



Date: 4 March 2024
Our ref: Overview & Scrutiny Panel/Agenda
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OVERVIEW & SCRUTINY PANEL

12 MARCH 2024

A meeting of the Overview & Scrutiny Panel will be held at **7.00 pm on Tuesday, 12 March 2024** in the Council Chamber, Council Offices, Cecil Street, Margate, Kent.

Membership:

Councillor Fellows (Chair); Councillors: D Green (Vice-Chair), Austin, J Bright, Britcher, Currie, Davis, Farooki, Kup, Paul Moore, Packman, Pope, Wing, Worrow and K Bright

AGENDA

Item
No

Subject

1. **APOLOGIES FOR ABSENCE**
2. **DECLARATION OF INTERESTS** (Pages 3 - 4)
To receive any declarations of interest. Members are advised to consider the advice contained within the Declaration of Interest advice attached to this Agenda. If a Member declares an interest, they should complete the [Declaration of Interest Form](#)
3. **MINUTES OF PREVIOUS MEETING** (Pages 5 - 8)
To approve the Minutes of the Overview and Scrutiny Panel meeting held on 15 February 2024, copy attached.
4. **CABINET MEMBER PRESENTATION FROM CLLR DUCKWORTH ON COMMERCIAL PROPERTY**
5. **ADOPT NEW AND UPDATE CURRENT HOUSING RELATED POLICIES** (Pages 9 - 86)
6. **TLS PROCUREMENT - FIRE DOOR REPLACEMENT AND RELATED FIRE RATED ITEMS CONTRACT**
7. **NEWINGTON COMMUNITY CENTRE PROJECT** (Pages 87 - 98)
8. **DEPARTMENT FOR LEVELLING UP, HOUSING AND COMMUNITIES EXTERNALLY FUNDED PROJECTS APPROVALS - PROCUREMENT** (Pages 99 - 110)
9. **DEPARTMENT FOR LEVELLING UP, HOUSING AND COMMUNITIES EXTERNALLY FUNDED PROJECTS APPROVALS - REALLOCATING FUNDING** (Pages 111 - 126)

Item
No

Subject

10. **FORWARD PLAN AND EXEMPT CABINET REPORT LIST** (Pages 127 - 136)
11. **REVIEW OF OVERVIEW AND SCRUTINY WORK PROGRAMME FOR 2023/24** (Pages 137 - 150)



Please scan this barcode for an electronic copy of this agenda.



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](#).

OVERVIEW & SCRUTINY PANEL

Minutes of the meeting held on 15 February 2024 at 7.00 pm in Council Chamber, Council Offices, Cecil Street, Margate, Kent.

Present: Councillor Phil Fellows (Chair); Councillors D Green, Austin, Bright, Bright, Britcher, Currie, Davis, Kup, Paul Moore, Packman, Pope and Wing

In Attendance: Garner, Keen, Manners and Nichols

1. APOLOGIES FOR ABSENCE

Apologies for absence were given by Councillor Farooki.

2. DECLARATION OF INTERESTS

There were no declarations made at the meeting.

3. MINUTES OF PREVIOUS MEETING

Councillor Kup proposed, Councillor Currie seconded and Members agreed the minutes to be a correct record of the meeting held on 16 January 2024.

4. CHANGES TO THE STATUTORY INSTRUMENT GOVERNING THE LEVEL OF FINES FOR FLY TIPPING, BREACH OF DUTY OF CARE

Eden Geddes, Enforcement & Multi Agency Task Force Manager, introduced the report making the following key points:

- From 2022-2023, local authorities in England had dealt with approximately 1.8 million fly tipping incidents. Approximately 3,000 of these were in Thanet.
- In July 2023, the government published an antisocial action behaviour plan. This plan was committed to changing the laws and systems to take a zero tolerance approach to a wide range of anti-social behaviours.
- Within the action plan, there was the option to increase fines issues for fixed penalty notices in relation to fly tipping.
- The council recommended increasing the penalty limit for fly tipping offenses from £400 to £1,000. Furthermore increasing the breaches of care notices in relation to waste from £400 to £600.

Councillors commented and asked the following questions:

- There was support for this proposal from Councillors.
- Fly tipping was a blight on Thanet's community.
- Income from fly tipping fines was considered relatively small. The increase in penalties was centred around trying to discourage fly tipping rather than trying to collect monetary funds.
- Would there be more posters in the public sphere regarding the increase in penalties?
- Was there a reason why the council did not choose to increase the fine for littering and graffiti?
- CCTV was considered very important within this realm, the council should make the most of this.
- There was an education programme that needed to follow on from this for the public, and notably for airbnb's.

- Mobile CCTV would be a positive if possible.
- Was there a strategy for the council to gain more successful prosecutions?
- What was the proportion of professional fly tippers?
- When did Maidstone council raise the penalty for fly tipping and did the council see a decrease in fly tipping due to the charges being increased?
- Was there a process whereby individuals can be brought into line, without being given a criminal offense for fly tipping?
- Had the housing associations been engaged with by the council?
- Were the new cameras covert cameras?

Eden Geddes responded with the following points:

- A comprehensive communications plan would be looked into regarding new posters.
- This area of enforcement principally only covered fly tipping offenses, not littering offenses.
- Investigating fly tipping was operated through prescribed legal frameworks. The council had been making better use of CCTV resources. The work streams were continually being developed.
- Larger scale fly tipping scenes were principally done by professionals.
- Maidstone increased their penalties in September 2023. Currently there was no data to confirm whether the increase acted as a deterrent.
- There were statutory waste notices which would be enforced upon by section 46 notices.
- Housing associations were engaged with and the council worked in conjunction with these associations where appropriate.
- The council had moved away from covert cameras. However, there were times whereby the council worked with organizations with covert cameras.

Councillors noted the report.

5. **PURCHASE OF 2 X MECHANICAL SWEEPER VEHICLES**

Matthew Elmer, Head of Cleansing Services, gave a presentation making the following key points:

- The programme included the provision for the purchase of two 7 ½ tonne mechanical road sweepers.
- Previously the council had 18 tonne sweepers and four 2 tonne sweepers, but these had all reached the end of their life, the service had been relying on a single hired 7 ½ tonne vehicle.
- The new vehicles would be used for cleansing roads, and would be beneficial in the winter.
- The proposal was in line with the draft corporate plan 'to keep our district safe and clean.'
- The proposed vehicles were both diesel powered.
- The proposal gives three options, not to purchase the vehicles, to purchase alternatives or to purchase the recommended option.

Councillors commented and asked the following questions:

- What was the lifespan of these vehicles?
- Members considered the report positive news for the council.
- Was there a way of communicating to residents when their street would be cleaned?
- What was the cost of having a road sweeper in comparison to the mechanical sweeper?

- Questioning regarding parking suspension was raised, particularly in streets there parking caused difficulty sweeping.
- Different sized mechanical sweeper vehicles would be realistic to sweep all the different sorts of streets where vehicle traffic was present.
- It was important to work with residents, and maintain dialogue with residents.

Matthew Elmer responded with the following points:

- The vehicles had a useful life of approximately 7 years.
- Schedules were in place, it would be looked into if information regarding schedules could be published.
- There was a review on the maximum amount of impact that the vehicles would have.
- Town priorities were noted as priority to the operations.
- Larger vehicles had a higher capacity.

Councillors noted the report.

6. RAMSGATE REGENERATION PROGRAMME

Louise Askew, Head of Regeneration and Growth, gave a presentation making the following key points:

- A procurement exercise to appoint a team to carry out surveys and prepare a schedule for the Ramsgate regeneration programme had been underway.
- The council was aiming to know whether they had been successful with the bid for a port operator before committing to the infrastructure expenditure.
- The leader of the council had attended a meeting with the Thanet fisherman's association on the 31st January 2024 with the plan to set up a further meeting.

Councillors Nichols spoke under 20.1.

Councillors commented and asked the following questions:

- Questioning was raised regarding the emissions figures of the vessels.
- If berths needed substantial work on it, where had previous budgets been spent?
- Berth 2 had been functional for 8 years, what was the balance for revenue costs?
- Emissions brought to the town were discussed. It was questioned when there would be an environmental impact assessment on Ramsgate town.
- There was a funding gap within the report.

Louise Askew responded with the following points:

- The revenue costs couldn't be specifically approximated for one berth, it was as a whole as the port and harbour.
- The funding gap in the report would be known in June 2024. At the time of the meeting this could not be confirmed.
- There was some discussion with DfT regarding the requirements of Border Force. Standards had come out, and impacted on some of the designs.
- The process with seaborne freight was a different process. The council are not been looking for a ferry operator, they are looking for a port operator.
- The council would need to understand what the requirements are for an environmental impact report and will look into it further.

- There was an external legal team working with the council, there was a robust template which was being used to populate requirements and questions.
- The criteria would be open to public knowledge and would be published.

Councillors noted the report.

7. REVIEW OF OVERVIEW AND SCRUTINY WORK PROGRAMME FOR 2023/24

Councillor Fellows, the Chair, introduced the report noting that:

- Fly tipping was on the report.
- Grant funding would be brought forward.
- After the grant funding report, events would be looked at by the panel.
- Councillor Duckworth would attend and discuss how the council conducted leases.

It was agreed that fly tipping would be paused for review.

8. FORWARD PLAN AND EXEMPT CABINET REPORT LIST

Councillors noted the report.

Meeting concluded : 9.23 pm

Approval for the following TLS policies:

- 2 x new policies
- 3 x Reviewed policy

Overview and Scrutiny Panel: 12 March 2024

Report Author	Sally O'Sullivan, Head of Tenant and Leaseholder Services
Portfolio Holder	Cllr Helen Whitehead, Deputy Leader and Cabinet Member for Housing
Status	For Decision
Classification:	Unrestricted
Key Decision	Yes.
Reasons for Key	An Executive Decision that involves the approval of 2 x new policies and amendments to 3 x reviewed policy to be adopted and published by the council's tenant and leaseholder service (TLS)
Ward:	N/A

Executive Summary:

This report seeks authority for the council to adopt 2 x new policies:

- Compensation Policy
- Write Off Policy

And accept amendments to 3 x reviewed policies:

- Disabled Aids and Adaptations
- Antisocial Behaviour Policy
- Rechargeable Works Order Policy

Recommendation(s):

Members of the Overview and Scrutiny Panel are asked to note and scrutinise the following policies:

1. Approve the adoption of the 2 new policies and accept the amendments of 3 x reviewed policy.

Corporate Implications

Financial and Value for Money

There are no financial implications arising directly from this report, as although there is a mix of new and amended policies, processes are already in place to manage the associated financial implications, and therefore:

- **Compensation Policy:** Applies a consistent approach to the way compensation is awarded. We do not expect there to be an impact on the revenue budget for this as TLS current work by these principles and award compensation where they deem appropriate.
- **Write off Policy:** This policy sets out how we identify and manage Former Tenant Arrears (FTA). Detailing what we will do to try and recover money owed to the council, in what circumstances we will write off FTA and the officer that may authorise various values of debt to write off. There is provision in the HRA to cover bad debt which is reviewed annually.
- **Aids and Adaptations policy:** Tells our residents and officers when we will and will not carry out aids and adaptations to our tenanted properties. The TLS has an annual budget for Aids and Adaptations which comes from the HRA.
- **Rechargeable Works policy:** This policy sets clear expectations for officers and tenants as to which services are rechargeable, ensuring the council recharges for work in a fair and consistent way, giving an appropriate mechanism for reclaiming the costs of work that remain the tenant's responsibility.
- **Antisocial Behaviour Policy:** Antisocial behaviour often impacts on our revenue budget when removing fly tipping from communal areas or fixing property that has been damaged by our tenant. The policy tells residents and officers how we will deal with antisocial behaviour.

Legal

Tenant health and safety is laid down in legislation, which we must be compliant with.

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.*

The council's tenants and leaseholders include residents that have protected characteristics as set out in the Public Sector Equality Duty. Each of the new policies is subject to a completed Equalities Impact Assessment, attached to this report.

CORPORATE PRIORITIES

This report relates to the following corporate priorities:

- *To keep our district safe and clean*
- *To deliver the housing we need*
- *To work efficiently for you*

1.0 Introduction and Background

- 1.1 The council's Tenant and Leaseholder Service (TLS) manages the council's social housing stock.
- 1.2 New policies are introduced into the service following lessons learnt exercises identifying a gap or when legislation/regulations change. Current policies require review on a regular basis. They can be subject to revisions after an analysis of how they have been performing during the period or if there is a change in legislation.
- 1.3 There are 2 x new policies seeking approval to be adopted and published on the councils website by cabinet and 3 x policies that have been subject to a review.

2.0 The Policies

- 2.1 The 2 new policies are
 - Compensation Policy
 - Write Off Policy
- 3 x policies that has been reviewed:
 - Aids and Adaptations policy
 - ASB Policy

■ Rechargeable Works Order Policy

- 2.2 **Compensation policy** - This policy sets out the circumstances in which we will award compensation or offer a goodwill gesture. The policy will ensure our approach is consistent and empowers our officers to resolve issues without escalation.
- 2.4 **Write Off Policy** - There are circumstances in which, when a resident ceases to be a tenant of TDC, they leave a debt against their rent account. This policy is for officers, giving guidance on the steps that must be taken to recover former tenant arrears and in what circumstances we can write off the debt. Due to the varying values that can be written off, we need to ensure there is appropriate escalation to authorise write off's as detailed in this policy.
- 2.5 **Aids and Adaptation policy** - enables TDC to provide housing which best meets the assessed needs of tenants with disabilities. It also guides Occupational Therapists and other professionals to understand what TDC will and will not be able to assist with in terms of adaptations to a tenant's home. The revisions made in this policy are:
- to remove rent arrears as a reason to not carry out an adaptation
 - to simplify the dispute process by guiding tenants to the complaints process
 - removing the timescales for completion of various adaptations
 - add our methodology for prioritisation of cases
- 2.6 **ASB Policy** - supports TDC to tackle Anti-Social Behaviour in a responsive, proportionate and robust manner. It outlines the measures we will take to investigate reports of ASB, providing clear expectations to complainants and alleged perpetrators and the actions we will take to stop ASB by prevention, early intervention and where we will take legal action. The revisions made to this policy are:
- Addition of an equalities statement
 - Revising the review/dispute process
- 2.7 **Rechargeable Works Order Policy**- The aim of this policy is to fairly and responsibly apply charges and collect debt for works that are the responsibility of the tenant, as per the tenancy agreement. For example; we will need to carry out works on behalf of a tenant and recharge them if the work required is a matter of health and safety or when a property is handed back to us on termination of a tenancy with damage caused by the tenant. The revisions made to this policy are:
- Include costs for missed appointments
 - Include costs incurred for abuse of the repairs service
 - Addition of an equalities statement

3.0 Consultation

- 3.1 The Thanet Tenants and Leaseholders Group (TTLG) were consulted on the all policies by way of review and discussion of the drafts during TTLG meetings. The lead manager for each policy was in attendance to answer any questions, give expert advice, listen and act upon any recommendations.

- 3.3 TDC's Housing CAG have reviewed these policies in their meetings held 8/11/23. There was some useful discussion and a suggestion made for the ASB policy that has been incorporated. All other policies were noted by the group.

4.0 Equality Impact Assessment (EIA)

- 4.1 All policies have been subject to an EIA completed by a panel of 3 officers from the Tenant and Leaseholder Service, together with the relevant lead officer for the policy.

5.0 Options

- 5.1 The Overview and Scrutiny Panel is asked to review the policies annexed to this report and has the following options:
1. Agree all policies as recommended.
 2. Agree one or more of the recommended policies. This option is not recommended as all policies are required for the effective operational delivery of the service and to satisfy the requirements of the Regulator for Social Housing for registered landlords to publish policies that impact on the services to tenants and leaseholders.
 3. Amend one or more of the policies. This option is not recommended as the policies have been developed by front line staff delivering these services and have been the subject of consultation with the TTLG.

6.0 Next steps

- 6.1 Following review and scrutiny by this panel, the report will go to Cabinet for the policies to be adopted and published on the councils website

Contact Officer: Sally O'Sullivan, Head of Tenant and Leaseholder Services
Reporting to: Bob Porter, Director of Place

Annex List

- Annex 1 - Compensation policy [Link here](#)
Annex 2 - Compensation policy EIA [Link here](#)
Annex 3 - Write Off Policy [Link here](#)
Annex 4 - Write Off Policy EIA [link here](#)
Annex 5 - Disabled Aids and Adaptations policy [link here](#)
Annex 6 - Disabled Aids and Adaptations policy EIA [Link here](#)
Annex 7 - ASB policy [link here](#)
Annex 8 - ASB policy EIA [ASB EIA](#)
Annex 9 - RWO policy [Link here](#)
Annex 10 - RWO EIA [link here](#)

Background Papers

N/A

Corporate Consultation

Finance: Matthew Sanham (Head of Finance and Procurement)

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

Tenant and Leaseholder Services Compensation Policy

1.0 Purpose and scope

In the delivery of a housing service, there will be times when we fail to meet the required standard. When this happens, we will accept responsibility and aim to ensure the tenant or leaseholder is not disadvantaged because of the service failure.

In most circumstances, there will be clear pathways available to put a situation right, but in some instances financial compensation may be appropriate.

This policy sets out the circumstances in which we will award compensation or offer a goodwill gesture. The policy will ensure our approach is consistent and empowers our officers to resolve issues without escalation.

This policy only applies to tenants and leaseholders of Thanet District Council (TDC).

2.0 Definitions

2.1 Compensation - A financial payment made in recognition of loss or distress caused as a result of a service failure.

2.2 Goodwill gesture - A discretionary payment or gift made to recognise that a shortfall in the way that we delivered our service, may have caused inconvenience or frustration.

3.0 Our approach

This policy is in place to ensure the following:

- Compensation payments are fair to both parties.
- The details of each case are reviewed on an individual basis.

4.0 Goodwill gesture

In some cases we may offer a discretionary goodwill gesture to acknowledge that there has been a service failure and to put it right.

Goodwill gestures could include:

- Vouchers
- Chocolates
- Flowers
- Carrying out repairs or redecoration that would otherwise be the responsibility of the tenant or leaseholder.

5.0 Compensation

Different circumstances will lead to a compensation payment being considered. These are split into three types of payments :

- Mandatory (such as statutory home loss payments)
- Quantifiable loss payments (where actual loss can be demonstrated)
- Discretionary payments (for time and trouble/distress and inconvenience)

5.1 Mandatory payments

Examples of mandatory payments include:

- Home loss
- Disturbance
- Payments under the Right to Repair scheme

5.2 Quantifiable loss payments

Examples of quantifiable loss payments include:

- Increased heating bills due to a repair
- Having to pay for alternative accommodation
- Having to pay for take away food or providing subsistence in a way that is more expensive than usual
- Paying for cleaning

These costs will be subject to the following investigations and will require proof of:

- The costs being reasonably incurred
- Evidence of the cost

5.3 Discretionary payments

Examples of where a discretionary payment could include:

- Poor complaint handling
- Delays in providing a service for example in undertaking a repair
- Failure to provide a service that has been charged for
- Temporary loss of amenity
- Failure to meet target response times
- Loss of use of part of the property
- Failure to follow policy and procedure
- Unreasonable time taken to resolve a situation

6.0 Award of compensation

Where compensation is being considered due to negligence of Thanet District Council or a contractor working on behalf of Thanet District Council, evidence must be provided.

An offer of compensation will always be made in writing, this will confirm:

- The amount
- That the offer is made without prejudice

If a tenant or leaseholder is dissatisfied with the amount of compensation awarded then this must be escalated using the Thanet District Council complaints process.

When a tenant or leaseholder has any form of debt on their account or former tenancy, a compensation payment will be used to reduce or eliminate the debt. A debt can include:

- Rent arrears
- Service charge arrears
- Outstanding payment for a rechargeable works order
- Outstanding payment for court costs
- Council Tax arrears
- Former tenant arrears

7.0 How compensation will be calculated

7.1 Repair related compensation

For repair related compensation, Thanet District Council will follow the '*Right to Repair Regulations*'

<https://www.citizensadvice.org.uk/housing/repairs-in-rented-housing/repairs-what-are-your-options-if-you-are-a-social-housing-tenant/using-the-right-to-repair-scheme/>

7.2 Discretionary compensation

When considering discretionary payments for compensation we will take into account the following factors:

- The duration of any avoidable distress or inconvenience
- The seriousness of any other unfair impact
- Actions by the complainant or the landlord which either mitigated or contributed to actual financial loss, distress, inconvenience or unfair impact
- The levels of compensation for similar cases

For discretionary compensation payments, Thanet District Council will follow the guidance set by the Housing Ombudsman.

8.0 Where compensation will not be paid

8.1 Loss of communal services or facilities

Thanet District Council will not pay compensation for loss of communal services or facilities. In circumstances where we are proved to be negligent in reinstating communal services or facilities, other compensation can be considered on a case by case basis.

Where there is a loss of services originally charged in the financial year, this will be reflected in the year end accounts and in the following years service charge.

8.2 Other circumstances where compensation will not be paid:

- Claims for personal injury
- Claims for damage caused by circumstances beyond Thanet District Council's control (e.g. through storm or flooding)
- Problems caused by a third party not working for Thanet District Council
- Where a tenant; leaseholder or tenant of a leaseholder is responsible for the loss or delay of a service, or has not reported the issues
- Where the complaint is about repairs but the tenant; leaseholder or tenant of a leaseholder will not allow access to complete the repairs
- There is an ongoing legal action being made against Thanet District Council for the same issue
- A request for reimbursement for a loss of earnings
- Where additional rental costs are incurred during the process of moving into a new property
- Where damages would ordinarily be covered by a tenant or leaseholder's household insurance policies (contents, motor etc)

9.0 Delegation to sign off compensation

Compensation amount	Officer to authorise
Up to £250	Head of Tenant and Leaseholder Services
Over £250	Director of Place

[Corporate compensation policy](#)

10.0 Document control

Date	Version	Action	Amendments
August 2023	1	New policy	
	1	Equality impact assessment	Insert headings. Add full stops and simplify language for readability and access for screen readers.
	1	Approval for adoption by Cabinet	

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Thanet District Council (TDC) Equality Impact Assessment

Step one: test for relevance

1 Person responsible for this assessment

Name:	Julia Gavriel		
Job title:	Service Improvement Officer		
Phone:	07757118574		
Service area:	T&LS	Date of assessment:	21.02.2024

2 Others involved in carrying out the analysis

Name:	Sally O’Sullivan
Name:	Tom O’Leary
Name:	John Kirk

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

Title:	Compensation Policy
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Is it new?	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
A review of existing?	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>

3.1 Aims and objectives

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

- We are letting stakeholders know how we will award compensation and in what circumstances. It was noted in the TLS Complaints Review that we did not have a compensation policy.
- We are doing this to ensure that the way we work is consistent .
- Tenants, leaseholders and officers will benefit.

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

In the delivery of a housing service, there will be times when we may fail to meet the required standard. When this happens, we will accept responsibility and aim to ensure the tenant or leaseholder is not disadvantaged because of the service failure. In some instances financial compensation may be appropriate.

Tenants, leaseholders and officers will benefit.

4 Who is affected?

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

Tenants, leaseholders and officers.

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

Yes. Within the demographic of our residents there are people with known inequalities.

5 Equality Act 2010

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

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

By the application of consistency in compensation awards.

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

By the application of consistency in compensation awards.

We have considered that in certain circumstances of service failure a person with a disability may be more adversely affected than others without a disability. Section 5.0 offers discretion on circumstances and value of compensation.

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

The application of the policy applies equality to the way in which we award compensation taking into account the situation and the way the resident has been affected.

6 Priority

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

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

Questions	Yes	No
1. Are there any particular groups who may have trouble accessing the 'service'?		x
Comments: Is a service improvement to benefit all residents regardless of any protected characteristics Yes		
2. Does your information suggest that some groups of people are less satisfied than others with this 'service'?		x
Comments: No. Complaints about our services have indicated that a compensation policy would be of benefit.		
3. Will this service have a significant impact on any of our residents?		x
Comments: no, we already apply compensation in a discretionary way - this policy applies consistency		
4. Do you have any evidence that discrimination, harassment and/or victimisation could occur as part of this service?		x
Comments: No		
5. Do you think the service will hinder communication and negatively impact relations between the organisation and its employees, residents, contractors or anyone else?		x
Comments: No		
6. Does this service need to improve the way in which it is communicated to people who have literacy, numeracy or any other access needs?		x
Comments: No, this is already in place in regards to publishing online with accessibility criteria met and any communications can be requested in a different format.		
7. Does consultation need to be carried out?		x
Comments: Consultation has been carried out with Thanet Tenant & Leaseholder Group (TTLG) and TDC Housing CAG.		

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

Priority	Number of questions answered 'yes'	Rating	Action
High	3 or more		
Medium	1 to 2		
Low	0	x	

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

Step two: full equality impact assessment

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

Consider:

What you are doing?

Why you are doing it?

How you are doing it?

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

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

Protected characteristics	N e g a t i v e	P o s i t i v e	N e u t r a l	Evidence/Reasoning (Consider any barriers which will have negative impact and/or good practices giving positive impact)
Age Consider: <ul style="list-style-type: none"> • The way younger and older people access services may be different • Use of technology • Child care/care of other dependant • Timings/flexibility, such as work patterns • Transport arrangements • Venue location 				Recommendations:
Disability (Includes: physical, learning, sensory (deaf/blind), mental health) Consider: <ul style="list-style-type: none"> • Communication methods • Accessibility – venue, location, transport • Range of support needed to participate • Hearing Loops/Interpreters • Disability awareness training for employees 				Recommendations:
Race (Includes; gypsy, travelling, refugee and migrant communities) Consider:				Recommendations:

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

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

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

Summary of recommendations		
Actions	By Who	By When

Declaration

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

Yes No

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

The answers do not indicate that a full EIA is required.

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

Yes No

Signature of Head of Service:	Date:

Recommendations agreed:	Yes <input type="checkbox"/> No <input type="checkbox"/>
-------------------------	--

Signed: (Director):	EIA date:

Tenant and Leaseholder Services

FTA Write Off Policy

1.0 Purpose and scope

This policy sets out how Thanet District Council's Tenant & Leaseholder Services (TLS) identify and manage Former Tenant Arrears.

2.0 Definitions

2.1 Write Off - To clear a tenant debt using the write off budget, rather than create a sub account to move the debt to.

2.2 DRO - When a debt relief order (DRO) is obtained by a current or former tenant when they cannot make payments towards any debts included in it during the moratorium period of the order. At the end of the period those debts are written off, except for debts obtained by fraud.

3.0 Servicing Former Tenant Arrears

3.1 The Income Team will regularly review and monitor all former tenant arrears.

Agreements will be made where debts can't be paid in full. Former tenants, will be called on any phone numbers on file and written to at any known addresses.

3.2 Any former tenant that does not have any live contact details will be referred to Ashford Borough Council's Fraud Team services to locate.

4.0 Reasons for Write Off

The reasons for a debt to be written off are:

4.1 Non Recoverable Arrears - Tenant is bankrupt, obtains a DRO or has died with no money in the estate.

4.2 Uneconomical to pursue - Balance is below £50 and no contact or payment for 6 months

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Annex 3

4.3 Unable to Trace Tenant - After reasonable attempts and locate, tenant is deemed to have absconded

4.4 Accidental Debt - Debt that has been created internally through error i.e. extended End of Tenancy period due to mistakes in service notice, or delayed Succession decisions, where the debt cannot be cleared by amending rent start or end dates.

5.0 Write Off Thresholds

The thresholds for write off are:

Write off Threshold	Position of Authority	Counter Authority
Up to £500.00	Senior Income Recovery Officer	Section 151 Officer. A monthly report of debts recommended for write off will be provided to Section 151 Officer
£500.01 to £5,000	Income Manager	Section 151 Officer. A monthly report of debts recommended for write off will be provided to Section 151 Officer
£5,000.01 to £9,999	Income Recovery Manager to make recommendation to Head of Tenant and Leasehold Services	Section 151 Officer. A monthly report of debts recommended for write off will be provided to Section 151 Officer
£10,000 to £20,000	Head of Tenant and Leasehold Services	Section 151 Officer.and Cabinet Member for Housing

Above £20,000	Director of Place	Cabinet
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6.0 Debt Relief Orders (DRO)

6.1 Any rent debt included in a DRO will be written off at the point of being identified, using the same procedure as any other type of write off within the same budget.

7.0 Document control

Date	Version	Action	Amendments
19 July 2023	1	New policy	NA
?	1	Equality impact assessment	?
?	1	Approval for adoption by Cabinet	?

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Thanet District Council (TDC) Equality Impact Assessment

Step one: test for relevance

1 Person responsible for this assessment

Name:	Tom O'Leary		
Job title:	Income Manager		
Phone:	-		
Service area:	TLS	Date of assessment:	28 - Feb - 2024

2 Others involved in carrying out the analysis

Name:	Ben Summers (ASB Officer)
Name:	Neesha Kurmman (Project Support Officer)
Name:	Ty Clayson (Customer Insight Officer)

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

Title:	Former Tenant Arrears Write Off Policy
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Is it new? Yes No

A review of existing? Yes No

3.1 Aims and objectives

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

- Defining out what debt can be removed or reduced without external funding.
- To have a consistent structure in place and proper governance on all transactions.
- Former Tenants and TLS officers.

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

- Remove Debts we are unable to recover.
- Speeds up and improves the sign-up for new tenants. Will be more efficient.
- Reduces our liability.

4 Who is affected?

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

- TDC Finance
- Employees of TDC
- Former tenants

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

Yes - Within the demographic of our residents there are people with known inequalities.

5 Equality Act 2010

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

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

The policy is based on identifiers that are not included in the Equalities Act.

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

N/A

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

The policy is unlikely to impact any large groups, it is assessed on an individual basis.

6 Priority

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

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

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

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

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

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

Step two: full equality impact assessment

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

Consider:

What you are doing?

Why you are doing it?

How you are doing it?

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

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

Protected characteristics	N e g a t i v e	P o s i t i v e	N e u t r a l	Evidence/Reasoning (Consider any barriers which will have negative impact and/or good practices giving positive impact)
<p>Age</p> <p>Consider:</p> <ul style="list-style-type: none"> • The way younger and older people access services may be different • Use of technology • Child care/care of other dependant • Timings/flexibility, such as work patterns • Transport arrangements • Venue location 				<p>Recommendations:</p>
<p>Disability (Includes: physical, learning, sensory (deaf/blind), mental health)</p> <p>Consider:</p> <ul style="list-style-type: none"> • Communication methods • Accessibility – venue, location, transport • Range of support needed to participate • Hearing Loops/Interpreters • Disability awareness training for employees 				<p>Recommendations:</p>
<p>Race (Includes; gypsy, travelling, refugee and migrant communities)</p> <p>Consider:</p>				<p>Recommendations:</p>

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

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

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

<p>Summary of recommendations</p>		
<p>Actions</p>	<p>By Who</p>	<p>By When</p>

Declaration

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

Yes No

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

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

Yes No

Signature of Head of Service:

Date:

Recommendations agreed:

Yes No

Signed:
(Director):

EIA date:

Tenant and Leaseholder Services

Aids and adaptations policy

1.0 Purpose and scope

The purpose of this policy is to enable Thanet District Council (TDC) to provide housing which best meets the assessed needs of tenants with disabilities. This includes:

- Helping tenants with disabilities to live independently. Within their home. By providing a range of adaptations.
- Supporting tenant's discharge from the hospital. (Where adaptations will help them to return home.)
- Helping new tenants with disabilities to move into a new home.
- Making sure that TDC's stock of homes, suitable for people with disabilities, is used effectively.

This policy is aligned to the way that housing adaptations are managed through the Housing Revenue Account (HRA), the Disabled Facilities Grant (DFG) regimes and in line with other councils including:

- The consideration of tenants adaptations as assessed by a qualified Occupational Therapist registered with the Health & Care Professions Council (HCPC) in the UK.
- Adaptations that TDC will not progress.
- Indicative timescales within which work is expected to be carried out.

The policy will guide Occupational Therapists (OTs) and other professionals to understand what TDC will and will not be able to assist with in terms of adaptations to a tenant's home.

2.0 Definitions

2.1 Disabled person as defined by The Equality Act 2010

Someone who has a physical or mental impairment which has a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities.

A long-term adverse effect refers to disabilities that:

- Last for 12 months or longer.
- Are likely to last for the remainder of a person's life.

Occupational Therapists (OTs) and other professionals are required to confirm that all criteria apply to each assessment submitted to TDC for consideration.

2.2 Minor Adaptations

Works of £1,000 and under and stairlifts up to £5,000 are considered routine and are progressed in referral date order within 3 months.

2.3 Major Adaptations

Works over £1,000 are sub-categorised by the OT as either 'critical' or 'substantial'. These are reviewed monthly with 'critical' taking higher priority.

3.0 Adaptation Process Overview

Tenants requiring home adaptations are required to undergo an assessment of needs.

- 1] Tenant contacts KCC Social Services.
- 2] KCC Occupational Therapy depts conducts an assessment of needs.
- 3] TDC receives the OT's request, accompanied by recommendations for aids and/or home adaptations.
- 4] TDC considers the OT's recommendations in line with the Aids and Adaptations Policy and progresses qualifying works accordingly.

3.1 Funding and prioritisation

The funding for aids and adaptations is set annually with demand often exceeding the financial resources available:

1. Adaptations are prioritised by the OT through an assessment of how critical and urgent the adaptation is.
2. Adaptations are placed on a waiting list

This ensures the highest priority cases are dealt with first and will consider the length of time a tenant has been waiting.

Adaptations on the waiting list may be delayed by the following:

- Depletion of funding
- Critical Adaptations taking priority

3.2 Timescales

- We aim to process requests for adaptations in a timely fashion - normally within 2 weeks of receipt of OT recommendations.
- We will prioritise approved works that are essential to enable a new tenant to move into their new home.
- TDC will maintain adaptations in line with landlord responsibilities under a tenancy agreement.
- Provision of appliances and portable specialist equipment (including ceiling track hoists) will not be funded by TDC as these are either a tenant's responsibility, or that of KCC Social Services.

4.0. Where we will not undertake an Adaptation

TDC will not (unless exceptional circumstances prevail) undertake adaptations under the following circumstances:

4.1 Tenant circumstances

- Under occupying by two or more bedrooms.
- Statutory overcrowding.
- Threat of eviction (due to rent arrears/ASB/breach of tenancy).
- Awaiting for a transfer or mutual exchange to another property.
- Open application for right to buy.
- Within 5 years of leaving a property with suitable adaptations.
- Where suitable alternative accommodation will be available within 12 months of the request being made.
- TDC will not make provision for mobility scooters.

We will consult with residents in some circumstances to explore alternative options to adapting the current home.

4.2 Where the property

- Is not suitable for adaptation.
- The adaptation would adversely affect the council's ability to make the best use of the stock and relet the property in the future.
- Adaptations will not be made in communal areas.
- Where TDC does not own the property.
- Where the property is used for temporary housing.
- The cost is excessive.
- The property is owned by a leaseholder. (Leaseholders are able to apply for a Disabled Facilities Grant.)

4.3 Specialist free standing equipment

- TDC will not install specialist free standing equipment as this is a KCC Social Services responsibility.
- Bath and shower stretchers that are fixed to the structure of the property will only be considered after all alternative solutions have been explored.

Adaptations are subject to the constraints of the existing construction of the property, health and safety regulations, and a fire safety assessment.

5.0 Exceptional adaptation categories

5.1 Extensions and Conversions

Extensions and/or conversions will be subject to planning and building control approvals and will be considered under the following circumstances:

- The property is capable of being adapted to meet a tenant's needs.
- The costs are reasonable.
- The adaptation is likely to have an on-going future demand.
- There is no other reasonable viable alternative (including re-housing).

5.2 Pavement crossovers and hard standings

- All other options will be explored before TDC will approve off road hard standing adaptations.
- These requests are subject to approval by TDC Planning and Kent County Council Highways departments.

5.3 Undertaking own works for disabled adaptations

- If a tenant carries out their own work, they will need permission from TDC before any work is started.

6.0 Disputes

If the tenant is not satisfied with the decision, they have the right to make a complaint through the TDC formal complaints process.

7.0 Relevant legislation

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In determining this policy, regard has been given to the relevant statutory provisions and requirements mentioned in:

- The Care Act 2014,
- The Equality Act 2010,
- The Chronically Sick and Disabled Persons Act 1970,
- The Housing Grants, Construction and Regeneration Act 1996, as amended by the Regulatory Reform (Housing Assistance) (England and Wales) Order 2002.
- Social Housing (Regulation) Act 2023
- Armed Forces Act 2021

8.0 Document control

Date	Version	Action	Amendments
4 November 2021	1	New policy	
31 January 2022	1	Equality Impact Assessment	Insert headings. Add full stops and simplify language for readability and access for screen readers.
17/03/2022	1	Approval for adoption by Cabinet	
15/06/2023	2	Review of policy	<p>The following revisions were made:</p> <ul style="list-style-type: none"> ● to remove rent arrears as a reason to not carry out an adaptation ● to simplify the dispute process by guiding tenants to the complaints process ● removing the timescales for completion of various adaptations ● add our methodology for prioritisation of cases
13/02/2024	2	Equality Impact Assessment	
	2	Approval for adoption by Cabinet	

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Annex 5



Thanet District Council (TDC) Equality Impact Assessment

Step one: test for relevance

1 Person responsible for this assessment

Name:	Julia Gavriel		
Job title:	Service Improvement Officer		
Phone:	07757118574		
Service area:	Tenant & Leaseholder Services	Date of assessment:	13.02.24

2 Others involved in carrying out the analysis

Name:	Julia Gavriel (Service Improvement Officer)
Name:	Tobin May (Repairs Coordinator)
Name:	Ben summers (ASB Caseworker)

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

Title:	Aids & Adaptations Policy
--------	---------------------------

Is it new? Yes No

A review of existing? Yes No

3.1 Aims and objectives

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

To provide clarity over the aids and adaptations that can be carried out for tenants. To provide guidance for officers and OT professionals

To enable tenants with disabilities to live independently within their home by providing a range of adaptations.

To support the timely discharge from hospital of tenants, who require adaptations to enable them to return home.

To enable new tenants with disabilities to move into their new home.

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

Tenants with disabilities are able to stay in their homes for longer if they are specially adapted to meet their current and future needs. There is less need to transfer to alternative accommodation.
 Tenants will be helped to live independently.
 Officers will be able to refer to the policy to advise tenants.
 To advise the KCC Occupational Therapy department.
 Who is expected to benefit:

- Residents with physical disabilities.
- Officers
- KCC Occupational Therapy department
- Any other relevant agencies

4 Who is affected?

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

Tenants with mobility issues, physical disabilities and their families.
 Contractors will have a clear remit.
 Partner agencies including Social Services and Occupational Therapy services.
 TDC officers who will have clarity about the responsibilities of TDC.

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

Yes - the policy provides support for tenants with mobility issues and disabilities.

5 Equality Act 2010

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

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

Linked to other housing legislation and the [TDC Equality and Diversity Policy](#), also with reference to the Equality Act 2010.
 Adaptation is provided on the instruction of the KCC Occupational Therapy department. TLS does not make a judgement with reference to the person, only to the property (in terms of suitability for the adaptations).

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

Increasing independence, within their homes for tenants with physical disabilities. Allowing people to stay in their current homes whenever possible.
 Improving the relationship between tenant and TDC.

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

Tenants will be treated with respect and empathy based upon their identified needs

6 Priority

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

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

Questions	Yes	No
1. Are there any particular groups who may have trouble accessing the 'service'?		x
Comments: TDC officers may refer to KCC OTs. TDC is also advised by KCC and multi-agencies including Social Services and NHS . We carry out tenancy audits that can identify the need for aids and adaptations. In which case the tenant will be referred to KCC OT service. Tenants that cannot access the service are assisted by our officers		
2. Does your information suggest that some groups of people are less satisfied than others with this 'service'?		x
Comments: All referrals come via KCC (assessment is undertaken by a third party). Where there are complaints about the recommendations we would refer back to KCC. There is evidence of complaints where adaptations/aids are requested without going through the proper process of requesting an OT assessment. Or disagreeing with the assessment. There are sometimes complaints about the contractor we have not received complaints about the service.		
3. Will this service have a significant impact on any of our residents?	x	
Comments: There will be a significant positive impact in the quality of life of the resident. The policy changes are all positive. The revisions are: <ul style="list-style-type: none"> ● to remove rent arrears as a reason to not carry out an adaptation ● to simplify the dispute process by guiding tenants to the complaints process ● removing the timescales for completion of various adaptations ● add our methodology for prioritisation of cases 		
4. Do you have any evidence that discrimination, harassment and/or victimisation could occur as part of this service?		x
Comments:		

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Annex 6

A third party assessment is carried out by KKC OT service. Only the property is assessed by our officers for the suitability of recommended aids and adaptations.		
5. Do you think the service will hinder communication and negatively impact relations between the organisation and its employees, residents, contractors or anyone else?		x
<p>Comments:</p> <p>Third party assessment - working towards a positive outcome.</p> <p>The policy is in place to aid communication.</p> <p>OT assessment is in the name of the person. Subsequently the documentation refers to the property not the person and is recorded against the address.</p>		
6. Does this service need to improve the way in which it is communicated to people who have literacy, numeracy or any other access needs?		x
<p>Comments:</p> <p>The multi agency approach means that there are multiple communication channels.</p> <p>The policy will be provided on the TDC website alongside FAQs. Also where it will be accessible for screen readers.</p> <p>The language in the policy has been screened for readability.</p> <p>Officers will be able to explain the policy in person or on the telephone. Customer Transaction team have a copy of the process map as well as the policy to aid with any telephone enquiries. They can also access FAQs on the website.</p>		
7. Does consultation need to be carried out?		x
<p>Comments:</p> <p>The policy is to provide revisions for a process already in place.</p> <p>Feedback has been provided by Thanet Tenant and Leaseholder Group (TTLG)</p>		

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

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

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

Agenda Item 5

Annex 6

Step two: full equality impact assessment

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

Consider:

What you are doing?

Why are you doing it?

How you are doing it?

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

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

Protected characteristics	N e g a t i v e	P o s i t i v e	N e u t r a l	Evidence/Reasoning (Consider any barriers which will have negative impact and/or good practices giving positive impact)
Age Consider: <ul style="list-style-type: none"> • The way younger and older people access services may be different • Use of technology • Child care/care of other dependant • Timings/flexibility, such as work patterns • Transport arrangements • Venue location 				Recommendations:
Disability (Includes: physical, learning, sensory (deaf/blind), mental health) Consider: <ul style="list-style-type: none"> • Communication methods • Accessibility – venue, location, transport • Range of support needed to participate • Hearing Loops/Interpreters • Disability awareness training for employees 				Recommendations:
Race (Includes; gypsy, travelling, refugee and migrant communities) Consider:				Recommendations:

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

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

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

Summary of recommendations		
Actions	By Who	By When

Declaration

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

Yes No

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

In section 6 there was only one response of yes. However this was stating that the policy revisions are all positive and to the benefit of residents with physical disabilities.

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

Yes No

Signature of Head of Service:	Date:

Recommendations agreed:	Yes <input type="checkbox"/> No <input type="checkbox"/>
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Signed: (Director):	EIA date: 13.02.24
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Tenant and Leaseholder Services

Antisocial behaviour policy

1.0 Purpose and scope

Thanet District Council (TDC) is committed to tackling Anti-Social Behaviour (ASB) in a responsive, proportionate and robust manner.

The policy applies to:

- All TDC tenants and leaseholders
- Private tenants or owner occupiers that are affected by TDC tenants and leaseholders

Where TDC tenants and leaseholders are affected by the behaviour of private tenants and owner occupiers we will support them by referring the matter to the appropriate agencies.

This policy outlines what measures we take to:

- Prevent incidents of ASB from occurring.
- Investigate reports of ASB, in partnership with specialist agencies where appropriate.
- Use early informal intervention and warnings whenever possible to avoid ASB escalating.
- Encourage tolerance of, and respect for, others in the community.
- Provide clear expectations to complainants and alleged perpetrators.
- Take action to stop ASB, where there is sufficient evidence and it is in the public interest to do so.

This policy applies to all residents, their household members and their visitors.

2.0 Definitions

Section 2 of the Anti Social Behaviour Crime and Policing Act 2014 defines Anti -Social Behaviour as:

- (a)** Conduct that has caused or is likely to cause harassment, alarm or distress to any person.
- (b)** Conduct capable of causing nuisance or annoyance to a person in

relation to that person's occupation of residential premises, or
(c) Conduct capable of causing housing-related nuisance or annoyance to any person.

Some examples of behaviour that would be treated as ASB include but are not limited to:

- Intimidation and harassment.
- The fouling of public areas, graffiti, fly tipping and nuisance vehicles.
- Actual violence or threats of violence against people or property.
- Using or threatening to use housing accommodation to manufacture, supply or sell drugs, or for other unlawful purposes.
- Excessive noise nuisance.

What is not considered to be Anti-Social Behaviour.

People have different lifestyles and we will be realistic when advising complainants what we can and cannot do.

We will not investigate the following:

- Behaviour occurring at unusual times because of different working patterns.
- One off parties where there is no evidence the incident will reoccur.
- Smoking or cooking odours.
- Clashes of lifestyle due to cultural differences.
- Noises arising out of the reasonable use of a property, as defined below.

Noise that arises out of reasonable use of a property, including:

- Babies crying.
- Children playing (including ball games).
- Dishwashers, hoovers, tumble dryers, washing machines and or other household appliances.
- General talking.
- Heavy footfalls (ie: people walking in the flat above).
- Loud talking or laughing.
- Sexual noises.
- Where there is no breach in the tenancy (ie: people staring or being inconsiderate).
- Noise transference due to poor sound insulation.

This is not an exhaustive list and may vary to include other low level nuisance issues.

3.0 Tenant obligations

TDC is clear about the standard of behaviour expected from our residents before they sign a tenancy agreement. Whether unintentional or deliberate, they must not commit, or allow their family or visitors to commit: acts of ASB towards other residents, people in the local area, our staff or contractors. We stress that if ASB arises, it may lead to action being taken against them.

4.0 Preventing ASB

Wherever possible we will focus on preventative measures and early informal interventions and warnings to avoid the escalation of ASB.

We have measures in place to reduce the potential for ASB to occur, which include:

- Conducting regular inspections of the estates that we manage and promptly reporting repairs that compromise the security of a building.
- Carrying out sensitive lettings where we recognise that a vulnerable resident may be at risk of being harmed if they move into a specific property.
- Explaining to new residents what ASB is when they sign their tenancy.
- Publicising successful cases to ensure the wider community is aware of our commitment to tackling ASB.
- Dealing with ASB effectively using introductory tenancies (where applicable). Taking action if a new tenant breaches the conditions of their new introductory tenancy agreement.
- Working with Multi Agency Partnerships.

When necessary we will take enforcement action which will be measured, reasonable and proportionate based on the available evidence.

5.0 How to report ASB

ASB can be reported to TDC as follows:

- At our office or during a scheduled visit by a member of our staff.
- By telephone: our up to date contact numbers are available on our web site at www.thanet.gov.uk
- Online using our ASB reporting form at www.thanet.gov.uk

6.0 Dealing effectively with ASB

ASB covers a variety of activities that affect individuals in different ways, thus requiring a combination of enforcement action and intervention.

Anyone reporting ASB plays a key role in its successful management. Complainants are expected to co-operate with reasonable requests to assist TDC to progress reports of ASB. This may mean agreeing to self-resolution actions:

- Taking part in mediation.
- Keeping to appointments .
- Keeping records of incidents.

Further action to resolve the ASB may not be possible without reasonable cooperation from complainants, including:

- Providing witness statements.
- Attending court.

6.1 Responding to Reports

Our initial response is to assess the risk of the alleged ASB, if a crime has been committed, we will advise the complainant to contact the police.

In determining the seriousness of the ASB and what the proportionate action for resolving it would be, we consider:

- The nature of the ASB.
- The frequency of incidents.
- Impact that the behaviour is having on the complainant and the wider community.

6.2 Early Intervention

Except in very serious cases, the aim of our initial intervention is to stop the problem behaviour.

These interventions include but are not limited to:

- Written or verbal warnings.
- Joint visits with the Police or other agency representatives.
- Prompt action for repairs as a result of anti social behaviour e.g. the removal of graffiti.
- Referral for Mediation
- Acceptable Behaviour Agreements.
- Support for vulnerable alleged perpetrators on a case by case basis.
- Extension of Introductory and Starter Tenancies, where applicable..
- Multi agency partnership working.
- Community Protection Warnings (CPW) / Community Protection Notices (CPN).

6.3 Tenancy Support

It is recognised that both complainants and perpetrators of ASB can be in need of support. Where this is identified referrals will be made to the appropriate support agencies.

We recognise the potential for vulnerable people who are the perpetrators of ASB to also be the victims of ASB because of the abusive and exploitative behaviour of others. In these cases we will make appropriate safeguarding referrals and referrals to support agencies where we cannot provide support ourselves.

Enforcement Action

We will consider legal action where there is sufficient evidence of a tenancy breach and legal action would be in the public interest. Eviction is only considered either in exceptional circumstances or where all other interventions have failed.

As appropriate, we make use of:

- Legal notices.
- Injunctions.
- Mandatory possession.
- Discretionary possession.
- Demoted Tenancies
- Closure orders.

In some circumstances, an ASB case may meet the threshold for an application to court for a possession order from the tenant on the absolute grounds. In order to apply for possession on the absolute grounds, one of the following must apply:

A tenant must have been:

- Convicted of a serious offence.
- Found guilty of a breach of ASB injunction.
- Convicted for a breach of their Criminal Behaviour Order (CBO).
- Had their property be subject to a Closure Order.
- Convicted of an offence of breach of their Abatement Notice.

7.0 Multi-agency and partnership working

We recognise that any one agency alone may not be able to resolve ASB in communities. We adopt a multi-agency approach to preventing and tackling ASB. And we work in partnership with agencies at both the strategic level (for example on the Multi Agency Task Force) and at operational levels (for example with local police).

We cooperate fully with the Community Trigger process to help resolve cases of ASB.

8.0 Closing the case

A case may be closed where:

- An investigation has been concluded, appropriate action has been taken and no further incidents have occurred over a given period (this will vary depending on the nature of the case)
- We are unable to gather sufficient evidence in order to take any action.

TDC will write to confirm when a case has been closed and outline the reasons for the case being closed.

7.0 Equality & Diversity

The Tenant and Leaseholder Services aims to treat all tenants and leaseholders fairly, with respect and professionalism regardless of any protected characteristics.

We want our tenants and leaseholders to have clear information and equal access to our services. If English is not the first language, or there is a disability that makes communicating with us more difficult we will arrange for help.

8.0 Disputes and appeals

Where a tenant wishes to dispute a decision related to this policy, this will be reviewed by a Senior Officer not involved in the original decision.

If the tenant is not satisfied with the decision, they have the right to make a complaint through TDC's formal complaints process.

9.0 References

Through the implementation of this policy, we will act in accordance with the relevant legislation as detailed below (this list is not exhaustive):

- The Housing Acts of 1985 and 1996
- The Anti-Social Behaviour Act 2003
- The Anti-Social Behaviour, Crime and Policing Act 2014.
- The Human Rights Act 1998
- The Equality Act 2010

The TDC tenancy agreement clearly sets out the standard of behaviour expected of our tenants.

10.0 Document control

Date	Version	Action	Amendments
November 2021	1	New policy	
31.01.22	1	Equality impact assessment	Insert headings. Add full stops and simplify language for readability and access for screen readers.
17/3/2022	1	Approval for adoption by Cabinet	



Thanet District Council (TDC) Equality Impact Assessment

Step one: test for relevance

1 Person responsible for this assessment

Name:	Julia Gavriel		
Job title:	Service Improvement Officer		
Phone:	01843 317550 or ext 57945		
Service area:	Tenant and Leaseholder services	Date of assessment:	31.01.22

2 Others involved in carrying out the analysis

Name:	Tom O'leary (Income Manager)
Name:	Louise Cambray (Customer Engagement Officer)
Name:	Kay Nicholas (Void Officer)

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

Title:	ASB Policy
--------	------------

Is it new? Yes No

A review of existing? Yes No

3.1 Aims and objectives

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

- staff and tenants to identify type of behaviour that they will deal with.
- identifies what actions we may/may not take
so residents understand what we are able to do and when they should report to other agencies
 - tenants, wider community , other agencies , staff

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

- clearly manage ASB
- reduction in ASB by improved management and a clear policy

4 Who is affected?

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

All of the above

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

Yes - can relates to hate crime, victimisation, victims of Domestic Violence etc

5 Equality Act 2010

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

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

- This policy addresses support requirements

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

- Assessment of both victim and perpetrator and support referrals where appropriate.

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

- This will facilitate mediation to reduce barriers, where shared characteristics is a barrier.

6 Priority

The following questions will help you to identify whether this 'service' is a high priority. Please answer all questions with particular reference to the protected characteristics; race, gender, gender reassignment,

disability, religion or belief, sexual orientation, age, marriage and civil marriage/partnership and pregnancy and maternity.

Agenda Item 5

Annex 8

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

Questions	Yes	No
1. Are there any particular groups who may have trouble accessing the 'service'?	x	
Comments: Residents with literacy, mobility or impaired sight.		
2. Does your information suggest that some groups of people are less satisfied than others with this 'service'?		x
Comments: Multi agency response - no indication that satisfaction is linked to certain groups		
3. Will this service have a significant impact on any of our residents?	x	
Comments: Relates to complaints of ASB.		
4. Do you have any evidence that discrimination, harassment and/or victimisation could occur as part of this service?		x
Comments: All ASB complainants are subject to risk assessment which determines actions to be taken.		
5. Do you think the service will hinder communication and negatively impact relations between the organisation and its employees, residents, contractors or anyone else?		x
Comments: Is there to improve communication and resolve issues whenever possible.		
6. Does this service need to improve the way in which it is communicated to people who have literacy, numeracy or any other access needs?	x	
Comments: Currently link in with the relevant agencies but need to consider the communication we have directly with residents.		
7. Does consultation need to be carried out?		x
Comments: No This is a statutory requirement		

Agenda Item 5

Annex 8

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

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

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

Step two: full equality impact assessment

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

Consider:

What you are doing?

Why you are doing it?

How you are doing it?

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

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

Protected characteristics	N e g a t i v e	P o s i t i v e	N e u t r a l	Evidence/Reasoning (Consider any barriers which will have negative impact and/or good practices giving positive impact)
<p>Age</p> <p>Consider:</p> <ul style="list-style-type: none"> • The way younger and older people access services may be different • Use of technology • Child care/care of other dependant • Timings/flexibility, such as work patterns • Transport arrangements • Venue location 		x		<p>Recommendations:</p> <p>accept in different formats, email, written, whats app messages, telephone call</p> <ul style="list-style-type: none"> - offer a range of appointments, home visits, - transport costs for court
<p>Disability (Includes: physical, learning, sensory (deaf/blind), mental health)</p> <p>Consider:</p> <ul style="list-style-type: none"> • Communication methods • Accessibility – venue, location, transport • Range of support needed to participate • Hearing Loops/Interpreters • Disability awareness training for employees 		x		<p>Recommendations:</p> <ul style="list-style-type: none"> - offer a range of appointments, home ,office - support needs - liaise with support workers, make referrals to support agencies - interpretation services - text type telephones - staff receive disability awareness training
<p>Race (Includes; gypsy, travelling, refugee and migrant communities)</p> <p>Consider:</p>			x	<p>Recommendations:</p> <p>Work with CSU on individual cases</p>

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

marriage and partnerships <ul style="list-style-type: none"> Awareness training for employees 				
Transgender Consider: <ul style="list-style-type: none"> Trans people should be able to disclose their gender identity without fear of prejudice Making it clear you have a Trans policy and process Awareness training for employees 	x			Recommendations: TLS does not have a trans policy - hate crime policy to be introduced
Marriage and civil marriage/partnership Consider: <ul style="list-style-type: none"> All couples or partners, regardless of gender, should be able to access services 		x		Recommendations:

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

Summary of recommendations		
Actions	By Who	By When
Write hate crime policy	Sarah Warner & Sarah Cave	March 2022

Declaration

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

Yes No

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

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

Yes No

Signature of Head of Service:	Date:

Recommendations agreed:	Yes <input type="checkbox"/> No <input type="checkbox"/>
-------------------------	--

Signed: (Director):	EIA date:

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Thanet District Council (TDC) Equality Impact Assessment

Step one: test for relevance

1 Person responsible for this assessment

Name:	Tom O’Leary		
Job title:	Income Manager		
Phone:	-		
Service area:	TLS	Date of assessment:	28-Feb-2024

2 Others involved in carrying out the analysis

Name:	Ben Summers (ASB Officer)
Name:	Neesha Kurmman (Project Support Officer)
Name:	Ty Clayson (Customer Insight Officer)

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

Title:	Rechargeable Works (RWO) Policy
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Is it new? Yes No

A review of existing? Yes No

3.1 Aims and objectives

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

- setting out how to charge and recover Rechargeable Works Orders (RWO)
- to show consistency and structure to decisions
- residents and officers will benefit

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

- to fairly charge and recover costs from repairs that are done by TDC but not a TDC responsibility (e.g. property damage)
- former residents, current residents and TDC

4 Who is affected?

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

Residents, staff, contractors

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

Yes. Within the demographic of our residents there are people with known inequalities.

5 Equality Act 2010

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

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

Residents can appeal if they feel the decision is wrong for any reason

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

The policy gives scope to not charge residents for specific reasons, if they are a victim of crime or abuse but not any other characteristics.

Should the policy include a discretionary decision option?

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

The discretionary option would be needed to positively foster good relations.

6 Priority

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

Agenda Item 5

Annex 9

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

Questions	Yes	No
1. Are there any particular groups who may have trouble accessing the 'service'?		x
Comments: No.		
2. Does your information suggest that some groups of people are less satisfied than others with this 'service'?		x
Comments: Complaints made by residents have fed into the creation of this policy.		
3. Will this service have a significant impact on any of our residents?	x	
Comments: Unpaid RWOs can affect future housing options.		
4. Do you have any evidence that discrimination, harassment and/or victimisation could occur as part of this service?		x
Comments: No. Where there is evidence that the resident is a victim of a crime, the policy states that a charge should not be made.		
5. Do you think the service will hinder communication and negatively impact relations between the organisation and its employees, residents, contractors or anyone else?		x
Comments: No. With the addition of a discretionary clause.		
6. Does this service need to improve the way in which it is communicated to people who have literacy, numeracy or any other access needs?		x
Comments: No. This is available on our website and has been checked for plain English and readability.		
7. Does consultation need to be carried out?		x
Comments: No. This is an update of an existing policy.		

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

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

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

Step two: full equality impact assessment

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

Consider:

What you are doing?

Why you are doing it?

How you are doing it?

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

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

Protected characteristics	N e g a t i v e	P o s i t i v e	N e u t r a l	Evidence/Reasoning (Consider any barriers which will have negative impact and/or good practices giving positive impact)
<p>Age</p> <p>Consider:</p> <ul style="list-style-type: none"> • The way younger and older people access services may be different • Use of technology • Child care/care of other dependant • Timings/flexibility, such as work patterns • Transport arrangements • Venue location 				<p>Recommendations:</p>
<p>Disability (Includes: physical, learning, sensory (deaf/blind), mental health)</p> <p>Consider:</p> <ul style="list-style-type: none"> • Communication methods • Accessibility – venue, location, transport • Range of support needed to participate • Hearing Loops/Interpreters • Disability awareness training for employees 				<p>Recommendations:</p>
<p>Race (Includes; gypsy, travelling, refugee and migrant communities)</p> <p>Consider:</p>				<p>Recommendations:</p>

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

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

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

Summary of recommendations		
Actions	By Who	By When

Declaration

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

Yes No

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

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

Yes No

Signature of Head of Service:	Date:

Recommendations agreed:	Yes <input type="checkbox"/> No <input type="checkbox"/>
-------------------------	--

Signed: (Director):	EIA date:

Tenant and Leaseholder Services

Rechargeable Works Policy

1.0 Purpose and scope

Our aim is to fairly and responsibly apply charges for, and collect debt for rechargeable works.

This policy sets out our approach to the following:

- The raising and recovery of costs associated with works that are rechargeable to a tenant.
- The definition of the services and works that are rechargeable.
- The circumstances in which a Rechargeable Work Order will be raised.

2.0 Definitions

The definition of a Rechargeable Works Order (RWO) as applies to this policy, is as follows:

- Work that we must carry out for health and safety reasons, and that the tenancy agreement states a tenant is responsible for.
- Work we must do to ensure a property is suitable to be re-let, and that the tenancy agreement states a tenant is responsible for.
- Where a tenant has caused damage that is beyond normal wear and tear. This includes damage caused by members of the tenant's household, family members, friends or other visitors (including pets).

3.0 Raising an order for a recharge

Examples of when we will carry out rechargeable work or services are as follows:

3.1 Voids

When a tenancy is terminated, whether it be by the tenants, eviction or in cases of abandonment. Recharges will be made for works carried out where they are the responsibility of the tenant as per their tenancy agreement.

Explicitly:

- The cost for cleaning and clearance of rubbish and items left in a property or the garden following the termination of the tenancy.
- Clearance of an overgrown garden.
- The cost of work carried out to correct a former tenant's repair responsibilities as outlined in the tenancy conditions and to ensure that the property is suitable for relet.
- The cost of works required to correct unauthorised alterations to properties.
- The cost to treat any insect or rodent infestations in the property.
- The cost of repairs that become necessary as a consequence of the actions of the tenant, beyond what we consider to be reasonable wear and tear. This includes recharging the cost for the replacement of any fixtures or fittings in the property and garden that have been damaged.

3.2 Repairs

The circumstances in which we will recharge the tenant for repair work include:

- Repairs that are normally the responsibility of the tenant that, if not done, pose a health and safety risk.
- Repairs that become necessary due to the actions of the tenant or beyond what we consider to be reasonable wear and tear, particularly where this presents a health and safety risk. This includes recharging the cost for the replacement of any fixtures or fittings in the property that have been damaged.
- Work required to correct unauthorised alterations to properties, particularly where this poses a health and safety risk or compromises fire safety.
- Work necessary to protect our property. In these cases the minimum amount of work required to achieve this will be undertaken and recharged to the tenant.
- The costs incurred by TDC where a resident has abused the repairs service

3.3 Gaining access

- We will recharge for the cost of missed arranged appointments for any regulatory or legislated landlord compliance appointment. i.e. to carry out the annual gas safety inspection or electrical inspection.
- We will recharge tenants' costs incurred gaining access to their home, where previous attempts to gain access have been ignored (this is usually 3 attempts) i.e. to carry out the annual gas safety inspection or electrical inspection.

3.4 Miscellaneous recharges

Other occasions where we will recharge cost to the tenants are:

- Clearing bulky items from communal areas where the tenant responsible can be identified.
- Costs associated with clearing and repairing an unhygienic or verminous property during the course of a tenancy.
- When a tenant has lost their keys or key fob.
- Clearing of gardens as the consequence of enforcement action.
- Where a tenant has requested a repair that is their responsibility, and we have agreed to carry it out.

4.0 Recovering the recharge

- Tenants will receive an invoice for rechargeable works.
- All rechargeable works will be subject to an administration fee, which will be reviewed annually.
- The invoice must be paid within 30 days of receipt.

5.0 When a recharge will not be invoiced

There are circumstances when a RWO will be raised but the tenant will not be invoiced. These include:

- When a tenant has passed away, and there is no estate to pay the cost.
- When a tenant goes into residential care or hospital and has no means to pay.
- When a tenant has been a victim of a serious crime and has reported this to the police. (This must be substantiated by a crime reference number and supporting evidence from the police.)
- Where the tenant has been a victim of domestic abuse and was unable to prevent damage being carried out to the property. (Supporting evidence will be required from the police or other relevant statutory support agency.)

6.0 Collecting debts

Collection of debts associated with this policy will be managed under the Income Recovery, Rent Arrears including Enforcement & Eviction Policy.

7.0 Equality & Diversity

The Tenant and Leaseholder Services aims to treat all tenants and leaseholders fairly, with respect and professionalism regardless of any protected characteristics.

We want our tenants and leaseholders to have clear information and equal access to our services. If English is not the first language, or there is a disability that makes communicating with us more difficult we will arrange for help.

8.0 Disputes and appeals

Where a tenant wishes to dispute a rechargeable works invoice they should request a review of the invoice within 10 working days of receipt of the invoice.

This will be reviewed by a Senior Officer not involved in the original decision.

If the tenant is not satisfied with the decision, they have the right to make a complaint through TDC's formal complaints process.

9.0 References

Through the implementation of this policy, we will act in accordance with the relevant legislation as detailed below (this list is not exhaustive):

- The Landlord and Tenant Act 1985, Section 11 (Repair obligations)
- The Housing Act 1985, Section 97 (Permission to undertake alterations)
- The Public Health Act 1961, Section 35 (Filthy or verminous properties)
- The Equality Act 2010, Section 29 (Provision of services)

10.0 Document control

Date	Version	Action	Amendments
6 October 2021	1	New policy draft	
31 January 2022	-	EIA	Insert headings. Add full stops and simplify language for readability and access for screen readers.
17 March 2022	1	New policy approved for adoption by cabinet	

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5 October 2023	2	Review of version 1	
		Reviewed policy approved for adoption by cabinet	
October 2026		Next review of policy changes in legislation/ regulation	

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Newington Community Centre project

Overview and Scrutiny Panel	12 March, 2024
Report Author	Louise Askew, Head of Regeneration and Growth
Portfolio Holder	Cllr Everitt, Leader of the Council
Status	For Information
Classification:	Unrestricted
Key Decision	No
Ward:	Newington

Executive Summary:

This report invites members of the Overview and Scrutiny Panel to review the Cabinet report for 14 March 2024 seeking approval to create a new project at the Newington Community Centre as part of the Housing Revenue Account (HRA). The Community Centre is located within a housing estate and is part of the HRA portfolio. The works to upgrade the existing building to an appropriate standard will be delivered alongside the Levelling Up Fund project that is delivering an extension to the building in order to house further training space in the building.

Recommendation(s):

Members of the Overview and Scrutiny Panel are invited to review and scrutinise the report on the inclusion of a new capital project for Newington Community Centre being considered by Cabinet on 14 March 2024 (Annex 1), making any agreed recommendations for consideration at a future meeting of Cabinet.

Corporate Implications

Financial and Value for Money

There are no financial or value for money implications arising specifically from this report. The report to Cabinet on 25 January 2024 sets out the relevant financial and value for money implications.

Legal

This report is for information and as such there are no legal implications arising. In accordance with the provisions of the Constitution, Overview and Scrutiny Panel may make recommendations to Cabinet for consideration.

Risk Management

There are no risk management implications arising specifically from this report. The report to Cabinet on 14 March 2024 considers risk management.

Equality Act 2010 & Public Sector Equality Duty

There are no equalities implications arising specifically from this report. The report to Cabinet on 14 March 2024 considers the Equality Duty.

Corporate Priorities

The Cabinet report on 14 March 2024 relates to the following corporate priorities: -

- Priority four: To create a thriving place

1.0 Introduction and Background

- 1.1 The Newington Community Centre (NCC) is located in the Newington Estate in Ramsgate and is one of the most deprived areas in the District. The NCC is run by the Newington Community Association (NCA), who are in turn supported by Starlings Support as part of the Big Local programme.
- 1.2 The Community Centre building is located within a housing estate and is part of the HRA portfolio. The building is currently leased to the Newington Community Association until 2027.
- 1.3 Recent surveys of the building and the development of the designs for the Levelling Up Fund project a number of challenges and issues with the existing building have been identified, this report will outline them and seek for a new project to be added to the HRA programme, with funding from the Major Repairs Reserve, to be used for the refurbishment works.

2.0 New Project for Newington Community Centre

- 2.1 A Stage 2 Cost Plan has been produced that demonstrates the works to upgrade the existing building to an appropriate standard require a further c£300,000 over the existing LUF project budget. Within the Cabinet report, in Annex 1 an outline of the individual costs for the building have been identified.

3.0 Next Steps

- 3.1 Members of the Overview and Scrutiny Panel are invited to review and scrutinise the Cabinet report in Annex 1 to be received by Cabinet on 14 March 2024, making any agreed recommendations for consideration at a future meeting of Cabinet.

Contact Officer: *Louise Askew, Head of Regeneration and Growth*
Reporting to: *Bob Porter, Director of Place*

Annex List

Annex 1: Newington Community Centre project - Cabinet report for meeting on 14 March, 2024

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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Newington Community Centre project

Meeting	14 March, 2024
Report Author	Louise Askew- Head of Regeneration and Growth
Portfolio Holder	Cllr Rick Everitt, Leader of the Council
Status	For Decision
Classification:	Unrestricted
Key Decision	Yes
Reasons for Key	The report involved a decision about incurring expenditure, by the Council, which is anticipated to be £250,000 or above.
Ward:	Newington

Executive Summary:

This report sets out the proposal to create a new project at the Newington Community Centre as part of the Housing Revenue Account (HRA). The Community Centre is located within a housing estate and is part of the HRA portfolio. The works to upgrade the existing building to an appropriate standard will be delivered alongside the Levelling Up Fund project that is delivering an extension to the building in order to house further training space in the building.

The proposed works for this new project are primarily Mechanical, Electrical and Plumbing items, which will significantly upgrade the energy efficiency of the building and lead to much lower operational costs for the centre in the long term. These improvements will also support the council's transition to net zero across its asset portfolio. Other items included in these works are the renovation of the w/cs in the centre, creating accessible facilities for the community. Two small one-to-one offices will also be created to facilitate wellbeing sessions in the centre, and a new accessible entrance. These minor layout alterations will have large impacts on the operation of the centre overall and allow multiple uses of the space simultaneously, as opposed to one activity requiring the entire space.

This project is directly delivering in one of Thanet's most deprived wards, and is supporting people within the local community to access further training opportunities in order for them to be able to take advantage of the jobs being created through the wider regeneration programmes.

Recommendation(s):

Cabinet is asked to agree the following:

- Approve a new project for Newington Community Centre as part of the HRA capital programme.
- Approve that the refurbishment works to the Newington Community Centre be delivered with the Levelling Up Fund project at the Centre.

Corporate Implications

Financial and Value for Money

An additional £300,000 HRA capital budget will be requested as part of the Budget Monitoring Report to the full Council on 28 March 2024. The funding will come from the HRA Major Repairs Reserve and the project will be incorporated into the council's capital programme.

The Levelling Up Fund allocation for the Newington Project is £576,250 and the budget for this scheme is already approved and allocated within the council's capital programme.

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 an annual expenditure anticipated to be of £250,000 or above or with a total contract value of £750,000 or more.

Legal Implications

The Housing Revenue Account (HRA) is governed by the following legislation:

Housing Act 1985 (Part II)
Housing Act 1988
Local Government and Housing Act 1989 (section 74)
Local Government and Housing Act 2003
Localism Act 2011

Provisions contained within the Local Government and Housing Act 1989 mean that the HRA is now a 'ring-fenced' account and is completely separated from the General Fund. As a consequence the Council can only include items in the HRA for which there is statutory provision, and transfers of income and expenditure between the HRA and the General Fund are only allowed in very specific circumstances. Funding of the work proposed in this decision report falls within the scope of the HRA.

In accordance with the provisions of Council's scheme of delegation, decisions in connection with the Council's budget framework are decisions that must be taken by Full Council.

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

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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.

The risks management for this additional project will be monitored in the same way as the Levelling Up Fund (LUF) projects, as it will be managed alongside the LUF project. Through the monitoring and evaluation process for the three programmes the most significant risks are reported back to the Department of Levelling Up, Housing and Communities on a quarterly and six monthly basis in the monitoring and evaluation reports.

Key Risks

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.

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 contractors early on
- The proposed procurement route is 'traditional', which allows the council's design team to retain control during the construction phase.

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
- The Design Team is on the project from start to finish which will support the mitigations.

Corporate

The refurbishment of the Newington Community Centre identified in this report will help the council to deliver against Priority 4: creating a thriving place as part of the council's new Corporate Plan 2024-28. By delivering the projects we will strengthen the local economy and do what we can to enable the whole community to take more pride in living here.

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.

The project identified in this report will improve the accessibility to community provision in one of Thanet's most deprived wards. As part of the design process of the work people from the communities in Ramsgate have been engaged with and considered in the design of the services at the Centre. In finalising the designs for the new build element of the building and the works to the existing building a Customer Impact Assessment will be completed. This report allows the funding to be allocated for the project delivery.

Corporate Priorities

This report relates to the following corporate priorities: -

- *Priority four: To create a thriving place*

1.0 Introduction and Background

1.1 The Newington Community Centre (NCC) is located in the Newington Estate in Ramsgate and is one of the most deprived areas in the District. The NCC is run by the Newington Community Association (NCA), who are in turn supported by Starlings Support as part of the Big Local programme.

1.2 The Community Centre building is located within a housing estate and is part of the HRA portfolio. The building is currently leased to the Newington Community Association until 2027.

1.3 The Newington Community Centre runs a successful food-based programme of activities (among others) spanning multiple age groups. The Association was included as part of the Levelling Up Fund (LUF) application as part of the 'Access to Opportunities' project. The proposal was for an expansion of the Community Centre's

kitchen, so that formal training can be provided in an appropriate setting, whilst the rest of the community centre can simultaneously be used to deliver other activities.

- 1.4 Through surveys of the building and the development of the designs for the Levelling Up Fund project a number of challenges and issues with the existing building have been identified, this report will outline them and seek for a new project to be added to the HRA programme, with funding from the Major Repairs Reserve, to be used for the refurbishment works.

2.0 The Levelling Up Fund project

- 2.1 Upon securing the LUF, the scheme was proposed to be delivered directly by the Newington Community Association and Cabinet provided agreement that a grant could be provided directly to them. Through discussion, it was agreed that the council would be better placed to deliver the capital works, working in partnership with the Association. It was agreed that both parties would work towards a new extended lease period to coincide with the completion of the capital works. The Community Association have had a number of building issues over the term of their lease, and the basic nature of the building construction has meant high running costs and inefficient energy usage, which impacts on the operations of the centre. A new lease will be proposed for the completion of the works, on the basis that the community centre would be in a good condition following completion of the project. It would also be easier to operate and maintain.
- 2.2 In the development of the LUF scheme an initial feasibility design process was undertaken over the summer of 2023 by Jan Kattein Architects (JKA), with input and discussion with the Newington Community Association, Starling Support and feedback from the local community. JKA were subsequently appointed, following a competitive process, as the design team for the remainder of the design and delivery period for the Newington Community Centre scheme.
- 2.3 The design process has reached the end of RIBA Stage 2, and a number of surveys have been undertaken. The surveys have identified issues and shortcomings in the existing building that require a resolution to ensure that the Newington Community Association can maintain and operate the new and existing facilities effectively into the future, and to deliver the outputs that are allocated as part of the LUF.

3.0 New Project for Newington Community Centre

- 3.1 A Stage 2 Cost Plan has been produced that demonstrates the works to upgrade the existing building to an appropriate standard require a further c£300,000 over the existing LUF project budget.
- 3.2 The additional costs are due to several factors including additional unforeseen requirements identified in surveys (systems non-compliant and/or at end of life, the basic construction of the existing building and inflation. The proposed works for this new project, to the existing building, are primarily Mechanical, Electrical and Plumbing items, which will significantly upgrade the energy efficiency of the building and lead to much lower operational costs for the centre in the long term. These improvements will also support the council's transition to net zero across its asset portfolio.

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3.3 Other items included in these works are the renovation of the w/cs in the centre, creating accessible facilities for the community. Two small one-to-one offices will also be created to facilitate wellbeing sessions in the centre, and a new accessible entrance. These minor layout alterations will have large impacts on the operation of the centre overall and allow multiple uses of the space simultaneously, as opposed to one activity requiring the entire space.

3.4 The Stage 2 Cost Plan for the new Project for Newington Community Centre are:

- Accessibility external ramp - £2,500
- Air Source Heat Pump - £15,600
- Ceiling finishes - £24,650
- Communication, Security & Control - £13,970
- Drainage - £1,581
- Electrical Installations - £54,911
- External doors and windows - £5,800
- External Lighting - £770
- Fire & Lightning Protection - £1,595
- Fixed furniture and fittings - £11,800
- Floor finishes - £3,825
- Internal doors - £5,000
- Internal walls - £5,785
- Professional Fees and MEP On-Costs - £24,225
- Roof Insulation - £13,050
- Sanitaryware - £5,750
- Space Heating & Air Conditioning - £19,650
- Ventilation - £3,498
- Wall finishes - £2,360
- Water Installations - £2,607
- Main Contractor Prelims (15%) - £32,800
- Main Contractor Overheads and profit (6%) - £15,100
- Inflation Allowance (2%) - £5,200
- Construction contingency (5%) - £13,600
- Project contingency (5%) - £14,300

This has a total RIBA Stage 2 cost of £299,925. This is subject to further design stages and cost reviews, although it is not expected that the costs will rise considerably further than the above. This will be picked up in a further report for the procurement stage.

3.5 Carrying out these upgrade works at the same time as delivering the LUF project will allow all works to be delivered as one works package through one contractor; this is likely to create significant savings in comparison to delivering the same works in two phases with different teams. There will be efficiencies in the way that the works are delivered, but also there will be a reduction in the overall period of disruption to the centre whilst both the extension and upgrade works take place. Appointing one contractor to deliver all of these works will also mean one point of contact for future defects or issues with the building.

3.6 In addition, by delivering all works in one contract, there will be a saving on professional fees, as the team are already appointed and would deliver both

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packages within their existing fees. If the works were carried out at a later date, there would be a likely additional fee cost of circa 15-18%.

- 3.7 At a Design Team meeting, including the council's project team, Newington Community Association and Starling support options were put forward, using the LUF monies to try and deliver as much as possible in the building. This included two options - one where the extension was made smaller in order to incorporate more urgent works in the building and the second was to deliver the original LUF scheme and then review options for refurbishment works to the remainder of the building at another stage.

4.0 Options

- 4.1 The refurbishment works could wait until another time, rather than being delivered alongside the Levelling Up Fund project. However, this will see an increase in costs for the works as some of the services already engaged for the Levelling Up Fund would need to be engaged again separately. Completing the works at the same time also means there will be less disruption for the Community Centre and the community that uses it.
- 4.2 An alternative option would be to not complete any works to the main building and focus on the extension. This would leave the main building in need of repairs, whilst the extension would be brand new. The works to the main building aim to resolve some accessibility issues and work towards a more sustainable building.

5.0 Next Steps

- 5.1 Planning permission is required for the whole project and this will go through the Design Review process.
- 5.2 Any procurement above the £250,000 threshold will require further Cabinet approvals and will be subject to further reports.
- 5.3 Officers will engage further with the Newington Community Trust on the long term lease arrangements for the building.

Contact Officer: Louise Askew, Head of Regeneration and Growth
Reporting to: Bob Porter, Director of Place

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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Department For Levelling Up, Housing and Communities Externally Funded Projects Approvals - Procurement

Overview and Scrutiny Panel	12 March, 2024
Report Author	Mike Humber, Director of Environment
Portfolio Holder	Cllr Everitt, Leader of the Council
Status	For Information
Classification:	Unrestricted
Key Decision	No
Ward:	Central Harbour and Cliftonville West

Executive Summary:

This report invites members of the Overview and Scrutiny Panel to review the Cabinet report for 14 March 2024 that requests approval for procurements above the £250,000 key decision requirement to support the delivery of some of the council's capital regeneration projects.

In order to deliver projects within the Department for Levelling Up, Housing and Communities (DLUHC) capital regeneration programmes there will be a number of approvals required as part of the council's constitution and our key decision making process.

The services required are for Project Management including the remaining design, construction and handover phases; Design Teams; specialist Ro-Ro berth surveys; and cost consultant services.

Recommendation(s):

Members of the Overview and Scrutiny Panel are invited to review and scrutinise this report on the procurement approvals required for delivering the Department For Levelling Up, Housing and Communities Funded Project, being considered by Cabinet on 14 March 2024 (Annex 1), making any agreed recommendations for consideration at a future meeting of Cabinet.

Corporate Implications

Financial and Value for Money

There are no financial or value for money implications arising specifically from this report. The report to Cabinet on 25 January 2024 sets out the relevant financial and value for money implications.

Legal

This report is for information and as such there are no legal implications arising. In accordance with the provisions of the Constitution, Overview and Scrutiny Panel may make recommendations to Cabinet for consideration.

Risk Management

There are no risk management implications arising specifically from this report. The report to Cabinet on 14 March 2024 considers risk management.

Equality Act 2010 & Public Sector Equality Duty

There are no equalities implications arising specifically from this report. The report to Cabinet on 14 March 2024 considers the Equality Duty.

Corporate Priorities

The Cabinet report on 14 March 2024 relates to the following corporate priorities: -

- Priority four: To create a thriving place

1.0 Introduction and Background

1.1 As part of the delivery of the Department for Levelling Up, Housing and Communities capital regeneration programmes there will be a number of approvals required as part of the council's constitution and our key decision making process. The Cabinet report in Annex 1 requests approval for the procurement of services required for the next stages of delivery of schemes that are part of the Simplification Pathfinder Pilot.

1.2 The Cabinet report sets out the procurements that require approval as:

- Project Management
- Ro-Ro Berth Survey
- Cost Consultant
- Full design teams specifically those that may be over £250,000 threshold (Port Infrastructure and Green Campus).

2.0 Activities Requiring a Key Decision

2.1 Project Management - Remaining Design, Construction and Handover Phases

Approval is sought for the procurement of the external Project Management support services required for the next stages of delivery of schemes that are part of the Simplification Pathfinder Pilot.

2.2 Ro-Ro Berth Survey - (Port Infrastructure)

The Port Infrastructure project focuses upon the reintroduction of scheduled Ro-Ro ferry services from Ramsgate. A report to Cabinet on 25 January 2024 provides a

detailed update on the Ramsgate Regeneration programme, including the port infrastructure project.

The survey will inform the design work and will also provide us with a contemporary cost estimate for the construction works. The critical path of the programme for the port infrastructure project runs through the berth survey work and the cost estimate output will inform the separate port concession procurement exercise.

2.3 Cost Consultant - Technical Design, Construction and Handover Phases

Approval is sought for the procurement of the external Cost Management support services required for the next stages of delivery of schemes that are part of the Simplification Pathfinder Pilot.

2.4 Engagement of full design teams for the remainder of the design and delivery period

A number of the current appointments for design teams across the Levelling Up Funded schemes will come to an end following submission of Planning Applications. Design teams for the schemes will subsequently need to be appointed to carry out the remaining design stages or design technical assurance role, dependent on the procurement route agreed for the main contractor.

It is anticipated that due to the larger value of the capital projects of the Green Campus and Port Infrastructure, the design team appointments may be over £250,000

3.0 Next Steps

- 3.1 Members of the Overview and Scrutiny Panel are invited to review and scrutinise the Cabinet report in Annex 1 to be received by Cabinet on 14 March 2024, making any agreed recommendations for consideration at a future meeting of Cabinet.

Contact Officer: Mike Humber - Director of Environment
Reporting to: Colin Carmichael - Chief Executive

Annex List

Annex 1: Department For Levelling Up, Housing and Communities Externally Funded Projects Approvals - Procurement Cabinet report for meeting on 14 March, 2024

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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**Department For Levelling Up, Housing and Communities Externally Funded
Projects Approvals - Procurement**

Cabinet	14 March, 2024
Report Author	Mike Humber, Director of Environment
Portfolio Holder	Cllr Everitt, Leader of the Council
Status	For Decision
Classification:	Unrestricted
Key Decision	Yes
Reasons for Key	The report involves a decision about incurring expenditure, by the Council, which is anticipated to be £250,000 or above.
Previously Considered by	Cabinet - 25 January, 2024 - Ramsgate Regeneration Programme Cabinet - 29 February, 2024 - Margate Regeneration Programme Cabinet - 21 September, 2023 - Simplification Pathfinder Pilot Cabinet - 2 March, 2023 - Future Delivery - Port of Ramsgate
Ward:	Central Harbour and Cliftonville West

Executive Summary:

In order to deliver projects within the Department for Levelling Up, Housing and Communities (DLUHC) capital regeneration programmes there will be a number of approvals required as part of the council's constitution and our key decision making process.

This report requests approval for the procurement of a number of service contracts in order to support the delivery of Ramsgate and Margate projects. The projects are all part of the Simplification Pathfinder Pilot that has been approved by Cabinet, with the capital funding allocated within the councils budget.

The services required are for Project Management including the remaining design, construction and handover phases; Design Teams; specialist Ro-Ro berth surveys; and cost consultant services.

Recommendation(s):

That Cabinet approves Option 1 set out in section 3 of this report and agrees the following:

1. To agree expenditure in excess of the key decision threshold and as estimated at paragraph 3.1 of this report, for the procurement of external project management support for the remaining design, construction and handover phases of the Walpole Bay Pavillion project and Ramsgate Levelling up projects.
2. To agree expenditure above the key decision threshold and as estimated in paragraph 3.1 of this report, for the procurement of necessary Berth survey work for the second phase of the work in respect of the Ro Ro Ferry service.
3. To agree expenditure above the key decision threshold and as estimated at paragraph 3.1 of this report, for the procurement of cost consultant support for the technical design, construction and handover phases of the Margate Town Deal and Ramsgate Levelling up projects.
4. To agree expenditure above the key decision threshold and as estimated at paragraph 3.1 of this report, for the purposes of the Engagement of Full Design Teams for the Remainder of the Design and Delivery Period in respect of the following projects:
 - Port Infrastructure
 - Green Campus

Corporate Implications

Financial and Value for Money

The spending decisions requesting approval are for projects that have already been approved to be delivered as part of the Pathfinder Simplification Pilot and they have received budget approval within the 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, Cabinet approval is being sought to incur expenditure in excess of the '£250,000 or above' threshold. It is anticipated that spending against each headings in this report can be met from existing approved budgets. Further Cabinet approvals will be sought in the event the approved budgets are insufficient to meet planned expenditure.

We have already received part of the funding to commence delivery and 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

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amalgamated into one programme of reporting. Officers have received draft return documents and are waiting for the final versions from central government.

Legal

In accordance with the provisions set out in Part 3 of the Council's Constitution and under the Leader's scheme of delegation, all key decisions are to be taken by the Cabinet.

In the event that Cabinet agrees to the recommendations sought, the procurement of services must comply with the Council's financial regulations as well as the Public Contract Regulations 2015. The Council's financial regulations permit the use of Frameworks for procurement. The use of a Framework has the advantage of time efficiency in that due diligence has been carried out in advance of a firm's acceptance onto the framework.

The Council has a statutory duty to achieve best value. This should be at the forefront of all decision making and clearly evidenced as part of the procurement process.

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 categorised in the Risk Register as "High" are reviewed regularly, and those that provide a significant risk to the achievement of the Council's corporate objectives will be included on the Council's 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.

Corporate

The services commissioned and surveys identified within this report will help the council to deliver against Priority 4: creating a thriving place as part of the council's new Corporate Plan 2024-28. By commissioning these surveys and consultant teams, this supports the aim of reviving the towns of Ramsgate and Margate and by delivering the projects we will strengthen the local economy and do what we can to enable the whole community to take more pride in living here. In delivering these government funded multi-million pound regeneration schemes we will be actively supporting Thanet's important tourism and cultural sectors.

Equality Act 2010 & Public Sector Equality Duty

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

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

The 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.

This proposal is for the appointment of consultants to complete survey works, and provide professional services in relation to project delivery across the government funded schemes in Ramsgate and Margate; at this stage in the project there is little impact on the community. Public Sector Equality Duty will be reassessed as this project progresses through further stages.

Corporate Priorities

This report relates to the following corporate priorities: -

- Priority four: To create a thriving place

1.0 Introduction and Background

- 1.1 As part of the delivery of the Department for Levelling Up, Housing and Communities capital regeneration programmes there will be a number of approvals required as part of the council's constitution and our key decision making process. This report requests approval for the procurement of services required for the next stages of delivery of schemes that are part of the Simplification Pathfinder Pilot.
- 1.2 Spending approvals are required to commission a number of services to move the projects forward within the Ramsgate Levelling Up Fund and the Walpole Bay Pavillion project. This includes specific key decisions for project management, cost consultancy and berth surveys, and for the engagement of full design teams for the remaining project stages. Individually only two of the design team appointments have the potential to reach the values of the Council's key decision framework, however the overall commitment through the external funding will be notable and therefore approval to move forward is being sought for all appointments.
- 1.3 Details on the key decisions are identified in Section 2 of this report.

2.0 Activities Requiring a Key Decision

2.1 Project Management - Remaining Technical Design, Construction and Handover Phases

Approval is sought for the procurement of the external Project Management support services required for the next RIBA (4-6) stages of delivery of schemes that are part of the Simplification Pathfinder Pilot.

The procurement exercise for this appointment needs to start in March 2024 to ensure that the schemes that are part of the Simplification Pathfinder Pilot have continued support from external consultants. It is estimated that the value of the tenders for this appointment may be greater than £250,000 and a contract award is therefore subject to a key decision. The procurement route for this appointment has been discussed at the Internal Project Board meeting and it is anticipated that the award is likely to be direct, through a compliant framework.

The appointment of this consultant team is vital to the continuing progression of a project within the Margate Town Deal programme and the Ramsgate Levelling Up Fund projects. Without the required additional support from external consultants, projects would stall, programmes would become unachievable and the council would become increasingly vulnerable to inflationary pressures and prolongation costs. Delay, or non-appointment of external Project Management support, also exposes the potential for the projects not to meet the outputs prescribed by DLUHC and therefore ultimately risk withdrawal of funding.

On the basis of the timescales to deliver these projects most local authorities delivering these significant schemes will have external project management teams provide support and capacity to the internal client team. Ensuring that we have the right set of skills from the external project team, to sit alongside the council's internal team will be fundamental to this commission in order to keep moving the projects forward at pace.

2.2 Ro-Ro Berth Survey - (Port Infrastructure)

The Port Infrastructure project focuses upon the reintroduction of scheduled Ro-Ro ferry services from Ramsgate. A report to Cabinet on 25 January 2024 provides a detailed update on the Ramsgate Regeneration programme, including the port infrastructure project.

The project includes both marine based works (such as the refurbishment of berths 2 and 3), and land based works needed to support ro-ro ferry operations (such as facilities for UK Border Force). There are four principal programme stages to the marine based works as follows:

- Survey Scoping
- Berth Survey

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- Remediation Design
- Construction

Tenders have recently been received for the second of those four stages (Berth Survey) which will inform the design and refurbishment specification. The recommendation in this report relates to the key decision to award a contract for the berth survey work.

The procurement for the surveys was initiated on 10 November 2023 with an estimated value of £130,000. As part of this procurement, external consultants were appointed to prepare a detailed specification for the surveys to avoid bidders pricing survey content with a varied scope. This methodology therefore ensures consistency in the content of the survey work included in tender returns.

Despite the thorough approach which led to the estimated survey costs, the value of the tenders returned are anticipated to be higher than the pre-tender estimate and anticipated to be in excess of £250,000 and any contract award is therefore subject to a key decision. Tenders are not awarded on price alone and are subject to evaluation criteria with a combined weighting of Quality and Cost to identify the most economically advantageous Tender. Mandatory due diligence criteria would also be required to be met.

Between a quarter and a third of the value of the tender prices received from bidders is for provisional items such as day rates for specialist services including divers, marine surveyors, access plant and safety vessels. These provisional items are in addition to all services required to complete the specified survey and are included in the tender value to ensure that they are priced on a competitive basis. However the use of these items will be at the council's discretion (as client) as the survey work progresses in response to any unforeseen issues that may arise. The provisional items may not be needed or may be spent in part or in full depending upon need in order to fulfil the survey objectives. The pre-tender estimate would have been approx £200,000 had these provisional items been included.

Some of the survey work requires sub contractor input such as diving, safety vessel services, specialist access and some material testing methods. The cost of some of these activities is higher than anticipated in the pre-tender estimate. This factor in combination with the value of the provisional sums is considered to be the reason for the difference between the pre-tender estimate and the range of tender values received from bidders.

The survey will inform the design work and will also provide us with a contemporary cost estimate for the construction works. The critical path of the programme for the port infrastructure project runs through the berth survey work and the cost estimate output will inform the separate port concession procurement exercise.

The completion of this survey will allow the project to move to the next stage - Remediation Design which will be followed by the last stage - Construction. As identified in the Cabinet report on 25 January this is a critical element for the council decision making process. Without the information as to the potential costs of the

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berth works the council will not be able to move forward to deliver the Levelling Up Fund project, or be able to go out to identify a third party Port Operator, which was approved as a direction of travel for the Commercial Port by Cabinet in March 2023.

2.3 Cost Management - Remaining Technical Design, Construction and Handover Phases

Approval is sought for the procurement of the external Cost Management support services required for the next stages of delivery of schemes that are part of the Simplification Pathfinder Pilot. The Cost managers will provide support in the process of planning, estimating, budgeting, and controlling costs with the aim of completing the project within the approved budget.

The procurement exercise for this appointment needs to start in March 2024 to ensure that the schemes that are part of the Simplification Pathfinder Pilot have continued support from external consultants. It is estimated that the value of the tenders for this appointment will be greater than £250,000 and a contract award is therefore subject to a key decision. The procurement route for this appointment has been discussed at the Internal Project Board meeting and it is anticipated that the award is likely to be a mini competition through a compliant framework.

The appointment of this consultancy team is vital to the continuing progression of one of the Margate Town Deal projects and the Ramsgate Levelling Up Fund projects. Without the support from external consultants, projects would stall, programmes would become unachievable and the Council would become increasingly vulnerable to inflationary pressures and prolongation costs. Delay, or non-appointment of external Cost Management support, also exposes the potential for the projects to not meet the outputs prescribed by DLUHC and ultimately risks withdrawal of funding.

2.4 Engagement of Full Design Teams for the Remainder of the Design and Delivery Period.

A number of the current appointments for design teams across the Levelling Up Funded schemes will come to an end following submission of Planning Applications. Design teams for the schemes will subsequently need to be appointed to carry out the remaining design stages or design technical assurance role, dependent on the procurement route agreed for the main contractor.

It is anticipated that the appointments will be those noted below, but there may be some alterations to the packaging of these procurements dependent on market conditions:

- Clock House design team
- Smack Boys & Sailors' Church design team (retained for further work to support the building)
- Green Campus design team
- Port Infrastructure land-based works design team

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- Port Infrastructure marine works design team
- Harbour Placemaking (to include Pier Yard and Highways design) design team
- Walpole Bay design team

Due to the larger value of the capital projects, the Green Campus and Port Infrastructure design team appointments may be over £250,000 and therefore are key decisions. The appointments for the remaining schemes are not expected to reach this threshold. The procurement route for each of the commissions will be tested against best practice for the type of project, a review of market conditions and taking advice from the external Project Management Team and the Council's Procurement Team. The procurement route will be discussed at the relevant Project Management meetings, and it is anticipated that the awards will be on the basis of the best fit for the project - using both open tendering and compliant frameworks.

3.0 Options

3.1 Option 1 - That Cabinet approves the key decision to incur expenditure in excess of £250,000 from existing approved budgets in relation to each of the activities (set out in sections 2.1 to 2.4 above):

- Project Management
- Ro-Ro Berth Survey
- Cost Consultant
- Full design teams specifically those that may be over £250,000 threshold (Port Infrastructure and Green Campus).

3.2 Option 2 - That Cabinet does not approve the key decision to incur the required expenditure in order to commission the required services to move the Department for Levelling Up, Housing and Communities projects forward. Without these services the council is unable to move forward from the current project stages of the Levelling Up Funded projects in Ramsgate and Walpole Bay Pavillion; and the decisions required to deliver the approved Port Infrastructure project (and the engagement of a Port Operator) will not be deliverable without the detailed survey and cost information.

Contact Officer: Mike Humber - Director of Environment
Reporting to: Colin Carmichael - Chief Executive

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)

Department For Levelling Up, Housing and Communities Externally Funded Projects Approvals - Funding Reallocations

Overview and Scrutiny Panel	12 March, 2024
Report Author	Louise Askew, Head of Regeneration and Growth
Portfolio Holder	Cllr Duckworth - Cabinet Member for Regeneration and Property
Status	For Information
Classification:	Unrestricted
Key Decision	No
Ward:	Cliftonville West and Margate Central

Executive Summary:

This report invites members of the Overview and Scrutiny Panel to review the Cabinet report for 14 March 2024 that outlines the requirement to reallocate funding within the Towns Fund monies of the Simplification Pathfinder Pilot. Two aborted projects from the approved Margate Town Deal programme mean that there is funding within the programme to reallocate to other projects.

Recommendation(s):

Members of the Overview and Scrutiny Panel are invited to review and scrutinise the report on the Department for Levelling Up, Housing and Communities funding reallocation being considered by Cabinet on 14 March 2024 (Annex 1), making any agreed recommendations for consideration at a future meeting of Cabinet.

Corporate Implications

Financial and Value for Money

There are no financial or value for money implications arising specifically from this report. The report to Cabinet on 25 January 2024 sets out the relevant financial and value for money implications.

Legal

This report is for information and as such there are no legal implications arising. In accordance with the provisions of the Constitution, Overview and Scrutiny Panel may make recommendations to Cabinet for consideration.

Risk Management

There are no risk management implications arising specifically from this report. The report to Cabinet on 14 March 2024 considers risk management.

Equality Act 2010 & Public Sector Equality Duty

There are no equalities implications arising specifically from this report. The report to Cabinet on 14 March 2024 considers the Equality Duty.

Corporate Priorities

The Cabinet report on 14 March 2024 relates to the following corporate priorities: -

- Priority four: To create a thriving place

1.0 Introduction and Background

1.1 Thanet District Council is the Accountable Body for £22.2m worth of Town Deal Funding for Margate that now forms part of the Simplification Pathfinder Pilot. Two of the projects that have been approved by Central Government for the Margate Town Deal have now been aborted and the funding is required to be reallocated.

1.2 The two projects that require the funding to be reallocated are the Oval Bandstand and Lawns project as part of the Coastal Wellbeing Intervention and the Destination Dreamland project as part of the Diversifying Heritage Assets Intervention.

2.0 Funding reallocation

2.1 The Cabinet report proposes reallocating the £500,000 from the aborted Oval Bandstand and Lawns project to support the delivery of other projects in the Coastal Wellbeing Intervention, including the Skatepark and the Walpole Bay Pavillion. Both projects are part of the same Town Deal Intervention and therefore do not require a decision through the Simplification Pathfinder Pilot process. The reallocation suggested is:

- The reallocation of £175,000 to the Skatepark project - this will help deal with the inflationary pressure on the project and to ensure that the kiosk facility is fit for purpose to support the ongoing management and maintenance of the facility. This creates a capital budget of £984,000 (less any costs already incurred for surveys).
- The reallocation of £325,000 to the Walpole Bay Wellbeing Pavilion. This creates a capital budget of £1,025,000 (less any costs already incurred for surveys and professional fees).

2.2 Following the recent acquisition of Sands Heritage Ltd by LN Gaiety Holdings, a subsidiary of Live Nation, Dreamland has informed officers that they will no longer be accepting the £4,000,000 allocation from the Margate Town Deal for the Destination Dreamland project. This funding therefore is required to be reallocated. It is proposed

that the £4,000,000 is reallocated to the Winter Gardens to support the identification of an operator and help unlock further private sector investment.

3.0 Next Steps

- 3.1 Members of the Overview and Scrutiny Panel are invited to review and scrutinise the Cabinet report in Annex 1 to be received by Cabinet on 14 March 2024, making any agreed recommendations for consideration at a future meeting of Cabinet.

Contact Officer: Louise Askew, Head of Regeneration and Growth
Reporting to: Bob Porter, Director of Place

Annex List

Annex 1: Department For Levelling Up, Housing and Communities Externally Funded Projects Approvals - Funding Reallocations Cabinet report for meeting on 14 March, 2024

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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**Department For Levelling Up, Housing and Communities Externally
Funded Projects Approvals - Funding Reallocations**

Meeting	14 March, 2024
Report Author	Louise Askew - Head of Regeneration and Growth
Portfolio Holder	Cllr Ruth Duckworth - Cabinet Member for Regeneration and Property
Status	For Decision
Classification:	Unrestricted
Key Decision	Yes
Reasons for Key	The report involved a decision about incurring expenditure, by the Council, which is anticipated to be £250,000 or above.
Previously Considered by	Cabinet - 21 September, 2023
Ward:	Cliftonville West and Margate Central

Executive Summary:

This report outlines the requirement to reallocate funding within the Towns Fund monies of the Simplification Pathfinder Pilot. Two aborted projects from the approved Margate Town Deal programme mean that there is funding within the programme to reallocate to other projects.

As set out by Cabinet in September, 2023 the funding will remain in Margate and will be used to support the delivery of projects within the programme. £500,000 is available within the Coastal Wellbeing Intervention and will be used to help deal with challenges from inflation impacting the Walpole Bay Pavillion and the Skatepark. £4,000,000 from the aborted Destination Dreamland project will be reallocated within the Diversifying Heritage Assets intervention.

As the Accountable Body for the projects within the Simplification Pathfinder Pilot the council is the ultimate decision maker, however this is following engagement with the new Thanet Regeneration Partnership Board and the Department for Levelling Up, Communities and Housing.

Recommendation(s):

Cabinet to provide approval to:

1. Note that moving funding between themes and projects up to a value of £5,000,000 is permissible under the Simplification Pathfinder Project.

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2. Note that the reallocation of the Destination Dreamland project fund has been discussed and agreed within the Simplification Pathfinder Project.
3. Agree that the £4,000,000 from the aborted Destination Dreamland Project now be reallocated to a scheme for the Margate Winter Gardens.
4. Agree that the £325,000 from the aborted project on the Coastal Wellbeing intervention be reallocated to the Walpole Bay Pavillion project.
5. Agree that the £175,000 from the aborted project in the Coastal Wellbeing intervention be reallocated to the Skatepark project.

Corporate Implications

Financial and Value for Money

The proposals within this paper have already received budget approval and have been incorporated into the council's capital programme. The projects are fully funded from external grant funding allocations.

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 either an annual spend of £250,000 or above or with a total contract value of £750,000 or above.

We have already received part of the government funding in advance, to commence delivery, and all future DLUHC funding will be drawn down in advance of any further 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 Coastal Wellbeing Intervention includes an allocation of £3,550,000. This allocation is split between a number of projects as set out below, with further detail in section 1.2 of this report:

- Access Walpole (£1,100,000)
- Testing New Uses (£1,200,000)
- Improved Coastal Environment (£1,250,000)

£500,000 was allocated to a project at the Oval Bandstand and Lawns as part of the Improved Coastal Environment package of projects, which was subsequently aborted (October 2023) in the early stages. £25,000 was spent on the project, which now has to be categorised as revenue expenditure on the basis that the capital project is not being delivered. Therefore, there is £500,000 of capital funding available to be reallocated across the capital projects within the Coastal Wellbeing Intervention. It is also necessary to reallocate £25,000 of revenue funding within the Coastal Wellbeing Intervention to fund the revenue costs associated with the aborted Oval Bandstand project.

Under the new Simplification Pathfinder Project the council, as the Accountable Body, is able to move funding between themes and projects up to a value of £5,000,000. However, the

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Coastal Wellbeing Intervention is considered as one project through the government programme, and therefore the reallocation of this funding is for internal purposes, rather than a formal reallocation as considered by the Pilot. All required outputs are set across the whole Coastal Wellbeing Intervention, not on a project by project basis.

The reallocation of the Destination Dreamland project funding is proposed to be made within the Diversifying Heritage Assets intervention of the Margate Town Deal. This reallocation of funding has been discussed with the Pathfinder Team of the Department for Levelling Up, Housing and Communities as part of the Simplification Pathfinder Pilot.

Legal

Cabinet is being asked to agree to the reallocation of funding between projects as set out in the body of this report. The finance comments provide reassurances that under the new Simplification Pathfinder Project the council is able to move funding between themes and projects up to a value of £5,000,000. In addition, there has been relevant consultation with the Pathfinder Team.

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 and they are updated quarterly. 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 Council’s corporate risk register.

Through the monitoring and evaluation process for the three programmes the most significant risks are reported back to the Department of Levelling Up, Housing and Communities on a quarterly and six monthly basis in the monitoring and evaluation reports.

Key risks

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.
- Constant reviews of other investment opportunities/funding sources. Working with the CIC to support the development of their funding strategy.

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.

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- 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.

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

Ability to identify a third party operator for the Winter Gardens

- Use of Colliers to promote the opportunity
- The provision of funding to help unlock the heritage deficit will encourage private sector investors
- A robust marketing campaign to help reach any interested parties.

Corporate

The projects identified in this report will help the council to deliver against Priority 4: creating a thriving place as part of the council's new Corporate Plan 2024-28. By delivering the projects we will strengthen the local economy and do what we can to enable the whole community to take more pride in living here. In delivering these government funded multi-million pound regeneration schemes we will be actively supporting Thanet's important tourism and cultural sectors.

Equality Act 2010 & Public Sector Equality Duty

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

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

There are no direct equalities implications arising from the decisions sought in this report. To note however that if the funding supports regeneration in the Margate area. The outcomes to

be achieved from the various projects include improving employment opportunities and the health and wellbeing of residents. As such the decision is likely to ultimately benefit those with protected characteristics including those from the lower socio economic groups in the area. Specifically, the 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.*

Corporate Priorities

This report relates to the following corporate priorities: -

- *Priority four: To create a thriving place*

1.0 Introduction and Background

- 1.1 Thanet District Council is the Accountable Body for £22.2m worth of Town Deal Funding for Margate. The role of the Accountable Body was to set up the Town Deal Board, develop an Investment Plan and subsequent Green Book compliant Business Cases. The council worked with the Town Deal Board and external stakeholders to complete these requirements, with all business case summary documents having now been approved and with Town Deal funding now coming to the council.
- 1.2 Two of the projects that have been approved by Central Government for the Margate Town Deal have now been aborted and this report proposes a reallocation of the funding from these projects. Firstly the Oval Bandstand and Lawns project as part of the Coastal Wellbeing Intervention and secondly, the Destination Dreamland project as part of the Diversifying Heritage Assets Intervention.
- 1.3 Coastal Wellbeing is one of four interventions within which there are a number of projects which will deliver Town Deal priorities. Coastal Wellbeing aims to deliver a new health and wellbeing facility, create new business and commercial opportunities for the town, as well as a healthier population, enhancing access to the Cliftonville coastline. With £3,550,000 allocated to:
- Access Walpole (£1,100,000)
 - Refurbishment of tidal pool (match funded with an Environment Agency project)
 - Improvements to the steps from the top of the cliff to Walpole Bay
 - Refurbishment of the Grade II listed lift and rotunda , with facilities
 - Testing new uses, participation and skills programme for wellbeing, including beach facilities (£1,200,000)
 - The Walpole Bay Pavilion (£700,000)
 - Participation and engagement revenue project (£500,000)
 - Improved Coastal Environment (£1,250,000)
 - Skatepark (£750,000 + £59,000 council capital funding for a Margate Skatepark)
 - Oval Bandstand and Lawns (£500,000) Aborted project with £500,000 to reallocate.
- 1.3 The aim of the Diversifying Heritage Assets Intervention was to use government funding to unlock the heritage deficit in some of Margate's key heritage assets that

have become vacant. Two buildings were proposed through this intervention for investment - Dreamland and the Winter Gardens. The Destination Dreamland project planned to provide investment in one of Margate's most iconic heritage destinations with the aim of securing its long-term viability and vitality. The ambition was that restoring the cinema building would show that Dreamland is open for business: re-activating the ground and first floor spaces would deliver significant social and economic value. The project was also the only one within the Margate Town Investment plan that brought in significant private sector match funding. Through a re-prioritisation process the Winter Gardens proposal was changed from capital investment to revenue funding to provide the information required to develop the business case for capital investment.

- 1.4 In December 2023 the council's Investment Plan to be part of the Simplification Pathfinder Pilot was approved by central government. The Pilot provides greater flexibility to the council in how it is able to manage the government funded regeneration projects. This includes the council's ability to move money between projects. An agreement was made by Cabinet to keep Town Deal money for Margate projects, with a view that should a project be aborted that projects within the intervention would be considered first when relocating the funding. Engagement with the Pathfinder Team at DLUHC is providing the advice and guidance required to ensure the reallocations proposed fit within the greater freedoms and flexibilities provided through the Pilot.
- 1.5 One of the requirements of being part of the Pathfinder Pilot was to set up a Partnership Board (Thanet Regeneration Partnership Board), which will provide oversight to support the council in its decision making for the DLUHC capital regeneration projects. The Partnership Board met for the first time on 1 March, 2024 and provided support for the proposals set out in this report. Key points from the meeting included the request to ensure that the Skatepark would be a safe environment with a review to design out antisocial behaviour, and that the kiosk facilities to be provided would support the ongoing sustainability and management costs for the park. In relation to the Winter Gardens, the Partnership Board was keen that further investment for the building should be found from third party operators to complete a full refurbishment of the building, and that the council should go out to the market to identify an operator.

2.0 Coastal Wellbeing funding reallocation

- 2.1 This report outlines some of the cost challenges within the Coastal Wellbeing intervention and a proposal for reallocation of the aborted Oval Bandstand and Lawns project of £500,000. The reallocation of funding does not technically need reporting through the Pathfinder Pilot on the basis that the delivery and outputs are across the whole intervention, not the individual projects. Although it will be included in the monitoring and evaluation reporting to central government.
- 2.2 Future decisions will be required for Planning Permission, the model of management for the Walpole Bay Pavilion and procurement.
- 2.3 The Skatepark Project will create something for the people of Margate to be proud of and give a safe community space to young people. Designed to cater for absolute beginners up to experienced skateboarders, the new recreation facility will

Agenda Item 9

Annex 1

regenerate the site on Ethelbert Crescent. £750,000 has currently been allocated from the Town Deal and a further £59,000 from Thanet District Council to deliver the capital project. An early market engagement exercise took place in February 2024 - a prospectus was issued with information about the scheme and interested parties were invited to complete a pre-market engagement questionnaire, to inform the contractor procurement process.

- 2.4 The project includes investment in the construction of the skatepark and a kiosk facility to support driving an income to help with the costs of running the park. The skatepark will be free to access and open to all. The current project is that the council will deliver the construction of the skatepark and then provide a long lease to the project sponsor, who is setting up a Community Interest Company to manage the site. They would be responsible for all of the management and maintenance of the site, including adhering to all compliance requirements. Advice has been sought from Legal, Risk, Insurance, Open Spaces, Property and Health and Safety on the project.
- 2.5 Costs are being put together for the management and maintenance of the site following engagement with other skatepark operators. The challenge is that skateparks have different ownership and management models - with different costs associated. There are some standard costs such as those through organisations such as RoSPA.
- 2.6 The Testing New Uses project comprises capital and revenue investment to enable the testing and experimentation of commercial and health and wellbeing opportunities. Sitting at the centre of the Testing New Uses project is a new Wellbeing Pavilion on the lower promenade at Walpole Bay. The pavilion will accommodate a cafe, a bookable wellbeing space, which the whole community will have access to. This will provide a hub to support enterprise, community, health and wellbeing, and education activity, as well as providing new beach facilities including toilets and showers for the ever growing number of all year round sea swimmers and visitors.
- 2.7 Curl La Tourelle + Head Architecture has been appointed as architects to RIBA Stage 3 for the Wellbeing Pavilion. RIBA stage 2 completed in January 2023 and the design team are currently undergoing a cost review and value engineering exercise and preparing for Planning. The impact of the cost of inflation and the need to design out flood risk and crime on the designated lower promenade site is providing a challenge to the original budget for the scheme. The design team is reviewing the value engineering potential but this could have a significant impact on the quality and flexibility of the space. It could potentially end up being too small and therefore more difficult to run, or it could be too basic in terms of the facilities and therefore less likely to have as much interest as a warm and comfortable space. The scheme could be compromised by too much value engineering.
- 2.8 Considerations are being given to the operation management model of the Wellbeing Pavilion as the design progresses with sustainable delivery models in mind to include the day to day running of the lift, public toilets, commercial cafe and community space.
- 2.9 There has been a lot of public and stakeholder interest in the Walpole Bay projects, in October 2023 we hosted a public engagement event and exhibition which over 400

people attended. 670 surveys were also completed in a two week period which has helped inform decisions around the early design and site location for the Wellbeing Pavilion. There are many interested parties, sometimes with conflicting views that need to be considered, as well as statutory stakeholders such as the Environment Agency, Natural England and Historic England in relation to the tidal pool. It is important that the projects deliver the ambition of the Town Deal to improve health and wellbeing, and particularly those who are currently least likely to access the opportunities this intervention will create.

- 2.10 This project provides an opportunity to experiment and test what can work well, which could be replicated and built upon across the town and district in the future.
- 2.11 The proposal is to reallocate the £500,000 from the aborted Oval Bandstand and Lawns project to support the delivery of these projects. Both projects are part of the same Town Deal Intervention and therefore do not require a decision through the Simplification Pathfinder Pilot process. The reallocation suggested is:
- The reallocation of £175,000 to the Skatepark project - this will help deal with the inflationary pressure on the project and to ensure that the kiosk facility is fit for purpose to support the ongoing management and maintenance of the facility. This creates a capital budget of £984,000 (less any costs already incurred for surveys).
 - The reallocation of £325,000 to the Walpole Bay Wellbeing Pavilion. This creates a capital budget of £1,025,000 (less any costs already incurred for surveys and professional fees).

3.0 Diversifying Heritage Assets funding reallocation

- 3.1 Following the recent acquisition of Sands Heritage Ltd by LN Gaiety Holdings, a subsidiary of Live Nation, Dreamland has informed officers that they will no longer be accepting the £4,000,000 allocation from the Margate Town Deal for the Destination Dreamland project. This funding therefore is required to be reallocated. It is proposed that the £4,000,000 is reallocated to the Winter Gardens to support the identification of an operator and help unlock further private sector investment.
- 3.2 The Margate Winter Gardens project currently has a revenue allocation of £300,000 through the Town Deal. This funding has enabled the council to bring in external expertise to help complete an appraisal of the Winter Gardens and market the building, with the aim of securing a viable and sustainable long-term delivery model for the building. In the initial Margate Town Investment Plan was an ask for £4,000,000 capital funding for investment in the building. DLUHC requested further information about the delivery of the original investment requirement and what it would include and a long term plan for the future. At that time the council did not have the required information to inform a long term plan with a potential operator/partner. With limited funds in order to progress the required work to understand the condition of the building, be able to articulate its demand and show its financial sustainability and viability, at a time when all of the Town Deal projects were being reprioritised due the offer from central government being lower than the funding asked for. The request to DLUHC was changed for revenue funding that could support this work.

- 3.3 The future of the Winter Gardens has been subject to a number of Cabinet Decisions, the most recent made in [March 2023](#). Cabinet approved the engagement of a specialist marketing agency and that the Director of Place, in consultation with the Cabinet member for Economic Development would approve the marketing particulars for the Winter Gardens and the evaluation matrix to be used to assess operator and/or JV submissions. The council committed to take a further report to be considered by Cabinet following the completion of the marketing and evaluation exercise, setting out detailed proposals.
- 3.4 The council has so far spent or committed £162,003 of the £300,000 funding allocated, completing a wide range of surveys and reports on the heritage venue and appointing specialist marketing agents, leaving £137,997 for further legal costs and any other requirements for this field of work. This funding will remain with the project if further work is required to secure an operator, and if further information is required. The surveys and reports completed for the Winter Gardens include the below, all of which are available for review by prospective partners.
- Unexploded ordnance risk assessment
 - Asbestos air sampling survey
 - Laser survey for measured drawings
 - Topographical survey
 - Electromagnetic and GPR survey
 - Utility, and other searches
 - Detailed drainage survey
 - Flood risk scoping assessment (FRSA)
 - Energy Performance Certificate (EPC)
 - Ecology - Japanese Knotweed survey
 - Heritage Significance Statement
 - Architectural Review
- 3.5 The council also commissioned an evening and night time review of Margate and Thanet to help inform decisions about the future role of The Winter Gardens.
- 3.6 A two stage marketing campaign was launched in November 2023 with Colliers as the agent. Open days have been held for potential interested organisations at the venue. Interested parties have been invited to submit Expressions of Interest by 22 February 2024, as the first stage of the process. As part of the marketing campaign there is a data room which holds a raft of information about the building, its condition and opportunities and constraints. The council recognises that the building/site needs significant investment and that any potential partner may need support with that.
- 3.7 The deadline for expressions of interest (EoI) was on 22 February, 2024. By the deadline there was only one EoI, that at this stage had limited information about the finances for the refurbishment of the building, but identified that there would be a need to work closely with the council to help deal with a potential funding gap. This EoI is commercially sensitive and therefore is not being shared as part of this report. The agents, Colliers did provide further information on other interested parties that had engaged with the marketing process but not submitted an EoI. A financial gap was a recurring theme through their feedback about the Winter Gardens.

- 3.8 Challenges with the heritage deficit for the refurbishment of the Winter Gardens are not the only challenge facing the engagement of an operator, Music Venues Trust 2023 annual report identified in its forward that *“2023 was the most challenging year for the Grassroots Music Venue (GMV) sector since Music Venue Trust (MVT) was founded in 2014. An extraordinary number of closures reflected a combination of challenging factors, which also impacted on the ability of artists to tour and, for many venues, to sustain the level of live music provision in their communities.”* It is also noted that the latest members survey from UK Hospitality (January 2024) highlights that:
- *Cash reserves have greatly reduced on August 2023 – those with no cash reserves more than doubling from 12% to 26%.*
 - *The number of businesses at risk of failure is up +5pp on last quarter, with 20% at risk in the next year*
 - *Energy bills in 2023 were up 53% on 2022*
 - *44% of members are still experiencing staff shortages, though this is down -17pp on October*
 - *Vacancy rates are still stubborn, with 10% of roles unfilled, and an 18% churn rate over the past 3*
 - *Food/ drink costs, wage costs, and energy costs have respectively seen increases among 98%, 96% and 85% of members*

This demonstrates the range of challenges faced by businesses and clearly identifies the market failure facing the engagement of an operator for the Winter Gardens without seed investment to help deal with the heritage deficit and unlock further investment. Colliers notes that whilst experienced operators are used to making long term decisions in order to secure the right site, short term problems such as those identified above are impacting on the availability of finance to support expansion and investment decisions.

- 3.9 The proposal is to re-run the marketing campaign, with a strong advertorial campaign alongside the marketing agents. This will start once approval has been gained to reallocate the funding. This campaign will run for 3-4 weeks and will remain a two stage process as identified at the Cabinet meeting in [March 2023](#). A further report will then be considered by Cabinet following the completion of the marketing and evaluation exercise, setting out detailed proposals.

4.0 Options

- 4.1 The funding identified in this report from the aborted projects could be reallocated across the whole Town Deal programme, however the outputs that are required to be delivered should still be delivered. For Coastal Wellbeing these relate to health and wellbeing improvements across the Town Deal area and the Margate Town Deal Board specifically wanted to see projects that dealt with the challenges facing much of Margate and Cliftonville’s communities in relation to health inequalities. The Destination Dreamland outputs related to jobs, refurbishment of a heritage asset and match funding - this can be delivered through the Winter Gardens.
- 4.2 An alternative option is to hand back the funding to central government from the aborted projects, but this will not support the delivery of regeneration in Margate.

4.0 Next Steps

- 4.1 The Walpole Bay Pavilion and the Skatepark both require planning approvals. These projects will go through the Design Review process.
- 4.2 The Winter Gardens will require planning permission and listed building consent for any refurbishment works. An application is likely to come from a third party operator, but the council will engage closely with this process.
- 4.2 Any procurement above the £250,000 key decision expenditure threshold will require Cabinet approvals and will be subject to further reports.

Contact Officer: Louise Askew, Head of Regeneration and Growth
Reporting to: Bob Porter, Director Of Place

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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FORWARD PLAN AND EXEMPT CABINET REPORT LIST

14 FEBRUARY 2024 TO 31 OCTOBER 2024

The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 requires the Council to give 28 clear days' notice of any key decision or of any reports which the Cabinet intends to consider in private session.

Key decisions

A key decision is an executive decision (taken by cabinet or by an individual Cabinet member on cabinet's behalf):

- 1) Which is likely to involve the incurring of expenditure, or the making of one-off savings, by the Council, which are anticipated to be £250,000 or more*. The exceptions to this rule being:
 - a. Where approval has previously been received to incur that expenditure by the Cabinet.**
 - b) For the acquisition, enhancement or disposal of land or property with a value of £1m, a new key decision would be needed even if previous generic permission has been received via another key decision.
 - 2) Which is likely to have an annual expenditure of less than £250,000, but has a total contract value over the lifetime of the contract of over £750,000.
- or
- 3) Where the effect would be on communities living or working in the district, in an area comprising two or more wards. However, decisions that impact on communities living or working in one ward will be treated as "key" if the impact is likely to be very significant.

*With regard to property leases the £250k value is defined as the letting or taking of a lease with a cumulative rental value in excess of £250k over the first 5 years of the lease.

**Having the budget approved by Council does not mean that an individual has permission to proceed with their project.

If an executive decision does not fall into any of the above categories, it is included as non-key. Thanet District Council also includes in its published Forward Plan decisions affecting Policy Framework and Budget Setting. Other Council decisions may also be included if they have a significant impact on communities. In such cases, the decision type will be denoted as "other".

Reports to be considered in private session

The second last column of the Plan indicates where a report is likely to contain exempt information and result in the public and press being asked to leave the meeting for the consideration of the whole or part of the item.

If you wish to make any representations relating to a proposal to hold part of a meeting in private due to the potential disclosure of exempt information, please contact Nicholas Hughes, Committee Services Manager, PO Box 9, Cecil Street, Margate, Kent CT9 1XZ, nicholas.hughes@thanet.gov.uk, telephone number 01843 577208, at least 14 calendar days before the date of that meeting.

At least 5 clear (working) days before the meeting, the Council will publish on its website a notice giving details of representations received about why the meeting should be open to the public and a statement of its response.

The Plan represents a snapshot of decisions in the system as at the date of publication. It is updated 28 clear days before each meeting of Cabinet. The Plan is available for inspection at all reasonable hours free of charge at Thanet Gateway Plus, Cecil Street, Margate, Kent CT9 1RE.

Availability of documents

Subject to any prohibition or restriction on their disclosure, copies of, or extracts from, any document listed in the Plan will be available from Thanet Gateway Plus, Cecil Street, Margate, Kent CT 9 1RE. Other documents relevant to those matters may be submitted to the decision makers; if that is the case, details of the documents as they become available can be requested by telephoning Democratic Services on 01843 577500 or by emailing committee@thanet.gov.uk.

The documents listed in the Plan will be published on the Council's website at least five clear (working) days before the decision date. Other documents will be published at the same time or as soon as they become available.

The Cabinet comprises the following Members who have responsibility for the portfolio areas shown:

Councillor Rick Everitt	Leader of the Council and Cabinet Member for Strategy and Transformation
Councillor Helen Whitehead	Deputy Leader of the Council and Cabinet Member for Housing
Councillor Steve Albon	Cabinet Member for Cleansing and Coastal Services
Councillor Rob Yates	Cabinet Member for Corporate Services
Councillor Heather Keen	Cabinet Member for Neighbourhoods
Councillor Ruth Duckworth	Cabinet Member for Regeneration and Property

14 February 2024 to 31 October 2024

Decision to be Considered	What the Decision will mean	1. Decision Path/ 2. Lead Officer	Lead Cabinet Member	For Decision by (in case of O & S, consultation date)	Decision Type	Details of any information likely to be considered in private under Schedule 12A of the Local Government Act 1972	Documents submitted to the Decision Maker
Council Tax Resolution Report		1.Council 2.Chris Blundell, Director of Corporate Resources & S151 Officer	Councillor Rob Yates, Cabinet Member for Corporate Services	22 Feb 24	Budget setting		Council report
Purchase of 2 by 7.5 tonnes road sweepers for TDC Cleansing - total cost £300,000.00	Thanet's streets will be kept clear of litter and detritus. TDC owns no sweepers at this moment in time.	1.Overview & Scrutiny Panel Cabinet 2.Matthew Elmer, Head of Cleansing Services	Councillor Steve Albon, Cabinet Member for Cleansing and Coastal Services	15 Feb 24 29 Feb 24	Key		OSP report Cabinet report

Decision to be Considered	What the Decision will mean	1. Decision Path/ 2. Lead Officer	Lead Cabinet Member	For Decision by (in case of O & S, consultation date)	Decision Type	Details of any information likely to be considered in private under Schedule 12A of the Local Government Act 1972	Documents submitted to the Decision Maker
Changes to the statutory Instrument governing the level of fines for fly tipping, Breach of Duty of care	Level of FPNs to be increased for offences related to fly tipping and waste duty of care	1.Overview & Scrutiny Panel Cabinet 2.Eden Geddes, Enforcement and Multi-Agency Task Force Manager	Councillor Heather Keen, Cabinet Member for Neighbourhoods	15 Feb 24 29 Feb 24	Key		OSP report Cabinet report
Department for Levelling Up, Housing and Communities externally funded project - approval for the grant and lease arrangements for the Margate Digital project	East Kent College Group will be able to move forward with the delivery of the Margate Digital project in Margate High Street.	1.Cabinet 2.Louise Askew, Head of Regeneration and Growth	Councillor Ruth Duckworth, Cabinet Member for Regeneration and Property	29 Feb 24	Non-Key		Cabinet report
Budget Monitoring 2023/24: Report No.3	To provide an update on the Financial Position & Forecast Outturn	1.Cabinet 2.Chris Blundell, Director of Corporate Resources & S151 Officer		29 Feb 24	Non-Key		Cabinet report
TLS procurement - Fire door replacement and related fire rated items Contract	The letting of a 6 year contract, with the option to extend for a further 1 years. To supply and fit fire doors and related fire rated items and to low rise flatted blocks that are in the HRA social housing stock.	1.Overview & Scrutiny Panel Cabinet 2.Sally O'Sullivan, Head of Tenant and Leaseholder Services	Councillor Helen Whitehead, Deputy Leader and Cabinet Member for Housing	12 Mar 24 14 Mar 24	Key		OSP report Cabinet report

Decision to be Considered	What the Decision will mean	1. Decision Path/ 2. Lead Officer	Lead Cabinet Member	For Decision by (in case of O & S, consultation date)	Decision Type	Details of any information likely to be considered in private under Schedule 12A of the Local Government Act 1972	Documents submitted to the Decision Maker
TLS procurement - Housing system	The team will re-procure the contract for the housing management system.	1. Overview & Scrutiny Panel Cabinet 2. Sally O'Sullivan, Head of Tenant and Leaseholder Services	Councillor Helen Whitehead, Deputy Leader and Cabinet Member for Housing	12 Mar 24 14 Mar 24	Key		OSP report Cabinet report
Adopt new and update current housing related policies	<p>The team will adopt the policies and they will be published on the public TDC website.</p> <p>Adoption of the following policies: Compensation; Damp and Mould;</p> <p>Approve the revisions of the following policies: Aids and Adaptations; ASB; Rechargeable Works Order;</p> <p>And approve the following new policies: Compensation; Damp and Mould; Write Off.</p>	1. Overview & Scrutiny Panel Cabinet 2. Sally O'Sullivan, Head of Tenant and Leaseholder Services	Councillor Helen Whitehead, Deputy Leader and Cabinet Member for Housing	12 Mar 24 14 Mar 24	Key		OSP report Cabinet report

Decision to be Considered	What the Decision will mean	1. Decision Path/ 2. Lead Officer	Lead Cabinet Member	For Decision by (in case of O & S, consultation date)	Decision Type	Details of any information likely to be considered in private under Schedule 12A of the Local Government Act 1972	Documents submitted to the Decision Maker
Newington Community Centre project	Works to the community centre building to provide improved accessibility, sustainability and general refurbishment.	1. Overview & Scrutiny Panel Cabinet 2. Louise Askew, Head of Regeneration and Growth	Councillor Rick Everitt, Leader of the Council and Cabinet Member for Strategy and Transformation	12 Mar 24 14 Mar 24	Key		OSP report Cabinet report
Purchase of property for use as Temporary Accommodation	Approval to purchase of property for use of TA as identified within the capital programme	1. Cabinet 2. Ashley Jackson, Head of Housing and Planning	Councillor Helen Whitehead, Deputy Leader and Cabinet Member for Housing	14 Mar 24	Non-Key		Cabinet report
Spend of £261,032.00 to purchase fleet camera and tracker systems	The equipment will provide evidence for 3rd party insurance claims, vehicle theft, vandalism and careless driving.	1. Overview & Scrutiny Panel Cabinet 2. Matthew Elmer, Head of Cleansing Services	Councillor Steve Albon, Cabinet Member for Cleansing and Coastal Services	18 Apr 24 25 Apr 24	Key		OSP report Cabinet report
Purchase of x6 7.5tonnes diesel tippers for TDC Cleansing - total cost £480,000.00	Thanet's streets will be kept clear of litter and detritus. These vehicles will be procured in FY24/25, in line with the vehicle replacement programme, for end of life lorries	1. Overview & Scrutiny Panel Cabinet 2. Matthew Elmer, Head of Cleansing Services	Councillor Steve Albon, Cabinet Member for Cleansing and Coastal Services	18 Apr 24 25 Apr 24	Key		OSP report Cabinet report

Decision to be Considered	What the Decision will mean	1. Decision Path/ 2. Lead Officer	Lead Cabinet Member	For Decision by (in case of O & S, consultation date)	Decision Type	Details of any information likely to be considered in private under Schedule 12A of the Local Government Act 1972	Documents submitted to the Decision Maker
Purchase of x7 Electric 3.5 tonnes tippers for TDC Open Spaces - total cost £630,000.00	These vehicles will be procured in FY24/25, in line with the vehicle replacement programme, for end of life tippers. They will be electric with zero emissions.	1. Overview & Scrutiny Panel Cabinet 2. Tony Marmo, Head of Coastal and Public Realm	Councillor Steve Albon, Cabinet Member for Cleansing and Coastal Services	18 Apr 24 25 Apr 24	Key		OSP report Cabinet report
Department for Levelling Up, Housing and Communities externally funded projects update and approvals	Key decisions and approvals required for the government funded regeneration projects in Ramsgate/Margate	1. Overview & Scrutiny Panel Cabinet 2. Louise Askew, Head of Regeneration and Growth	Councillor Rick Everitt, Leader of the Council and Cabinet Member for Strategy and Transformation	Before 20 Mar 24 Before 29 Mar 24	Key		OSP report Cabinet report
Q3 Treasury Report	To provide an update on Treasury strategy and performance	1. Governance & Audit Committee 2. Chris Blundell, Director of Corporate Resources & S151 Officer	Councillor Rob Yates, Cabinet Member for Corporate Services	6 Mar 24	Non-Key		Governance & Audit Committee report
Corporate Risk Management Quarterly Update		1. Governance & Audit Committee 2. Chris Blundell, Director of Corporate Resources & S151 Officer	Councillor Rob Yates, Cabinet Member for Corporate Services	6 Mar 24	Non-Key		Governance & Audit Committee report

Decision to be Considered	What the Decision will mean	1. Decision Path/ 2. Lead Officer	Lead Cabinet Member	For Decision by (in case of O & S, consultation date)	Decision Type	Details of any information likely to be considered in private under Schedule 12A of the Local Government Act 1972	Documents submitted to the Decision Maker
TLS procurement - Fire door replacement Contract	The letting of a 5 year contract, with the option to extend for a further 2 years. To supply and fit fire doors to low rise flatted blocks that are in the HRA social housing stock	1.Cabinet 2.Sally O'Sullivan, Head of Tenant and Leaseholder Services	Councillor Helen Whitehead, Deputy Leader and Cabinet Member for Housing	14 Mar 24	Non-Key		Cabinet report
Department for Levelling Up, Housing and Communities externally funded projects update and approvals	Required approvals to made for the Ramsgate Levelling Up Fund/ Margate Levelling Up Fund / Future High Street Fund / Margate Town Deal	1.Cabinet 2.Louise Askew, Head of Regeneration and Growth	Councillor Rick Everitt, Leader of the Council and Cabinet Member for Strategy and Transformation	Before 29 Mar 24	Key		Cabinet report
Adopt a new and revised Strategic Asset Management Plan	The new SAMP [Strategic Asset Management Plan] will provide a road map for estates to demonstrate how it is going to achieve the Council priorities.	1.Cabinet Council 2.Andreea Plant, Head of Property	Councillor Ruth Duckworth, Cabinet Member for Regeneration and Property	Before 31 Mar 24 Before 30 Apr 24	Policy Framework		Cabinet report Council report
A combined PSPO for Alcohol and Anti-social behaviour from July 2024 to July 2027	Bringing the two PSPO in line with each other from July 2024 will streamline the enforcement of all aspects of the PSPO and allow for more effective understanding from residents and from enforcement officers.	1.Overview & Scrutiny Panel Cabinet 2.Jo-Anna Taylor	Councillor Heather Keen, Cabinet Member for Neighbourhoods	Before 30 Jun 24 Before 31 Jul 24	Key		OSP report Cabinet report

Decision to be Considered	What the Decision will mean	1. Decision Path/ 2. Lead Officer	Lead Cabinet Member	For Decision by (in case of O & S, consultation date)	Decision Type	Details of any information likely to be considered in private under Schedule 12A of the Local Government Act 1972	Documents submitted to the Decision Maker
Phase 2 of the Public Toilets Refurbishment and Renewal Project	Approval of the site selection, design and specification for phase 2 of the Public Toilet Refurbishment and Renewal Project	1. Overview & Scrutiny Panel Cabinet 2. Tony Marmo, Head of Coastal and Public Realm	Councillor Steve Albon, Cabinet Member for Cleansing and Coastal Services	Before 30 Sep 24 Before 31 Oct 24	Key		OSP report Cabinet report

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Review of the Overview & Scrutiny Panel Work Programme for 2023-24

Overview & Scrutiny Panel Panel	12 March 2024
Report Author	Committee Service Manager
Status	For Decision
Classification:	Unrestricted
Key Decision	No
Ward:	Thanet Wide

Executive Summary:

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

Recommendation(s):

Members are being asked to review the Overview & Scrutiny Panel work programme for 2023/24.

Corporate Implications

Financial and Value for Money

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

Legal

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

Risk Management

There are risks arising directly from this report.

Corporate

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

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

Equality Act 2010 & Public Sector Equality Duty

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

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

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

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

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

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

CORPORATE PRIORITIES

This report relates to Communities.

1.0 Introduction and Background

- 1.1 This report allows the Panel to review the work programme for the period 2023/24. The work programme helps provide a framework for reporting progress regarding the activities of the Overview and Scrutiny Panel and would also provide officers with a reference point for planning appropriate levels of support for the Panel. This report follows on from the one that was considered by Members on 15 February 2024.
- 1.2 The current statutory guidance for the scrutiny function says, effective overview and scrutiny should:
 - Provide constructive 'critical friend' challenge;

- Amplify the voices and concerns of the public;
- Be led by independent people who take responsibility for their role; and
- Drive improvement in public services

1.3 With this in mind, Members may wish to ensure that the Panel work programme for the year provides opportunities for critical but constructive challenge to the Executive, articulate any concerns about matters that are the business of the council and strive for improved service delivery by the Council and other public agencies working in Thanet. Members could also consider including in the work programme matters they would like to investigate on any matter that they feel affects the welfare of the local communities.

2.0 THE WORK PROGRAMME

Scrutiny Review Topics

2.1 At the Panel meeting on 30 May 2023, Members put forward a number of topics and these were finalised at the July meeting. The matrix for scoring and prioritising review topics is attached as Annex 2 to the report. If the list is not progressed to completion during the current year, any remaining topics would then be carried over into the following municipal year.

2.2 The Panel agreed to investigate the following topics:

1. Impact of tourism
2. Fly tipping and abandoned vehicles;
3. Grant funding review.

2.3 The Tourism Working party was currently finalising its report before presenting it to the Panel in the forest quarter of this year.

2.4 Annex 1 is the work programme and Annex 2 is the scoring matrix table. Annex 3 is the table that reflects the distribution of the OSP work programme.

Cabinet Presentations at OSP Meetings

2.5 Members requested the following cabinet member presentations:

- A presentation on the Parking Strategy;

2.6 Members could also identify subject items for presentation from the Forward Plan or any emerging topical issues which may have a significant public interest, where the Panel may feel that their contributions would enhance the decision making process.

2.7 Annex 3 shows the distribution mix of the Panel's work programme which highlights pre decision and post decision scrutiny work as well as cabinet member presentations and the work programming activities.

Key Decisions

2.8 There was now an arrangement between Cabinet and the Overview & Scrutiny panel that all key decisions need to be reviewed by the Panel before Cabinet approved

such decision decisions. This would increase the role that non cabinet members play in shaping future key decisions and strategic decisions that are being made by the Council.

2.9 The following key decision items have been planned for review the Panel:

- Adopt new and update current housing related policies - 12 March 2024 meeting
- TLS Procurement Housing System and Fire Door Replacement - 12 March 2024 meeting;
- Newington Community Centre Project - 12 March 2024 meeting
- Tourism Working Party Report - 12 March meeting
- Department for Levelling Up, Housing and Communities externally funded project - approval for the grant and lease arrangements for the Margate Digital project - 12 March meeting.
- Spend of £261,032.00 to purchase fleet camera and tracker systems - 18 April 2024 meeting.
- Purchase of x6 7.5tonnes diesel tippers for TDC Cleansing - 18 April meeting
- Purchase of x7 Electric 3.5 tonnes tippers for TDC Open Spaces - 18 April meeting.

3.0 Options

3.1 Members are being asked to comment on the work programme.

3.2 Members may opt to make changes to the work programme particularly the scrutiny topics in annex 2 to the report.

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

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

Annex List

Annex 1: OSP Work Programme for 2023/24

Annex 2: Scrutiny Scoring Matrix Table for 2023/24

Annex 3 : OSP Pre and Post Decision Scrutiny for 2023/24

Background Papers

None

Corporate Consultation

Finance:

Legal:

Overview & Scrutiny Panel Work Programme for 2023/24		
Meeting Date	Indicative Agenda Items	Issue Source
12 March 2024	Cabinet Member Presentation	Panel Requested Item
	Review of OSP Work Programme for 2023/24	Standing Agenda Item
	Forward Plan & Exempt Cabinet Report List	Standing Agenda Item
18 April 2024	Cabinet Member Presentation	Panel Requested Item
	Budget Monitoring 2023/24: Report No.3	Finance Standing Item
	Spend of £261,032.00 to purchase fleet camera and tracker systems	Cleansing Services Item
	Review of OSP Work Programme for 2023/24	Standing Agenda Item
	Forward Plan & Exempt Cabinet Report List	Standing Agenda Item
28 May 2024	Cabinet Member Presentation	Panel Requested Item
	Review of OSP Work Programme for 2023/24	Standing Agenda Item
	Forward Plan & Exempt Cabinet Report List	Standing Agenda Item

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Table as February 2024

Title Of the Scrutiny Review	Review Type	Date added to the scoring table	Membership	Is the topic related to a priority or value within the Council's Corporate Plan?	Is the topic of high public concern?	Is the topic currently under performing as per the Council's quarterly performance monitoring?	Will the topic result in recommendations that save that Council money or generate income?	Time on the list?	Implications for officer resource allocation	Total	Rank	Completion Status
<p>topic: Planning Enforcement Review</p> <p>Question: a review into Planning enforcement procedures, protocols, and responsibilities. This is an area of great concern to both members of the public and other bodies, such as Parish councils. "Maintaining strong enforcement action..." is listed as a priority in the current Corporate Plan.</p>	B	23/6/23	TBC	20	10	0	0	0	10 - 1- 3 Months review	40	T-4th	
<p>topic: Review of Protocols and Procedures for Emergency Decisions</p> <p>Questions: I write to request a review of the protocols and procedures regarding the making of Emergency decisions, particularly regarding Berths 4 & 5 at the port of Ramsgate, along with previous decisions regarding Berths 2 & 3. To "Continue to look for a viable future for the Port of Ramsgate and the Royal Harbour for the benefit of the town and the wider district" is a stated priority in the current Corporate statement.</p>	A	23/6/23	TBC	0	10	0	0	0	20 - up to 1 month	30	7th	
<p>topic: Health and Wellbeing</p> <p>Question: What ways we might work more effectively with partners to boost health & well-being in Thanet.</p>	B	23/6/23	TBC	20	0	0	10	0	10 - 1- 3 Months review	40	T-4th	
<p>topic: Impact of tourism</p> <p>Question: Negative impacts of tourism & how we might mitigate them</p>	A	23/6/23	TBC	10	10	0	20	0	20 - A one day scrutiny review	60	1st	The Tourism Review Working Party met on 24 Aug and agreed a work programme. They met on 12 Sept. They collected evidence from the Head of Cleansing & Coastal Services. The sub group met again on 26 October and gathered additional evidence from Penny

												Button. A final meeting was held on 30 November and Members were now drafting the report for submitting to the Panel on 15 February 2024.
topic: Grant funding review Question: I'd like a review to see firstly what we might have missed out on and then how we can be in best position going forward to apply for grants as and when then are available	B	23/6/23	TBC	10	10	0	20	0	10 - 1- 3 Months review	50	T-2nd	
topic: Cost of Living Question: how we can work with partners to help residents avoid debt/ tackle it when it arises.	B	23/6/23	TBC	10	20	0	0	0	10 - 1- 3 Months review	40	T-4th	

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

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

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

Request for Officer Reports

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

OSP Pre and Post Decision Reviews for 2023/24

Date of scrutiny meeting	Item	Pre-decision	Post Decision	Cabinet Presentation	Work Planning
30/05/23	Establish the Overview & Scrutiny Panel Work Programme for 2023-24				<input checked="" type="checkbox"/>
30/05/23	Building Safety Act 2022	<input checked="" type="checkbox"/>			
30/05/23	Q3 and Q4 2022/23 Tenant and Leaseholder Performance Report		<input checked="" type="checkbox"/>		
30/05/23	Q3 and Q4 Corporate Performance Report		<input checked="" type="checkbox"/>		
20/07/23	Cabinet Member Presentation - Leader's Presentation on the Vision for TDC			<input checked="" type="checkbox"/>	
20/07/23	Purchase of Dwellings for the Local Authority Housing Fund	<input checked="" type="checkbox"/>			
20/07/23	Purchase of Section 106 Affordable Housing Units	<input checked="" type="checkbox"/>			
20/07/23	Levelling Up Fund and Margate Town Deal Projects Update		<input checked="" type="checkbox"/>		
20/07/23	Review OSP Work Programme 2022/23				<input checked="" type="checkbox"/>
20/07/23	Forward Plan				<input checked="" type="checkbox"/>

19/09/23	Broadstairs Flood and Coast Protection scheme	<input checked="" type="checkbox"/>			
19/09/23	Viking Bay to Dumpton Gap Sea Wall Repairs Scheme	<input checked="" type="checkbox"/>			
19/09/23	LED Street Lighting Contract	<input checked="" type="checkbox"/>			
19/09/23	Coastal Zone Maintenance Contract	<input checked="" type="checkbox"/>			
19/09/23	New contract for the supply of electricity to 264 sites within TDC's portfolio	<input checked="" type="checkbox"/>			
19/09/23	Department for Levelling Up, Housing and Communities Funding update Simplification Pathfinder Pilot	<input checked="" type="checkbox"/>			
19/09/23	Publishing of the TLS Annual Report		<input checked="" type="checkbox"/>		
26/09/23	Cabinet Member Presentation by the Leader - Update on the Planning Enforcement Review			<input checked="" type="checkbox"/>	
26/09/23	Health & Safety Policy	<input checked="" type="checkbox"/>			
26/09/23	Three year extension of the Dog Public Space Protection Order	<input checked="" type="checkbox"/>			
26/09/23	Review of Overview and Scrutiny Work Programme for 2023/24				<input checked="" type="checkbox"/>

26/09/23	Forward Plan and Exempt Cabinet Report List				<input checked="" type="checkbox"/>
26/10/23	Purchase of 5 Homes at Reading Street, Broadstairs for Affordable Rent	<input checked="" type="checkbox"/>			
26/10/23	Local Authority Housing Fund Round 2 : Purchase of 5 Homes	<input checked="" type="checkbox"/>			
26/10/23	Extension to the Alcohol Public Space Protection Order	<input checked="" type="checkbox"/>			
21/11/23	TDC Policy regarding Broken Bins and Green Bins Renewal Policy for Households			<input checked="" type="checkbox"/>	
21/11/23	Budget Monitoring 2023/24: Report No.2				
21/11/23	Adoption of a Combined Surveillance /CCTV/ Image recording technologies Policy	<input checked="" type="checkbox"/>			
21/11/23	Purchase of 24 Homes at Tothill Street, Minster for Affordable Rent	<input checked="" type="checkbox"/>			
21/11/23	Review of Overview and Scrutiny Work Programme for 2023/24				<input checked="" type="checkbox"/>
21/11/23	Forward Plan and Exempt Cabinet Report List				<input checked="" type="checkbox"/>
06/12/23	The Re-tendering of the responsive repairs contract	<input checked="" type="checkbox"/>			
06/12/23	Tenant and Leaseholder Services Q2 report for				<input checked="" type="checkbox"/>

	2023/24				
06/12/23	Jackey Bakers Recreation Ground	<input checked="" type="checkbox"/>			
06/12/23	Public Toilets Refurbishment and Renewal Project	<input checked="" type="checkbox"/>			
16/01/24	Cabinet Member Presentation - Background to the Council's Parking Strategy Review			<input checked="" type="checkbox"/>	
16/01/24	2024/25 Fees and Charges	<input checked="" type="checkbox"/>			
16/01/24	Draft 2024/25 Budget	<input checked="" type="checkbox"/>			
16/01/24	HRA Budget 2024/25	<input checked="" type="checkbox"/>			
16/01/24	Temporary Staff Contract	<input checked="" type="checkbox"/>			
16/01/24	Land at Shottendane Road	<input checked="" type="checkbox"/>			
16/01/24	Decision for Coastal & Beach Public Spaces Protection Order (PSPO) renewal to 2027	<input checked="" type="checkbox"/>			
16/01/24	Purchase of 7 Homes at Northwood Road, Broadstairs for Affordable Rent	<input checked="" type="checkbox"/>			
16/01/24	Draft Corporate Plan for 2024-28	<input checked="" type="checkbox"/>			
16/01/24	Treasury Management Strategy Statement, Minimum Revenue Provision Policy Statement and Annual Investment Strategy for 2024/25		<input checked="" type="checkbox"/>		
16/01/24	Review of Overview and Scrutiny Work				<input checked="" type="checkbox"/>

	Programme for 2023/24				
16/01/24	Forward Plan and Exempt Cabinet Report List				<input checked="" type="checkbox"/>
15/02/24	Changes to the statutory Instrument governing the level of fines for fly tipping, Breach of Duty of care	<input checked="" type="checkbox"/>			
15/02/24	Purchase of 2 x Mechanical Sweeper Vehicles	<input checked="" type="checkbox"/>			
15/02/24	Ramsgate Regeneration Programme	<input checked="" type="checkbox"/>			
15/02/24	Review of Overview and Scrutiny Work Programme for 2023/24				<input checked="" type="checkbox"/>
15/02/24	Forward Plan and Exempt Cabinet Report List				<input checked="" type="checkbox"/>

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