

# **MEETING OF THE COUNCIL**



**Thursday, 9th May, 2024**

**7.00 pm**

**Council Chamber  
Thanet District Council  
Margate**

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



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Date: 30 April 2024  
Ask For: Gabriella Stewart  
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You are hereby summoned to attend the meeting of the Thanet District Council to be held in the Council Chamber, Council Offices, Cecil Street, Margate, Kent on Thursday, 9 May 2024 at 7.00 pm for the purpose of transacting the business mentioned below.

A handwritten signature in black ink, appearing to read "I. M. Grant".

Head of Legal and Democracy & Monitoring Officer

To: The Members of Thanet District Council

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

## AGENDA

Item  
No

1. **ELECTION OF CHAIR** (Pages 5 - 8)
2. **ELECTION OF VICE-CHAIR** (Pages 9 - 12)
3. **APOLOGIES FOR ABSENCE**
4. **MINUTES OF THE PREVIOUS MEETING** (Pages 13 - 32)

To approve the Minutes of the meeting of Council held on 28 March 2024, copy attached.

5. **DECLARATIONS OF INTEREST** (Pages 33 - 34)

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](#)

6. **ANNOUNCEMENTS**

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

Item  
No

Subject

7. **RESPONSIBILITY FOR FUNCTIONS - EXECUTIVE DELEGATIONS** (Pages 35 - 80)
8. **COMPOSITION OF COMMITTEES, PANELS AND BOARDS - 2024/25** (Pages 81 - 92)
9. **REPRESENTATION ON OUTSIDE BODIES** (Pages 93 - 100)

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## ELECTION OF CHAIR

<b>Annual Council:</b>	9 May 2024
<b>By:</b>	Committee Services Manager
<b>Cabinet Portfolio Member:</b>	Councillor Everitt, Leader of the Council
<b>Key Decision:</b>	No
<b>Decision classification:</b>	Unrestricted
<b>Call in status:</b>	No
<b>Ward:</b>	All

### Purpose of the Report

This report is to allow Thanet District Council to elect a Chair for the ensuing Municipal year.

### Recommendation(s):

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

### 1. Summary of Reasons

- 1.1 Thanet Council is required to elect a Chair of Council as per Paragraph (1) of Section 4 of Part 1 of the Local Government Act 1972.

### 2. Background

- 2.1 The constitution of the Council states that: "The annual meeting will consider the following:- (ii) elect the Chair of Council;" This clause in the Council's constitution fulfils the requirement in law as outlined at paragraph 1.1 of the report.

### 3. Relevant Issues

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

### 4. Alternative Options

- 4.1 The Council could choose to appoint a chair for the meeting, however this is not recommended as the election would need to be repeated at every subsequent Council meeting until a permanent Chair is elected.

## **5. Consultation**

5.1 Statutory Consultation is not required for this matter.

## **6. Corporate Implications**

### **6.1 Finance and Resources**

6.1.1 There are no direct financial or resourcing implications arising from this decision.

### **6.2 Legal and Constitutional**

6.2.1 Section 3 Local Government Act 1972 requires that the chair of a principal council be elected annually by the council from among the councillors. The Act provides that a member of the executive may not be appointed as chair. The chair is required to continue in office until his successor becomes entitled to act as chair, unless he or she resigns or is disqualified.

### **6.3 Council Policies and Priorities**

6.3.1 *To work efficiently for you*

### **6.4 Risk**

6.4.1 If Council does not elect a Chair of Council, then it would be at risk of acting unlawfully.

### **6.5 Climate Change and Biodiversity**

6.5.1 There are no climate change or biodiversity implications to this report.

## **7. Equality, Equity and Diversity Implications**

7.1 There are no equalities implications arising from this report, as one of the 56 Councillors will be elected as Chair in a democratic vote.

## **8. Crime and Disorder Implications and Community impact**

8.1 There are no crime and disorder implications to this report.

## **Subject History**

The Council elects a Chair at its Annual meeting every year.

## **Appendices**

None

## Background Papers

None

**Report Author(s) Contact:** Nick Hughes, Committee Services Manager

**Telephone:** 01843 577208

**Email:** [nicholas.hughes@thanet.gov.uk](mailto:nicholas.hughes@thanet.gov.uk)

### Report Sign Off

**Legal** Ingrid Brown Head of Legal and Democracy

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

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## ELECTION OF VICE CHAIR

<b>Meeting:</b>	9 May 2024
<b>By:</b>	Committee Services Manager
<b>Cabinet Portfolio Member:</b>	Councillor Everitt, Leader of the Council
<b>Key Decision:</b>	No
<b>Decision classification:</b>	Unrestricted
<b>Call in status:</b>	No
<b>Ward:</b>	All

### Purpose of the Report

This report is to allow Thanet District Council to elect a Vice-Chair for the ensuing Municipal year.

### Recommendation(s):

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

### 1. Summary of Reasons

1.1 The constitution of the Council states that:

“The annual meeting will consider the following:-

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

### 2. Background

2.1 The constitution of the Council states that: “The annual meeting will consider the following:- (iii) elect the Vice Chair of Council;”

### 3. Relevant Issues

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

## **4. Alternative Options**

- 4.1 The Council could choose to appoint a Vice Chair for the meeting, however this is not recommended as the election would need to be repeated at every subsequent Council meeting until a permanent Chair is elected.

## **5. Consultation**

- 5.1 Statutory Consultation is not required for this matter.

## **6. Corporate Implications**

### **6.1 Finance and Resources**

- 6.1.1 There are no direct financial or resourcing implications arising from this report.

### **6.2 Legal and Constitutional**

Section 5 of the Local Government Act 1972 provides that a principal council shall appoint a member of the council to be vice-chair of the council. The Act provides that a member of the executive may not be appointed as vice chair and that the vice chair shall, unless he or she resigns or becomes disqualified, hold office until immediately after the election of a Chair at the next annual meeting of the council.

### **6.3 Council Policies and Priorities**

- 6.3.1 To work efficiently for you

### **6.4 Risk**

- 6.4.1 If Council does not elect a Vice Chair of Council, then it would be at risk of acting unlawfully.

### **6.5 Climate Change and Biodiversity**

- 6.5.1 There are no climate change or biodiversity implications to this report.

## **7. Equality, Equity and Diversity Implications**

- 7.1 There are no equalities implications arising from this report, as one of the 56 Councillors will be elected as Vice Chair in a democratic vote.

## **8. Crime and Disorder Implications and Community impact**

- 8.1 There are no crime and disorder implications to this report.

## Subject History

The Council elects a Chair at its Annual meeting every year.

## Appendices

None

## Background Papers

None

**Report Author(s) Contact:** Nick Hughes, Committee Services Manager

**Telephone:** 01843 577208

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## Report Sign Off

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

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

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## COUNCIL

### Minutes of the meeting held on 28 March 2024 at 7.00 pm in Council Chamber, Council Offices, Cecil Street, Margate, Kent.

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

**In Attendance:**

#### 1. APOLOGIES FOR ABSENCE

Apologies for absence were received from:

Councillor Ara;  
Councillor Braidwood;  
Councillor Crittenden;  
Councillor Manners;  
Councillor Nichols;  
Councillor Worrow;  
Councillor Scott;  
Councillor Smith.

#### 2. MINUTES OF THE PREVIOUS MEETING

The Chair proposed, the Vice-Chair seconded, and Councillors agreed the minutes of the meeting of Full Council on 22 February 2024 subject to the following amendments:

Bottom of page 10 - delete "Councillors debated the motion, Councillors agreed and the motion was carried" and replace with "Councillors debated and agreed the proposed amendments, and so the amended motion was now the motion to be debated."

Bottom of page 10 - delete "Councillor Pugh proposed and Councillor Kup seconded the following amendment" and replace with "Councillor Pugh proposed, and Councillor Kup seconded the following alternative amendments to the former motion.

Bottom of page 12 - delete "Councillors debated the motion, councillors voted against the amended motion, the amended motion was lost" and replace with "Councillors debated and voted against the alternative amendments proposed by Councillor Pugh."

The end of the minute should reflect the following detail, that:

Council proceeded to debate the original motion as amended by Councillor Everitt and when the Chair asked Council to vote on the motion, Councillors agreed the following:

"That this Council:-

## (a) Notes:-

i. In response to the Hamas-led attacks on 7th October, that 'by mid-December the Israeli army has dropped 29,000 bombs, munitions and shells on the strip. Nearly 70% of Gaza's 439,000 homes and half of its buildings have been damaged or destroyed'. Gaza is one of the most densely populated places in the world and home to 2.2 million Palestinians (of whom almost half are children).

iii. As of 21 st January 2024, 25,105 Palestinians have been killed in Gaza and another 62,681 wounded'. Over 1 million Palestinians have been displaced, and many of the killed and injured are children.

iii. That collective punishment is against international law under the Geneva Conventions.

iv. This escalation in violence has been felt acutely across the district by residents and in particular among health care workers and clinical staff at QEQM hospital, the main medical centre for Thanet, which has a far higher level of diversity than the general population, some of whom have lost loved ones. That residents in Thanet, as in other communities, have been further affected by the rise in antisemitic and Islamophobic incidents across the UK and elsewhere.

Thanet has a significant Jewish community and heritage, and 'more than seven out of ten Jews living in the UK have family in Israel, making the horrific 7 th October attack by Hamas personal'. UK Police have also reported a 'record rise in religious hate crimes, with the Community Safety Trust, a Jewish charity describing the figures as 'shocking' and campaigners against Anti-Muslim abuse stating they are 'deeply worrying'. It further notes that it is affecting communities 'trust in authorities and their sense of identity and belonging'.

v. That the Israeli government have cut off water, food, and electricity to Gaza which is a recognised war crime under International Humanitarian Law.

vi. That on the 30 th October 2023 the World Bank warned that 'oil prices could reach \$150 in 2024 due to the consequences of the war leading to further oil supply disruption' which would 'inevitably mean higher food prices'. 'The IMF estimates that a sustained 10% increase in oil prices shaves 0.15 percentage points off global economic growth and adds 0.4 points to inflation in the following year'. It further adds that 'the cost of a barrel of crude oil is now about 10% higher than it was before the Hamas attack'. Government poverty data continues to rank 'Thanet as the most deprived local authority in Kent', it also 'has the most LSOAs within the most deprived decile with 18' and has seen no change since 2015.

Clearly, the impact of increased food and fuel prices now and as predicted into the coming year, will be felt by all Thanet residents but disproportionately felt by the significant number of residents that live in poverty. In addition, higher costs will also negatively affect the Council's finances. With no end in sight and tensions growing 'if the conflict spreads to major oil-producing nations in the region such as Iran, the global economy could face severe repercussions as energy costs for businesses and households spike.'

## (b) Recognises that:

i. What is happening in Gaza is a humanitarian catastrophe with horrific escalations of Violence.

ii. Loss of all civilian lives and atrocities committed against civilians in both the Hamas attacks and the continuing bombardment of the Gaza strip by Israel, is horrific and must be condemned and investigated.

iii. All forms of racism, including Anti-Palestinian racism, Antisemitism and Islamophobia have no place in Thanet or the wider world and condemns any attacks on these groups.

iv. Polls show that UK citizens surveyed overwhelmingly support a humanitarian ceasefire, which has been called for by the U.N. High Commissioner for Human Rights, UNICEF, Save the Children, the head of the WHO, as well as Oxfam. While Ipsos found '7 out of 10 UK citizens are concerned about the impact of the conflict on Palestinians and Israeli civilians' and that they 'are more likely to want the UK Government to be a neutral mediator or not be involved at all than support a particular side.'

v. All political leaders, at all levels of government, have duties under international law to prevent genocide to the extent it is within their power; and that

vi. Thousands of Thanet residents have joined protests, meetings and other events and gatherings, written to MPs, or contacted their councillors backing these calls for a ceasefire.

(c) Therefore resolves to:-

(i) Call upon the UK Government and all Westminster political parties to-

i. Call for an immediate humanitarian ceasefire,

ii. Call for the opening of humanitarian corridors into Gaza to allow aid and other vital medical resources to flow unhindered in,

iii. Call for the immediate unconditional release of the hostages held by Hamas;

iv. Call for resumed negotiations to seek a peaceful two state solution that ensures justice, safety, fairness and equality for all;

(v) request that the Leader submits this Motion to the UK Prime Minister.”

### 3. **ANNOUNCEMENTS**

There were no announcements.

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

There were no declarations of interest.

### 5. **PETITIONS**

(a) **Response to Petition regarding removal of vehicles and unattached trailers from Lyell Court and Briece Court, Birchington**

It was noted that the council's response to the petition had been outlined in the agenda.

Councillors commented and gave thanks to the petitioner for bringing the petition to the council's attention.

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

(a) **QUESTION NO.1 FROM A MEMBER OF THE PUBLIC REGARDING THE DEVELOPMENT OF AGRICULTURAL LAND AND FARMLAND**

Mr Fisher asked Councillor Whitehead the following question:

“On March 23rd last year before the Thanet Council Elections, you actively posted on the Helen for Thanet Facebook site that you were against the development of agricultural Land and Farmland.

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What has changed and why? You now single mindedly pursuing a farming site and closing off any suggestions from the public, it seems inconsistent do you not think?”

Councillor Whitehead responded with the following points:

- The council was required to balance the competing demands of the need to provide homes for local people with the need to protect the natural environment, safeguard the landscape and land for agriculture and, more recently, plan for increases in biodiversity in the district.
  - These were difficult decisions, not made any easier by the fact that the National Planning Policy Framework fails to provide adequate protection to agricultural land. The NPPF also fails to properly enable effective regional planning that would enable decisions about the country’s housing and infrastructure needs to be made over larger geographical areas, beyond district boundaries. Thanet is a relatively small district, with limited brownfield land options for development to meet the needs of local people.
  - The leader of the council wrote to the Secretary of State for Leveling-Up. Housing And Communities on 11 September 2023, setting out this administration’s position and urging the government to provide greater protection for agricultural land. A letter that I fully support.
  - In the meantime, the report approved by Cabinet on 25 January 2024, in relation to land at Shottendane Road, confirmed that any, ‘proposals for the provision of housing on the wider Shottendane Road site could only be considered, following the assessment of all land submitted to the council as part of the ‘Call for Sites’ and the completion of the current review of the Thanet Local Plan.’
  - The decision to allocate any land for development as part of the Local Plan, is not a matter for the Cabinet Member for Housing, nor a matter for the Cabinet, but would be determined by Full Council and subsequently by the Planning Inspectorate following public examination. This process ensured that suggestions from the public are comprehensively considered.
  - Deliberate misinformation had been disseminated and it was noted that the questioner had attempted to intimidate Councillor Whitehead through social media platforms.
- (b) **QUESTION NO.2 FROM A MEMBER OF THE PUBLIC REGARDING POTENTIAL TRAVELLER SITES**

Mr Lane was unable to attend the meeting. Therefore, his question would be responded to in writing.

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

(a) **QUESTION NO. 1 FROM A COUNCILLOR REGARDING JACKEY BAKERS**

Councillor W. Scobie asked the following question to Councillor Albon:

“Would the Cabinet member please provide an update on planned improvements at Jacky Bakers and the proposed Master Plan for this site?”



Councillor Albon responded:

- Cabinet considered a report about Jackey Bakers at its meeting on 14 December 2023. The report recommended the demolition of the existing Pavillion and the installation of temporary portacabin style changing facilities.
- Over the past three months officers had undertaken the design work required to submit a planning application for the installation of the temporary portacabin style changing facilities. In addition officers had also developed the tender documents required for both the demolition work and the new facility installation. The planning application will be submitted early in April 2024, with the tender advertised while the planning application is being considered.
- The report also included a draft master plan for future improvements to the facilities at Jackey Bakers, and recommended that the council consult with the community about this before adopting the proposal. The report also advised that the proposals in the draft master plan were, at that stage unfunded.
- The adoption of a master plan could however provide an opportunity to bid for further external funding if and when opportunities arise, and to work collaboratively with local and national partners to deliver a long term and ambitious vision for the site.
- Since that time the council has agreed a new budget for the financial year 2024/25, including a one-off sum of £50k, to be drawn from reserves, to support sports development in the district. In addition, recent conversations with the Kent Football Association have been positive about funding that could become available via them to increase the work done with local communities and their access to sport and facilities. This includes potential support for pitch improvements at Jackey Bakers for the 2024/25 football season.
- Plans are being developed around the use of the £50k funding for sports development, which will provide an opportunity to progress with the public consultation about Jackey Bakers.

Councillor Scobie followed up his question by asking whether there would be regular meetings with officers and the Jackey Bakers action group?

Councillor Albon responded that this could happen moving forth.

(b) **QUESTION NO. 2 FROM A COUNCILLOR REGARDING ENFORCEMENT OFFICERS ON BEACHES**

Councillor Munns asked Councillor Albon the following question:

“Last year we learned in answer to my question to Council that no FPNs were issued under the Council's PSPO – only interventions.

Despite TDC officers' assurances to me and fellow Councillors, we did not deploy warranted officers.

This season, how many enforcement officers will be patrolling Thanet beaches, and crucially, will they be warranted to issue penalty notices and will senior TDC officers direct them to do so?

TDC has a duty of care to visitors. Last year on Botany Bay beach a child suffered serious burns from a buried disposable BBQ. Issuing fines and publicising the fact would help deter breaches of the PSPO and protect visitors.

What level of operational cooperation will TDC enforcement officers have with local police? Please outline what, if any, formal process exists between senior TDC officers and Thanet police to ensure cooperation and operational effectiveness and how is this monitored?"

Councillor Albon responded with the following points:

- Last year the Council employed a team of new coastal enforcement officers who needed to undertake training in order to exercise their delegated authority to enforce. This training was completed in June, and from July onwards they could enforce. Records are made of interactions between our coastal enforcement officers and beach users. These records indicate that over 500 breaches were prevented last year due to educational interventions. Community Protection Warnings were also issued when required.
- This year the council would employ three full time permanent coastal enforcement officers. The level of resource will be supplemented over the summer season with a further four part time seasonal coastal enforcement officers to maximise coverage during busy periods. New coastal enforcement officers would be trained in May. Coastal enforcement officers will be directed to issue fixed penalty notices where appropriate. Coastal enforcement officers will however continue to take a balanced and proportionate approach to its work with a focus on interaction with members of the public and prevention of behaviour which would otherwise warrant the issuing of fixed penalty notices. The coastal enforcement team is part of an ongoing project with local police teams, working in close partnership with each other. The coastal enforcement team will share daily updates and meet weekly with the local police team to share logs, reports and information to aid partnership working.
- It is unacceptable when anyone is hurt on our beaches due to the irresponsible behaviour of a minority of beach users. The PSPO specifically references bonfires and disposable barbecues which are not allowed on our beaches at any time. The council's website provides guidance for the safe use and removal of barbecues after 6pm. This guidance will be promoted and highlighted via social media channels ahead of and during the 2024 season.

Councillor Munns followed up his question by asking whether the officers would be warranted from May, or would they need training before?

Councillor Albon responded that all officers would be trained. They would not carry warrant cards but could issue notices.

(c) **QUESTION NO. 3 FROM A COUNCILLOR REGARDING USABLE COMPOSTABLE MATERIAL**

Councillor Rogers asked Councillor Albon the following question:

“Since my question was put to the last full council meeting, I have received many written and verbal complaints regarding the huge waste of public money spent on removing green waste at the Dane Park Depot. I have since found out that officers were concerned about this issue three years ago but were ignored. A local farmer estimated that the cost of disposing 2,200 tonnes of usable compostable material could have cost the council £30,000 not £275,000. My question is are the council considering managing this waste to produce a profitable income stream?”

Councillor Albon responded with the following key points:

- The accumulated waste at Dane Park Depot was mixed waste, which included soil, green waste, wood and metal. For this reason it could not be removed as green waste only. The waste removal was carried out to ensure compliance with Environment Agency requirements and to protect the local environment.
- When this issue was brought to the attention of the council’s Corporate Management Team (CMT) by the Head of Coastal and Public Realm in November 2023, it was progressed with urgency, as described in the report to Cabinet on 25 January 2024. It makes sense that some officers may have been aware of the accumulation of waste earlier than this but the issue was not brought to the attention of CMT until the later part of 2023.
- Moving forward, the exemptions the Council have put in place allow for materials (including wood, metal, plastics, hardcore and green waste) to be separated into material types with different storage areas, and stored at the depot.
- The Council is aware of the value of recycling waste from moral, ethical and legislative obligations. The Council’s grass cuttings are ‘grasscycled’ and left to provide a natural fertiliser to grassed areas. Materials will be re-used where they can, such as wood chips being used for paths or borders. Materials that can not be re-used by the service, are recycled wherever possible and the segregation ensures this is maximised.
- The Council is looking at all avenues open to it to ensure waste is recycled in the most cost effective, legal and ethical way possible.

Councillor Rogers followed up the question by asking whether the council would look at suitable sites for green waste, would officers involve councillors and the relevant portfolio holders.

Councillor Albon responded that he would discuss this further with the director and head of service.

(d) **QUESTION NO. 4 FROM A COUNCILLOR REGARDING THE WINTER GARDENS**

Councillor Rattigan asked Councillor Duckworth the following question:

Can I please have an update on the winter gardens, how many expression of interests have there been, are any of these expressions being taken forward to further discussion, if so do we have any target dates. ”

Councillor Duckworth responded with the following key points:

- A detailed update on the Margate Regeneration Programme was considered by Cabinet at its meeting on 29 February 2024 and subsequently by the Overview and Scrutiny Panel.
- A further report about the programme was considered by Cabinet on 14 March 2024, when it was agreed that £4m of the Margate Town Deal funding would be allocated to the Winter Gardens project.
- The report provided an update on the marketing campaign and expressions of interest. In particular, the report stated that: ‘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.’
- A second expression of interest has subsequently been received, also recognising the funding gap in the project, linked to its heritage deficit.
- The agents, Colliers, also provided 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.
- Now that the council has agreed to allocate £4m of Town Deal funding to the project, we will be proceeding with stage two of the marketing campaign, and will be seeking more detailed submissions in relation to the proposed refurbishment of the building and the operational arrangements for the venue. As part of stage 2, the data room will be updated with information about the £4m funding and further open days will be arranged. We expect this stage 2 process to start in April and be completed during May 2024.

Councillor Rattigan followed up the question by asking whether the new funding would be put out to re-tender.

Councillor Duckworth confirmed the funding would be put out to re-tender.

(e) **QUESTION NO. 5 FROM A COUNCILLOR REGARDING COLLABORATION BETWEEN THE COUNCIL AND TOWN AND PARISH COUNCILS**

Councillor Fellows asked Councillor Everitt the following question:

“Following cabinets full agreement to the recommendations in the Review from Overview and Scrutiny on ‘Collaboration between TDC and Town/Parish councils’;

Can Cllr Everett confirm when the first Full Parish Forum will take place?”

Councillor Everitt responded with the following key points:

- Council Officers are currently preparing terms of reference for a new Parish Forum and will be in a position to contact Town and Parish Councils during April 2024, with a view to agreeing a date for an initial meeting in May 2024.
- There were eight recommendations in total from the review, all of which Cabinet agreed last autumn. I believe that one of the roles of the new forum should be to oversee and monitor their implementation, but of course that is something for the forum to agree.

Councillor Fellows followed up his question by asking for Councillor Everitt to confirm that the council would look closely at all reviews by the Overview and Scrutiny Panel.

Councillor Everitt noted that there was a lot of value in scrutiny and the reviews were looked at.

(f) **QUESTION NO. 6 FROM A COUNCILLOR REGARDING LITTERING**

Councillor Bambridge asked Councillor Albon the following question:

“Labour promised to clean the streets but I see litter everywhere. Can you please confirm how many fines have been issued for littering in the past 12 months?”

Councillor Albon responded with the following key points:

- In order to continue to tackle the problem of litter on our streets the 2024/25 budget includes a growth item enabling the recruitment of six permanent Street Cleansing Operatives. This will complement the core service including the electric ‘walk behind’ sweepers deployed in Margate, Broadstairs, Ramsgate and Cliftonville. The council is also in the process of purchasing two large 7.5 tonne mechanical sweepers which will double the current large sweeper provision.
- In recent years the Environmental Education Officer has led some successful campaigns and interventions to educate people on the impacts of littering. This post is currently vacant but recruitment is being undertaken.
- Enforcement teams investigated 2,881 fly tipping complaints in 2022 and issued 82 penalty notices. The team works hard to tackle waste issues.

Councillor Bambridge followed up her question by asking whether the council would make an easy to find calendar with all litter picking events.

Councillor Albon responded and noted this was a good idea. This would be discussed further with officers.

(g) **QUESTION NO. 7 FROM A COUNCILLOR REGARDING MANSTON AIRPORT**

Councillor Pugh asked Councillor Everitt the following question:

“Can the Leader provide an update to councillors on any meetings he has had with Riveroak Strategic Partners in relation to the reopening of Manston Airport?”

Councillor Everitt responded with the following key points:

- A meeting with Tony Freudmann from RSP happened on 20 December 2023, and RSP provided an update on the site. A note of that meeting was provided to all councillors. I also attended a site visit, at the invitation of RSP, on 16 December 2023, along with other councillors and a council officer to talk about RSP’s plans for the site.
- It was agreed on 20 December that Mr Freudmann would attend a members’ briefing in the late spring or summer, when the situation had moved on.
- There remain a large number of detailed matters that are still to be determined in relation to the necessary development at the airport.
- Tony Freudmann has submitted a document to the council, listing all of the matters that are still to be determined in accordance with the Development Control Order issued by the Government, and officers have already provided some feedback on these issues.
- The courts are still working through the legal process in relation to the DCO. The most recent Judicial Review application was initially refused, however the Court of Appeal has now granted permission to appeal on the sole ground of need and we await the outcome of that appeal.

Councillor Pugh followed up his question by asking the leader whether he viewed the airport as viable for opening.

Councillor Everitt responded that he believed it was not viable for opening. However, if it was viable for opening, the jobs that the opening would bring would be welcomed.

(h) **QUESTION NO. 8 FROM A COUNCILLOR REGARDING PARKING ENFORCEMENT OFFICERS**

Councillor Towing asked Councillor Keen the following question:

“Can you confirm how many full time parking enforcement officers are currently employed by the council?”

Councillor Keen responded with the following key points:

- There are 11 full time equivalent Civil Enforcement Officer posts in the current establishment, with 3 posts currently filled, the council had four cv’s submitted for process in the coming weeks and an ongoing recruitment open with a local agency.

- It is common knowledge that these roles are extremely difficult to recruit to and this is a problem faced by local authorities across the country with a number of Kent authorities currently running recruitment campaigns.
- We have an ongoing recruitment campaign and have included a market supplement to encourage applicants.
- We have recruited a number of officers over the last 6 months since my last update regarding this situation, however there remains a high level of staff turnover in this area.

Councillor Towning followed up his question by asking how many enforcement officers would be employed by summer 2024.

Councillor Keen responded that this figure could not be given. It was a difficult position to fill, but the council was working on filling these positions ready for the summer months.

(i) **QUESTION NO.9 FROM A COUNCILLOR REGARDING THE GYPSY AND TRAVELLER SITES**

Councillor K. Bright asked Councillor Everitt the following question:

“I welcome the forthcoming public consultation on the provision of a site and facilities for the Gypsy & Traveller community. This is the right thing to do for some of the most vulnerable members of our community.

However – at January’s O&S Panel and subsequent cabinet meeting, the history of the decision making process for choosing this site was unclear.

Can the leader confirm:

Whether any work was done to explore the suitability of land at Shottendane Road for use as a potential Gypsy and Traveller site between June 2021 and May 2023?  
 Whether officers and cabinet members visited the site and if so – when?  
 Whether the site was then discounted for such use or whether it was considered thereafter as a viable option?”

Councillor Everitt responded with the following key points:

- Work to find a suitable site began in 2019, when a cross-party sub-group of the Overview and Scrutiny Panel considered five possible site options.
- In July 2020, Cabinet considered a list of 14 different sites in the district, each of which was scored by officers according to ten different criteria. Shottendane Road was rated the most suitable, against these criteria. This information is publicly available.
- It should be noted that the former Ramsgate Hoverport was included in this process and not deemed a viable location. It was ranked fifth out of five sites considered by a cross-party sub-group of the Overview and Scrutiny Panel in November 2019 and, 14th out of 14 sites considered

in the officer report to Cabinet in July 2020. It was therefore taken out of consideration.

- This was on the basis of it being in an obvious flood risk, located next to a nationally protected area of high environmental sensitivity, and consists of hardstanding, unsuitable for children's play. It also offers limited access to services.
- Following a further report to Cabinet in September 2020 it was decided to bring the matter forward as part of the planned review of the Thanet Local Plan, which has statutory consultation processes, is subject to government inspection, and has the advantage of considering future land use across the district in the round.
- A subsequent public "call for sites" in 2021 as part of the Local Plan review process, produced no submissions from landowners for sites for the Gypsy and Traveller community. The Local Plan review has also been delayed, first by uncertainty around the future of Manston airport and then by government changes to national planning policy.
- Work continued between 2021 and 2023, under the previous administration, and that the previous cabinet visited a number of sites on 23 May 2022, including both the land at Shottendane Road and a site off of Highfield Road. The previous Cabinet subsequently removed the land at Highfield Road from consideration, when it took a formal decision on 2 March 2023 to transfer this land into the council's Housing Revenue Account for the delivery of new affordable homes.

Councillor Bright followed up his question by asking whether the council would work with current tenants to ensure that the majority of land remaining would remain viable to agricultural land.

Councillor Everitt responded, noting that this was the Council's plan.

(j) **QUESTION NO.10 FROM A COUNCILLOR REGARDING THE WINTER GARDENS**

Councillor Packman asked Councillor Everitt the following question:

"I welcome the change made earlier this month by the Cabinet to reallocate £4m to invest in the Winter Gardens and Labour's commitment to reopening this iconic Margate venue, but I am concerned about a public comment on social media from a Conservative Councillor for Cliftonville that they think the Winter Gardens should be demolished. Would the Leader please reiterate to all members the importance of the Winter Gardens for Thanet and the folly of any calls to demolish it?"

Councillor Everitt responded with the following key points:

- First constructed in 1911, the Winter Gardens was a significant heritage asset and Grade II listed building. It is specifically referenced in a published statement from English Heritage about Margate's Seaside Heritage.



- With much of the original 1911 architecture still intact, the Margate Winter Gardens was one of the finest examples of a seaside concert hall in the UK. Owned by the Council, it was a vital part of Margate's year round offer, providing space for concerts, events and community gatherings. It was a valuable asset to the council and the community.
- Cabinet had confirmed its commitment to the project to restore and reopen this much loved venue, with the recent decision to allocate £4m of Town Deal funding to the Winter Gardens.
- Demolition was not an option.

Councillor Packman did not have a follow up question.

(k) **QUESTION NO.11 FROM A COUNCILLOR REGARDING THE 75th ANNIVERSARY OF THE VIKING SHIP HUGIN**

Councillor Davis asked Councillor Everitt the following question:

"This year is the 75th Anniversary of the Danish government's gift of the Viking ship Hugin to mark 1500 years following the arrival of Hengist and Horsa at Ebbsfleet. Is Thanet District Council planning to celebrate this in any way, and if not, will it give positive support to Cliffsend Parish Council's plans to do so?"

Councillor Everitt responded with the following key point:

- Cliffsend Parish Council was being supported by the Technical Support Team in how to put their event on. The Parish Council was working on their event plans and the Safety Advisory Group will provide feedback when these are received.

Councillor Davis did not have a follow up question.

8. **NOTICE OF MOTION**

(a) **Abuse of Councillors and Officers Motion**

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

"The intimidation and abuse of Councillors and Officers, in person or otherwise, undermines democracy, preventing elected members from representing the communities they serve, deterring individuals from standing for elections, and undermines public life, democratic processes and working representation.

This Council notes that increasing levels of toxicity in public and political discourse is having a detrimental impact on local democracy and that prevention, support and responses to abuse and intimidation of local politicians and Officers must improve to ensure Councillors and employees feel safe and able to continue representing their residents.

We therefore commit to challenge the normalisation of abuse against Councillors and Officers and uphold exemplary standards of public life and political debate in all we do. The Local Government Association's Debate Not Hate campaign aims to raise public awareness of the role of Councillors in local communities, encourage healthy debate and improve the response to and support those in public life facing abuse and intimidation.

To tackle these issues effectively, we agree:

1. That the Council signs up to the Local Government Association's Debate Not Hate campaign.
2. That the Leader of the Council writes to the local Members of Parliament to ask them to support the Debate Not Hate campaign;
3. That the Leader of the Council writes to the Government to ask them to work with the Local Government Association to develop and implement a plan to address abuse and intimidation of politicians;
4. That we collectively and individually support Councillors and Officers facing harassment and abuse, and model positive behaviour and positive politics in our political lives;
5. That we make support and relevant training available to Councillors in relation to abuse and intimidation and that Councillor safety related to this is explicitly included as part of our Member Induction Programme."

The Leader of the opposition party, Councillor Pugh, responded to the motion.

During debate Councillors made the following comments:

- Discussion around the conduct on social media was noted. Councillors should also abide by the code of conduct on social media platforms.
- There was a zero tolerance policy regarding abuse.
- Support for the motion was largely given verbally by Councillors.

Councillors debated the motion, Councillors agreed and the motion was carried.

(b) **Fair Tax Declaration Motion**

During the last meeting of Council, Thursday 22 February 2024, Councillors agreed to debate the motion regarding fair tax.

Councillor Austin advised the council that she had changed her the motion as per Council Procedure Rule 3.6 as followed:

"The Green Group is proposing this motion to highlight the positive role that tax plays in our society. Tax should not be seen as a burden, as it is characterised by some politicians and certain media. If we all pay our fair share, it is a means of funding essential public services and ensuring all our communities are properly supported.

As a responsible public body, we want to lead by example, to stand up for better standards and campaign to change public procurement rules. Between 2014 and 2019, 17.5% of public procurement contracts were won by businesses with a connection to a tax haven. We find this unacceptable - and so do the majority of the public. Polls show over 60% of people believe public bodies should be able to consider company ethics and responsible tax conduct when awarding contracts to suppliers - but at present we are not permitted to do so.

We are therefore asking Council to support the following motion:

This Council resolves to:

Approve the Councils for Fair Tax Declaration.

Lead by example and demonstrate good practice in our tax conduct, right across our activities.

Ensure IR35 is implemented robustly and contract workers pay a fair share of employment taxes.

Not use offshore vehicles for the purchase of land and property, especially where this leads to reduced payments of stamp duty.

The Council commits to not using not-for-profit structures inappropriately as an artificial device to reduce the payment of tax and business rates.

Demand clarity on the ultimate beneficial ownership of suppliers UK and overseas and their consolidated profit & loss position, given lack of clarity could be strong indicators of poor financial probity and weak financial standing.

Promote Fair Tax Mark certification especially for any business in which we have a significant stake and where corporation tax is due.

Support Fair Tax Week events in the area, and celebrate the tax contribution made by responsible businesses are proud to promote responsible tax conduct and pay their fair share of corporation tax.

Support calls for urgent reform of UK procurement law to enable local authorities to better penalise poor tax conduct and reward good tax conduct through their procurement policies.”

During debate Councillors made the following comments:

- Tax was considered an investment in the future.
- It was important that the council made it clear where they stood regarding the fair tax. This motion, if adopted, would have no additional costs for the council.

Councillors debated the motion, Councillors agreed and the motion was carried.

## 9. LEADERS REPORT

The Leader, Councillor Everitt, gave his report making the following key points:

- Ramsgate had been awarded an additional £20m as part of the extension of the long term plan for towns.
- Thanks to officers working on Ramsgate regeneration programme were given. This was considered an exciting opportunity.
- The Home Office had halted plans to build a secure removals centre at Manston.
- It had been reported that rising numbers of migrants had been crossing the channel in 2024. The Home Office planned to upgrade the standard of its migrant reception facility at Manston, creating permanent structures to replace temporary ones. The council would continue to liaise with them about planning issues, although this council will not be the decision maker.
- The marketing exercise for the Winter Gardens was being relaunched with the £4m town deal fund now attached.
- The council had success regarding the push to expand the council's affordable housing stock.

- The home energy team had been doing great work which included helping residents access grants and learn about opportunities to improve the energy efficiency of their homes.
- The council had been awarded £675,000 from the Swimming Pool Support Fund, which would be used to pay for solar panels and variable speed filter pumps at Ramsgate Leisure Centre.
- £200,000 in grants from the UK Shared Prosperity Fund had been granted to the council. Approximately, £194,000 of this went to 26 community, voluntary and social enterprise groups across the most deprived communities in the district, focused on Cliftonville West, Dane Valley and Margate Central, in Margate; and Newington and Northwood, and Central Harbour and Eastcliff, in Ramsgate.
- It was pleasing that the Local Government Boundary Commission for England supported the council's recommendation that the council should move to 42 councillors in 2027.

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

- The £4m funding for the Winter Gardens was welcomed.
- Thanks to the home energy team was shared.
- Levelling up deadlines were fast approaching, many aspects of the project should have been finalised by this point in time. It was questioned whether the council would commit to doing all the current open projects in Ramsgate and Margate.
- The shared prosperity fund news was welcomed.

Councillor Everitt responded with the following points:

- Levelling up deadlines were being work towards.

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

- All new money that the council was granted was considered a positive. Smaller communities would benefit from the funding.
- The expansion of the council's housing stock was positive. However, there was a need for more council properties.
- Thanks to officers in the home energy team were given.
- Keeping the districts streets cleaned was a hot topic, and increased spending was crucial.

Councillor Everitt responded with the following points:

- The right to buy was a large part of the reason why there was a major housing crisis.
- Tribute to Councillor Whitehead was paid for her contributions on the housing work.

Councillor Worrow was not present at the meeting.

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

Councillor Fellows, Chair of the Overview and Scrutiny Panel, presented the report. It was noted that several extraordinary meetings had been scheduled. It was a busy period for the panel, with some lively scrutinising.

Councillor Fellows thanked the Councillors of the Committee and the council officers involved in the Committee.

Members noted the report.

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

Mr Tucker, the Chair of the Standards Committee, presented his report. It was noted that the social media policy was being reviewed.

Members noted the report.

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

Councillor W.Scobie, Chair of the Governance and Audit Committee, presented the report. It was noted that the Committee’s membership in future should be balanced, with an equal amount of both experienced and new councillors.

It was recommended that the Constitutional Review Committee look at the rule of debate within the constitution and how this was applied to all committees. The committee wanted to foster debate and questioning.

Thanks were given to members that served on the Committee and council officers.

Councillors noted the report.

**13. BUDGET MONITORING REPORT NO.3, 2023/24**

Councillor Yates proposed, Councillor Albon seconded, Councillors agreed the recommendations as set out in the report be adopted namely:

“That Council approve the supplementary budgets for:

- 1) The £275k requirement for the removal of waste at the Dane Park Depot is funded from the risk reserve as set out in section 2.2 of this report
- 2) That Council approves the supplementary capital budgets, numbered i to ii inclusive, as set out in section 3 to this report.
- 3) That Council approves the supplementary HRA capital budgets as set out in section 4 to this report.”

**14. CONTRACT PROCEDURE RULES**

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

“Council is asked to approve the revised content of CSOs.”

**15. COUNCILLOR / OFFICER PROTOCOL**

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

“It is recommended that Councillors carefully consider the detail of the revised Councillor/Officer protocol and approve its incorporation into the Constitution in place of the protocol at Annex 2.”

**16. REVISED CONSTITUTIONAL CHANGE PROCESS**

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

“Members are asked to agree the recommendations from the Standards Committee regarding the Council’s constitutional change process, namely:

1. the Council’s constitutional change process changes from a three stage process (CRWP>Standards>Council) to a two stage process (CRWP>Council)
2. That the CRWP membership be expanded in line with other Committees
3. That the CRWP have an annual meeting to consider the future years work programme.
4. That the CRWP changes its name to Constitutional Review Committee.
5. Democratic Services to schedule (4) regular meetings in line with the appropriate council meeting.”

**17. CHANGES TO COMMITTEES**

The Leader had informed Democratic Services that he wished to add Councillor J. Bright as a substitute on the Governance and Audit Committee.

Councillor Garner informed Democratic Services that Councillor Austin would be removed from the Standards Committee, and would be replaced by Councillor Garner.

Councillor Pugh had no new nomination changes.

Councillor Worrow had no new nomination changes.

**18. AMENDMENT TO THE CALENDAR OF MEETINGS 2024-27**

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

“That Council agrees to move the date of the Overview and Scrutiny Panel meeting from the 18 April to 16 April.”

**19. APPOINTMENT OF THE INTERIM CHIEF EXECUTIVE AND HEAD OF PAID SERVICE**

Councillor Everitt proposed, Councillor Pugh seconded and Councillors agreed the recommendations in the report:

- “1. Consider the recommendations from the General Purposes Committee and agree to extend the appointment of Colin Carmichael as Interim Chief Executive, Head of Paid Service and Returning Officer for a further year, until 31 July 2025;
2. Note that the Appointment Panel has the responsibility of determining the timing and process of the appointment of a permanent Chief Executive.”

Meeting concluded : 9.26 pm



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

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

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

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

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

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

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

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

An associated person is defined as:

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

An Authority Function is defined as: -

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

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

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

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

## **Gifts, Benefits and Hospitality**

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

## **What if I am unsure?**

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

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

## **RESPONSIBILITY FOR FUNCTIONS - EXECUTIVE DECISIONS**

<b>Annual Council</b>	09 May 2024
<b>By</b>	Ingrid Brown, Head of Legal and Democracy & Monitoring Officer
<b>Cabinet Portfolio Member</b>	Councillor Everitt, Leader of Council
<b>Key Decision</b>	No
<b>Decision classification</b>	Unrestricted
<b>Call in status</b>	No
<b>Ward:</b>	Thanet Wide

### **Purpose of the Report**

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

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

As this is an executive function and the prerogative of the Leader of Council to decide on the matter, Full Council is being asked to note the report.

## **1. Summary of Reasons**

1.1 In accordance with the Council's constitution:

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

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

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

- 1.3 The range of functions that are the responsibility of the executive that the Leader has assigned to the Leader, Cabinet or individual Cabinet Members will be announced at the meeting. The Scheme of executive functions which the Leader has delegated to officers will also be announced at the meeting.
- 1.4 It is worth noting that all key decisions must be collectively agreed by Cabinet, unless Cabinet makes a specific decision to delegate that decision to a Cabinet member, committee or officer.

## **2. Background**

### **2.1 Introduction and Background**

- 2.2 At each Annual Council meeting, the Leader is expected to inform Council on the structure of the Executive portfolios and the appointment to those posts. The Leader of Council is also required to inform Council of the scheme of delegations for the Cabinet and Officers, as per the Council's Constitution (Part 4-Rules of Procedure (para 2.2 (viii-ix)).
- 2.3 The Officer Schemes of Delegations are also detailed on the Council's website and as set out in Annexes 3 to 6 to the report.
- 2.4 This report is therefore for information only.

## **3. Current Situation**

- 3.1 The Cabinet must consist of the Leader of the Council, the Deputy Leader and at least one but not more than eight other Councillors also appointed by the Leader.
- 3.2 Details of the Cabinet portfolios and functions covered for the 2024/25 municipal year will be announced at the meeting.
- 3.3 The Leader will appoint Cabinet Members to the portfolios that are announced at the meeting.
- 3.4 The names of the opposition spokespeople will be circulated at the Meeting. The opposition spokespeople must exactly mirror the Cabinet Portfolios.

## **4. Alternative Options**

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

## **5. Consultation**

- 5.1 There was no public consultation undertaken for this issue as this matter is dived on through the internal corporate decision making process and does not require public consultation to be undertaken.

## **6. Corporate Implications**

### **6.1 Finance and Resources**

6.1.1 There are no financial or resourcing implications directly arising from this report.

### **6.2 Legal and Constitutional**

6.2.1 The Leader must approve a scheme of Executive delegations. It is for the Leader of Council to appoint holders of Cabinet posts and for each of the other Groups to nominate the holders of shadow portfolio posts. Cabinet and shadow portfolios are generally aligned in a way which mirrors themes (or combinations of themes) within the Council's Corporate Plan, to aid in the delivery of that Plan.

### **6.3 Council Policies and Priorities**

6.3.1 This report relates to the following corporate priorities: -

- To work efficiently for you

### **6.4 Risk**

6.4.1 There are no risk implications arising directly from this report.

### **6.5 Climate Change and Biodiversity**

6.5.1 There are no climate change and biodiversity implications arising directly from this report.

## **7. Equality, Equity and Diversity Implications**

7.1 There are no equity and equalities implications arising from this report. However it is important to be aware of the Council's responsibility under the Public Sector Equality Duty (PSED) and show evidence that due consideration has been given to the equalities impact that may be brought upon communities by the decisions made by Council.

## **8. Crime and Disorder Implications and Community impact**

8.1 There are no crime and disorder and community impact implications arising directly from this report.

## **9. Subject History**

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

## Appendices

Annex 1 - Part 3 Scheme of Delegations Section D  
Annex 2 - Part 3 Scheme of Delegations Section E  
Annex 3 - Chief Executive delegations  
Annex 4 - Director of Corporate Services and Section 151 delegations  
Annex 5 - Director of Environment delegations  
Annex 6 - Director of Place Delegations

## Background Papers

None

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**Report Sign Off / Signed off by / Date sent / Date signed off / Initials**

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

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

## SECTION D. RESPONSIBILITY FOR EXECUTIVE FUNCTIONS

### Responsibility for functions and procedures

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

### RESPONSIBILITY FOR EXECUTIVE FUNCTIONS

#### 1. General

- 1.1 All the functions of the Council are executive functions except for:
  - Those listed in Schedule 1 of the Local Authority's (Functions and Responsibilities) (England) Regulations 2000 (as amended); and
  - Those set out in this Constitution as being the responsibility of the Council or a body established by the Council.
- 1.2 Executive functions will be exercised by the Leader except when the matter is dealt with under joint arrangements or delegated to the Cabinet, a committee of Cabinet, an individual Cabinet member or an Officer.
- 1.3 The Leader will discharge both these functions in accordance with the Cabinet procedures and the access to information rules.
- 1.4 The Leader will make sure all necessary steps are taken to prepare the Authority's budget, and those plans and strategies which constitute the Authority's policy framework as set out in Part 4 of this Constitution prior to their final approval and adoption by the Council. They will undertake this work in accordance with the budget and policy framework procedure rules.

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

#### 1. Background

- 1.1 The Council has adopted the Leader and Cabinet style of executive arrangements. Under this arrangement all executive functions are vested in the Leader who can then delegate functions as seen fit. This document sets out the delegation of those functions but excludes any decisions that are contrary to the policy framework or budget which must be taken by council.
- 1.2 The Leader is responsible for:
  - appointing members of the Cabinet;
  - delegating executive responsibilities to the Cabinet;
  - delegating executive responsibilities to committees carrying out executive functions;
  - delegating executive responsibilities to individual Cabinet members;

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## Annex 1

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

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

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

#### Key Decisions

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

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

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

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

### **4. Delegations to Cabinet Members**

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



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## Annex 1

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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## Annex 1

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

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

Leader Of The Council with Strategy and Transformation Portfolio

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

To lead policy development and advise the Cabinet on:

1. Strategy and Transformation
2. Strategic Planning
3. Planning (Development Control)
4. Port and Harbours
5. Levelling Up and Town Deals Projects

Delegated powers on the following areas within the portfolios of:

#### Neighbourhoods

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

#### Corporate Services

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

### **Deputy Leader of the Council**

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

### **Portfolio - Regeneration and Property**

#### **Scope of Portfolio**

To lead policy development and advise the Cabinet on:

1. Regeneration and Growth
2. Property

**Portfolio - Cleansing and Coastal Services**

**Scope of Portfolio**

To lead policy development and advise the Cabinet on:

1. Cleansing
2. Coastal and Public Realm

**Portfolio - Corporate Services**

**Scope of Portfolio:**

To lead policy development and advise the Cabinet on:

1. Finance and Procurement
2. Legal and Democracy
3. Human Resources
4. Facilities Management
5. Health and Safety
6. Revenues and Benefits
7. Climate Change

**Portfolio - Housing**

**Scope of Portfolio**

To lead policy development and advise the Cabinet on:

1. Tenancy Services
2. Housing Options
3. Housing Strategy and Projects
4. Private Sector Housing
5. Housing Capital Developments

**Portfolio – Community**

**Scope of Portfolio:**

To lead policy development and advise the Cabinet on:

1. Cemeteries and Crematorium
2. Multi-agency services (Margate Task Force)
3. Enforcement services
4. Community safety
5. Regulatory services (Environmental Health/Licensing/Food safety/Air quality)
6. Technical support

**Portfolio – Parking**

**Scope of Portfolio:**

To lead policy development and advise the Cabinet on:

1. Parking

## 5. Delegations To East Kent Services

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

## 6. General Rules As To Cabinet Delegations

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

### 6.1 Delegation To Officers

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

An Officer can only carry out a responsibility if:

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

Officers' use of delegated powers:

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

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

### 6.2 Interpreting The Rules On Delegation

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

**6.3 Responsibilities Not Covered By This Scheme**

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

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

Councillor .....

Leader of Thanet District Council

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

As at the Council Meeting of 09 May 2024

PART A MANAGEMENT STRUCTURE

PART B SCHEME OF DELEGATIONS TO OFFICERS

**Part A – Management Structure**

The Corporate Management Team (CMT)

Chief Executive  
Director of Corporate Services and S.151 Officer  
Director of Environment  
Director of Place

The Service Heads:

Chief Executive

- Head of Strategy and Transformation

Director of Corporate Services and S.151 Officer

- Head of Finance
- Head of Human Resources
- Head of Legal and Democracy & Monitoring Officer

Director of Environment

- Head of Neighbourhoods
- Head of Coastal and Public Realm
- Head of Cleansing

Director of Place

- Head of Property
- Head of Housing and Planning
- Head of Regeneration



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

#### **1.0 Methodology**

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

#### **3.0 Delegation to Officers**

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

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

#### **4.0 Appointment of Proper Officers:**

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

**SECTION F. Arrangements for the Discharge of Functions and Delegations**

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

**Framework and Definitions**

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

**Exercise of Functions**

9. The Council’s and the Executives of the Authorities delegate the discharge of the functions set out in this Scheme of Delegations to the East Kent Services Committee pursuant to all powers contained in or having effect under the Local Government Acts of 1972 and 2000.

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10. The exercise of the powers and functions set out in this Schedule shall without prejudice to any specific delegation or authorisation set out, and subject to any express Conditions/Exclusions/Limitations/Notes specified, be taken to include power to do anything incidental or conducive to the discharge of such functions including (by way of example and not by way of limitation) power to do any of the following:
- (a) To appoint or designate any officer as an "authorised officer", "inspector", "person duly authorised" or similar under any of the legislation or functions specified for the purposes of enabling any such person to carry such legislation or functions into effect.
  - (b) To authorise any officer for the purposes of any of the above mentioned legislation or functions.
  - (c) To exercise any power or function conferred by or in connection with the specified legislation or functions to:
    - (i) Require any person to provide any information.
    - (ii) Enter or inspect any land, premises, vehicle or vessel.
    - (iii) Take samples of, seize, test, dispose of, destroy, or otherwise deal with anything or substance in accordance with the applicable legislation.
    - (iv) Make application for any warrant or order to a court of summary jurisdiction and to execute any such warrant or order taking with him or her any other person as may be authorised.
    - (v) To make or swear any information.
    - (vi) Institute or defend any legal proceedings, and to take all proper steps in the furtherance or compromise of such proceedings (in each case) in consultation with the Solicitor to the Council which may be undertaken in relation to specific cases or in relation to categories of work,.
    - (vii) Execute work.
    - (viii) Sell or dispose of any goods, articles, samples materials or other property (other than land and buildings).
    - (ix) Recover any sums of money due to the Authorities.
    - (x) Authorise any other person to do any of the things mentioned in (i) to (ix) above to the extent permitted by law.
11. The East Kent Services Committee are hereby authorised to discharge on behalf of the Authorities the function of preparing and approving, amending or repealing, any policy, statement, practice note, code of guidance, procedure or similar in connection with the functions hereby delegated and:-
- (a) Until such time as they have done so any reference in this Part to any policy, procedure, process or similar administrative statement of practice 'of the Authority' shall be interpreted as a reference to the relevant policy, procedure

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process or similar administrative statement of the relevant Authority in force on 11 February 2015.

- (b) Any reference in this Part to any policy, procedure, process or similar administrative statement of practice 'of the Authority' shall be interpreted as a reference to the relevant policy, procedure process of similar administrative statement as approved by the former East Kent Joint Arrangements Committee or the East Kent Services Committee (or the relevant Authority) after 11 February 2015.

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

### **Administrative**

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

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20. Any reference in this Scheme of Delegation to any enactment shall include a reference to any amendment to or re-enactment of the same.
21. Where The Committee has delegated authority to discharge functions by virtue of any other decision by the parties or the absence of the delegation from this Scheme of Delegation shall not prevent the exercise of the delegation.
22. Where the Committee delegates the exercise of any function to an officer of any of the Authorities that officer may nominate another officer or officers to exercise that duty, function or power, provided that the nominated officer(s) report to or is responsible to the officer to whom the delegation has been made.
23. Where an officer has delegated authority to discharge functions;
  - (a) By virtue of any other decision of the parties or;
  - (b) Through a specific decision of the Committee, or a sub-committee, either before or after the adoption of this Scheme of Delegation,

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

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

Business cases and delivery of services

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

### **Financial**

28. Acceptance of the lowest tender or bid for the carrying out of works for the committee, the purchase, leasing or hiring of goods, materials and equipment by the committee, or the supply of services to the committee, provided that budget provision is available.
29. Authorise Entry into contract documentation following tender/bid acceptance (subject to the provisions of Financial Regulations and Contract Standing Orders of the Authority relating to the execution of contracts under seal).
30. Authority to negotiate and agree price increases where a contract provides for price increases to be negotiated and agreed by the parties, subject to Contract Standing Orders of the Authority and ensuring sufficient budgetary provision exists.
31. The assignment or novation of a contract.

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32. The approval of the appointment of or the acceptance of the tender of a sub-contractor or supplier for specialist work or material provided that this does not result in the budget provision for the works as a whole being exceeded.
33. Virement between heads of expenditure of up to the limit specified in the Authority's Financial Regulations provided that such virement is in accordance with the conditions for virements in such Financial Regulations. [E/C]
34. Provision of reasonable hospitality to representatives of other authorities, visiting a department or premises under the Committees control subject to agreement by the Chief Executives of each of the parties for expenditure in excess of £500.
35. To negotiate and agree variations in contracts arising out of statutory requirements subject to adequate budgetary provision being available.

### **Shared Services Employees**

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

### **General**

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

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

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

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

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

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	<p>(e) to determine liable persons, exemptions, transitional relief schemes, calculate instalments, appoint bailiffs, request a statement of case for the opinion of the High Court, impose a charge upon property, levy distress, impose charges for levying distress, seek insolvency of the debtor or commitment to prison or liquidation of companies, to request and execute warrants of arrest and exercise any other administrative step for the collection of national non domestic rate;</p> <p>(f) to represent the Authority in the determination of proposals, alterations and appeals for national non domestic rate where appropriate;</p> <p>(g) to represent the Billing Authority in requests for administration orders under the County Courts Acts in respect of unpaid national non domestic rate;</p> <p>(h) to calculate and pay interest on overpayments of national non domestic rate in accordance with the NDR (Payment of Interest) Regulations 1990;</p> <p>(i) to determine applications under Section 44A of the Local Government Finance Act 1988;</p> <p>(j) to be responsible for the prevention, detection and prosecution of national non domestic rate fraud.</p>	<p>Statutory returns must be approved by the Section 151 Officer of the Authorities</p>
<p>4. Customer Services</p>	<p>To provide 'front of house' contact with the public wishing to make enquiries of the Authorities or to access services in relation to any of its functions whether that contact is made in person, by telephone, by mail or email or the websites of any of the Authorities, including but not limited to</p>	<p>Note:  The activities identified in this paragraph 5 are intended to be either incidental or conducive to the discharge of the functions set out in paragraphs 1 to 4 above or</p>

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	<p>(i) Issuing application forms for access to services.</p> <p>(ii) receiving payments due to the Authorities and issuing receipts</p> <p>(iii) providing facilities for the public inspection of documents and the taking of copies thereof</p> <p>(iv) responding to 'low level' customer complaints</p> <p>(v) selling or distributing or issuing any item or thing arising out of the conduct of any undertaking or function of the Authorities</p> <p>Such other activities in connection with the offering of services to the public as may be detailed from time to time in the Service Level Agreements</p>	<p>intended to be either incidental or conducive to the discharge of all of the other functions of the Authorities.</p> <p>Limitation:</p> <p>Except as is expressly provided in paragraphs 1 to 4, paragraph 5 does not operate as to confer any power to exercise any substantive function of the Authorities</p>
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### Chief Executive delegations

Under the Constitution for Governance of Thanet District Council, certain Council responsibilities and functions are delegated to the Chief Executive. The Chief Executive then delegates some of those functions and responsibilities to directors.

This scheme of delegation authorises the post holders identified below to undertake these Council and Executive functions and responsibilities, provided that an officer can only carry out a responsibility if:

- They (or an officer who reports to them) have budgetary or management responsibility for it; and
- The constitution or the law does not require it to be carried out by someone else; and
- The activity is not reserved by Members or committees.

<b>Post</b>	<b>Responsibilities and Functions</b>
<b>Chief Executive</b>	<b>All functions and responsibilities in relation to all services not otherwise reserved by Members or Committees.</b>
Director of Corporate Services and Section 151 Officer	All functions and responsibilities in relation to: <ul style="list-style-type: none"> <li>● Finance and Procurement</li> <li>● Insurance and Risk Management</li> <li>● Human Resources</li> <li>● East Kent Services</li> <li>● Legal and Democracy</li> <li>● Revenues and Benefits</li> <li>● Facilities Management</li> <li>● Workplace Health and Safety</li> <li>● Elections (excluding Returning Officer Responsibilities)</li> </ul>
Director of Environment	All functions and responsibilities in relation to: <ul style="list-style-type: none"> <li>● Neighbourhoods</li> <li>● Coastal and Public Realm</li> <li>● Cleansing Services</li> </ul>
Director of Place	All functions and responsibilities in relation to: <ul style="list-style-type: none"> <li>● Property</li> <li>● Housing and Property</li> <li>● Regeneration and Growth</li> </ul>
Head of Strategy and Transformation	<b>All functions and responsibilities in relation to:</b> <ul style="list-style-type: none"> <li>● <b>Corporate Plan</b></li> <li>● <b>Climate Change</b></li> <li>● <b>Equalities Policy</b></li> <li>● <b>Improvement and Performance</b></li> <li>● <b>Communications</b></li> </ul>

	<ul style="list-style-type: none"> <li>● <b>Consultations</b></li> <li>● <b>Social Media</b></li> <li>● <b>Member engagement</b></li> <li>● <b>Civica activity on Customer Services</b></li> <li>● <b>ICT</b></li> <li>● <b>Digital strategy</b></li> <li>● <b>Business transformation and analysis</b></li> <li>● <b>Digital Technology</b></li> <li>● <b>Digital Security</b></li> <li>● <b>Warning and Informing during emergencies and crisis management</b></li> </ul>
Senior Transformation and Technology Manager	<p>All functions and responsibilities in relation to:</p> <ul style="list-style-type: none"> <li>● Digital and ICT strategy</li> <li>● System improvement and business redesign</li> <li>● Internal digital and technology support - including digital skills</li> <li>● Network and infrastructure</li> <li>● Cloud strategy</li> <li>● Digital project management</li> <li>● Performance management</li> <li>● Accessibility and digital inclusivity</li> <li>● Digital data compliance</li> </ul>
Policy Manager	<p>All functions and responsibilities in relation to:</p> <ul style="list-style-type: none"> <li>● Organisational/corporate policy management</li> <li>● Service Planning</li> </ul>
Communications Manager	<p>All functions and responsibilities in relation to:</p> <ul style="list-style-type: none"> <li>● Communications strategy and council-wide communications protocols</li> <li>● Media relations - proactive and reactive media handling for the council</li> <li>● Internal communications</li> <li>● Social media management</li> <li>● Public engagement and consultations</li> <li>● Brand management</li> <li>● Warning and informing the public during an emergency</li> </ul>
ICT and Digital Managers	<p>All functions and responsibilities in relation to:</p> <ul style="list-style-type: none"> <li>● Infrastructure and network management</li> <li>● ICT support and digital skills</li> <li>● GIS mapping</li> <li>● Data management</li> <li>● TDC website</li> <li>● Online forms</li> </ul>
Climate Change Officer	<p>All functions and responsibilities in relation to:</p> <ul style="list-style-type: none"> <li>● The creation and coordination of the council's Net Zero Strategy</li> <li>● Strategies, activity and advice with regard to climate change,</li> </ul>

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	cutting carbon emissions and supporting biodiversity <ul style="list-style-type: none"><li>• Low carbon and climate change initiatives</li></ul>
<b>Executive Support Manager</b>	<b>All functions and responsibilities in relation to:</b> <ul style="list-style-type: none"><li>• <b>Complaints Management</b></li></ul>



Colin Carmichael (Interim Chief Executive)

Date: 12th October 2023

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### Director of Corporate Services and Section 151 delegations

Under the Constitution for Governance of Thanet District Council, certain Council responsibilities and functions are delegated to the Director of Corporate Services. In addition various Executive functions are delegated to the Director and to the Heads of Service in the Directorate. Under the Council's scheme of delegations to officers, these delegations can be further sub-delegated.

This scheme of delegation authorises the post holders identified below to undertake these Council and Executive functions and responsibilities, provided that an officer can only carry out a responsibility if:

- They (or an officer who reports to them) have budgetary or management responsibility for it; and
- The constitution or the law does not require it to be carried out by someone else; and
- The activity is not reserved by Members or committees.

Post	Responsibilities and Functions
<b>Director of Corporate Services and S.151 Officer</b>	<b>All functions and responsibilities in relation to:</b> <ul style="list-style-type: none"> <li>● Finance and Procurement</li> <li>● Insurance and Risk Management</li> <li>● Human Resources</li> <li>● Legal and Democracy</li> <li>● Revenues and Benefits</li> <li>● Facilities Management</li> <li>● Workplace Health and Safety</li> <li>● Thanet Lotto licence holder</li> </ul>
<b>Head of Finance and Procurement</b>	<b>All functions and responsibilities in relation to:</b> <ul style="list-style-type: none"> <li>● Financial Services</li> <li>● Financial Systems</li> <li>● Treasury Management</li> <li>● Procurement</li> <li>● Insurance</li> <li>● Risk Management</li> <li>● Workplace Health and Safety</li> </ul>
Financial Services Manager	All functions and responsibilities in relation to: <ul style="list-style-type: none"> <li>● Financial Services including - Financial Management, Budget setting, Medium Term Financial Planning, Budget Monitoring, Final Accounts and Capital Accounting</li> <li>● Financial Systems including - Creditors (payments), Income and ensuring the integrity of the general ledger and Finance systems.</li> </ul>

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	<ul style="list-style-type: none"> <li>● Treasury Management including - Daily cash management, debt management and long term funding</li> <li>● Procurement including - Leading on finding, acquiring, buying goods, services or works from an external source</li> <li>● Risk and Insurance</li> <li>● Staff Management</li> </ul>
Finance Manager	<p>All functions and responsibilities in relation to:</p> <ul style="list-style-type: none"> <li>● Financial Services including - Financial Management, Budget setting, Medium Term Financial Planning, Budget Monitoring, Final Accounts and Capital Accounting</li> <li>● Risk and Insurance including - Management of the Authorities risk management function, re-tendering of the insurance contracts, meetings with insurers and management and claims Handling.</li> <li>● Staff Management</li> </ul>
Procurement Manager	<p>All functions and responsibilities in relation to:</p> <ul style="list-style-type: none"> <li>● Procurement including - Leading on finding, acquiring, buying goods, services or works from an external source</li> <li>● Staff Management</li> </ul>
Financial Systems Income and Payments Manager	<p>All functions and responsibilities in relation to:</p> <ul style="list-style-type: none"> <li>● Financial Systems including - Creditors (payments), Income and ensuring the integrity of the general ledger and Finance systems.</li> <li>● Staff Management</li> </ul>
<b>Head of Human Resources</b>	<p><b>All functions and responsibilities in relation to:</b></p> <ul style="list-style-type: none"> <li>● <b>HR Advice</b></li> <li>● <b>Employment Law</b></li> <li>● <b>HR Policies</b></li> <li>● <b>Organisational Development</b></li> <li>● <b>Client for contracted out HR services; Payroll, Occupational &amp; Employee Health, eLearning, Salary Sacrifice</b></li> <li>● <b>Equalities as it relates to the workforce</b></li> </ul>
Employee Relations Lead	<p>All functions and responsibilities in relation to:</p> <ul style="list-style-type: none"> <li>● HR Advice</li> <li>● Employment Law</li> <li>● HR Policies</li> </ul>
HR Advisor	<p>All functions and responsibilities in relation to:</p> <ul style="list-style-type: none"> <li>● HR Advice</li> </ul>
<b>Head of Legal and Democracy</b>	<p><b>All functions and responsibilities in relation to:</b></p> <ul style="list-style-type: none"> <li>● <b>Legal</b></li> </ul>

	<ul style="list-style-type: none"> <li>● <b>Democratic Services</b></li> <li>● <b>Elections* ♦</b></li> <li>● <b>Information governance - data protection and cyber-security</b></li> <li>● <b>Land Charges</b></li> </ul>
Committee Services Manager	<p>All functions and responsibilities in relation to:</p> <ul style="list-style-type: none"> <li>● Committee services</li> <li>● Land charges</li> </ul>
Senior Land Charges Officer	<p>All functions and responsibilities in relation to:</p> <ul style="list-style-type: none"> <li>● Maintaining the Land Charges database</li> <li>● Processing of legal searches</li> </ul>
Electoral Services Manager	<p>All functions and responsibilities in relation to:</p> <ul style="list-style-type: none"> <li>● Electoral Registration</li> </ul>
Information Governance and Equality Manager	<p>All functions and responsibilities in relation to:</p> <ul style="list-style-type: none"> <li>● Data protection</li> <li>● Information governance</li> <li>● Freedom of information</li> <li>● Subject Access Request</li> </ul>
Principal Litigation Solicitor	<p>All functions and responsibilities in relation to:</p> <ul style="list-style-type: none"> <li>● Legal functions relating to property transactions and contract and procurement matters.</li> <li>● To deputise for the Head of Legal and Democracy</li> </ul>
Principal Lawyer - Property	<p>All functions and responsibilities in relation to:</p> <ul style="list-style-type: none"> <li>● Legal functions relating to civil and criminal litigation and enforcement action.</li> <li>● To deputise for the Head of Legal and Democracy</li> </ul>
<b>Health and Safety Compliance Manager</b>	<p><b>All functions and responsibilities in relation to:</b></p> <ul style="list-style-type: none"> <li>● <b>Work-based health and safety</b></li> </ul>
<b>Facilities Manager</b>	<p><b>All functions and responsibilities in relation to:</b></p> <ul style="list-style-type: none"> <li>● <b>Print and Mail</b></li> <li>● <b>Cleaners</b></li> <li>● <b>Caretakers</b></li> <li>● <b>Facilities Management</b></li> <li>● <b>Internal repairs and maintenance</b></li> <li>● <b>Property compliance commissioning</b></li> </ul>

\*Council Delegation, not Executive Delegation.

♦ Returning Officer Delegations, not Executive Delegation.

A handwritten signature in black ink, appearing to read 'Chris Blundell', written in a cursive style.

Chris Blundell (Director of Corporate Services - Section 151)

Date: 24/11/23

### Director of Environment delegations

Under the Constitution for Governance of Thanet District Council, certain Council responsibilities and functions are delegated to the Chief Executive. The Chief Executive then delegates some of those functions and responsibilities to directors.

Under the Council's scheme of delegations to officers, the above delegations can be further sub-delegated. This scheme of delegation authorises the post holders identified below to undertake these Council and Executive functions and responsibilities, provided that an officer can only carry out a responsibility if:

- They (or an officer who reports to them) have budgetary or management responsibility for it; and
- The constitution or the law does not require it to be carried out by someone else; and
- The activity is not reserved by Members or committees.

Post	Responsibilities and Functions
<b>Director of Environment</b>	<b>All functions and responsibilities in relation to:</b> <ul style="list-style-type: none"> <li>● Neighbourhoods</li> <li>● Coastal and Public Realm</li> <li>● Cleansing</li> </ul>
<b>Head of Neighbourhoods</b>	<b>All functions and responsibilities in relation to:</b> <ul style="list-style-type: none"> <li>● Cemeteries and Crematorium</li> <li>● Multi-agency services (Multi-Agency Task Force)</li> <li>● Enforcement services</li> <li>● Community safety</li> <li>● Regulatory services (Environmental Health/Licensing*/Food safety/Air quality)</li> <li>● Parking</li> <li>● Technical support</li> </ul>
Technical Support Manager  Technical Support Officers	All functions and responsibilities in relation to: <ul style="list-style-type: none"> <li>● The issuing of licences, certificates, provisional statements and notices under the 2003 Licensing Act where no relevant representation or objection is made</li> <li>● The issuing of reviews under the 2003 Licensing Act on behalf of the Licensing Authority</li> <li>● Decisions on whether a complaint/representation is irrelevant, frivolous, vexatious under the 2003 Licensing Act and request to be removed as designated premises supervisor</li> </ul>
	<ul style="list-style-type: none"> <li>● the issuing of licences, permits, registrations, and notices under the 2005 Gambling Act where no relevant representation or objection is made</li> </ul>

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	<ul style="list-style-type: none"> <li>the issuing of reviews under the 2005 Gambling Act on behalf of the Licensing Authority</li> </ul>
	<ul style="list-style-type: none"> <li>authorised to take action under the following provisions of the Local Government (Miscellaneous Provisions) Act 1976 in relation to the licensing of hackney carriage and private hire vehicles, drivers and operators:-             <ol style="list-style-type: none"> <li>inspection of licences, records and suspension of licences</li> <li>testing and inspection of vehicles</li> <li>return of identification plate or disc</li> <li>fitness of vehicles</li> </ol> </li> </ul>
	<ul style="list-style-type: none"> <li>employ veterinary surgeons and other advisory officers as necessary in pursuance of the exercise of the Council's registration and licensing functions</li> </ul>
	<ul style="list-style-type: none"> <li>Responsibility for Sunday Trading Laws</li> </ul>
	<ul style="list-style-type: none"> <li>The authorised person of the Licensing Authority as defined in the Licensing Act 2003, Gambling Act 2005 and the Criminal Justice and Police Act 2001</li> </ul>
	<ul style="list-style-type: none"> <li>Inspections and powers of entry, including the taking of samples in accordance with various Acts.</li> </ul>
	<ul style="list-style-type: none"> <li>All functions related to Safety Advisory Groups</li> </ul>
Community Services Manager  Community Officer	<ul style="list-style-type: none"> <li>All functions and responsibilities in relation to anti-social behaviour in accordance with various Acts.</li> </ul>
	<ul style="list-style-type: none"> <li>Designated Officer under the provisions of the Childrens Act 2004</li> </ul>
	<ul style="list-style-type: none"> <li>All functions in relation to safeguarding including adults, children, anti-terrosism, modern day slavery in accordance with various Acts.</li> </ul>
	<ul style="list-style-type: none"> <li>Responsibility for Community Safety Planning/S17 responsibilities in accordance with Crime and Disorder Act 1998.</li> </ul>
	<ul style="list-style-type: none"> <li>Review and seizure of CCTV footage from authority owned systems in accordance with Crime and Disorder Regulations 2007.</li> </ul>
	<ul style="list-style-type: none"> <li>Issue of trespass notice under Criminal Justice and Public Order Act 1994</li> </ul>

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	<ul style="list-style-type: none"> <li>● Statutory Public Accountability under Police &amp; Justice Act 2006</li> </ul>
	<ul style="list-style-type: none"> <li>● Refuse Disposal (Amenity) Act 1978</li> </ul>
Regulatory Services Manager	<p>All functions and responsibilities in relation to:</p> <ul style="list-style-type: none"> <li>● Food safety and food hygiene in accordance with various European Directives and Acts.</li> <li>● European Communities Act 1972. This Act makes provision of the incorporation of EC law into the domestic law of the UK. Under section 2(2) Regulations may be laid before Parliament to implement required changes to UK law to include EU Directives. It also provides in section 2(4) that all UK legislation, including primary legislation (Acts of Parliament) shall have effect “subject to” directly applicable EC law.</li> <li>● All functions in relation to health and safety enforcement in workplace premises in accordance with various Acts.</li> <li>● All functions and responsibilities relating to licensing enforcement.</li> <li>● All functions and responsibilities in relation to Environmental Protection in accordance with various Acts including but not limited to Air Quality, Statutory Nuisance, Contaminated Land.</li> </ul>
Senior Environmental Health Practitioners Environmental Health Practitioners Public Protection Officers Environmental Protection Officers	<p>All functions and responsibilities, subject to the officer being qualified to undertake them in relation to:</p> <ul style="list-style-type: none"> <li>● Food safety and food hygiene in accordance with various European Directives and Acts.</li> <li>● European Communities Act 1972. This Act makes provision of the incorporation of EC law into the domestic law of the UK. Under section 2(2) Regulations may be laid before Parliament to implement required changes to UK law to include EU Directives. It also provides in section 2(4) that all UK legislation, including primary legislation (Acts of Parliament) shall have effect “subject to” directly applicable EC law.</li> <li>● All functions in relation to health and safety enforcement in workplace premises in accordance with various Acts.</li> <li>● Environmental Protection functions in accordance with various Acts including but not limited to Air Quality, Statutory Nuisance, Contaminated Land.</li> </ul>
Senior Licensing Officers Licensing Officers	<p>All functions and responsibilities in relation to licensing.</p>
	<ul style="list-style-type: none"> <li>● employ veterinary surgeons and other advisory officers as necessary in pursuance of the exercise of the Council’s registration and licensing functions</li> </ul>

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	<ul style="list-style-type: none"> <li>authorised to take action under the following provisions of the Local Government (Miscellaneous Provisions) Act 1976 in relation to the licensing of hackney carriage and private hire vehicles, drivers and operators:-             <ol style="list-style-type: none"> <li>inspection of licences and records</li> <li>testing and inspection of vehicles</li> <li>return of identification plate or disc</li> <li>fitness of vehicles</li> </ol> </li> </ul>
	<ul style="list-style-type: none"> <li>the authorised person of the Licensing Authority as defined in the Licensing Act 2003, Gambling Act 2005 and the Criminal Justice and Police Act 2001</li> </ul>
	<ul style="list-style-type: none"> <li>inspections and powers of entry, including the taking of samples, in accordance with various Acts</li> </ul>
Parking and Transportation Enforcement Manager  Civil Enforcement Supervisor  Civil Enforcement Office	<ul style="list-style-type: none"> <li>All functions and responsibilities, dependent on officer qualifications, relating to Traffic Management including but not limited to on and off street parking, abandoned vehicles, street naming and numbering and bus shelters.</li> </ul>
Enforcement and Multi Agency Task Force Manager	<ul style="list-style-type: none"> <li>All functions and responsibilities in relation to the multi agency task force, street scene and CCTV</li> </ul>
CCTV Supervisor  CCTV Operatives.	<ul style="list-style-type: none"> <li>All functions and responsibilities in relation to the operation and function of CCTV including but not limited to the Regulatory Powers and Investigation Act</li> </ul>
Street Scene Enforcement Officers	All functions and responsibilities in relation to the delivery of the street scene enforcement, including but not limited to litter and fly tipping. <ul style="list-style-type: none"> <li>Anti-Social Behaviour Act 2003</li> <li>Anti-Social Behaviour, Crime and Policing Act 2014</li> <li>Clean Neighbourhood and Environment Act 2005</li> <li>Control of Pollution Act 1974</li> <li>County of Kent 1981</li> <li>Dangerous Dogs Act 1991 (1997)</li> <li>Dogs (Fouling of Land) Act 1996</li> <li>Environment Act 1995</li> <li>Environmental Protection Act 1990</li> <li>Environment Protection Act 1985</li> <li>Highways Act 1980</li> <li>Local Government (Miscellaneous) Act 1976</li> <li>Local Government Act 2000</li> </ul>



	<ul style="list-style-type: none"> <li>● Noise &amp; Statutory Nuisance Act 1993</li> <li>● Police &amp; Criminal Evidence Act 1984</li> <li>● Prevention of Damage by Pest Act 1949</li> <li>● Proceeds of Crime Act 2003</li> <li>● Rag, flock and other Materials Act 1951/81</li> <li>● Refuse Disposal (Amenity) Act 1978</li> <li>● Regulation of Investigatory Powers Act 2000</li> <li>● Removal &amp; Disposal of Vehicle Regs 1986</li> <li>● Road Traffic Regulations Act 1984</li> <li>● Scrap Metal Dealers Act 2013</li> <li>● Traffic Management Act 2004</li> <li>● Protection of Freedoms Act 2012</li> <li>● Housing Act 2004</li> <li>● Animal Welfare Act 2006</li> <li>● The Microchipping of Dogs (England) Regulations 2015</li> <li>● Thanet Byelaws</li> </ul>
<b>Head of Coastal and Public Realm</b>	<b>All functions and responsibilities in relation to:</b> <ul style="list-style-type: none"> <li>● <b>Port and Harbour management and client</b></li> <li>● <b>Beach and Coastal services including coastal enforcement services</b></li> <li>● <b>Technical Services - flood and coast protection/coastal maintenance/coastal asset management/municipal civil engineering</b></li> <li>● <b>Birdwise</b></li> <li>● <b>Emergency Planning</b></li> <li>● <b>Open Spaces</b></li> <li>● <b>Minor Works</b></li> <li>● <b>Public Conveniences (investment and Improvement)</b></li> </ul>
<b>Beach and Coast Manager</b>	All functions and responsibilities in relation to: <ul style="list-style-type: none"> <li>● Beach and coast services including <ul style="list-style-type: none"> <li>- Seaweed removal and deployment</li> <li>- Bathing water quality</li> <li>- Coastal amenity maintenance and improvement</li> <li>- Granting of permissions for coastal activities</li> </ul> </li> <li>● North East Kent Marine Protected Area</li> <li>● Thanet Coast Marine Conservation Zone</li> <li>● Thanet Coast Special Protection Area</li> <li>● Thanet Coast Special Area of Conservation</li> <li>● Public Spaces Protection Orders under the following acts. <ul style="list-style-type: none"> <li>- Environmental Protection Act 1990</li> <li>- Clean Neighbourhoods &amp; Environment Act 2005</li> <li>- Prevention of Damage by Pests Act 1949</li> <li>- Anti-social Behaviour, Crime and Policing Act 2014</li> <li>- Refuse Disposal Amenity Act 1978</li> <li>- Control of pollution Act (Amendment) Act 1989</li> <li>- Regulation of Investigatory Powers Act 2000</li> <li>- All aspects of part 6 The Environment of the Anti-social Behaviour Act 2003</li> </ul> </li> </ul>

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	<ul style="list-style-type: none"> <li>- Anti-social Behaviour, Crime and Disorder Act 2014 (2023 updates)</li> <li>- (Community Protection Notice) – Ongoing problems or nuisance which negatively affect the community’s quality of life by targeting those responsible</li> <li>- Clean neighbourhoods &amp; Environment Act 2005</li> <li>- Section 59 – Dog Fouling</li> </ul>
<p>Coastal Enforcement Officer, Maintenance and Education Enforcement Officer</p>	<p>All functions and responsibilities relating to:</p> <ul style="list-style-type: none"> <li>● North East Kent Marine Protection Area (NEKMPA)</li> <li>● Thanet Coast SPA</li> <li>● Thanet Coast MCZ</li> <li>● Beach, Dog, Alcohol and ASB PSPOs</li> <li>● Thanet Coast SAC</li> <li>● Public Spaces Protection Orders under the following acts. <ul style="list-style-type: none"> <li>- Environmental Protection Act 1990</li> <li>- Clean Neighbourhoods &amp; Environment Act 2005</li> <li>- Prevention of Damage by Pests Act 1949</li> <li>- Anti-social Behaviour, Crime and Policing Act 2014</li> <li>- Refuse Disposal Amenity Act 1978</li> <li>- Control of pollution Act (Amendment) Act 1989</li> <li>- Regulation of Investigatory Powers Act 2000</li> <li>- All aspects of part 6 The Environment of the Anti-social Behaviour Act 2003</li> <li>- Anti-social Behaviour, Crime and Disorder Act 2014 (2023 updates)</li> <li>- (Community Protection Notice) – Ongoing problems or nuisance which negatively affect the community’s quality of life by targeting those responsible</li> <li>- Clean neighbourhoods &amp; Environment Act 2005</li> <li>- Section 59 – Dog Fouling</li> </ul> </li> </ul>
<p>Maritime Operations Manager and Harbour Master</p>	<p>All functions and responsibilities in relation to:</p> <ul style="list-style-type: none"> <li>● Collection of harbour fees</li> <li>● Enforcement of harbour terms and conditions</li> <li>● Ensure compliance with the Port Marine Safety Code</li> <li>● Facilitate the safe and efficient use of the port and harbour</li> <li>● Regulate the movement and handling of dangerous and polluting substances within the port and harbour area</li> <li>● Ensure compliance with relevant health and safety legislation</li> <li>● Manage the safety of navigation within the defined harbour limits</li> <li>● Regulate and monitor vessel movements and the operation of Port Control to ensure appropriate levels of service are delivered.</li> <li>● Manage the safe and efficient operation of the pilotage service</li> </ul>

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	<ul style="list-style-type: none"> <li>● Ensuring compliance with the port's statutory obligations related to the marine environment</li> </ul>
Open Spaces Manager	<p>All functions and responsibilities in relation to:</p> <ul style="list-style-type: none"> <li>● Ensure grounds maintenance, tree maintenance, minor works, playgrounds, and allotments, in association with other council services, volunteers and external partners are delivered to the highest possible quality.</li> <li>● The planning and implementation of the short and long term maintenance of open spaces and their facilities.</li> <li>● Ensure that the Open Spaces service meets the governance requirements of the council</li> </ul>
Deputy Technical Services Manager	<p>All functions and responsibilities in relation to:</p> <ul style="list-style-type: none"> <li>● Management of the Technical Services &amp; Beach and Coast department.</li> <li>● The council's duties under the Flood and Coast Protection act 1949 and the Land Drainage Act 1991</li> <li>● Ensure compliance with the Council's Health and Safety Policy, Risk Assessments and all relevant legislation</li> <li>● Oversee the Flood and Coast Risk Management (FCERM) Programme.</li> <li>● Facilitate the safe use of coastal zone assets and spaces for residents, visitors and employees.</li> <li>● Manage coastal and municipal civil engineering and construction projects</li> <li>● Advise on the impact of coastal development or projects on the marine environment, ensuring sustainable development in line with the Marine and Coastal Access Act 2009</li> <li>● All functions under the Beach and Coast Manager</li> <li>● Budget Manager for Technical Services revenue and capital budgets</li> <li>● Advise on and fulfil the Council's duties under the Civil Contingencies Act 2004</li> <li>● Develop and implement shoreline pollution and flood emergency plans and coastal emergency exercises</li> <li>● Lead response to emergencies occurring around the coastline, particular responsibility for flooding and shoreline pollution incidents</li> </ul>
<b>Head of Cleansing</b>	<p><b>All functions and responsibilities in relation to:</b></p> <ul style="list-style-type: none"> <li>● <b>Waste Collection</b></li> <li>● <b>Recycling</b></li> <li>● <b>Street Cleaning</b></li> <li>● <b>Public Convenience cleaning and operating times</b></li> </ul>
Cleansing Services Strategic Projects Manager	<p>All functions and responsibilities in relation to:</p> <ul style="list-style-type: none"> <li>● Improving the council's recycling rate through initiatives and engagement with the residents of Thanet.</li> <li>● Engagement with local Parish Councils to deal with more</li> </ul>

	<p>localised projects.</p> <ul style="list-style-type: none"> <li>● Management of online functions in regards to the waste service.</li> </ul>
Waste Compliance Manager	<p>All functions and responsibilities in relation to:</p> <ul style="list-style-type: none"> <li>● Environmental Permit Compliance</li> <li>● Responding to resident enquiries and formal complaints.</li> <li>● Maintenance of bin and container stock levels.</li> <li>● Legislation in regards to waste management storage and transfer.</li> <li>● Collection and recording of waste data.</li> </ul>
Transport and Fleet Manager	<p>All functions and responsibilities in relation to:</p> <ul style="list-style-type: none"> <li>● Compliance in regards to transport legislation and the Council's Operators Licence.</li> <li>● Provision and maintenance of fleet (both collection and street sweeping vehicles).</li> <li>● The appearance and cleanliness of the fleet.</li> <li>● Management of engineering staff.</li> </ul>
Waste Operations Manager	<p>All functions and responsibilities in relation to:</p> <ul style="list-style-type: none"> <li>● The design and implementation of all collection services: <ul style="list-style-type: none"> <li>○ Residual Waste</li> <li>○ Mixed Recycling</li> <li>○ Paper Recycling</li> <li>○ Food Recycling.</li> <li>○ Clinical waste collections</li> </ul> </li> <li>● The deployment of street sweepers within the district, cleansing the urban environment both manually and via mechanical sweeping.</li> <li>● The cleansing of public parks and green spaces.</li> <li>● The emptying of litter bins both on street and in public parks/green spaces.</li> <li>● Provision of waste receptacles for residents.</li> </ul>

\*Council Delegation, not Executive Delegation.

Mike Humber - Director of Environment

Date: 21 March 2024

**Director of Place Delegations**

Under the Constitution for Governance of Thanet District Council, certain Council responsibilities and functions are delegated to the Chief Executive. The Chief Executive then delegates some of those functions and responsibilities to directors.

Under the Council's scheme of delegations to officers, the above delegations can be further sub-delegated. This scheme of delegation authorises the post holders identified below to undertake these Council and Executive functions and responsibilities, provided that an officer can only carry out a responsibility if:

- They (or an officer who reports to them) have budgetary or management responsibility for it; and
- The constitution or the law does not require it to be carried out by someone else; and
- The activity is not reserved by Members or committees.

<b>Post</b>	<b>Responsibilities and Functions</b>
<b>Director of Place</b>	<b>All functions and responsibilities in relation to:</b> <ul style="list-style-type: none"> <li>• <b>Tenant and Leaseholder Services</b></li> <li>• <b>Property</b></li> <li>• <b>Housing and Planning</b></li> <li>• <b>Regeneration and Growth</b></li> </ul>
<b>Head of Tenant and Leaseholder Services</b>	<b>All functions and responsibilities in relation to:</b> <ul style="list-style-type: none"> <li>• <b>Tenant and Leaseholder Services</b></li> </ul>
Building Safety and Compliance Manager	All functions and responsibilities in relation to: <ul style="list-style-type: none"> <li>• The health and safety of tenants and leaseholders of the council's housing stock.</li> <li>• Safety within TDC residential buildings within the scope of the Building Safety Act 2022 (Tower Blocks)</li> </ul>
Housing Manager	All functions and responsibilities in relation to: <ul style="list-style-type: none"> <li>• The management of council dwellings and tenancies</li> <li>• The issuing of statutory notices in relation to TDC tenants and leaseholders</li> <li>• The letting of tenancies for TDC residential dwellings.</li> <li>• RTB sales</li> </ul>
Income Manager	All functions in relation to: <ul style="list-style-type: none"> <li>• Income management and advice to tenants and leaseholders.</li> <li>• Arrears actions and statutory notices.</li> <li>• Court action for debt, possession and attachment of earnings orders etc.</li> <li>• Service charges to the council's leaseholders:</li> </ul>

	<ul style="list-style-type: none"> <li>The issuing of annual invoices and statements of account.</li> </ul>
Senior Repairs Surveyor	<p>All functions in relation to:</p> <ul style="list-style-type: none"> <li>The letting of relevant repairs contracts.</li> <li>Issuing of orders for repairs activities.</li> <li>Completion of disabled adaptations to council dwellings.</li> </ul>
Planned Works Team Leader	<p>All functions in relation to:</p> <ul style="list-style-type: none"> <li>Issuing orders for planned works activities</li> </ul>
Resident Involvement Manager	<p>All functions in relation to:</p> <ul style="list-style-type: none"> <li>Resident involvement</li> </ul>
<b>Head of Property</b>	<p><b>All functions and responsibilities in relation to:</b></p> <ul style="list-style-type: none"> <li><b>Estates management, valuations, development, acquisitions &amp; disposals</b></li> <li><b>Major capital works, repairs and maintenance</b></li> <li><b>Property advice, landlord and tenant, rent &amp; Capital</b></li> </ul>
Principal Surveyor - Strategic Asset Management	<p>All functions and responsibilities in relation to:</p> <ul style="list-style-type: none"> <li>Instructing agents, marketing reports and recommendations</li> <li>Minor acquisitions and disposals (Under £100,000)</li> <li>Instructing agents, reporting and strategic planning</li> </ul>
Principal Building Surveyor	<p>All functions and responsibilities in relation to:</p> <ul style="list-style-type: none"> <li>Responsive and planned maintenance programs and budgets setting.</li> <li>Condition and dilapidation surveys.</li> </ul>
Asset Development Manager	<p>All functions and responsibilities in relation to:</p> <ul style="list-style-type: none"> <li>Capital works, programs, delivery and budget approval.</li> </ul>
Decarbonisation Surveyor	<p>All functions and responsibilities in relation to:</p> <ul style="list-style-type: none"> <li>Decarbonisation of the council's operational portfolio</li> <li>Carbon reduction in tenanted and investment portfolios.</li> </ul>
Principal Property Management Surveyor	<p>All functions and responsibilities in relation to:</p> <ul style="list-style-type: none"> <li>Landlord and tenant, rent maximisation, lettings</li> <li>Annual Insurance and Valuations</li> </ul>
Compliance Officer	<p>All functions and responsibilities in relation to Corporate Property Health and Safety Compliance, for operational, commercial and other buildings including:</p> <ul style="list-style-type: none"> <li>Risk Assessments and Action Planning</li> <li>Recording Completion of related works</li> <li>Auditing compliance and risk registers</li> </ul>
Estate Surveyor	<p>All functions and responsibilities in relation to:</p> <ul style="list-style-type: none"> <li>Landlord and Tenant activities for income generation, lease renewals (outside of L&amp;T Act) and rent reviews</li> </ul>

	(under £25k p.a.), Lettings, tenant management, rental valuations, invoicing and rent collection.
<b>Head of Housing and Planning</b>	<b>All functions and responsibilities in relation to:</b> <ul style="list-style-type: none"> <li>● Housing Options</li> <li>● Housing Strategy and Projects</li> <li>● Private Sector Housing</li> <li>● Development Control*</li> <li>● Planning Enforcement</li> <li>● Local Plan/strategic planning</li> <li>● Building Control</li> </ul>
Strategic Planning Manager	All functions and responsibilities in relation to: <ul style="list-style-type: none"> <li>● Local Plan and strategic planning</li> <li>● Neighbourhood Planning</li> </ul>
Housing Strategy and Projects Manager	All functions and responsibilities in relation to: <ul style="list-style-type: none"> <li>● New council house building</li> <li>● Housing Enabling</li> <li>● Disabled Facilities Grants and Housing Assistance</li> <li>● Housing Strategy</li> <li>● Home Energy Advice and Support</li> </ul>
Housing Options Manager	All functions and responsibilities in relation to: <ul style="list-style-type: none"> <li>● Housing Register</li> <li>● Homelessness</li> <li>● Rough Sleeping</li> <li>● Landlord Incentives</li> </ul>
Planning Applications Manager	All functions and responsibilities in relation to: <ul style="list-style-type: none"> <li>● Planning Enforcement</li> <li>● Development Control*</li> </ul>
Principal Planning Officers	All functions and responsibilities in relation to: <ul style="list-style-type: none"> <li>● The determination of Planning Applications</li> </ul>
Building Control Manager	All functions and responsibilities in relation to: <ul style="list-style-type: none"> <li>● Building Regulation Applications and Enforcement</li> <li>● Dangerous Structures</li> </ul>
Private Sector Housing Manager	All functions and responsibilities in relation to: <ul style="list-style-type: none"> <li>● Housing related enforcement and licensing</li> <li>● Empty homes</li> <li>● Caravan sites and mobile homes</li> <li>● Land affecting the amenity of an area</li> <li>● Service of Notices in relation to the Town and Country Planning act 1990</li> </ul>
Senior Housing	All functions and responsibilities in relation to:

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## Annex 6

Improvement Officer, Senior Housing Licensing Officer	<ul style="list-style-type: none"> <li>• Housing related enforcement and licensing</li> </ul>
Sustainable Energy Lead	<p>All functions and responsibilities in relation to</p> <ul style="list-style-type: none"> <li>• Home Energy advice and referrals</li> <li>• Home Energy capital and revenue bids</li> </ul>
<b>Head of Regeneration and Growth</b>	<p><b>All functions and responsibilities in relation to:</b></p> <ul style="list-style-type: none"> <li>• <b>Economic Development and Business Support activities</b></li> <li>• <b>Culture and Tourism (Visitor services)</b></li> <li>• <b>Museums</b></li> <li>• <b>Business space management - Kent Innovation Centre/Green Campus/Future High Street Fund</b></li> <li>• <b>Delivery of the Simplification Pathfinder Pilot including delivery of the Levelling Up Fund, Margate Town Deal projects and Future High Street Fund</b></li> <li>• <b>Delivery of the UK Shared Prosperity Fund</b></li> </ul>
Tourism Manager	<p>All functions and responsibilities in relation to:</p> <ul style="list-style-type: none"> <li>• The Visit Thanet Service</li> </ul>
Visitor Services Officer	<p>All functions and responsibilities in relation to:</p> <ul style="list-style-type: none"> <li>• The management of the Visitor Information Centre</li> </ul>
Project Manager (s)	<p>All functions and responsibilities in relation to:</p> <ul style="list-style-type: none"> <li>• Delivery of government funded regeneration programmes including Future High Street Fund, Margate Town Deal and Levelling Up Fund</li> </ul>
Shared Prosperity Project Coordinator	<p>All functions and responsibilities in relation to:</p> <ul style="list-style-type: none"> <li>• The UK Shared Prosperity Programme</li> </ul>
Theatre Royal Project Manager	<p>All functions and responsibilities in relation to:</p> <ul style="list-style-type: none"> <li>• Delivery of the Margate Town Deal and council Theatre Royal Margate and 19 Hawley Square project</li> </ul>
Business Centre Manager	<p>All functions and responsibilities in relation to:</p> <ul style="list-style-type: none"> <li>• The Management of the Kent Innovation Centre</li> </ul>

\*Council Delegation, not Executive Delegation.



Bob Porter Director of Place  
Date: 9 October 2023



## **COMPOSITION OF COMMITTEES, PANELS AND BOARDS - 2024/25**

<b>Council</b>	9 May 2024
<b>By</b>	Ingrid Brown, Head of Legal and Democracy & Monitoring Officer
<b>Cabinet Portfolio Member</b>	Cllr Yates - Portfolio Holder for Corporate Services
<b>Key Decision</b>	no
<b>Decision classification</b>	unrestricted
<b>Ward:</b>	All

### **Purpose of the Report**

The report allows Council to agree on the number and size of the Committees, Panels and Boards for the forthcoming municipal year and then subsequently the proportionality of the Council. The report then goes on to address the allocation of seats on those bodies to political Groups. Finally the report also allows the Council to elect Chairmen and Vice Chairmen to Committees for the 2024/25 municipal year.

### **Recommendations:**

- 3.1.3 That Members agree the number of committees for the Council year 2024/25 and the number of members serving on each committee as shown in table 2.
- 3.2.12 That Council approves the proportionality between groups (allocation of seats) for Committees, Panels and Boards for 2024/25.
- 3.3.7 a) To note the corresponding group nominations to Committees, Panels and Boards for 2024/25. (The names of those Councillors so nominated will be presented at the meeting)
- b) To extend the term of office for Peter Tucker as an Independent Member to the Annual Council meeting in 2027.
- 3.4.7 That Council makes the following Appointments of Chairs and Vice-Chairs of Committees, Panels and Boards for 2024/25:
  - a) Chair and Vice-Chair of the Planning Committee
  - b) Chair and Vice-Chair of the Licensing Board
  - c) Chair and Vice-Chair of the Overview and Scrutiny Panel
  - d) Chair and Vice-Chair of the Governance and Audit Committee
  - e) Chair of the General Purposes Committee
  - f) Vice-Chair of the Joint Transportation Board

- g) That Peter Tucker be appointed as Chair of the Standards Committee and the Constitutional Review Working Party.
- h) That Peter Lorenzo be appointed as Vice-Chair of the Standards Committee and the Constitutional Review Working Party.

## 1. Summary of Reasons

- 1.1 The Local Government and Housing Act 1989 requires the Council to allocate seats on committees to political Groups in accordance with the size of each group on the Council as a whole and in accordance with the following principles which should be observed as far as is reasonably practicable:

## 2. Background

- 2.1 The Council agrees the size and number of committees, its nominations to sit on those committees and the chairs and Vice Chair of its committees at every Annual Council meeting.

## 3. Relevant Issues

### 3.0 Political Balance

- 3.0.1 The current political balance of the Council is shown in the table below:

**Table 1**

Political Group	No. of Cllrs
Labour	31
Conservative	16
Green & Independent Group	6
Thanet Independents	3

### 3.1 Number, Size and Terms of Reference of Committees

- 3.1.1 It is for Council to decide the number and sizes of committees. Consultation amongst the Leaders of the political groups has resulted in the following proposed number of committees and committee sizes for the 2024/25 municipal year:

**Table 2**

Committee	Number of Members
Planning Committee	15
Licensing Board	14
Overview and Scrutiny Panel	15
Governance and Audit Committee	15
General Purposes Committee	10
Constitutional Review Committee	13 (+2 independent)
Boundary and Electoral Arrangements Working Party	5
Disciplinary and Grievance Committee	5
Disciplinary and Grievance Appeals Committee	5
Appointments Committee	3
Joint Transportation Board*	7 (+1 parish)
Standards Committee**	7 (+4 independent, + 3 parish)

\*NOTE Under section 15 (5) of Part III and Schedule 1 of the Local Government Housing Act 1989 proportionality applies to this body but not towards the total number of seats.

\*\* With the introduction of Localism Act 2011, the Standards Committee has now become a politically balanced committee. However, under section 15 (5) of Part III and Schedule 1 of the Local Government Housing Act 1989 proportionality applies to this body but not towards the total number of seats. Council agreed in July 2012 that four independent members would be appointed to the committee (under 27(4) (a) and (b) of the Localism Act 2011), one of whom would act as Chairman. That practice has continued for every Municipal Year since then.

3.1.2 Though the Constitutional Review Committee is bound by proportionality in respect of elected Members, Council agreed in May 2008 that two independent members would be appointed to the Committee. That practice has continued for every Municipal Year since then.

### 3.1.3 Recommendation

That Members agree the number of committees for the Council year 2024/25 and the number of members serving on each committee as shown in table 2.

## 3.2 Political Proportionality

3.2.1 The Local Government and Housing Act 1989 requires the Council to allocate seats on committees to political Groups in accordance with the size of each group on the Council as a whole and in accordance with the following principles which should be observed as far as is reasonably practicable:

- a) That not all seats on the same committee are allocated to the same political group;

## Agenda Item 8

- b) That the majority of the seats on a committee are allocated to a particular political group if the number of persons belonging to that group is a majority of the Council's membership;
- c) That, subject to a) and b) above, the number of seats on committees allocated to each political group bears the same proportion of the total of all the seats on committees;
- d) That, subject to a), b) and c) above, the number of seats on a committee allocated to each political group bears the same proportion to the number of all seats on that committee.

3.2.2 For the purposes of political balance a Group is required to have at least two members and to have been formally constituted as a political group before the meeting.

3.2.3 After consultation with Group Leaders consensus has been reached on a preferred option regarding proportionality. The application of political proportionality to the Committee Structure will result in the following seats for individual groups:

**Table 3**

<b>Committees</b>	<b>Total</b>	<b>Labour Group</b>	<b>Conservative Group</b>	<b>Green and Ind. Group</b>	<b>Thanet Independent Group</b>
Planning Committee	15	8	4	2	1
Licensing Board	14	8	4	1	1
Overview and Scrutiny Panel	15	8	4	2	1
Gov. and Audit	15	8	4	2	1
General Purposes	10	6	3	1	0
Constitutional Review Committee	13	7	3	2	1
B&EA Working Party	5	3	2	0	0
D&G Committee	5	3	2	0	0
D&G Appeals Committee	5	3	2	0	0
Appts Committee	3	2	1	0	0
<b>Totals</b>	<b>100</b>	<b>56</b>	<b>29</b>	<b>10</b>	<b>5</b>

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- 3.2.4 The overall political balance calculation for the proposal shown above is available at Annex 1.
- 3.2.5 Both Section 15 (5) of Part III and Schedule 1 of the Local Government Housing Act 1989 mean that proportionality applies to the Standards Committee, but the Standards Committee does not count towards the total number of seats when dealing with overall political proportionality, hence why they are presented here.
- 3.2.6 However the Council is asked to waive the political proportionality of Standards Committee to allow for both independent Members and Parish Council's to sit on the Committee.

**Table 4**

	Total	Labour Group	Conservative Group	Green and Ind. Group	Thanet Ind. Group	Independent Members	Parish/ Town Council
Standards Committee	7	4	2	1	0	4**	3
Standards Assessment Sub-Committee	3	*	*	*	*	At least 1	*
Standards Hearing Sub-Committee	3	*	*	*	*	At least 1	*

NOTE\*; the remaining two members would be either Thanet District Council Members from those groups that are entitled to seats on the Standards Committee, Town/Parish Council members or further independent members, on a case by case basis. In the case of a complaint against a Town or Parish Councillor at least one of the panel would be a Town or Parish Council representative.

\*\* Currently there are only two Independent Members in post.

- 3.2.7 The rest of the proportionality calculations shown below at tables five and six must also be agreed.
- 3.2.8 The Joint Transportation Board consists of seven Councillors from Thanet District Council and the seven Councillors from Kent County Council that represent County divisions within Thanet. In addition, although proportionality applies to the Joint Transportation Board, the Council has also agreed that there be one Parish representative serving on the Board. Under section 15 (5) of Part III and schedule 1 of the Local Government Housing Act 1989 proportionality applies to the seven seats appointed by Thanet District Council on the Joint Transportation Board but these seats do not count towards the total number of seats by which overall proportionality is calculated.

3.2.9 The allocation of Thanet District Council seats on the Joint Transportation Board are shown in the table below:

**Table 5**

	TDC Members	Labour Group	Conservative Group	Green and Ind. Group	Thanet Ind. Group	Parish/ Town Council
Joint Transport Board	7	4	2	1	0	1

3.2.10 The Council is also a member of the East Kent Services Committee; therefore it is necessary to appoint Councillors to the committee.

3.2.11 Council agreed in February 2015 to the proposal that two executive Councillors and two substitute Executive Councillors should serve on the East-Kent Services Committee, as shown in table below:

**Table 6**

	Total (from Thanet)	Labour Group	Conservative Group	Green and Ind. Group	Thanet Ind. Group
East Kent Joint Arrangements Committee	2 plus two substitutes	2 Cllrs	0	0	0

### 3.2.12 Recommendation

That Council approves the proportionality between groups (allocation of seats) for Committees, Panels and Boards for 2024/25.

### 3.3 Nominations of Members to serve on Committees

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

3.3.2 Group nominations to Committees, Panels and Boards and will be circulated to Members separately at the meeting.

3.3.2 The independent membership of committees is as follows:

3.3.3 Standards Committee: Peter Tucker, Michael Clarke and Carolyn Ruston are Independent Members of the Standards Committee with Mr Tucker's term of office expiring on 9 July 2024 and Mr Clarke and Ms Ruston terms of office expiring at

Annual Council in May 2026. Peter Lorenzo's term of office expires at the Annual Council meeting in 2027. It is proposed to extend the term of office of Mr Tucker to the Annual Council meeting in 2027.

- 3.3.4 Standards Assessment Sub-Committee: independent member(s) will be drawn from the independent members of the Standards Committee.
- 3.3.5 Standards Hearing Sub-Committee: independent member(s) will be drawn from the independent members of the Standards Committee.
- 3.3.5 The Constitutional Review Committee; independent member(s) will be drawn from the independent members of the Standards Committee.
- 3.3.6 Town/Parish Councils are entitled to have three representatives on the Standards Committee and one representative on the Joint Transportation Board. The Town/Parish nominations to Committees are made by the Thanet Association of Parish Councils and are made in November each year, however due to the recent Parish Council elections, new nominations will be made shortly.

### **3.3.7 Recommendation**

- a) To note the corresponding group nominations to Committees, Panels and Boards for 2024/25. (The names of those Councillors so nominated will be presented at the meeting)
- b) To extend the term of office for Peter Tucker as an Independent Member to the Annual Council meeting in 2027.

### **3.4 Appointment of Chairs and Vice-Chairs of Committees, Panels and Boards 2024/25**

- 3.4.1 The constitution of the Council states that:
  - a) The Chairs and Vice-Chairs of Committees shall be appointed by Council at its Annual Meeting with the exception of the Grievance Committee, Grievance Appeals Committee and Appointment Sub Committee which elect their own Chairs;
  - b) All Sub-Committees, Advisory Groups and Working Parties shall elect their Chairs and Vice-Chairs at their first meeting after the Annual Council Meeting.
- 3.4.2 By convention, in Thanet the majority group is entitled to the first nomination of the chairship and vice- chairship of Committees, Panels and Boards. This will be presented at the meeting and where there are multiple nominations an elimination vote will take place.
- 3.4.3 Council agreed on 12 July 2012 that the Chair and Vice-Chair of the Standards Committee are to be independent members and to date the Council has made and

confirmed appointments to these offices at the Annual Meeting from the Independent Members of the Standards Committee.

- 3.4.4 Under the Council's Joint Transportation Board (JTB) agreement with Kent County Council, for 2024/25 a Member of Thanet District Council will be the vice-chair of the JTB and a Kent County Councillor will act as Chair. These roles are alternated annually.
- 3.4.5 The Council's constitution states that the Chair and Vice-Chair of any Overview and Scrutiny Panel shall not both be from the same political Group. In addition if there is more than one Scrutiny Panel then they cannot all be chaired by the same political Group.
- 3.4.6 The Council decided during 2008 that one independent member of the Standards Committee would act as Chair of the Constitutional Review Working Party and another independent member would act as Vice-Chair. It has maintained that practice every Municipal Year since then.

### **3.4.7 Recommendation**

That Council makes the following Appointments of Chairs and Vice-Chairs of Committees, Panels and Boards for 2024/25:

- a) Chair and Vice-Chair of the Planning Committee
- b) Chair and Vice-Chair of the Licensing Board
- c) Chair and Vice-Chair of the Overview and Scrutiny Panel
- d) Chair and Vice-Chair of the Governance and Audit Committee
- e) Chair of the General Purposes Committee
- f) Vice-Chair of the Joint Transportation Board
- g) That Peter Tucker be appointed as Chair of the Standards Committee and the Constitutional Review Committee
- h) That Peter Lorenzo be appointed as Vice-Chair of the Standards Committee and the Constitutional Review Committee.

## **4. Alternative Options**

- 4.1 The choice and size of committees, the application of proportionality and the Chairs, and Vice-Chairs are all decided by the meeting. If Councillors choose to change any of the elements of the report then the meeting would need to be adjourned in order for Officers to check that the proposed amendments were acceptable as per the Local Government Housing Act 1989.

## **5. Consultation**

- 5.1 Statutory consultation is not required for this decision.

## **6. Corporate Implications**

- 6.1 **Finance and Resources**



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

## **6.2 Legal and Constitutional**

6.2.1 The composition and allocation of membership of committees has been based on the relevant legislative requirements as outlined in the report.

## **6.3 Council Policies and Priorities**

6.3.1 This report relates to the “To work efficiently for you” Corporate priority.

## **6.4 Risk**

6.4.1 If Council did not follow the processes outlined in the report it would potentially be acting unlawfully.

## **6.5 Climate Change and Biodiversity**

6.5.1 There are no Climate Change or Biodiversity implications to this report.

## **7. Equality, Equity and Diversity Implications**

7.1 There are no Equality, Equity or Diversity implications to the report.

## **8. Crime and Disorder Implications and Community impact**

8.1 There are no Crime and Disorder implications as a result of this report.

## **Subject History**

There has to be a report to every Annual Council meeting each May, setting out the political proportionality, as well as the committee structure for the ensuing municipal year. These reports are available on the Council’s website [www.thanet.gov.uk](http://www.thanet.gov.uk)

## **Annexes**

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

## **Background Papers**

None

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**Report Sign Off**

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

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

<b>Proportionality Annex May 2024</b>	Members	Labour	Conservative	Green & Ind.	T. Ind.	Non group
Overall Council	56	31	16	6	3	0
Groups only	56	31	16	6	3	0
%	100.00%	55.36%	28.57%	10.71%	5.36%	100.00%
<b>Under s15 LGHA 1989 Proportionality Applies in Full</b>	Members	Labour	Conservative	Green & Ind.	T. Ind.	Check
Planning Committee	15	8	4	2	1	
	100.00%	53.33%	26.67%	13.33%	6.67%	100.00%
Licensing Board	14	8	4	1	1	
	100.00%	57.14%	28.57%	7.14%	7.14%	100.00%
Scrutiny Panel	15	8	4	2	1	
	100.00%	53.33%	26.67%	13.33%	6.67%	100.00%
Governance & Audit	15	8	4	2	1	
	100.00%	53.33%	26.67%	13.33%	6.67%	100.00%
General Purposes	10	6	3	1	0	
	100.00%	60.00%	30.00%	10.00%	0.00%	100.00%
BEAWP	5	3	2	0	0	
	100.00%	60.00%	40.00%	0.00%	0.00%	100.00%
D&G Committee	5	3	2	0	0	
	100.00%	60.00%	40.00%	0.00%	0.00%	100.00%
D&G Appeals Committee	5	3	2	0	0	
	100.00%	60.00%	40.00%	0.00%	0.00%	100.00%
Constitutional Review Committee	13	7	3	2	1	
	100.00%	53.85%	23.08%	15.38%	7.69%	100.00%
Appointments Panel	3	2	1	0	0	
	100.00%	66.67%	33.33%	0.00%	0.00%	100.00%
Total Allocated	<b>100</b>	<b>56</b>	<b>29</b>	<b>10</b>	<b>5</b>	
	100.00%	56.00%	29.00%	10.00%	5.00%	100.00%
Total Entitlements						
Totals Entitlement	<b>100</b>	<b>55.36</b>	<b>28.57</b>	<b>10.71</b>	<b>5.36</b>	<b>100</b>
Difference from Entitlement - No.		0.64	0.43	-0.71	-0.36	0.00
Difference from Entitlement - %		0.6429	0.4286	-0.7143	-0.3571	

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## REPRESENTATION ON OUTSIDE BODIES FOR 2024/25

<b>Annual Council</b>	9 May 2024
<b>By</b>	Ingrid Brown, Head of Legal and Democracy & Monitoring Officer
<b>Cabinet Portfolio Member</b>	Councillor Everitt, Leader of Council
<b>Key Decision</b>	no
<b>Decision classification</b>	Unrestricted
<b>Call in status</b>	n/a
<b>Ward:</b>	Thanet Wide

### Purpose of the Report

This report invites suggestions to update the lists of recognised outside bodies and the appointment of Members to serve on the non-executive list.

### Recommendation(s):

1. That Council agrees the list of Executive appointed outside bodies;
2. That Council agrees the list of Non-Executive outside bodies;
3. That Council agrees the nominations to the Non-Executive outside bodies.

### 1. Summary of Reasons

- 1.1 Council has two categories of outside bodies: those that relate to an Executive function and hence appointments should be made by the Cabinet, and those for which appointments should be made by Council.

### 2. Background

- 2.1 Council confirms the list of executive and non executive outside bodies that it would like to nominate representatives to seat on. Annual Council further agrees the names of councillors to be its representatives on non-executive outside bodies while Cabinet approves nominations for executive outside bodies.

## **3. Relevant Issues**

- 3.1 The Leader has proposed the lists of Executive and Non-Executive outside bodies. These are shown at Annex 1 and Annex 2.
- 3.2 It is for Council to decide on both the list of Non-Executive outside bodies and the nominations to those Non-Executive outside bodies. The Leader will propose a list of nominations to the Non-Executive outside bodies at the Council meeting.
- 3.3 It is for Council to decide on those outside bodies it feels relate to an Executive function, but for Cabinet to agree the nominations to them.

## **4. Alternative Options**

- 4.1 Membership to outside bodies is a voluntary option for the Council.

## **5. Consultation**

- 5.1 There is no public consultation that is required for this matter.

## **6. Corporate Implications**

### **6.1 Finance and Resources**

- 6.1.1 There are no direct financial implications from this report. However members allowances included in the annual budget are based on the existing structure and commitment to membership on outside bodies. Any increase in the number of commitments to outside bodies would require approval of the resulting increase in the budget.

### **6.2 Legal and Constitutional**

- 6.2.1 Besides considering prescribed agenda items (in para 2.2 (i-xii), the Annual Council can also consider any business set out in the notice for convening the meeting, as provided for in Part 4 of the Constitution, Rules of Procedure (para 2.2 xviii).

### **6.3 Council Policies and Priorities**

- 6.3.1 This report relates to the following corporate priorities: -

- To work efficiently for you

### **6.4 Risk**

- 6.4.1 There are no risk implications arising directly from this report.

### **6.5 Climate Change and Biodiversity**

6.5.1 There are no climate change and biodiversity issues arising directly from this report.

## 7. Equality, Equity and Diversity Implications

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

## 8. Crime and Disorder Implications and Community impact

8.1 There are no crime and disorder implications and community impact arising directly from this report.

## Subject History

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

## Appendices

Annex 1 - List of Executive appointed outside bodies for 2024/25

Annex 2 - List of Non-Executive outside bodies for 2024/25

## Background Papers

None

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**Report Sign Off / Signed off by / Date sent / Date signed off / Initials**

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

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

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**Proposed List of Executive Appointed Outside Bodies – for the municipal year 2024/25**

<b>Name of Outside Body</b>	<b>No. of Reps</b>
British Ports Association	1
Community Safety Partnership	1
Domestic Violence Forum	1 (+1 reserve)
East Kent Opportunities Ltd	1
East Kent Spatial Development Company	1
Kent Police and Crime Panel	1
Local Government Association Coastal Special Interest Group	1
Local Government Association District Councils' Network	1
Local Government Association General Assembly	1
Local Government Association Strategic Aviation Specialist Interest Group	1
Manston Skills and Employment (MSE) Board	1
South East England Councils	1
Thanet (Ramsgate) Harbour Users' Groups	1 (+1 reserve)
Thanet Quality Bus Partnership	1
Tourism South East	1
Your Leisure Thanet Sub Group	2

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**Proposed List of Non-Executive Outside Bodies – for the municipal year 2024/25**

<b>Name of Outside Body</b>	<b>No. of Reps</b>	<b>Councillor/s</b>
Age UK: Thanet	1	
Campaign to Protect Rural England	1	
Citizens Advice, Thanet	2	
Millmead Children's Centre Partnership Ltd	1	
Multiple Sclerosis Society	1	
Parking and Traffic Regulation Outside London	1	
River Stour (Kent) Internal Drainage Board	1	
Sandwich and Pegwell Bay National Nature Reserve Steering Group	1	
Thanet Countryside Trust	2	
Thanet Rural Regeneration Group	1	
Thanet Volunteer Bureau	1	
The Friends of Margate Cemetery	2	
Trust for Thanet Archaeology	2	
Young People's Partnership	1	

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