging adjacent residential development. This strip of green space will also provide visual amenity as well as reintroduce diverse habitats.



50% Open green space

Provide a landscaped community garden with play space fronting onto the playing field to the North and allow remaining western edge to be open green space.



50% Housing

Housing in the north eastern section of the site will be clustered between access routes and open space.



Green Links

Pockets of green spaces are to be interspersed throughout the housing zones, lining green pedestrian routes and landscaped interventions.

2.3 Residential Scale



Scale

- > The residential zones are to be broken down into smaller scale blocks that can be accessed by road and foot.
- > This will allow views to penetrate through to the surrounding green spaces.
- > Housing will be small in scale (single and 2 storey) and provide a mixture of family accommodation (2-4 bedrooms / semi detached and detached dwellings).



Frontages

- > Housing will be orientated to create safe and vibrant neighbourhoods, with views over green spaces where possible.
- > Road access will be secondary to pedestrian access with private parking provided off-street in the form of parking courts, private driveways and garages

3.0 Summary

3.1 Vision

Capacity

The site area is 14ha.

The site has been roughly split into 50% open space (including community garden) and 50% developed as housing.

At a proposed development density of 35 homes/ha (based on surrounding emerging development) the proposed layout is likely to provide a yield of 220 - 260 homes.

The adjacent image shows an illustrative layout of dwellings that front on to green spaces as much as possible. Private parking will take the form of driveways, garages and parking courts with the vehicular access being secondary to pedestrian access. The concept of the outline master plan allows for this pattern of arrangement to be implemented where possible.

Our Vision

This proposed development at Shottendane Road aims to achieve:

- > A landscape led masterplan creating exemplary family homes within a sustainable development.
- > Creating a vibrant residential extension to Margate, improving local connections, integrating the new community with the existing
- > Focusing on the benefits of healthy living creating a parkland setting for new homes providing a range of landscape amenity
- > Celebrating local distinctiveness with a contemporary vernacular drawing from a unique coastal and rural location on the fringes of Margate.



Vision - Example of housing cluster at 35 units/ha interspersed with green pedestrian links.

3.2 Precedents



Image credit: Countryside





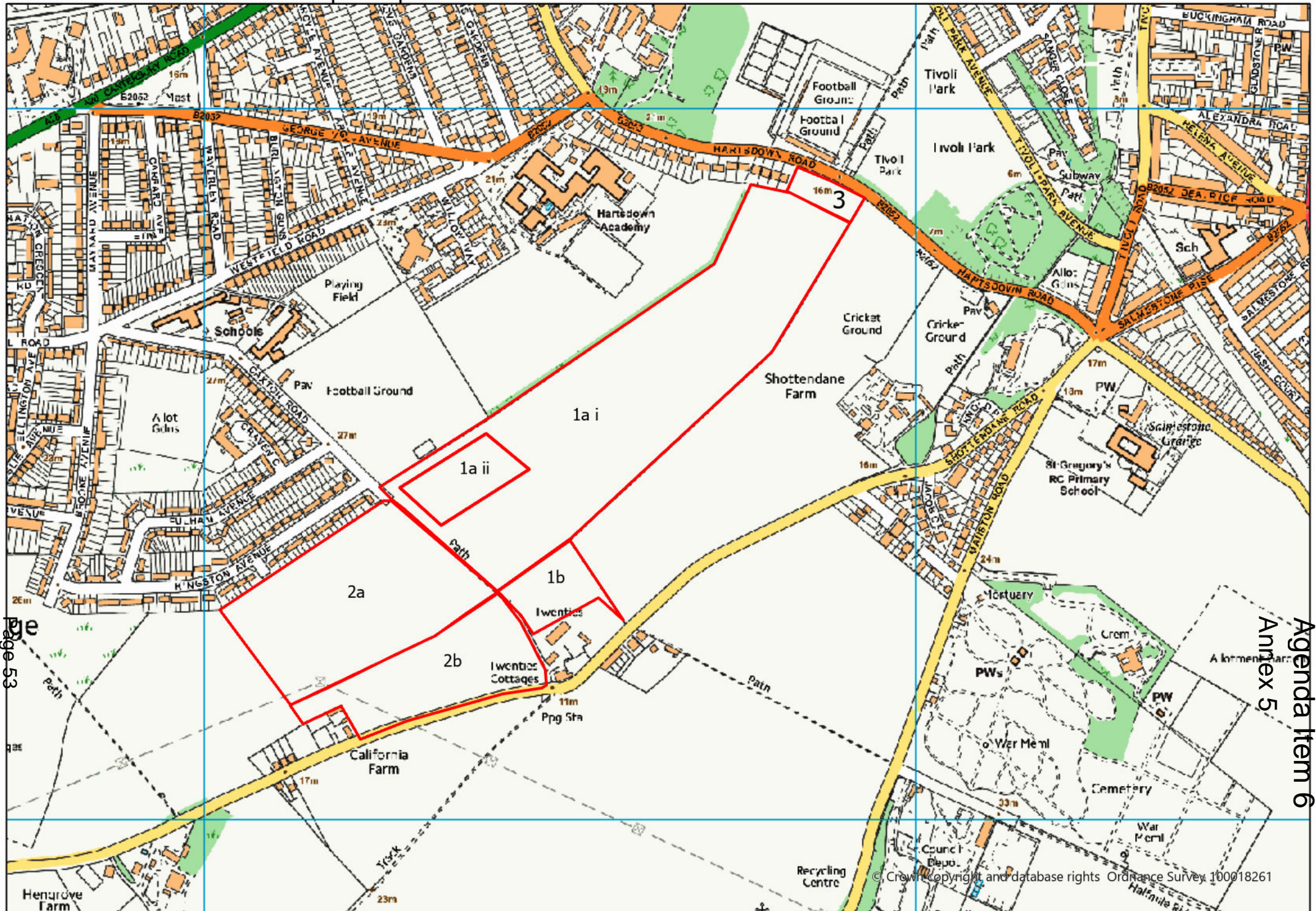
London Studio
BPTW, 40 Norman Road,
Greenwich, London SE10 9QX
t. 020 8293 5175

Midlands Studio
Alpha Works, Alpha Tower
Suffolk Street Queensway
Birmingham B1 1TT
t. 0121 667 6175

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Land at Shottendane Road - Proposed plots



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Shottendane Road - Gypsy & Traveller Site

Site Capacity

November 2023



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SRM-BPTW-XX-XX-DO-A-0604-P04-S3

For further information contact:
Partner: Neill Campbell - ncampbell@bptw.co.uk

1.0 Project brief

Bidding deadline for Gypsy & Traveller Site is 13th June.

Location: Northwest corner of Shottendane Road site, adjacent to Caxton Road.

Requirements:

- > Provide at least 5 transit pitches
- > Aim to provide 7 permanent pitches or as close to that number as possible
- > Retain access from Caxton Road to the rest of the site.

Background information:

Transit sites:

- > Temporary use for up to 3 months
- > Size of transit site ideally be 10 pitches or less to be easily managed
- > Size of pitch – size sufficient to accommodate up to two touring caravans, two parking spaces and private amenities – which consist of two electrical hook-ups, a standpipe of drinking water and drainage
- > Either private facilities – site residents tend to prefer private amenities on each pitch including a toilet, wash basin and shower with hot and cold-water supply
- > Or communal facilities - two-bathroom units are preferable: one male and one female, containing 4 toilets and 4 showers with a family room at the end that is locked and private, a disabled unit with accessible shower and toilet.
- > Accommodation for resident manager/warden
- > Community room with broadband
- > Waste disposal facilities
- > Children’s play area
- > Grazing area for animals

Permanent sites:

- > Size of transit site ideally be 10 pitches or less
- > Private amenities on each including a toilet, wash basin and shower with hot and cold-water supply
- > Waste disposal facilities
- > Community room with broadband
- > Children’s play area
- > Grazing area for animals



Site Location Plan

1.1 Proposed Site Concept

The concept behind the site plan is to maintain the two desired access points, one from Caxton Road and the other from Shottendane Road. The site currently contains 4 Permanent pitches as well as a community room facility, a children's play area and an area for animals.

Key aspects of the design are:

- > The layout looks to connect the two access points and provide a small cluster area with permanent pitches via a cul-de-sac to create a community feel.
- > A small community room is located at the end of the cul-de-sac which provides visibility over the children's play area and allowing for ease of access by residents of the permanent pitches.
- > The access road helps split the site into two separate areas which can be easily zoned, with the remaining open landscaping allowing for possible expansion and periods of temporary use.

Key

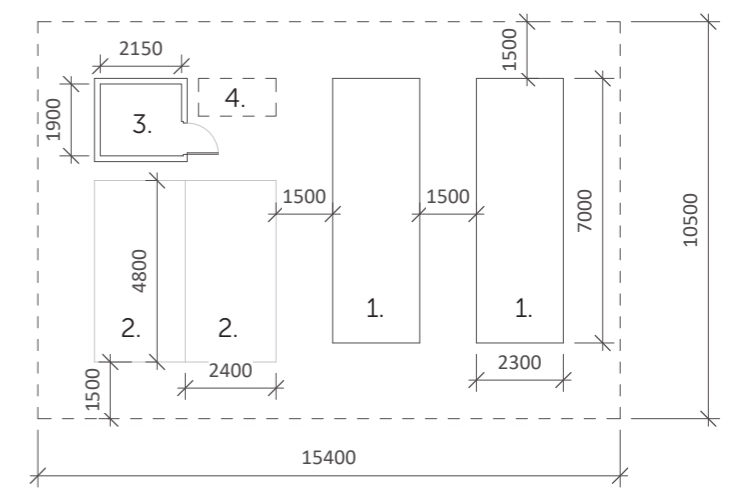
-  Permanent Pitch
-  Community room
-  Children's play area
-  Area for animals
-  Access road
-  Proposed entrance locations
-  Visual access from Community room to children's play area
-  Landscaping buffer around site

Site Layout Diagram





Layout of a single pitch
@1.200 scale



Key

- 1. Touring caravan location
- 2. Parking space
- 3. Private amenities a toilet, wash basin and shower with hot and cold-water supply
- 4. Area for: two electrical hook-ups, a standpipe of drinking water and drainage

Notes:
Do not scale. All dimensions are in millimetres unless otherwise stated. This drawing should be read in conjunction with all relevant project information and contract documentation. All dimensions to be checked prior to fabrication and or commencement of works. All works to comply with all relevant legal standards, building regulations and warranty provider requirements. Report any discrepancies, if in doubt ask.

Revisions:

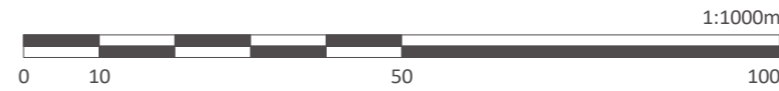
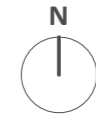
Rev	Status	Date	Description	Drn	Chkd
P01	S3	18.05.22	Issued for information	MB	
P02	S3	17.10.23	Layout amended	ES	
P03	S3	03.10.23	Layout amended and provision reduced	ES	

Client Name:		Thanet District Council	
Project Name:		Shottendane Road - Gypsy & Traveller Site	
Drawing Name:		Site Plan	
Drawing Number:	SRM-BPTW-XX-00-DR-A-1000	Rev:	P03
Project No:	21-093	RIBA Stage:	2
Drawn By:	Author	Scale:	1:1000 @ A3

40 Norman Road,
Greenwich, London
SE10 9QX
t. 020 8293 5175
bptw.co.uk

Key

- P Permenant Pitch
- CP Children's play area
- A Area for animals
- C Community room



1.2 Precedents

These two precedents are good examples of high quality Gypsy and Traveller sites.



Elim Housing's Greenfields Way site



Broadland Housing's Brooks Green site at Hartford on the outskirts of Norwich

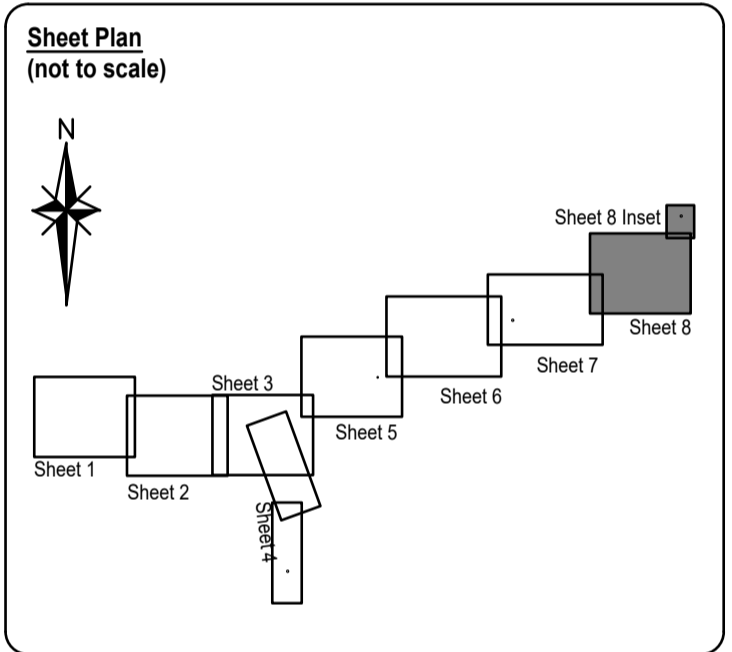
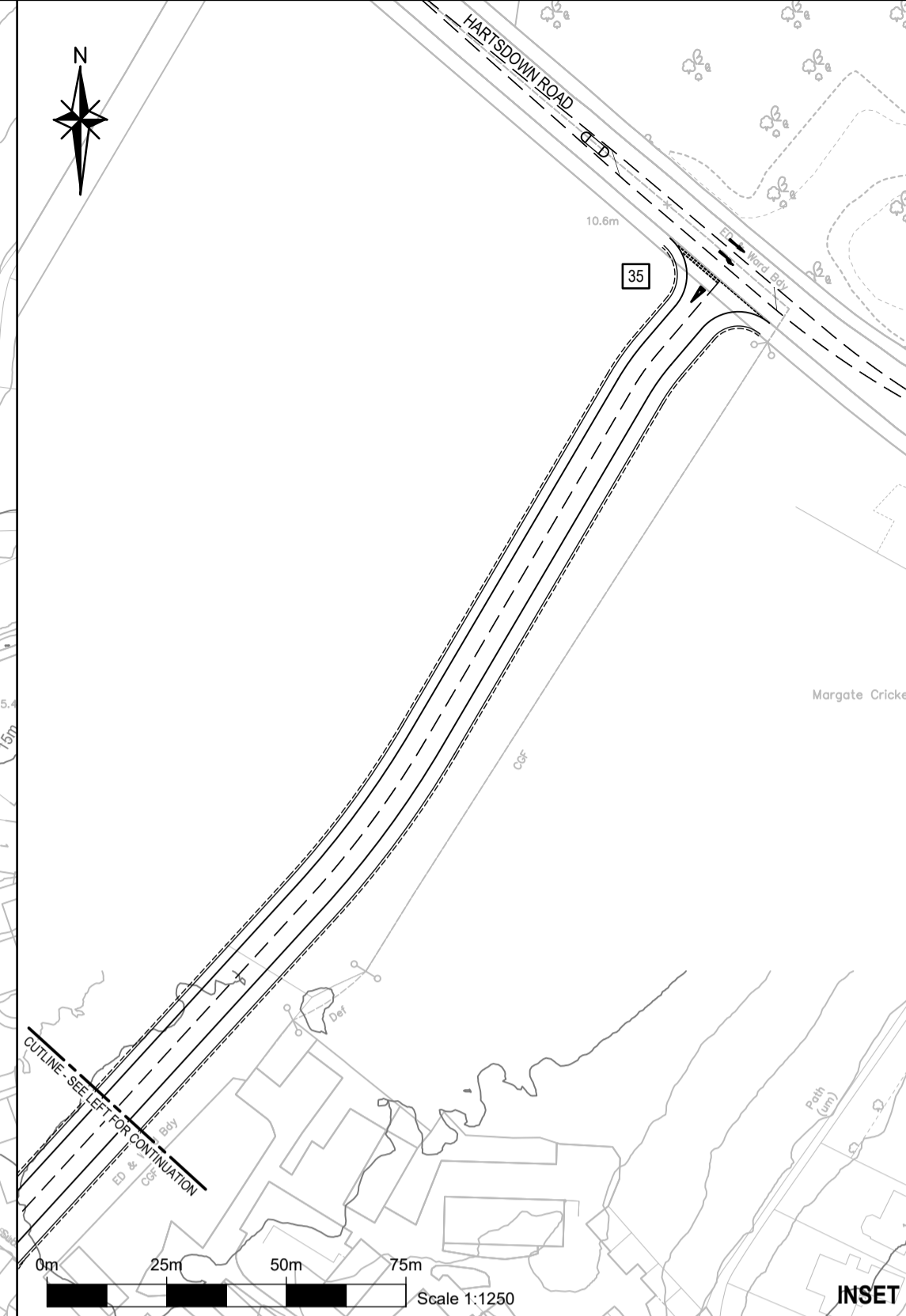
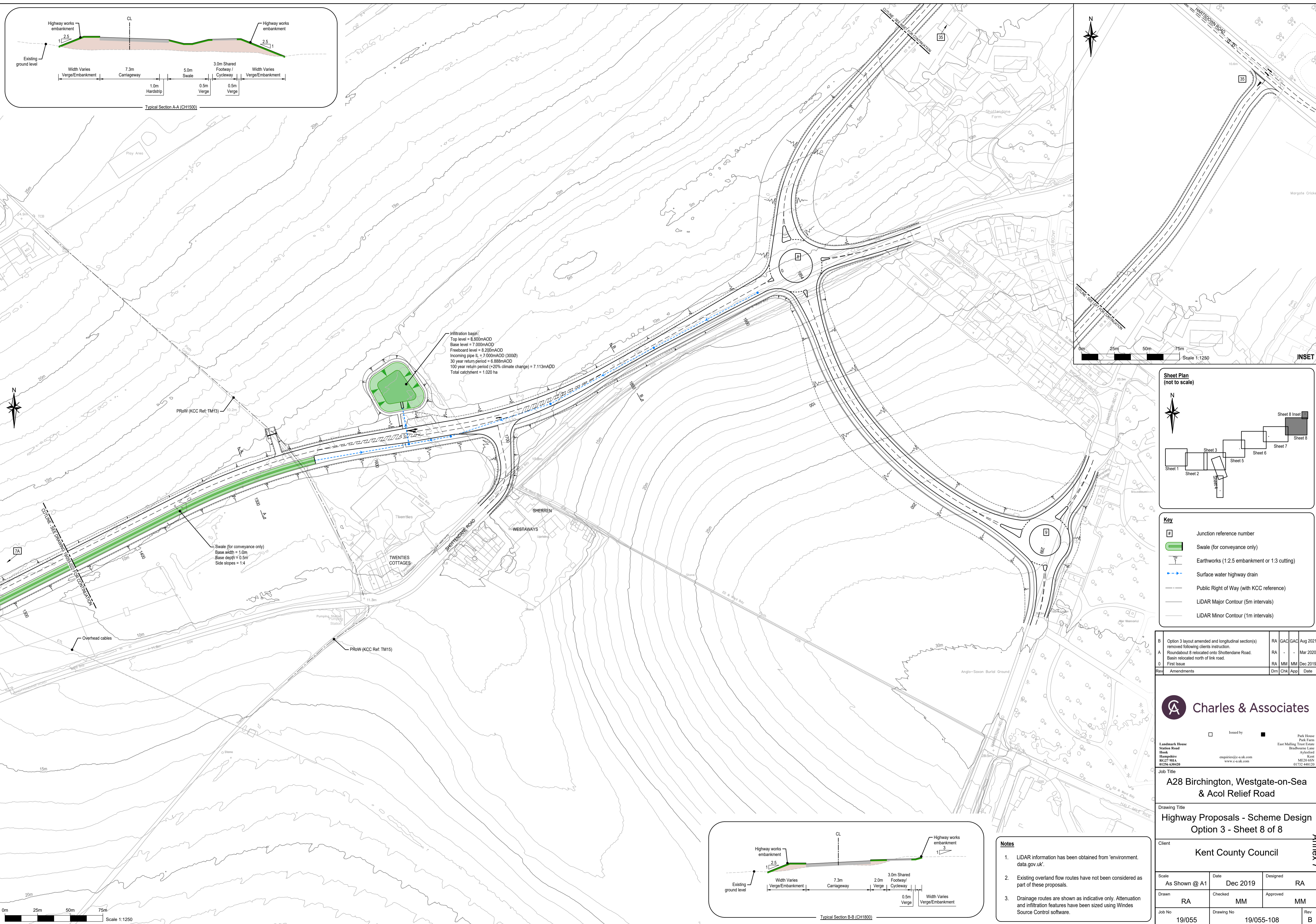


London Studio
BPTW, 40 Norman Road,
Greenwich, London SE10 9QX
t. 020 8293 5175

Midlands Studio
Alpha Works, Alpha Tower
Suffolk Street Queensway
Birmingham B1 1TT
t. 0121 667 6175

bptw.co.uk

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Key

- [A] Junction reference number
- [Green line] Swale (for conveyance only)
- [Dashed line] Earthworks (1:2.5 embankment or 1:3 cutting)
- [Blue dashed line] Surface water highway drain
- [Dotted line] Public Right of Way (with KCC reference)
- [Grey line] LiDAR Major Contour (5m intervals)
- [Light grey line] LiDAR Minor Contour (1m intervals)

B	Option 3 layout amended and longitudinal section(s) removed following clients instruction.	RA	GAC	GAC	Aug 2021
A	Roundabout 8 relocated onto Shottendane Road. Basin relocated north of link road.	RA	-	-	Mar 2020
D	First Issue	RA	MM	MM	Dec 2019
Rev	Amendments	Drm	Chk	App	Date

Charles & Associates

Issued by: [Signature]

Landmark House
 Station Road
 Basingstoke
 Hampshire
 RG22 9HA
 01256 434249

Park House
 Park Farm
 East Milling, Trout Gate
 Bradbourne Lane
 Aylesford
 Kent
 ME20 6SN
 01732 448120

enquiries@c-a.co.uk
 www.c-a.co.uk

Job Title
 A28 Birchington, Westgate-on-Sea & Acol Relief Road

Drawing Title
 Highway Proposals - Scheme Design Option 3 - Sheet 8 of 8

Client
 Kent County Council

Scale	Date	Designed
As Shown @ A1	Dec 2019	RA
Drawn	Checked	Approved
RA	MM	MM
Job No	Drawing No	Rev
19/055	19/055-108	B

- Notes**
- LiDAR information has been obtained from 'environment.data.gov.uk'.
 - Existing overland flow routes have not been considered as part of these proposals.
 - Drainage routes are shown as indicative only. Attenuation and infiltration features have been sized using Windes Source Control software.

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Temporary Worker Contract

Cabinet	25 January 2024
Report Author	Matt Elmer, Head of Cleansing Services
Portfolio Holder	Cllr Steve Albon - Cabinet Member for Cleansing and Coastal Services
Status	For Decision
Classification:	Unrestricted
Key Decision	Yes
Reasons for Key	An Executive Decision that involves incurring expenditure anticipated to be £250,000 or above
Ward:	All wards

Executive Summary:

To provide a consistent staffing provision in its frontline services, the council requires a contracted provider for temporary staff. This need is most prevalent in the Cleansing Department. The current contract, with provider HRGO, expired in April 2023, at which point the option to extend for an additional year was exercised. This extension expires on 12 April 2024.

It should be noted that this is a “call-down” contract so is not an obligation to spend the total value of the contract. Cabinet has requested a report into the use of temporary staff, which will be forthcoming and also shared with members of Overview and Scrutiny in due course.

This contract will need to be re-tendered for, to ensure that operational services can continue to be uninterrupted.

Recommendation(s):

Cabinet is asked to consider approving Option 3 as described in section 3 of this report to competitively procure a temporary staff contract via a framework with an approximate value of £1.3m per annum.

Corporate Implications

Financial and Value for Money

The use of temporary staff is managed across each service area within the organisation, with Cleansing Services being the most noteworthy user of this resource. There is a base budget for this activity to cover the most significant areas of spend, however over and above this, where there are vacant posts that require the use of agency staff, the savings

generated from these vacancies are utilised to offset these increased costs. As a result budgets are flexed as and when required, in line with these vacancies. The budget for this contract therefore exists with the staffing budgets in totality for this organisation.

Legal

S.112 Local Government Act 1972 permits a Local Authority to appoint such staff as it thinks fit in order to deliver its functions. S.111 Local Government Act 1972 and S.1 Localism Act 2011 permits a Council to do anything calculated to facilitate the delivery of its powers, functions and duties and this includes entering into contracts and service arrangements necessary to deliver those function

Procurement will be subject to compliance with public procurement legislation and the Council's contract standing orders.

Risk Management

The Cleansing Service would not be able to function properly without the cover and flexibility offered by temporary/agency staff. So it is imperative that a compliant contract is in place to have access to short term staff. These staff are often employed to cover unplanned sickness and/or absenteeism, some of which can occur without warning at the start of the working day. While the first option would be to cover annual leave and planned/foreseen sickness with full time staff, this is only viable up to a point. Unpredictable fluctuations in attendance will need to be covered by temporary workers. Access to temporary staff is also critical to ensuring that seasonal services such as beach cleaning in the summer is fully staffed without impacting the standard service. Agency staff have been used in other areas within TDC to cover maternity leave, when it was not possible to cover this with fixed term contracts.

Corporate

The manual nature of the cleansing service means that only a very small amount of the work can be undertaken to a satisfactory standard with a reduced headcount. Not having the ability to call on staff to fill unexpected spaces in the daily deployment would have a negative impact on standards. Having to deliver the service without the full quota of staff would initially lead to street cleansing services being withdrawn for the day - this to lessen the impact upon collections, but would of course have a detrimental impact on how many roads are swept and litter bins emptied.

Temporary staff are solely used to cover gaps made by absenteeism or seasonal needs and not as regular staff. The alternative of having additional TDC employees to cover these gaps would not be financially viable as there would be a considerable amount of time where they are surplus to operational needs.

The use of agency staff is monitored closely and can be controlled with efficient management of sickness and absenteeism. A report will be submitted to Cabinet to outline the level and justification of usage.

Equality Act 2010 & Public Sector Equality Duty

The proposal has limited relevance to the duty in respect of the protected characteristics. It is the officer's assessment that the duty is not engaged by this proposal.

An equalities screening tool has been completed and there is no requirement for an EQiA as there are no equalities implications arising.

Corporate Priorities

This report relates to the following corporate priorities: -

- Environment
- Communities

1.0 Introduction and Background

1.1 Agency contact covers eight areas across TDC:

- Cleansing
- Crematorium
- Open Spaces
- Port and Harbour
- Housing
- Parking
- Facilities
- Public Realm

1.2 The current contract is with HRGO and is a three year, with an option to extend this for a further year.

1.3 The option to extend was exercised in 2023 and will expire on 12 April 2024.

2.0 Current Situation and Proposed Works

2.1 A new contract needs to be produced and awarded prior to the completion of the current one in April. This task should be made easier due to the fact the parameters of the contract have not changed a great deal.

3.0 Options

3.1 Cabinet is asked to consider the following options, with Option 3 being recommended for approval.

Option 1 – Do Nothing. If the current contract expires without a compliant replacement, the Council will face risks associated with delivery of key services as capacity will not be available or the Council would require constant competition on the open market to engage temporary staff on an individual basis. **Not recommended.**

Option 2 – Continue as is. Continuing with the current supplier by rolling on the contract will breach the Public Contracts Regulations (PCR 2015) and the Councils Tender and Contract Regulations as there is no scope for further extensions within the current contract. This would expose the Council to considerable risk of litigation. **Not recommended.**

Option 3 – Further Competition under a Framework for a 3 year contract with a 12 month extension option with a value of approximately £1.3m per annum. This option is resource intensive and rates may not be as favourable when compared across managed service providers procured under the framework. **Recommended.**

Contact Officer: Matt Elmer - Head of Cleansing
Reporting to: Mike Humber - Director of Environment

Annex List

None

Corporate Consultation

Finance: Matthew Sanham (Head of Finance and Procurement)

Legal: Ingrid Brown (Head of Legal and Democracy & Monitoring Officer)

Purchase of 7 homes at Northwood Road Broadstairs for Affordable Rent

Cabinet	25th January 2025
Report Author	Ashley Jackson, Head of Housing and Planning
Portfolio Holder	Cllr Helen Whitehead, Deputy Leader and Cabinet Member for Housing
Status	For Decision
Classification:	Unrestricted
Key Decision	Yes
Reasons for Key	Budget
Ward:	St Peters Ward

Executive Summary:

Following approval at Council of the accelerated affordable housing development programme, this report seeks the approval to purchase 7 section 106 units and £30k for associated costs.

Recommendation(s):

Cabinet is being asked to agree to:

1. The purchase of 7 new affordable homes, using the additional capital budget, approved by council at its meeting on 12 October 2023;
2. The letting of these homes in accordance with the council's Allocations Policy, at an affordable rent as set out in the council's Tenancy Strategy.

Corporate Implications

Financial and Value for Money

The detailed financial implications are set out in the body of this report. Notably, the financial modelling undertaken has demonstrated that across the long-term the HRA business plan will benefit from the proposed acquisitions.

Legal

Section 106 of the Town and Country Planning Act 1990, as amended by Section 12 of the Planning and Compensation Act (1991) and the Community Infrastructure Levy Regulations

2010 (as amended), provides the legislative framework for planning obligations. The Council has acted in accordance with this legislation.

Risk Management

Acquisition and development activity has within it inherent risks. Officers strive to identify and manage risk at each stage of projects. The acquisition project will have a risk register that is reviewed throughout the lifecycle of the project by the Housing Strategy & Projects Team. Risks around acquisition activity are sought to be mitigated through regular review and the appointment of professional expertise to provide legal due diligence, and accredited valuation advice to ensure value for money, in terms of the cost of the project.

Corporate

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

Equality Act 2010 & Public Sector Equality Duty

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

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

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

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

An Equalities Impact Assessment has been completed in respect of this proposal. The new homes will be let in line with the council's allocations policy, which has had an Equalities Impact assessment completed.

Corporate Priorities

This report relates to the following corporate priorities: -

- Communities

1.0 Introduction and Background

- 1.1 Council has recently approved an accelerated affordable housing development programme of at least 400 new homes, constructed or acquired, by 2027.
- 1.2 Section 106 of the Town and Country Planning Act 1990 provides an opportunity for local planning authorities to negotiate with housing developers for the provision of affordable housing, on qualifying sites. The council's local plan policies set out a preference for these requirements to be discharged through the provision of affordable homes within the application site.
- 1.3 These agreements require developers to transfer completed homes to an affordable housing provider at a value that makes an affordable rent viable. This means that the developer effectively provides the necessary subsidy in the form of a discounted purchase price below market value. Officers have been contacted by a number of developers who have been unable to secure an affordable housing provider partner to purchase section 106 units and deliver affordable homes.
- 1.4 Failure to secure an affordable housing delivery partner can lead to developers requesting that the S106 agreement be amended to provide a commuted sum in lieu of on site homes.

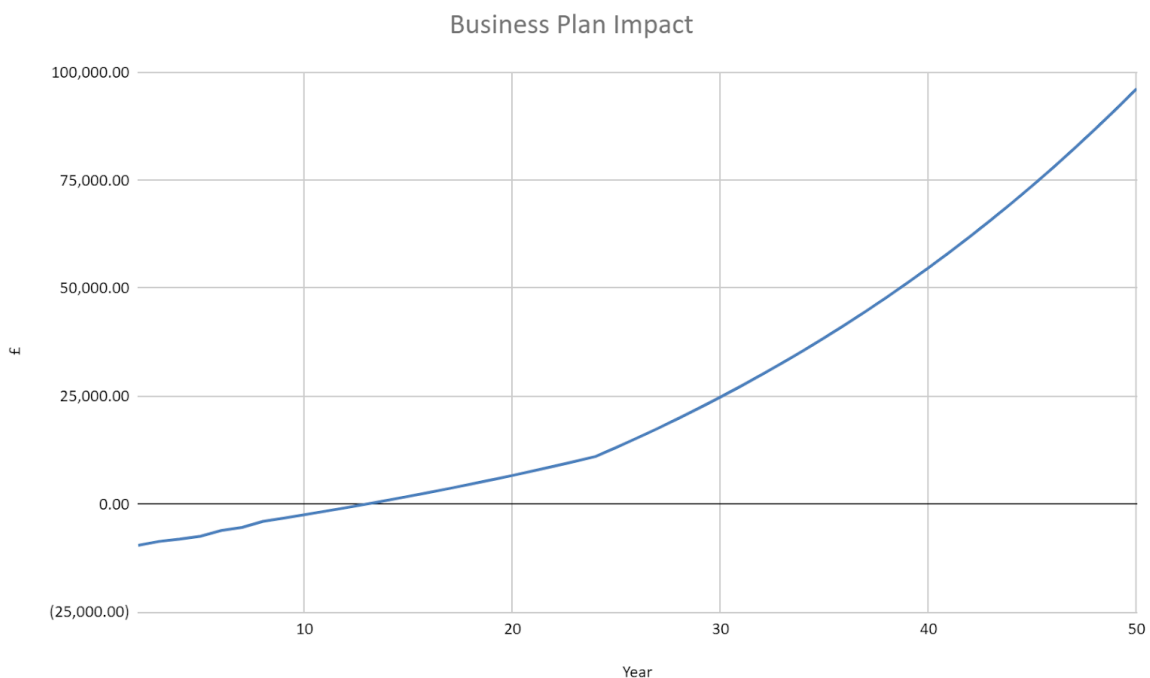
2.0 Northwood Road, Broadstairs

- 2.1 Officers were contacted by the developer and owner of the site at Northwood Road Broadstairs, who are required to deliver 7 new affordable homes, as part of their development. . This requirement is set out in the section 106 obligations for the development. They have been unable to secure an affordable housing provider to deliver these homes.
- 2.2 The capital cost for the 7 homes is £955,000 and £30,000 for associated costs.
- 2.3 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 HRA programme that only schemes that have a positive impact on the HRA Business Plan are delivered.
- 2.4 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. A summary of the income and costs for the proposed purchase are shown in the table below.

Year	1	2	3	4	13
Revenue Income					
Rental income	(50,040)	(50,040)	(52,200)	(53,480)	(69,780)
Revenue Costs					
Management Contribution	1,120	1,180	1,230	1,300	1,550
Revenue Repairs	530	560	1,170	1,230	6,620

Major Repairs (Capital contrib)	9,730	10,220	10,730	11,260	13,460
Insurance	1,400	1,470	1,540	1,620	1,940
Saving before MRP and interest	(37,260)	(36,610)	(37,530)	(38,070)	(46,210)
Interest on debt	46,200	46,200	46,200	46,200	46,200
Net cost/(saving)	8,940	9,590	8,670	8,130	(10)

2.5 This shows that the proposed purchase would generate a cash flow deficit in year 1 of £8,940 with a break even point in year 13, with surpluses accumulating between year 13 and year 50. The project shows a surplus over a 30 to 50 year period, and a cash flow summary is shown in the table below:



2.6 As the homes have been designated as affordable homes in the planning consent and section 106 agreement, they have been designed specifically for that purpose and accordingly are considered appropriate for the HRA, in line with the needs of households on the council's register or those living in temporary accommodation. There is a significant level of need for 1 bedroom homes, as well as for larger family homes. It is proposed by the developer that these units will meet EPC rating of B and construction will begin in Early 2025.

2.7 The unit sizes and the mix of dwellings are as follows:

- 4 x 1 bed flats
- 3 x 3 bed houses

2.8 A provisional offer of £955,000 has been made to the developer and subject to contract, legal due diligence, formal valuation and full approval this offer has been accepted.

- 2.9 It is proposed that the new homes are let in accordance with the council's adopted allocations policy. It is also proposed that they are let at an affordable rent, in line with the council's approved Tenancy Strategy. The Tenancy Strategy defines an affordable rent, as a rent that is no more than 80% of the local market rent and does not exceed the relevant Local Housing Allowance rate. As a Registered Social Landlord the council is required to consult with Homes England and the Regulator for Social Housing about its rent policy.

3.0 Options

- 3.1 To approve the purchase of 7 S106 units, and delegate authority to officers to conclude the due diligence and complete the purchase.
- 3.2 Do not purchase the Section 106 units, which would mean that the developer would negotiate a commuted sum, losing the affordable housing units.

Contact Officer: Ashley Jackson, Head of Housing and Planning
Reporting to: Bob Porter (Director of Place)

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)

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Ramsgate Regeneration Programme

Cabinet	25 January 2024
Report Author	Bob Porter (Director of Place)
Portfolio Holder	Cllr Rick Everitt, Leader of the Council
Status	For Decision
Classification:	Unrestricted
Key Decision	No
Ward:	Name of Ward(s) affected (if applicable)
Previously Considered by:	Cabinet - 21 September, 2023 - Simplification Pathfinder Pilot Cabinet - 2 March, 2023 - Future Delivery - Port of Ramsgate

Executive Summary:

This report provides Cabinet with an update on the progress of the council's Ramsgate Regeneration programme. The first funding application was submitted to central government in 2019 with the first projects securing funding in 2021. Following Thanet's inclusion in the government's Simplification Pathfinder Pilot, an updated programme was approved by Cabinet on 21 September 2023.

The Simplification Pathfinder Pilot Investment Plan, setting out the updated programme, has now been approved by the government. It includes all of the 19 projects identified in the draft Investment Plan considered by Cabinet on 21 September 2023, and allocates a total of £50.8m of government grant funding across the Ramsgate and Margate programmes.

This report provides a project by project update, highlighting where there has been positive progress and where issues have emerged that need to be resolved. The nature of the council's regeneration programme is highly complex and diverse. For that reason, this report only deals with the Ramsgate projects, and a separate report is being prepared in relation to the Margate programme, to be considered by Cabinet in February 2024. The Ramsgate programme includes 10 separate projects, with a total of £22.5m of government grant funding.

More detail on the background to the programme was provided to Cabinet on 21 September 2023, and it is important to consider this report within the context of the approved Simplification Pathfinder Project Investment Plan. The original proposals within the Levelling Up Fund bid were based on information that was available at the time about likely project costs and possible project timelines. At the time of the bid, the council did not have all of the necessary project management officers to deliver the programme. It has been essential to keep the programme under review as the council has secured the resources needed for delivery, progressed through design stages for each project to provide greater clarity about what is to be delivered and taken account of factors, such as inflation that have impacted on project costs during the intervening period.

Each project has a range of complexities involving property, construction, service delivery and stakeholder issues, requiring key decisions to be taken by the Cabinet, at a number of milestone stages, through each of the projects' timelines. This report sets out, for each project, where decisions will be required over the coming months and provides an indicative timeline for these decisions. All major programmes and projects, particularly those involving construction, need key decisions to be made at critical decision gateways as details about deliverables, design, costs and timelines become clearer. For a number of reasons, set out in the report, this is particularly the case for the projects in this programme.

Where there are individual projects with particular budget pressures, these are highlighted in this report. Overall, the currently estimated cost of the programme exceeds the amount of grant available and decisions will need to be made about how the programme can be amended to stay within the available budget. This is considered in more detail in section 4.

Although this report doesn't recommend any significant budget virements at this stage, it does indicate that budget virements will be required within the Ramsgate programme to ensure that the projects considered to have the highest priority are delivered in full and the linked outcomes are delivered. To this effect, the report recommends that officers commence a dialogue with the government (DLUHC) about the need to propose variations to the approved Simplification Pathway Pilot Investment Plan.

Recommendation(s):

It is recommended that Cabinet:

1. Notes the progress achieved in the delivery of the approved Ramsgate regeneration programmes.
2. Notes that further reports will be received, authorising specific procurement activities as each respective project reaches that stage, and setting out the project deliverables, timelines and costs.
3. Notes the proposed monitoring and reporting arrangements, set out in section 6.
4. Note the current funding gap in the programme.
5. Refer this report to the Overview and Scrutiny Panel and subsequently consider any comments made by the panel.

Corporate Implications

Financial and Value for Money

The projects identified in this paper have already received budget approval and have been incorporated into the council's capital programme. The projects are required to be fully funded from external grant funding allocations and there is currently no scope for Council investment in these projects.

In accordance with the council's key decision framework, further Cabinet approval will be sought before the tendering of any individual contract associated with these projects with a value of £250,000 or above.

For all the Government funded programmes, we have already received part of this funding, to commence delivery. In addition, all future DLUHC funding will be drawn down in advance of any works being undertaken. The Section 151 Officer is required to scrutinise and approve

regular monitoring returns to DLUHC. These returns will cover actual and forecast spend, alongside programme delivery and output metrics.

The council is required to provide regular monitoring and evaluation returns to central government. An outcome of being part of the Simplification Pathfinder Pilot is that the council will have a streamlined approach to the monitoring and evaluation requirements. The three programmes - Future High Street Fund, Town Deal and Levelling Up have been amalgamated into one programme of reporting. Officers have received draft return documents and are waiting for the final versions from central government.

Legal

This report is for noting and as such there are no legal implications arising. There are however significant legal issues arising out of each of the individual projects and it is noted that specialist legal advice will be sought at the relevant time. This will include advice in respect of State Aid/Subsidy Control, Procurement, Property and Contract.

Expert Legal Advice has been sought to support the programme of work in identifying an operator at the Port of Ramsgate. The advice is both specific to the procurement process as well as issues in respect of the technicalities related to developing an operational/commercial port.

Risk Management

Through the development and delivery of previous regeneration projects, the council has established the apparatus and experience for reviewing and managing the various key risks of delivering large capital programmes, including those which rely on ongoing management, improving heritage buildings, and enhancing protected coastal environments.

The council is responsible for ensuring that there are effective and adequate risk management and internal control systems in place to manage the major risks to which the external funding programmes are exposed.

As part of the development of the projects robust risk registers were developed. The registers are live documents. The Risks identified in the Risk Register as "High" are reviewed regularly, and those that provide a risk to the Council will be on the Councils corporate risk register.

Through the monitoring and evaluation process for the three programmes the most significant risks have been reported back to the Department of Levelling Up, Housing and Communities on a quarterly and six monthly basis in the monitoring and evaluation reports. It is expected that this requirement will continue, however we are waiting for the final monitoring and evaluation report templates.

Key risks, and mitigation measures

Significant Inflation pressure c20-30% increases

- Continue to lobby central government on the impact of the increase in costs of materials and labour and the subsequent inflationary increases.
- Possible value engineering required.
- Possible cancellation of projects if unaffordable
- Constant reviews of other investment opportunities/funding sources.

Availability of materials and labour

- A risk/contingency allowance is included within the cost plan.
- Suitable contract terms between the client and the main contractor will be included at the point of agreeing the Main Works Contract.
- Cost/delay likelihood expected to be known far in advance of commencing on site.
- Constant reviews of the market and supply chain will be undertaken to establish lead in times and general market concerns and issues.
- Possible value engineering required.

Commitment of private sector partners

- Continued engagement with potential private sector partners.
- Development of design proposals that are attractive to the market and can be scaled to meet changing requirements of the sector.
- Possible value engineering required.
- Management of appropriate processes - procurement, operational and property based processes in order to ensure the council is working with the right private sector partners, with relevant and robust due diligence processes are in place.

Unsecured financial contributions to the projects

- Early discussions with Private sector partners.
- Early discussions with 'other' funders to understand their requirements and ensure project delivery fit.
- Work ongoing to develop successful bids for financial contributions.

Current market conditions

- Market testing will be carried throughout each design stage to ascertain cost trends.
- Early contractor engagement to ensure the supply chain is being actively managed.

Failure or underperformance of contractors

- Use of established procurement routes, robust contracts and engagement with potential contracts early on,

Capacity of the council to support delivery of significant spend from projects within programme timescales

- Review use of extra external resources to add capacity to existing teams within the council.
- Utilise funding for fees within the projects to add capacity.
- Hold workshops to review priorities across the council in terms of delivery.

Corporate

The projects that were part of the former funding programmes - Ramsgate Future High Street Fund, Margate Town Deal, and Ramsgate and Margate Levelling Up Fund projects all support the council's corporate priority for Growth, by encouraging regeneration. It will also enhance the environment through a variety of activities including traffic management, greening activities, as well as supporting our communities through new job opportunities and providing improved wellbeing.

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.*

This report is to note and not for decision. As such there are no equalities implications arising.

Corporate Priorities

This report relates to the following corporate priorities: -

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

1.0 Introduction and Background

1.1 Since 2019 the council has been applying for and securing significant government capital grant funding, with a total of £22.5m for regeneration projects in Ramsgate, as follows:

- Future High Street Funds - £2.7m - to provide a creative workspace and improved highways in Ramsgate.
- Ramsgate Levelling Up Fund - £19.8m - focusing on projects to enhance the Port, Harbour and providing places for local people to engage and develop skills to access the new job opportunities being created in these areas.

- 1.2 This funding represents a significant step up in the scale of the council's regeneration capital programme. At the time of the bid submissions and funding awards the council was not adequately resourced to deliver a programme at this scale. Therefore it has been essential for the council to employ additional project management officers and appoint construction design teams to deliver the programme. The council's Regeneration and Growth Service is also simultaneously delivering a £28.5m programme of investment in Margate.
- 1.3 Since the award of these funding schemes, considerable work has been completed to develop the original programme concepts into deliverable projects with updated costs and delivery timelines. In addition, the national programme - reflected here in Thanet - has been under considerable cost and delivery pressure as a result of a number of factors, including:
- The Levelling Up Fund bidding process has come in three rounds. Although national government originally indicated that there would be more than one round, many councils - including Thanet - decided to bid in Round 1 in order to secure funding, in case later Rounds were not, in fact, pursued.
 - That strategic decision, coupled with very limited bidding timescales, meant that many projects submitted for funding across the national bidding programme were only at concept stage, with only high level projections of costs and timelines. That has inevitably meant that, across the country, as well as in Thanet, the successful projects have had to adapt as plans and costs were developed.
 - A period of unexpectedly high inflation, linked to unforeseeable global events, has reduced the real value of the funding by around 25%. Government has replied to a request from the Leader to the effect that there will be no compensatory additional funding.
 - The need for many organisations to recruit the project management resources needed to deliver a national programme at scale. These resources were originally scarce, and are now significantly more so, as councils across the country seek to take on resources to deliver their projects.
- 1.4 In 2023 the government's Simplification Pathway Pilot recognised these issues and provided for streamlined project reporting, greater flexibility in the use of grant resources and extended delivery timelines for councils included within its pilot programme, which included Thanet.
- 1.5 On 21 September 2023 Cabinet approved a single investment plan, as part of this government's Simplification Pathway Pilot. The investment plan was subsequently approved by the government in December 2023. The report considered by Cabinet on 21 September 2023 set out the background to the Simplification Pathway Pilot and the additional flexibilities that the pilot provided to the council in the delivery of the programme. It acts as the baseline for the projects we are pursuing, and any decisions required, or variations made, refer to this plan as the starting point for such decisions.
- 1.6 The report considered by Cabinet in September also set out proposals for a new Regeneration Partnership Board for Thanet, to replace the previous arrangements, which required different oversight arrangements for each tranche of funding. Now that the Simplification Pathfinder Pilot Investment Plan has been signed off by the Government we are in a position to establish the new Regeneration Partnership

Board and arrange its first meeting. The makeup of the board was set out in the report, and officers have been working on the recruitment of suitable representatives to the Board in the intervening period.

- 1.7 The September report identified the range of projects within the Ramsgate programme, as set out below:
- Future High Street Fund (FHSF)
 - Creative Workspace
 - Highway Improvements
 - Modern Port Infrastructure (LUF)
 - Green Campus
 - Port Infrastructure
 - Inclusive Harbour Attractions (LUF)
 - Visitor Accommodation opportunities (amended from the Smack Boys restaurant with rooms project)
 - Fishing Facilities
 - Clock House
 - Pier Yard
 - Assets to Connect to Opportunity (LUF)
 - Newington
 - Town Centre
- 1.8 These projects are at various stages of development and all involve a complex range of property, construction, service delivery and stakeholder issues. Although the projects have all been subject to a government approval process these are, however, subject to change as greater detail about the projects is developed as they progress through concept, feasibility, design and delivery stages, using the published Royal Institute of British Architects (RIBA) stages as a guide. A summary of the RIBA stages is attached at Annex 1.
- 1.9 As projects progress through RIBA stages more accurate cost estimates are possible. The current estimates of cost, across the programme, are considered in section 4 of this report and a summary is provided at Annex 2. Inflation has been a significant factor in the programme since funding was first allocated in 2021, and as a result all projects have seen significant cost increases over this period. As it stands, the estimated cost of the entire programme exceeds the available grant funding. This report therefore notes that budget virements and/or programme changes are likely to be required to keep the cost of the programme within the level of available funding.
- 1.10 It is also the case that Officers are developing the projects with the clear objective of not committing the council's own funding to any of the projects, unless there is a business case that justifies that investment based on projected income arising from the project.
- 1.11 It will be evident, from all these parameters, that it may not be possible to deliver all projects to the original proposal; and that - as a last resort - one or more projects may need to be ceased in order to enable funding to be transferred to other projects. When agreeing the Investment Plan last September, the Leader also made it clear that the Cabinet would not be prepared to approve the transfer of funds from projects in Margate to Ramsgate, or vice versa.

- 1.12 Sections 2, 3 of this report review each project in turn and provide members with clarity about what is being delivered, and a high level project highlights. Many of the projects still have key decisions to be made before the council can commit to delivery and to incurring expenditure, and where this is the case, the report provides information about what decisions will be required and when these are likely to be needed. Any decisions that are considered to be key decisions, under the council's constitution will be taken by Cabinet, following discussion at the Overview and Scrutiny Panel. Reports recommending that projects proceed to the next stage, including procurements and the start of construction work, will set out the key project deliverables, timelines and milestones and costs.

2.0 Project Updates

This section of the report provides a brief description of each project within the Ramsgate programme and an update on the current progress of each project.

2.1 Creative Workspace:

The aim of the Future High Street Fund was to renew and reshape town centres and high streets with the incorporation of other uses to drive increases in footfall. The development of the creative workspace scheme that was bid for successfully by us was evidenced on the basis of its delivery against the Future High Street Fund objectives, a perceived demand for workspace, and through soft market testing with operators and businesses.

The scheme will create a multi-occupancy building comprising meeting rooms, offices and creative studios with the potential to include a cafe, small gallery and arts-led retail space. Workspaces will be provided across three levels of a town centre building in Ramsgate, designed specifically for use by individuals and businesses in the creative industries sector, for whom there is currently a lack of suitable, affordable accommodation within Ramsgate. The site will also provide a central focal point for creative and cultural enterprise, education, training and community engagement, helping to build confidence and resilience among Ramsgate's residential and business population and improving public perceptions and experiences of the local area.

At a meeting on 2 March 2023, Cabinet authorised that the Levelling Up Fund 'Access to Opportunities' project in the Town Centre be combined with the Future High Street Fund project for 'Creative Workspace' with both projects being delivered at 5A Broad Street, Ramsgate. The Cabinet also approved the purchase 5A Broad Street to complete this project, as part of the same report. The aim of the 'Access to Opportunities' element of this investment is to provide a space in the town centre for people to access information and support as part of wider career development. This will include community teaching space, opportunities for organisations that support people into work and engage with businesses to support job growth and a space for support and information exchange, as well as space for existing local charities to operate from. There are clear benefits of delivering both schemes - the workspace and space for people in the town centre to engage with organisations to provide them support. They are complementary uses and by combining them in one building reducing ongoing management costs, rather than having two spaces.

5A Broad Street, Ramsgate was acquired by the Council on 11 December 2023. Planning Permission was granted on 15 November for the necessary refurbishment works to the building, including the installation of a lift to ensure all spaces are accessible. The appointed design team is currently developing RIBA Stage 3/4 design before procurement is undertaken for the works. The decision to proceed with procurement will be a key decision to be made by Cabinet. Start on site is anticipated for summer 2024. In the meantime, the space is being used to support High Street Heritage Action Zone projects and engagement activities as part of the wider programme.

2.2 Highway Improvements:

The aim of this project is to make it easier for pedestrians to walk to the town centre from the Harbour, by reducing the dominance and barrier of the road layout. Harbour Parade dominates the space between the visitor attraction that is the Royal Harbour and the Town Centre. Through a series of interventions in the highway the ambition is to provide pedestrians with greater accessibility into the town centre and, therefore, to improve footfall.

This scheme was developed in line with the earlier delivery date for the Future High Street Fund of March 2024. Design and consultation for the proposals was completed in 2022, but encountered delays in securing permissions from KCC Highways. Following the inclusion of the Ramsgate schemes into the Pathfinder Pilot Scheme, these Highways works will be delivered as part of the wider Ramsgate programme. It is anticipated that this approach will minimise the risk of overlapping projects clashing in the Harbour area, and also offers the opportunity to review the design in light of current circumstances.

A Place Plan has been commissioned to support the whole programme which is being delivered in Ramsgate. This masterplan should provide a holistic urban design strategy exploring the connections and potential movement between parts of the Town, and identify opportunities for improvements to current designs.

2.3 Green Campus:

As part of the 'Green Port' overarching project a new Green Campus will create spaces for training, enterprise and light industry along Military Road, Ramsgate. This forms part of the objective to ensure that there is diversified activity at the Port of Ramsgate, providing additional employment opportunities. It is anticipated that the Green Campus will be a self-sufficient destination for enterprise and skills development. At the same time, the building's design should allow for future expansion. The Campus will be operated by a specialist operator in this field.

Jan Kattein Architects have developed this scheme to RIBA Stage 2 design. The Stage 2 Cost Plan is expected to be complete by the end of January.

As part of the Levelling Up project, the council has established a Design Review Panel. Design Review Panels are comprised of independent design and placemaking experts, who can provide advice to applicants and developers relating to building and public realm projects as part of the Planning Process. Design Review Panels provide an additional opportunity to improve design quality and feedback during design, to

developers, and support a robust Planning process. The first Thanet Design Review Panel was held in November where the stage two designs for the Green Campus were reviewed.

A Prior Information Notice (PIN) was issued for the Green Campus Operator procurement on 13 December 2023. The PIN aims to gauge interest and views from potential operators to help inform the operating model for the scheme and potential future procurement exercises. A successful PIN exercise would lead to the procurement of an operator for this site during summer 2024.

2.4 Port Infrastructure:

The Port Infrastructure project, described in greater detail below, is designed to invest in the infrastructure at the Port of Ramsgate, to enable the reintroduction of scheduled Ro-Ro ferry services operating from berths 2 and 3, with an initial focus on unaccompanied freight. The project includes both marine based works, including the refurbishment of berths 2 and 3, and the mooring spine that links the berths, together with land based works needed to support Ro-Ro ferry operations, such as Border Force facilities.

It is clearly essential that this project is coordinated with the already approved work to secure a new operator for Ro-Ro operations at the port. This is considered in more detail in section 3 below.

The council has appointed Pascall + Watson Architects, to develop a RIBA Stage 2 design for the land-based elements (which are works other than the refurbishment of the Berths and Mooring spine) of the Port Infrastructure. There has been close liaison with UK Border Force to develop the specifications for their requirements. The council, as Port Operator, is required to deliver and fund these facilities. Securing UK Border Force design comments is important in order to complete RIBA Stage 2, which is anticipated in January 2024, with the Cost Plan available for these elements at the end of January 2024.

The works relating to refurbishing the infrastructure for Berths 2 and 3 will be separately designed and costed by a series of survey and design commissions. A procurement exercise to appoint a consultant to carry out these surveys and prepare a schedule of required works is currently underway, with surveys expected to commence in March. As part of this package of works, the consultant will provide high-level budget costs based on the survey outcomes, which will support the council's decision-making processes as to how to commission the works. It is anticipated that these figures will be available in June 2024, so that Cabinet is able to consider the full scope and cost of this project. This will also provide an opportunity to consider how this project coordinates with the work to find a new operator for the Ro-Ro operations, prior to the commissioning of the construction and refurbishment works. We are aiming to be in a position where we know whether we have been successful in attracting a successful bid for a Port Operator before committing to the infrastructure expenditure.

Final pre-tender costs are not yet known for this project, but it is anticipated that they will exceed the LUF budget currently allocated to the port infrastructure. The work currently underway to commission detailed condition studies will provide greater

clarity about the likely cost and be used to inform a decision about proceeding with the berth and mooring spine refurbishments and the land based construction works. This decision will be a key decision for the Cabinet to consider and is expected to be needed in the summer 2024.

2.5 Visitor Accommodation opportunities:

In the initial bid, a proposal was put forward for the Smack Boys building, located at the harbour frontage, to be turned into a Restaurant with Rooms, including event space. The scheme was not included within the Simplification Pathway Pilot approved by Cabinet on 21 September 2023. It was omitted from the programme at this stage due to the increased cost over that awarded, which was linked both to inflationary cost pressures and the difficulties of value engineering a construction project on a listed building, following engagement with the private sector.

The listed Smack Boys building remains at risk and work has been completed to assess the costs of safeguarding the building, and consider other opportunities it may present in the context of the wider Pathfinder programme.

There is an identified need for visitor accommodation across the district. A number of parties have shown interest in developing accommodation in Ramsgate, albeit on a larger scale than could have been provided at the Smackboys building. Several sites around Ramsgate Harbour have been identified as opportunity areas for visitor accommodation and high level feasibility work has indicated that the locations are viable for potential hotel investment. Industry experts have been engaged to develop an initial feasibility assessment.

The Simplification Pathway Pilot report to Cabinet on 21 September 2023 allocated a provisional sum of £750k to this project. Any decision to use this funding to deliver a visitor accommodation project will be subject to a Cabinet decision, and will need to be taken in the context of the affordability of the Ramsgate programme as a whole, particularly if additional funding is required to support the port infrastructure project. The feasibility is expected in March 2024 and then a discussion will be held with relevant departments to consider next steps, ahead of any formal decision making required.

2.6 Fishing Facilities:

The ambition for the Fishing Facilities through the LUF bid was to create a site for the local fishing fleet where they could unload, freeze, store and process their catch. With the ability to process fish and seafood on site the fishing fleet would be able to increase their income from each catch. The aim was to revitalise the fishing industry in Ramsgate and provide an avenue to create new jobs and business opportunities.

The Fishing Facilities scheme was developed jointly with the Thanet Fishermen's Association (TFA) with several sites assessed for their location and suitability. A bid for further funding from the UK Seafood Infrastructure Fund was submitted in January 2023, to support an improvement to the wider infrastructure in the Harbour, but was not successful.

During Autumn 2023, following a period of engagement with the council, design team and the TFA on size and design of the facility, the TFA confirmed that their members were unable to financially commit to the maintenance and operation of a new facility, given the current state of decline in the fishing industry in Ramsgate. Factors including governing legislation relating to this industry and environmental and fishing impacts on local fish stocks, have impacted on the viability of the Ramsgate fleet and its ability to invest in new local infrastructure. Unfortunately, as a result, this project is unlikely to progress in its current form.

The fishing fleet remains an important part of Ramsgate as a working Harbour and council officers are continuing to work with the TFA to identify possible options for smaller scale improvements in the facilities at the harbour to support the fleet. Discussions will continue to take place with the TFA during quarter one of 2024-25.

2.7 Clock House:

As part of the Levelling Up Fund bid, The Clock House and Pier Yard schemes were identified as areas for potential development by:

- Working with key stakeholders, looking at refurbishing the Grade II listed Clock House, to create a cultural heritage exhibition space and public café.
- Transforming the Pier Yard Car Park into a new town square, taking into account access requirements.
- Aiming to create a vibrant new public space, for people to congregate in and where they can appreciate the beauty of the area.

Working with the Ramsgate Society, the proposal for the Clock House was based on plans they had been developing over a number of years. With the success of the Levelling Up Fund, and ambitions for funding applications to the National Lottery Heritage Fund and Historic England, heritage architects were commissioned to turn the plans into a deliverable scheme.

An architect team was commissioned to develop plans for the site, working with key stakeholders. The RIBA Stage 2 designs were completed by Curl La Tourelle + Head Architects in December 2023. A bid was submitted to the National Lottery Heritage Fund, based on these plans, supported by an updated business plan and proposals for consultation and engagement with Ramsgate's communities. At RIBA stage 2 the scheme was within budget, with support from the National Lottery Heritage Fund.

The council was informed last December that the bid for National Lottery Heritage Funding for the Clock House scheme was unsuccessful. Work is now underway to review the scope of this project in line with what is available through the secured Levelling Up Funding. We are working with the Ramsgate Heritage Regeneration Trust to develop a proposal for the building, which would safeguard its heritage and future, and would identify a way for the Trust to run a maritime heritage hub for Ramsgate. Refurbishment works for the building fit within the current budget and the business plan is being reviewed to ensure sustainability of the building for the future. A revised Stage 2 proposal will be designed during Spring 2024 on the basis of these discussions.

In November 2023 the Clock House was returned to the council having been leased to a third party since 2012. With the building back under council management we

have been able to start urgent works to the building, including the electrics which means we are able to ensure there is heating and lighting in the building. The next steps will be to review other urgent works required, alongside the design stages.

2.8 Pier Yard:

The ambition for the Levelling Up Fund bid was to transform the Pier Yard Car Park into a new town square, taking into account access requirements for the working harbour. The aim is to create a vibrant new public space, for people to congregate in and where they can appreciate the beauty of the area.

RIBA Stage 2 completed by Curl La Tourelle + Head Architects in December 2023. Following a review exercise, the proposed scheme for Pier Yard is within the allocated budget figure.

As identified in 2.2 the two public realm/highways schemes will be brought together to gain greater economies of scale in terms of delivery.

2.9 Newington:

The Newington Community Centre project aims to extend the existing building, to include a large teaching kitchen to expand on a popular food and cookery programme offered by the centre. The project presents an opportunity to broaden the service provision of the centre, to better link the building to its surroundings and embrace the garden/green space. It will also realise opportunities for revenue generation by allowing multiple activities to take place across the facilities at the same time.

Following a competitive tendering process, Jan Kattein Architects have been appointed as the lead designers of a multi-disciplinary team from RIBA Stages 2-6. Representatives of Starlings Support / the Newington Community Association have been invited to monthly Project Team Meetings. Monthly Steering Groups to include local residents have also been arranged on a monthly basis.

Starlings Support have been funded to carry out associated Community Engagement Activities required for the design process.

2.10 Town Centre:

See paragraph 2.1 above. Cabinet agreed, at its meeting on 2 March 2023 to combine the funding for this project, with the Future High Streets Funding to deliver creative work space. Both projects, together with the relevant outcomes, are now being delivered together as part of the combined project at 5A Broad Street, Ramsgate. The budgets for these two projects, detailed separately in the approved Simplification Pathway Pilot Investment Plan, have been amalgamated for the acquisition and refurbishment of the building.

3.0 Ramsgate Port Operations

- 3.1 The Port Infrastructure project, listed in 2.4 above, is to invest in the infrastructure of Ramsgate Port, to enable the reintroduction of scheduled Ro-Ro ferry services operating from berths 2 and 3, with a focus on unaccompanied freight.

3.2 Connected to this project, but with separate decision-making, the Cabinet considered a detailed report at its meeting on 2 March 2023, setting out a detailed strategy for the future management of the port. This report emphasised the need for the council to coordinate the delivery of the infrastructure project with a separate process designed to secure new operating arrangements for the port. The cabinet agreed to the following recommendations:

1. To approve the future model for delivery of the Commercial Port as set out in Option 5, in Section 10 (of the cabinet report);
2. To give delegated authority to the Chief Executive Officer to develop the procurement framework and process to be followed, to secure a port operator in accordance with Section 11 of this report;
3. To give delegated authority to the CEO to conduct an open and competitive tendering process in order to make a recommendation to Cabinet to secure a Port Operator, based on the proposed scoring criteria; following which the CEO is authorised to negotiate and award a concession contract and enter into an accompanying lease, in accordance with Section 11 of this report;
4. To give delegated authority to the CEO to conduct negotiations with the aggregate operator, which will be subject to a best value exercise to ensure the agreed proposals add value to the Port of Ramsgate, the Council, and its communities. Negotiations will also cover any requirements in terms of formal approvals required being achievable for the expansion. The agreed proposals will be recommended by the CEO to Cabinet for approval. Following this, the CEO is authorised to enter into a subsequent contractual agreement with an accompanying new (or revised existing) lease with the aggregate operator.

3.3 The relevant section from the 2 March 2023 report, setting out the key points of the approved option (Option 5), is copied below:

'Option 5 - Multi-purpose Port Hybrid option is the recommended option for the Management of the Port of Ramsgate. The council would retain the management of part of the Port, thus splitting the commercial activity by the type of operation. The council would retain control of non-ro-ro traffic, with ro-ro cargo and traffic managed by a third party. This would give the council control over how the port is managed and run, by each of the commercial entities running out of the port, but it would have less risk and responsibility. The council already has a long standing relationship with those businesses running their operations out of the Port of Ramsgate, and it would also have the flexibility to deliver the Green Campus, whilst providing potential growth opportunities alongside it, without having over all of the responsibility. The council has also managed different types of traffic in and around the port (including ro-ro freight, aggregates, wind farm operations and trade car arrivals/storage), and this would be set out in a clear agreement with a third party operator so as not to unduly impact any of the operations at the port. Implementation of this option would be via a competitive expression of interest process, leading to the selection of a successful submission, based upon the agreed scoring criteria. The subsequent agreement would take the form of a concession agreement with accompanying lease. This option would allow the flexibility to retain existing agreements with long term leaseholders (mainly wind farms operators and aggregates) and develop investment opportunities that may arise following the completion of the Green Campus project.'

- 3.4 Further work has subsequently been completed on how these two projects interact with each other and can best be coordinated, so that both the council and an appointed port operator for berths 2 and 3 can have a greater level of certainty over any infrastructure related costs during the lifetime of a new concession contract and over how any related risks and costs would be shared between the parties.
- 3.5 In July 2023 a pre-market engagement exercise was undertaken to test the level of external interest in operating a substantial part of the Port of Ramsgate. A prospectus was prepared and interested parties were invited to complete a pre-market engagement questionnaire, which sought responses on the type of operation proposed along with some key questions on the proposed concession agreement terms. This was a pre-market engagement process rather than a prequalification stage of the forthcoming concession procurement process which will be published as an open tender. The engagement exercise was extremely helpful and an encouraging number of responses were received from a wide range of parties. The responses received have helped to inform the development of the port concession model.
- 3.6 Ideally, the LUF funding allocated to the Port Infrastructure project would be sufficient to ensure that the refurbishment of berths 2 and 3 and the connecting mooring spine, as well as the required landside infrastructure, could be provided and maintained at the required standard throughout the period of the concession contract. However, it is now clear, from provisional estimates made by officers, and based on our increasing knowledge of the requirements placed on the council as port owner, that the likely costs will be significantly higher than the available LUF funding.
- 3.7 We are required, in summary, to refurbish the infrastructure to the point where it can be expected to remain operational, with regular maintenance carried out by the appointed Port Operator, for the period of the contract with the Operator - which will be at least 10+ years. There will also inevitably be some residual risk that further costs will emerge during the lifetime of the concession contract - though the costs should be able to be covered by income earned from Port operations.
- 3.8 As the Statutory Harbour Authority, we will retain an obligation to ensure that the port infrastructure is fit for purpose throughout the period of any concession agreement. We will also be responsible for the collection of berthing fees from ferry operators, and part of any income can be set aside for maintenance. The appointed operator will have the ability to charge for other related services (such as stevedoring) and use any income generated to pay concession fees to the council and to meet any other on-going obligations imposed through the agreement. These issues will be fully considered during the agreed competitive procurement exercise to appoint an operator and will be informed by the outcome of the planned condition surveys.
- 3.9 In order to help mitigate this risk in relation to the costs of the marine infrastructure, we are commissioning detailed specialist surveys and design work for the refurbishment of berths 2 and 3 and the linking mooring spine. The tender for these surveys is being advertised in January 2024. The associated Schedule of Works and Cost Plan are expected to be available by June 2024, and will be used to specify the necessary work, in parallel to the procurement and appointment of a new operator.

- 3.10 Managing the project to invest in the port infrastructure in parallel with the procurement and appointment of a port operator will also help to mitigate any risk that the council might commit to the investment in the infrastructure project but is subsequently unable to secure an operator. This risk was largely considered in the previous port report on 2 March 2023, when the strategic case for the reintroduction of Ro-Ro services to Ramsgate was considered.
- 3.11 A preliminary estimate, subject to survey, of the likely costs of the port infrastructure is set out in section 4 below, and at this stage it is expected that the grant funding currently allocated to the Port Infrastructure project will be insufficient to cover the costs. There is some scope for the costs of particular elements to be included within the responsibilities of the appointed operator. Any responsibilities passed to the operator would be reflected within the agreed concession fees. All other additional costs, over and above that available from the Levelling Up Funds, will need to be covered by transferring LUF grant funding from one or more other Ramsgate projects, as the council is unable to provide funding for any shortfall (as set out in para 1.7 above). At this stage, given the position on the Visitor Accommodation (para 2.5 above) and Fishing Facilities (para 2.6 above), we are working on the hypothesis that funds could be transferred from these schemes to the Port infrastructure.
- 3.12 This parallel approach to these two interdependent projects has added significant complexity to the port elements of the Ramsgate regeneration programme, but will help to ensure that the overall level of risk posed to the council, in relation to the operation of the port is reduced. This complexity has impacted on the overall project timeline.
- 3.13 We must also consider the possible alternative uses for the Port site, should this joint project become undeliverable.

4.0 Cost Pressures

- 4.1 The report to Cabinet in September 2023 identified that there has been significant inflation related pressures on projects within national Levelling Up and Regeneration programmes. This is equally true of the Ramsgate programme, and although reasonable assumptions were included for inflation and contingencies they have not matched the unforeseeable levels of inflation at 20-30% for some of the projects in programme. This is a feature of LUF allocations across the country. Every council in receipt of LUF funding is in this position. Unforeseen works, at the time of the original LUF bid for Ramsgate, have also added additional costs in some instances. The inflationary pressure has also impacted on the cost of living and affected the viability of the business plans of some of the schemes and their deliverable outputs, which also needs to be considered. These assumptions were reset as part of the approved Simplification Pathway Pilot Investment Plan, but will need further review if there are any significant changes to the programme.
- 4.2 There are a number of options for how these significant increases in costs can be dealt with, as follows:
- Value Engineering: A process to review the size, scale, design and materials proposed for construction projects. Easier to achieve with new build projects than for refurbishment projects, particularly where buildings may be listed.

Where buildings are reduced in scale it is also necessary to consider whether they will still enable the same level of outputs to be achieved

- Seeking additional external funding: This approach has so far not proved productive, for example, the council was unsuccessful with bids submitted to the National Lottery Heritage Fund to support the cost of works to the listed Clock House and to the UK Seafood Infrastructure Fund to add to the proposed fishing facilities with related works around the harbour . To date, match funding for the Green Campus project has not been forthcoming from potential operators, however the PIN process may identify opportunities for match funding. That said, these outcomes have not resulted in projects becoming undeliverable and projects can be delivered in a way that allows future match funding and expansion. There is also some scope for the appointed operator for the Ro-Ro operations to cover some of the related port infrastructure costs, as identified in paragraph 3.10 above. As the port is potentially of national significance, engagement with central government about the current costs and funding gap is continuing.

4.3 There is currently no scope for the council to directly contribute to any of the costs of the programme, unless supported by a clear business case that investment would be self-funding. Therefore, if the options of value engineering and external funding are insufficient to deliver the programme within the available resources the council will also need to consider the reallocation of funding between projects to ensure that priority projects are resourced to completion. This will inevitably involve some projects being either reduced in scale or removed from the programme in their entirety.

4.4 Work to review the scope and costs of the Ramsgate Regeneration programme is on-going, and the options set out above continue to be explored. The council will need to resolve these issues during the spring/summer 2024 and agree the final form of the programme, so that there is sufficient time to deliver construction projects and commit spending against the Future High Streets Fund and Levelling Up Fund by the deadline of March 2026.

4.5 The port infrastructure remains a critical cost risk at this stage and the completion of detailed condition surveys of berths 2 and 3 and the linked mooring spine is essential to reduce this risk and determine the final form of the Ramsgate programme. Initial work has been completed in-house to determine a best estimate of cost, based on detailed information currently available about the scope of works required, but this does need external validation based on the survey findings. Based on current project timelines, the draft condition survey report is anticipated to be available in June 2024.

4.6 The cost pressures described above have created a very challenging cost environment across the Ramsgate programme. This is shown in more detail in Annex 2 to this report, which details the original grant allocations, the current estimated cost of projects in the programme and some potential options for grant and cost reallocation. There have already been some changes to the original programme, following the report to Cabinet in September 2023, and further changes to ensure that the programme remains within the available budget are considered possible at this stage. These changes are:

- The removal of the original Smackboys project from the programme when the Simplification Investment Plan was approved (Approved by Cabinet on 21 September 2023). The original allocation of grant to this project was £2.671m.

- The fishing facilities project, as considered in paragraph 2.6 above is unlikely to proceed in its current form and can be significantly reduced in scale and cost. The original allocation of grant to this project was £3.918m.
- The Green Campus is a proposed new build project which means that there is scope to reduce the design and scale (and therefore cost) of the building through a process of value engineering, so that the cost remains within its original grant allocation of £6.101m.
- The port infrastructure project is currently estimated at £10m +/- 25%. The original allocation of grant to this project was £3.514m.
- Options are being considered to close the current estimated funding gap of £2.15m. This includes engagement with central government, and exploring the potential to reallocate some of the cost of the port infrastructure project to the appointed operator, through the terms of the proposed concession agreement. The ability to include some costs with the concession agreement will not be known until an operator has been identified and agreements are in place. In addition, the actual value of the shortfall will not be known until all costs have been quantified.

4.7 Decisions about these potential changes will need to be taken as soon as the costs relating to berth 2 and 3 and the linked mooring spine are better defined, following survey. This is expected in June 2024. For now, Annex 2 presents a potential way forward for the programme and although no specific budget virements are proposed at this time, members are asked to note the likely need for budget virements and/or programme changes to be made subsequently.

4.8 Within the terms of the Simplification Pathfinder Pilot the council is permitted to vire up to £5m between projects, without the need to obtain consent from the government. Virements above this level would require an approved project adjustment. It is not clear whether this £5m limit applies to a single project or to the totality of virements across the whole Investment Plan. In addition, the flexibility to vire funding between projects only applies to existing projects: the allocation of any funding to new projects would require the sign off of a new business case by Government. Any proposal to vire money between projects will require a Cabinet decision.

4.9 It is important to note that the Simplification Pathway Pilot Investment Plan includes the Margate Regeneration Programme, which will be subject to a separate report to Cabinet. It is likely that the council will require government sign off for the scale of the potential budget virements set out above.

5.0 Programme Timeline and Milestones

5.1 Clear project milestones and timelines will be required for all projects so that the council is able to monitor and report on the progress of project delivery.

5.2 Where key dates are known for the next key activities that need to be delivered, these are set out within the project level summaries, included in section 2 above.

5.3 Each project that proceeds to a delivery stage will have key milestones and timelines defined at the outset. This information, as well as key information about project deliverables and project costs, will be detailed in the key decision reports that will be needed to authorise the procurement of construction projects.

6.0 Project Monitoring and Reporting Arrangements

- 6.1 The Simplification Pathway Pilot Investment Plan effectively combined the three previous programmes (Levelling Up Fund, Town Deal and Future High Streets Fund) across both Margate and Ramsgate programmes into a single investment plan.
- 6.2 Under the Simplification Pathfinder Pilot the existing projects, approved by Cabinet in September 2023 were reprofiled against the intervention themes for the Pilot. These themes are:
- Enhancing sub-regional and regional connectivity
 - Unlocking and enabling industrial and commercial development
 - Strengthening the visitor and local service economy
 - Improving the quality of life of residents
 - Employment and education

The council is required to provide the monitoring and evaluation information to the government in relation to project delivery and outputs across these themes rather than for individual projects. These arrangements were detailed in [Annex 1](#) of the report considered by Cabinet in September.

- 6.3 As the accountable body for the delivery of the overall Investment Plan, it is essential that there is also project level monitoring and reporting of key project based information, including progress against agreed project timelines, changes to project deliverables and costs performance against budget. Officers will continue to monitor project and programme level information through the established internal Project Delivery Board and key performance and monitoring information will be reported to the Overview and Scrutiny Panel and the Cabinet quarterly.
- 6.4 Key performance and monitoring information will also be reported to the new Regeneration Partnership Board, whose [Terms of Reference](#) were agreed by Cabinet in September. Progress on the establishment of the new Regeneration Partnership Board is provided in section 7, below.
- 6.5 Central government has recently provided an outline of the monitoring and evaluation requirements for the amalgamated programme of projects. A detailed Monitoring and Evaluation (M&E) form will be completed during Quarter two and Quarter four of each year, and a light-touch RAG (Red, Amber, Green) rating report will be completed for Quarter one and Quarter three. Guidance for completing the M&E questions is expected to be provided when the final version of the returns are sent to the council, with their deadlines.
- 6.6 The light touch M&E return requires programme level RAG rating on the council's ability to spend the current spending profile and the current portfolio-level delivery progress. An explanation is required with this. The second part to the return is a RAG rating for each project against spend and delivery risk.
- 6.7 The detailed M&E return requires a more detailed update on progress, with information on the delivery of our portfolio of projects, which includes spend and delivery RAG ratings for each project, issues, and key upcoming milestones. A section on Outputs and Outcomes about what the portfolio is delivering - and what

the projects are forecasting to deliver. This will be against each intervention theme. The return requires an update on the top five risks and mitigations across the portfolio. Information on the portfolio finances will include information on committed and forecasted spend at both portfolio and project level, and plans for uncommitted funding, or underspend.

7.0 Regeneration Partnership Board

- 7.1 Prior to Christmas the council received notification that the proposed Investment Plan, as part of the Simplification Pathfinder Pilot, had been approved by Ministers. This was welcome news, meaning that the council is now able to move forward with setting up the Regeneration Partnership Board, to provide the council with oversight on the delivery of the regeneration projects across the district.
- 7.2 At the Cabinet meeting on the 21 September 2023, Cabinet approved the recommendation to set-up a new Partnership Board with the recruitment of Board members to be in consultation with the Leader of the Council. Invitation letters have been sent to business and community representatives, Ramsgate Town Council and Margate Charter Trustees have been invited to propose a Board member, and a draft Terms of Reference has been shared.
- 7.3 Once all positions of the new Regeneration Partnership Board have been filled the first meeting will be held, the aim is for this to be early March. An area of the council's website will be allocated to the Partnership Board, including information on the members, their declarations of interest, agendas and minutes.

8.0 Next Steps

- 8.1 It is proposed that this report is presented to the Overview and Scrutiny Panel for their consideration, at the earliest opportunity. Any comments and recommendations made by the Overview and Scrutiny Panel will then be referred back to Cabinet for their consideration.
- 8.2 Further reports will be presented to the Overview and Scrutiny Panel setting out the project deliverables, timelines and milestones and project costs for all projects in the programme. Where appropriate, these key decisions will be needed to authorise project expenditure. Recommendations will take into account the overall cost of the programme, compared to the available funding, including the costs relating to the port infrastructure project, once there is greater clarity about these costs.

Contact Officer: [Bob Porter \(Director of Place\)](#)
Reporting to: [Colin Carmichael \(Chief Executive\)](#)

Annex List

Annex 2: Summary of RIBA stages: [Annex 1 - RIBA Plan of Work](#)
Annex 2: Financial Summary: [Annex 2: Financial Summary](#)

Background Papers

None

Corporate Consultation

Finance: Matthew Sanham (Head of Finance and Procurement)

Legal: Ingrid Brown (Head of Legal and Democracy & Monitoring Officer)

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The Stages of the Royal Institute of British Architects (RIBA) Plan of Work

The RIBA Plan of Work consists of eight stages, numbered 0 to 7. Each stage represents a phase in the project lifecycle and is designed to ensure that all aspects of the project are considered and addressed.

1. RIBA Stage 0: Strategic Definition – In this stage, the project’s objectives, constraints, and requirements are defined. Stakeholders are identified, and their needs and expectations are considered.
2. RIBA Stage 1: Preparation and Brief – The project brief is developed, outlining the client’s requirements, project scope, and key performance indicators. A feasibility study may be conducted to assess the project’s viability.
3. RIBA Stage 2: Concept Design – Initial design concepts are developed, and the preferred design solution is chosen. This stage includes preliminary cost estimates and risk assessments.
4. RIBA Stage 3: Spatial Coordination – The chosen design concept is developed into a coordinated architectural, structural, and services design. This stage includes the preparation of planning applications, building regulations submissions, and detailed cost estimates.
5. RIBA Stage 4: Technical Design – Technical details are finalised, including specifications, schedules, and drawings. The design is coordinated with other disciplines, and any necessary adjustments are made.
6. RIBA Stage 5: Construction – The project is constructed according to the technical design, with regular site inspections and progress reports to ensure quality and compliance with the design.
7. RIBA Stage 6: Handover and Closeout – The project is handed over to the client after construction. Any defects or issues are rectified, and final documentation is provided.
8. RIBA Stage 7: In Use – The performance of the completed project is monitored and evaluated. Feedback is collected to inform future projects and improve the design process.

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Annex 2: Financial Summary							
Project	Original Grant Allocation (£000s)	Revised Grant Allocation Simplification Pilot (£000s)	Spent as at November 2023 (£000s)	Committed as at November 2023 (£000s)	Current Cost Estimates (£000s)	Notes	Potential new costs/funding allocations (Subject to subsequent approval) (£000s) Includes spent and committed amounts
Creative Workspace	1,064	1,064	30	14	1,064	RIBA stage 2 cost estimate	1,064
Highways scheme	1,640	1,640	71	32	1,640	RIBA stage 2 cost estimate	1,640
Port Infrastructure	3,514	3,514	112	122	10,000	Initial internal assessment of likely cost +/- 25% to be validated following survey	10,000
Green Campus	6,101	6,101	152	163	6,101	RIBA stage 2 cost estimate	6,101
Smack Boys	2,671	0	81	93	174	Project discontinued as part of Simplification Pilot stage	174
Visitor Accommodation	0	792	0	0	792	Provisional sum - deliverable project not identified	100
Fishing Facilities	3,918	3,918	104	86	3,918	Provisional sum for minor works	100
Clock House	1,480	3,359	105	186	5,686	Cost with Heritage grant - project needs value engineering	3,359
Pier Yard	1,315	1,315	50	83	1,315	RIBA stage 2 cost estimate	1,315
Access Newington	576	576	13	123	576	RIBA stage 1 cost estimate	576
Ramsgate Town Centre	264	264	0	0	264	RIBA stage 2 cost estimate - project combined with Creative Workspace	264
Totals	22,543	22,543	718	902	31,530		24,693
						Total Grant Funding	£22,543
						Current budget shortfall based on current assumptions	£2,150

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Dane Park Depot Waste

Cabinet	25th January 2024
Report Author	Tony Marmo, Head of Coastal and Public Realm
Portfolio Holder	Cllr Steve Albon, Cabinet Member for Cleansing and Coastal Services
Status	For Decision
Classification:	Unrestricted
Key Decision	Yes
Reasons for Key	An Executive Decision that involves incurring expenditure anticipated to be £250,000 or above.
Ward:	All wards

Executive Summary:

The Head of Coastal and Public Realm started in their role in early September. One of the tasks assigned to the officer was the installation of 5 electric charging points at Dane Park Depot (the depot). During a site visit to the depot to check the location for installing the charging points, the officer found a large waste pile was in this location, as well as in other areas of the depot site.

The waste created from undertaking the maintenance of open spaces across the district is brought to the depot at the end of each day. The amount of waste being brought to the depot was greater than the capacity available in the system that was in place for the disposal of waste. At the time of the visit in September therefore the Council was storing 2,180 tonnes of waste at the depot. The depot has a T23 waste exemption certificate. This means a maximum of 60 tonnes can be stored on site at any one time and the waste stored must be suitable for composting.

The Head of Coastal and Public Realm was concerned by the level of waste on the depot site. The Council's waste consultant was asked to advise on whether the waste at the depot should be removed, how it should be removed and what the consequences might be if the Council did not remove the waste.

The consultant confirmed the waste at the depot exceeded that allowed for under its licence and that as a result the Council was at risk of sanctions being imposed by the Environment Agency (EA). The EA visits exempt premises for compliance with the conditions related to the specific waste exemptions and while in attendance look for signs of non compliant waste activities. The consultant advised that the courts can issue substantial fines and custodial sentences for non compliant waste activities.

The Corporate Management team agreed that immediate remedial action should be taken in order to ensure the Council's full compliance with its waste exemption certificate. A waste disposal service was asked to provide an estimated cost of removing the waste. They estimated the cost would be £225,000. As such the decision to enter into the agreement to remove the waste was not a key decision but a decision that officers could enter into. Given the urgency of remedying this issue it was agreed by the S151 officer that a contract could be entered into with the identified waste disposal service without the usual procurement process. Work commenced removing all the waste in late November and was completed within a matter of weeks. Officers were then advised that the final cost of waste removal was £275,000. The final cost makes this decision a key decision and consequently retrospective cabinet approval is now being sought.

Agenda Item 12

All waste has now been disposed of in a compliant manner. Officers have put in place measures that will ensure the depot is compliant with its T23 waste exemption certificate going forwards.

Recommendation(s):

- a) That Cabinet ratifies the decision made by the s151 officer on the 16th November 2024 to enter into a contract with an estimated value of £225,000 with Mears Group Plc. for the removal and disposal of waste from Dane Park Depot;
- b) That Cabinet approves the payment of an additional £50,000 based on the final cost of removal and disposal of waste from Dane Park Depot being £275,000.

Corporate Implications

Financial and Value for Money

The estimated cost of the work to be undertaken was £225,000. At this level it was an officer's decision. The S151 officer acknowledged the urgency of this issue and agreed that the contract could be entered into without the usual procurement process. However, the final cost for the work turned out to be £275,000. At this level it became a key decision.

Legal

Regulation 12 of the Environmental Permitting (England and Wales) Regulations 2016 contains the key requirement for environmental permits in relation to the storage of waste. Regulation 38 creates offences where regulated activities are carried out without an environmental permit or in breach of an environmental permit. As referenced in this report sanctions can for breach include fines and in some cases, a prison sentence.

The decision to enter into an agreement to remove waste was initially thought to be an officer decision, based on the estimated cost of removal. This fell below the key-decision threshold. Urgent action was required to remedy the position, as discovered by the Head of Coastal and Public Realm and confirmed by the Council's waste advisor in early November. The decision to enter into the contract outside of the Council's Contract Standing Orders and procurement rules was made by the Chief Finance Officer in order to protect the Council from the risk of sanctions and to remedy a situation that was unlawful. A final invoice for works carried out now takes the contract for this work into the key decision threshold and accordingly cabinet approval is sought in order to ratify the decision made by officers and agree the additional £50 000 over the initial contract price.

Risk Management

A risk register has been developed. The risk register considers financial, health and safety, procurement, and legal risks. The risk register will be maintained as a live document and will be updated.

Corporate

The Council is focused on continuous improvement to ensure we are efficient and effective. This includes being open, transparent and responsive in our activities and the scenarios the Council faces.

Equality Act 2010 & Public Sector Equality Duty

An equalities screening tool has been completed. This confirms that there are no particular equalities considerations arising from this decision and that it is not necessary to complete a full equalities impact assessment.

Corporate Priorities

This report relates to the following corporate priorities:

- Environment

1.0 Introduction

- 1.1 The Council is responsible for maintenance of open space across the district. This maintenance is undertaken by the Open Spaces team. The Open Spaces team operate from the Dane Park Depot (the depot). The team produces waste from grass/hedge cutting, tree works, weed/plant removal and from repairs to fencing and other such infrastructure.
- 1.2 In addition to the Open Spaces team, grounds maintenance work is carried out by voluntary and community groups on behalf of the Council on land owned by the Council. The waste produced by these groups is then brought to the depot.
- 1.3 The depot has a T23 waste exemption certificate that expires in February 2025. The exemption allows for the composting of small volumes of vegetation, cardboard and food waste. The compost can then be spread to benefit Council owned land by adding nutrients or improving the structure of the soil. The exemption also allows the Council to treat the waste, before composting it, by chipping or similar activities. The maximum amount that can be stored on site at any one time ready for composting is 60 tonnes.
- 1.4 The Head of Coastal and Public Realm started in their role in early September. One of the tasks assigned to the officer was the installation of 5 electric charging points at the depot. During a site visit to the depot to check the location for installing the charging points, the officer found a large waste pile was in this location, as well as in other areas of the depot site.
- 1.5 The Council was storing 2,180 tonnes of waste at the depot. This waste had built up over a number of years and had come from land owned by the Council. The depot receives more waste each week than can be cleared by the cleansing services team, who can not always provide a weekly skip to clear the waste and take it to a licence disposal location.
- 1.6 At the request of the Head of Coastal and Public Realm the Council's Waste Compliance Manager arranged for a waste consultant to attend the depot site to give their view on the waste. The consultant was asked to advise on whether the waste at the depot should be removed, how it should be removed and what the consequences might be if the Council did not remove the waste.
- 1.7 The consultant advised the waste storage exceeded the Council's licence and advised immediate removal of the waste, warning that the EA has powers to impose substantial sanctions for any breaches/non-compliance.
- 1.8 A report was taken by the Head of Coastal and Public Realm to the Corporate Management Team (CMT) meeting on the 7th November 2023. At this meeting CMT confirmed that action must be taken urgently to ensure the Council rectifies the breach by removing the waste from the site. Finance indicated the costs of undertaking this work would be funded from the risk reserve.
- 1.9 It was initially suggested that the Council would be able to do the work through the contract the Council has with Mears Group Plc. For this reason the Head of Coastal and Public Realm requested a quote from Mears Group Plc. On the 16th November 2023 Mears Group Plc provided an estimate of £225,000. Officers then met on the 16th November 2023. At this meeting it was confirmed that the value of the estimate meant that this could be an officer decision and was not a key decision. The Head of Coastal and Public Realm was instructed to place the order with Mears Group Plc utilising the contract in place with them.

2.0 Current Situation

- 2.1 The waste has been completely removed from the depot using Mears Group Plc. The total final cost of this work came to £275,000. As this exceeded the estimate a detailed breakdown of this fee was sought and is set out below:

Detail	£
32 tonne machine including transport to and from site	3,580
109 journeys of 20 tonne lorry	13,080
2 x 40 yard container transport lorries	340
2 x sweeper lorries for highway and yard during and upon completion of works	580
2 x 40 yard containers containing large timber rsj's with tyres attached etc - 24.7 tons	2,840
109 tipper lorries 15m ³ = 1,635m ³ (2,180 tons)	234,580
Contractor charge	20,000
Total	275,000

- 2.2 In order to ensure that the Council's activities in relation to waste disposal remain compliant and there is no further recurrence of the events described in this report, the Head of Coastal and Public Realm has instructed Open Spaces Supervisors to:
- a) Fence off the land where the waste was removed.
 - b) Ensure no-one enters the fenced off area.
 - c) Ensure no further waste is deposited in the fenced off area.
 - d) Ensure waste is stored only in the authorised location within Dane Park Depot.
 - e) Ensure waste on site does not exceed 60 tonnes at any one time by requesting disposal of the waste once it reaches the maximum capacity in the authorised location.
 - f) Ensure all Open Spaces staff have been given these clear instructions.

3.0 Next Steps

- 3.1 As indicated at paragraph 2.2 above, the Head of Coastal and Public Realm has put measures in place to ensure that waste does not accumulate at the depot. However, there is an issue with the current wood chipping machine, which is 20 years old, as the engine/injectors keep breaking down. This prevents the tree team from reducing and managing their waste. In order to remedy this the Head of Coastal and Public Realm is undertaking a capital bid for a new larger wood chipper with a wider load capacity. This will drastically improve waste management by the tree team. The new chipper can also be used to mulch and process green waste that cannot be processed through the current chipper. The cost of the new chipper will be in the region of £50,000.
- 3.2 The Head of Coastal and Public Realm will closely monitor activities at the depot to ensure that the preventative actions set out in paragraph 2.2 above, continue to be effective and that the Council remains fully compliant with regulations in respect of all its waste management activities.
- 3.3 The Head of Coastal and Public Realm has written to the Environment Agency explaining the circumstances that gave rise to waste being stored at the depot in the manner that it was. The letter set out the measures the Council has taken to remedy this and to ensure that in future all waste will be stored in accordance with permit conditions.

Contact Officer: Tony Marmo - Head of Coastal and Public Realm
Reporting to: Mike Humber - Director of Environment

Annex List

None

Background Papers

None

Corporate Consultation

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

Legal: Ingrid Brown (Head of Legal and Democracy & Monitoring Officer)

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