



# Agenda

## Cabinet

Monday 22 April 2024 at 7pm

The Guildhall, St Peter's Place, Canterbury

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## Membership of the Committee:

Councillor Alan Baldock (Chair)  
Councillor Michael Dixey (Vice Chair)  
Councillor Charlotte Cornell  
Councillor Chris Cornell  
Councillor Mel Dawkins  
Councillor Pip Hazelton  
Councillor Connie Nolan  
Councillor Alex Ricketts  
Councillor Mike Sole

Quorum: 5

## NOTES

1. Members of the public may speak at meetings of the Committee so long as they contact Democratic Services by 12.30pm the working day before the meeting.
2. The venue for the meeting is wheelchair accessible and has an induction loop to help people who are hearing impaired.
3. Everyone is welcome to record meetings of the Council and its Committees using whatever non-disruptive methods you think are suitable. If you are intending to do this please mention it to the Democratic Services Officer and do not use flash photograph unless you have previously asked whether you may do so. If you have any questions about this please contact Democratic Services (members of the press please contact the Press Office).

Please note that the Chair of the meeting has the discretion to withdraw permission and halt any recording if in the Chair's opinion continuing to do so would prejudice proceedings at the meeting. Reasons may include disruption caused by the filming or recording or the nature of the business being conducted.

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If a meeting passes a motion to exclude the press and public then, in conjunction with this, all rights to record the meeting are removed.

4. The information contained within this agenda is available in other formats, including Braille, large print, audio cassettes and other languages.

Contact: Democracy, 01227 862009, [democracy@canterbury.gov.uk](mailto:democracy@canterbury.gov.uk)

## Agenda

### **1 APOLOGIES FOR ABSENCE**

### **2 SUBSTITUTE COUNCILLORS**

### **3 DECLARATIONS OF INTEREST**

TO RECEIVE any declarations for the following in so far as they relate to the business for the meeting:-

- a. Disclosable Pecuniary Interests
- b. Other Significant Interests (what were previously thought of as nonpecuniary Prejudicial interests)
- c. Voluntary Announcements of Other Interests

Voluntary Announcements of Other Interests not required to be disclosed as DPI's or OSI's, ie announcements made for transparency reasons alone, such as:

- Membership of outside bodies that have made representations on agenda items, or
- Where a Councillor knows a person involved, but does not have a close association with that person, or
- Where an item would affect the well-being of a Councillor, relative, close associate, employer, etc but not his/her financial position.

[Note: an effect on the financial position of a Councillor, relative, close associate, employer, etc; OR an application made by a Councillor, relative, close associate, employer, etc, would both probably constitute either an OSI or in some cases a DPI].

### **4 PUBLIC PARTICIPATION**

Members of the public may speak on any item on the agenda, for a maximum of three minutes, provided that notification has been given to Democratic Services by 12.30pm on the working day before the Meeting.

### **5 MINUTES**

TO CONFIRM the minutes of the meeting held on 25 March 2024.

### **6 REFERENCES FROM COMMITTEES**

There were no references from committees.

## **Part A - Items to be considered with public participation**

### **7 ACCOUNTS TO WRITE OFF 2024**

TO CONSIDER the report of Nicci Mills, Service Director Finance and Procurement and s151 officer and Rob May, Head of Finance.

### **8 NOTICE OF MOTION - RIGHT TO GROW**

TO CONSIDER the report of William Hicks, Service Director for Place and Richard Moore, Head of Transport and Environment.

### **9 STRATEGIC GRANTS PERFORMANCE REVIEW**

TO CONSIDER the report Bill Hicks, Director of People and Place and Michelle Moubarak, Head of Culture, Leisure and External Development.

### **10 PARISH CHARTER**

TO CONSIDER the report of Tricia Marshall, Director of Corporate Services and Matthew Archer, Head of Corporate Governance.

### **11 BRIDGE NEIGHBOURHOOD PLAN ADOPTION**

TO CONSIDER the report of Peter Davies, Director of Strategy and Improvement and Leo Whitlock, Head of Policy and Communications.

### **12 RECOMMENDATION FROM THE AUDIT COMMITTEE FOR AN EXTERNAL INVESTIGATION INTO COUNCILLOR CONDUCT - LOCAL PLAN INTERESTS**

TO CONSIDER the report of Tricia Marshall, Director of Corporate Services.

Councillors are asked to note the confidential appendix at Item 15.

## **Part B - Items for consideration with no public participation**

These items have already been considered at the Overview and Scrutiny Committee with public participation. Therefore, there is no further public participation for the items listed in Part A of the agenda.

### **13 ANY OTHER URGENT BUSINESS**



**14 EXCLUSION OF THE PRESS AND PUBLIC**

TO RESOLVE - That under Section 100(A)(4) of the Local Government Act 1972, the press and public be excluded from the meeting during consideration of the following items of business on the grounds that there would be disclosure of exempt information as defined in Part 1 of Schedule 12A of the Act or the Freedom of Information Act or both.

**Part C - Items likely to be considered in Private**

**15. CONFIDENTIAL APPENDIX - RECOMMENDATION FROM THE AUDIT COMMITTEE FOR AN EXTERNAL INVESTIGATION INTO COUNCILLOR CONDUCT - LOCAL PLAN INTERESTS**

The information contained here is exempt from being published as set out in Paragraph 5 of schedule 12A of the Local Government Act 1972 due to it being in respect of which a claim to legal professional privilege could be maintained in legal proceedings.

Councillors are asked to note the confidential appendix.

**16 ANY OTHER URGENT BUSINESS WHICH FALLS UNDER THE EXEMPT PROVISIONS OF THE LOCAL GOVERNMENT ACT 1972 OR THE FREEDOM OF INFORMATION ACT 2000 OR BOTH**

Date Published: 3 April 2024

Any decision in the minutes below will come into force, and may be implemented, on the expiry of three clear working days after the publication of the decision, unless a valid request has been received by the Head of Paid Service objecting to the decision and asking for it to be called in.

## **CANTERBURY CITY COUNCIL**

### **CABINET**

#### **Minutes of a meeting held on Monday 25 March, 2024 at 7.00 pm in The Guildhall, St Peter's Place, Westgate, Canterbury**

Present: Councillor Alan Baldock(Chair)  
Councillor Charlotte Cornell  
Councillor Chris Cornell  
Councillor Mel Dawkins  
Councillor Michael Dixey  
Councillor Pip Hazelton  
Councillor Connie Nolan  
Councillor Alex Ricketts  
Councillor Mike Sole

In attendance as observers:  
Councillor Rachel Carnac  
Councillor David Thomas

Officers: Tricia Marshall - Director of Corporate Services  
Suzi Wakeham - Director of People and Place  
Martin Hall - Senior Environment Manager  
Bill Hicks - Service Director, Place  
Nicci Mills - Service Director, Finance and Procurement  
Vanessa Montgomery - Democratic Services Manager

#### **654. Apologies for absence**

There were no apologies for absence

#### **655. Declarations of interest by Members or Officers**

Councillor Dawkins made a voluntary announcement regarding item 10 and 11 that she was a dog owner.

Councillor Ricketts made a voluntary announcement that he was a member of the Royal Society for the Protection of Birds (RSPB).

Suzi Wakeham and Marie Royle made declarations that they were Cancenco Board Members.

Tricia Marshall made a voluntary announcement that she was a member of the RSPB.

Bill Hicks made a voluntary announcement that he sits on the Business Improvement District (BID) Board.

Councillor Chris Cornell made a voluntary announcement that he was a member of Kent Cricket Club and that his family were members of Polo farm which are mentioned in the report under item 7

Councillor Sole made a voluntary declaration that he was a park runner and uses the site under item 10.

## **656. Announcements**

Councillor Charlotte Cornell provided an update on the contaminated bin hangers as promised. The first week of issue on 15 January, 379 hangers were issued and the following week this over doubled the following week to 839. Since 22 January there had been a gentle reduction in the number of hangers issued. The figures were in order 431, 475, 270, 233, 161, 122 and 126. This was an encouraging sign that the hangers are working. There have been minimal complaints from the public and these have been investigated and advice offered. Sadly, there has been some abuse of Cancenco staff but these are also being investigated. It was confirmed the use of the hangers will continue as the educational benefits were being felt.

Councillor Dawkins, announced that the council had been successful in a bid from swimming pool support fund for the Whitstable swimming pool receiving £73,000 and this will be spent on solar panels on the roof of the swimming pool. It was estimated this would produce 52,525 kWh per year initially, which equates to more than 10,000 kg CO2 saved per year. The funding will also pay for five new sub metres which identify any efficiencies that can be made.

She also explained she had been working with Councillor Charlotte Cornell about bringing together better communications to Cancenco and our own biodiversity policy after the eco declaration for the local plan had gone out to consultation. There has been an incident of mismanagement regarding Curtis Wood and many councillors were concerned, so senior officers and Cancenco Director have met

regarding the tree works and have learnt lessons from this. These will be put in place to prevent this happening again in the future.

Councillor Ricketts reported back following the Joint Transportation Board (JTB) meeting last week where the Transport Strategy was warmly received. The Board did receive a petition regarding the Herne Bay plaza and Kent County Council have convened a Working Group to discuss this and will report back to JTB and he will then feedback the results to Cabinet.

#### **657. Change of order of the agenda**

A request was made by the Chair and it was agreed to change the order so that item 10 (Dog PSPO outcomes) and item 11 (Long Rock management plan) be swapped.

#### **658. Public participation**

There were three public speakers heard at the commencement of item 7.

#### **659. Minutes of the meeting held on 11 March 2024**

The minutes were agreed as a true record by general assent.

#### **660. References from Committees:**

The minutes were NOTED.

### **PART A - Items to be considered with public participation**

#### **661 . BID ballot and voting**

Councillor Alan Baldock, the Leader, introduced the report that set out the proposal for a third term Business Improvement District (BID) for Canterbury city, and the decisions required from Canterbury City Council to support and enable the BID to progress to a ballot

The Cabinet discussed the report and clarification was provided where needed by the Service Director for Place.

The following points were made:

- Clear that Canterbury was a better place with the BID than without, as a local authority we cannot accomplish all the BID does and many residents and visitors feel the benefit.
- Value BID for help and advice and they provide a very good read of local business.
- BID stepped in to continue the Christmas lights in Canterbury.
- BID provides not only a business purpose but also a democratic purpose.

- A query was raised regarding Board membership and the importance that this is diverse and represents many demographics.

It was proposed, seconded and when put to a vote RESOLVED:

1. As the local authority:

a: to receive the draft Business Improvement District proposal as detailed in the report;

b: delegate to the Director of Strategy and Improvement to approve the final version which will form the basis for the notification of the BID ballot submitted to the Secretary of State;

c: authorise the Returning Officer to conduct the BID ballot in 2024.

2. As a Non-Domestic Rates levy payer, delegate to the Director of Strategy and Improvement to cast the council's vote as 'Yes' in the forthcoming ballot.

Record of the vote:

For (9): Councillors Alan Baldock, Charlotte Cornell, Chris Cornell, Mel Dawkins, Michael Dixey, Pip Hazelton, Connie Nolan, Alex Ricketts and Mike Sole.

Against (0)

Abstained (0)

**Reason for the decision:** The advantages for the city and its economy have been proven during the first two BID terms. By supporting the proposal to ballot the council would allow levy payers to determine whether the third BID term will go ahead through a democratic process.

## **662. Canterbury Environment Company Service Delivery Plan for 2024/25**

Councillor Charlotte Cornell the Cabinet Member for heritage, open space, waste and recycling introduced the report that outlined the Service Delivery Plan submitted by Canenco for 2024/25 for Cabinet to consider adopting.

The Cabinet discussed the report and clarification was provided where needed by the Director of Corporate Services.

The following points were made:

- The plan reflects an organisation that was moving forward
- It was suggested that Canenco should draw up a five year strategic plan to cover additional areas such as how to switch to electric vehicles and charging points.
- It was confirmed that the corporate plan was being finalised and once this is complete a longer term plan for some of the strategic points mentioned would be looked at.
- It was positive that the ground maintenance side of the business was receiving greater coverage and examining improvements that can be made.

It was proposed, seconded and when put to a vote RESOLVED:

That the Service Delivery Plan for Waste Collection & Street Cleansing and Grounds Maintenance & Associated Works for 2024/25 be approved.

Record of the vote:

For (9): Councillors Alan Baldock, Charlotte Cornell, Chris Cornell, Mel Dawkins, Michael Dixey, Pip Hazelton, Connie Nolan, Alex Ricketts and Mike Sole.

Against (0)

Abstained (0)

**Reason for the decision:** The Service Delivery Plan for 2024/25 meets the contractual requirements and ensures the Council's statutory obligations particularly on household waste collections and burial services are met.

### **663: Treasury Management Strategy, Investment Strategy and Capital Strategy for 2024/25**

Councillor Mike Sole the Cabinet Member for Finance introduced the report that advised the council on the Strategies to be adopted for Treasury Management, Capital and Investments for 2024/25 including approval of the Prudential Borrowing Limits for 2024/25 – 2026/27 and the policy on Minimum Revenue Provision.

The Cabinet discussed the report and clarification was provided where needed by the Service Director for Finance.

It was proposed, seconded and when put to a vote **RECOMMENDED TO COUNCIL:**

- a) that the attached Treasury Management Strategy including the Minimum Revenue Provision policy for 2024/25 be approved.
- b) that the attached Capital Strategy for 2024/25 be approved.
- c) that the attached Investment strategy for 2024/25 be approved.

Record of the vote:

For (9): Councillors Alan Baldock, Charlotte Cornell, Chris Cornell, Mel Dawkins, Michael Dixey, Pip Hazelton, Connie Nolan, Alex Ricketts and Mike Sole.

Against (0)

Abstained (0)

### **PART B - Items for consideration with no public participation**

These items have already been considered at the Overview and Scrutiny Committee with public participation. Therefore, there is no further public participation for the items listed in Part A of the agenda

#### **664. Long Rock Management Plan**

Councillor Charlotte Cornell the Cabinet Member for heritage, open space, waste and recycling introduced the report that outlined the Long Rock Management Plan for Cabinet to consider adopting.

The Cabinet discussed the report and clarification was provided where needed by the Senior Environment Manager.

The following points were made:

- Thanks was given for an excellent detailed report and support was given for the recommendations to protect the nature in the area.
- New signage had been successful and lots of support for it.
- In such a mixed use site we need to carefully consider public rights of way and these can be marked clearly, but how do we carry and collect surveillance up to 2026 to make an informed decision?
- A process has been started to gather evidence for KCC, working alongside a company who monitors mobiles phones to look at a heat map of movement in the area and will look at that data to see a reduction in footfall and dwell time in some of the sensitive areas. While we cannot wholly rely on this we can also rely on the duty of Environment Act and necessity to protect the area.
- The Cabinet Member and officer will monitor the information and ensure it comes back to Cabinet in a timely manner
- There was an opportunity to further publicise the plan once agreed.

It was proposed, seconded and when put to a vote RESOLVED:

That Cabinet adopt the Long Rock Management Plan.

Record of the vote:

For (9): Councillors Alan Baldock, Charlotte Cornell, Chris Cornell, Mel Dawkins, Michael Dixey, Pip Hazelton, Connie Nolan, Alex Ricketts and Mike Sole.

Against (0)

Abstained (0)

**Reason for the decision:** The Plan demonstrates the Council's duty to have regard to the protection and enhancement of the Site of Special Scientific Interest. This option is also consistent and sympathetic to the Council's declaration of a biodiversity emergency.

#### **665. Proposed Dog Control Public Space Protection Order (PSPO) 2024**

Councillor Connie Nolan the Cabinet Member for community, culture, safety and engagement introduced the report that included the results of the public consultation on the PSPO and outlined the requirements proposed to be included in the PSPO. It seeks the view of Cabinet on the proposals as part of the formal decision making process.

The Cabinet discussed the report and clarification was provided where needed by the Service Director for Place.

The following points were made:

- It was clarified that a request from Barham had been made to change to a complete dog ban on the green to dogs on the lead. The request came in very late and so did not form part of the consultation responses. Therefore the action could not be implemented as part of this process as it would need to go

back out to consultation, officers confirmed at Overview & Scrutiny that they would process this PSPO as it is and then carry out a fresh consultation on the area that Barham raised as a potential variation.

- An additional request had been received from Barham to a Cabinet Member for a dog ban on the football field, clarification would be sought from Barham and then a fresh consultation would go out.
- There were other areas other than Long Rock where dogs are restricted such as on Tankerton slopes
- There has been an improvement of signage at Tankerton and Herne Bay pier including additional maps.
- A dog ban in parts of Long Rock was necessary to protect the area
- Not passing the PSPO risks the commitment to biodiversity and ecology in the area
- The PSPO is being utilised in the smallest area possible to protect it

## TO RECOMMEND TO COUNCIL

1. The adoption of a new Dog Control PSPO 2024 as set out in Appendix D which includes requirements relating to :

- Dog fouling
- Dog on lead of no more than two metres as per locations listed in Schedule 1 of Appendix D
- Direction given to place dog on lead
- Dog exclusion as per locations listed in Schedule 2 of Appendix D

2. To include the new site of Bridge Recreation Ground as a dog exclusion area (as set out in Schedule 2 of Appendix D)

3. To attach site maps to locations listed in Section 2 of this report, to ensure boundaries and areas that restrictions apply are clear.

4. To NOT include in the new order:

4.1 Dog lead restrictions at the following sites:

- a. Paths of the Riverside Walk
- b. The public footpath within Whitstable Cemetery Whitstable

4.2 Dog exclusion at the following sites:

- Play area The Maltings, Enclosed, Littlebourne
- Play area Black Griffin Lane, Canterbury
- Sturry Road Community Park Garden Area, Northgate

4.3 The requirement of a person in charge of a dog on land to which the order applies, to produce (if asked to do so by an officer) a suitable means to pick up, remove and appropriately dispose of dog faeces

Record of the vote:

For (9): Councillors Alan Baldock, Charlotte Cornell, Chris Cornell, Mel Dawkins, Michael Dixey, Pip Hazelton, Connie Nolan, Alex Ricketts and Mike Sole.

Against (0)



Abstained (0)

**666. Date of next meeting**

7pm, Monday, 22 April 2024

**667. Any other urgent business to be dealt with in public**

There was no business under this item.

**668. Exclusion of the press and public**

**669. Any other urgent business which falls under the exempt provisions of the Local Government Act 1972 or the Freedom of Information Act 2000 or both**

There was no business under this item.

Meeting closed at 20.48

Cabinet  
22 April 2024

**Subject: Accounts to Write Off**

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**Director and Head of Service:**

Nicci Mills, Service Director Finance and Procurement and s151 officer  
Rob May, Head of Finance

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**Officer:**

James Kehoe, Revenues and Benefits Operational Manager (Civica)  
Sharon Harvey, Revenues & Benefits Operational Manager (Civica)

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**Cabinet Member:**

Councillor Mike Sole Cabinet Member for Finance

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**Key or Non Key decision:** Non Key

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**Decision Issues:**

These matters are within the authority of the Committee

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**Is any of the information exempt from publication:**

This report is open to the public.

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**CCC ward(s): All**

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**Summary and purpose of the report:**

*This report schedules those debts to be written off as irrecoverable for the year 2023/24 which it has been agreed will be reported to Committee prior to the Service Director Finance and Procurement authorising the write-offs.*

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**To Recommend/Resolve/Consider/Note**

That the Committee notes the debts to be authorised for write off by the Service Director Finance and Procurement.

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**SUPPORTING INFORMATION**

**1 Introduction**

The Accounts and Audit Regulations 1996 require that decisions to write off accounts are taken with the authority of the responsible financial officer. In June 1996 it was agreed that the council's S151 Officer would report the larger debts to Committee before authorising the write-offs and financial regulation 10.15 provides that all write-offs over £10,000 are reported.

The Committee is asked to note the writing off of the accounts set out below as irrecoverable for the year 2023-24.

From year to year it is not possible to predict the level of write offs. What is possible is to ensure that procedures are in place to deal with these accounts properly; that proper claims are made in respect of bankruptcy and liquidation cases, executors are informed of liabilities and that all tracing enquiries are made in respect of absconded cases.

### **Business Rates**

The total Business Rates written off for 2023/24 is £122,694.31. The value of write offs can vary significantly from year to year – for 2022/23 the value was £519,863.24 and for 2021/22 the value was -£117.32.

The write off amounts include previous year Business Rates debt.

As at 29 February 2024 the collection rate is 93.67%, which is £44,407,733.85 collected. The year end collection rate for 2022/23 was 100.59%

There is one write off over £10,000 for the financial year 2023/24.

Customer: New Stories Ltd - Value: £12,006.25 - Reason: Insolvency

This relates to Business Rates for the years 2016 and 2017. The company was dissolved on 05/06/2018 and no dividend payments were received. No further recovery action can be legally taken

### **Council Tax**

The total Council Tax written off for 2023/24 is £267,602.21. The value of write offs can vary significantly from year to year – for 2022/23 the value was £226,736.05 and for 2021/22 the value was £139,098.45.

The write off amounts include previous year Council Tax debt.

As at 29 February 2024 the collection rate is 93.10%, which is £105,423,112.29 collected. The year end collection rate for 2022/23 was 97.48%.

There is one write off over £10,000 for the financial year 2023/24.

Customer - 11852291 - Value £10,900.24 - Reason: IVA

The customer has entered into an Individual Voluntary Arrangement (IVA) and when that happens we are bound by the terms of the arrangement. We are unable to recover the balances outstanding. Prior to the IVA, all reminders and recovery notices were issued correctly. The arrears have been referred to Enforcement Agents but they have been unable to collect the arrears. The customer is in receipt of Universal Credit and Personal Independent Payment (PIP). We previously also tried to collect the arrears by requesting deductions from Benefit entitlement, but this was not successful.

The account is the charge for two properties that the customer resided in.

### **Housing Benefit Overpayment**

Total Housing Benefit Overpayments to be written off is £120,444.42. The value of write offs can vary significantly from year to year – for 2022/23 it was £28,674.45, for 2021/22 the value was £112,373.29 and for 2020/21 it was £32,501.00

As at February 2024, 119.10% of the value of overpayments created have been recovered this year. This represents £618,382.48 collected. In addition to the amount collected, the DWP also pays, in general, 40% subsidy towards overpaid Housing Benefit taking the indicative collection rate significantly above 100% (159.10%)

There are four write offs over £10,000 in 2023/24.

Customer: 80033341 - Value: £25,678.17 - Reason: Customer Deceased

The customer passed away on 05/05/2020. At that point, a daughter confirmed that the customer had lived with a partner in the property for a number of years (since 2014). This had not previously been declared to the Benefits Team. The partner worked and the Housing Benefit entitlement was removed for the customer. The customer estate did not have the funds to settle the debt and no further recovery action can legally be taken.

Customer: 205167 - Value: £16,894.03 - Reason: Customer Deceased

The customer passed away on 12/07/2023. The customer was overpaid because the Benefits Team had not been advised that they had permanently moved into a care home and so was not entitled to Housing Benefit. The customer was invoiced in April 2023 but did not have any funds in the estate to settle the debt. No further recovery action can legally be taken

Customer: 340964 - Value: £24,028.83 - Reason: Customer Deceased

The customer passed away on 01/09/2021. The customer was overpaid Housing Benefit because an investigation found that the customer did not have a liability to pay rent. The customer's estate did not have the funds to settle the debt and no further recovery action can legally be taken

Customer: 348392 - Value: £18,708.21 - Reason: No prospect of recovery.

The customer was invoiced for £20,124.33 in April 2014. The customer was overpaid because a partner's student income had not been declared to the Benefits Team. Since 2014, no repayment plan has been agreed. For a short period in 2021 some of the debt was recovered via deductions from a DWP benefit. As part of regular checks, the team have access to DWP and HMRC data and there are no employer records, no benefit entitlement and no property owned. There is no way to enforce the debt and given the age of the debt, there is no realistic prospect of recovery.

## **Sundry Invoices**

Total Sundry Invoices to be written off is £183,459.67. The value of write offs can vary significantly from year to year – for 2022/23 the value was £132,628.37, for 2021/22 the value was £82,534.73 and for 2020/21 it was £183,853.57

The balance of sundry debt outstanding as at December month end is £2.3m. 55.9% of invoices raised have been invoiced within the last 30 days

There are two write offs over £10,000 in 2023/24.

Customer: STAC Hospitality Ltd - Value: £12,907.97 - Reason: Insolvency.

Invoices date from June 2022 to December 2022 and relate to the rental of a unit in Whitstable Quay Shed. The company entered a creditor's voluntary liquidation with the commencement of winding up on 05/01/2023. Proof of the debt has been registered with the insolvency practitioner but the prospect of any dividend payment is low. Any payment received will be used to reduce the write off amount.

Customer: Bamboo Tiger Ltd - Value: £86,322.49 - Reason: Insolvency.

Invoices date from June 2020 to June 2023 and relate to rent for a commercial property. The company have surrendered the lease on the commercial unit. The company entered a

creditor's voluntary liquidation with the commencement of winding up on 07/09/2023. Proof of the debt has been registered with the insolvency practitioner but the prospect of any dividend payment is low. Any payment received will be used to reduce the write off amount.

## **2 Resource implications**

Allowance is made in the accounts for non-recovery of a small proportion of debts. The Collection Fund bears the cost of write offs for council tax and business rates, and these losses are shared with the precepting authorities plus, in the case of business rates, the government. The Council have a bad debt provision for Sundry Debts and Housing Benefit Overpayments.

## **3 Relevant Council Policy/Strategies/Budgetary Documents**

Income Management Policy

## **4 Consultation**

None has taken place. The Head of Finance and Procurement is authorised to write off debts. The report to this Committee is an element of consultation.

## **5 Options available**

To note the accounts that are proposed for write off.

## **6 Reasons for supporting option recommended, with risk assessment**

It is recommended that these debts be written off as the council has done everything possible to recover them without success.

## **7 Implications**

- a) Financial Implications - referred to in the report
- b) Legal Implications – In accordance with the Accounts and Audit Regulations 1996 the responsible financial officer must authorise the write-offs

## **7 Conclusions**

Each year a small proportion of debts must be written off to ensure sensible budget management. Processes are in place to manage debts and the write offs reported here are considered appropriate.

### **Contact Officers:**

**Nicci Mills**  
**James Kehoe (Civica)**  
**Sharon Harvey (Civica)**

**Direct Dial: 01227 910 680**  
**Direct Dial: 07909 971 373**  
**Direct Dial: 07738 321 761**

Cabinet  
22 April 2024

**Subject: Right to Grow - response to Notion of Motion**

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**Director and Head of Service:**

William Hicks, Service Director for Place

Richard Moore, Head of Transport and Environment

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**Officer:**

Martin Hall, Senior Environment Manager

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**Cabinet Member:**

Councillor Charlotte Cornell, Cabinet member for Heritage, Open Space, Waste and Recycling

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**Key or Non Key decision:** Non Key

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**Decision Issues:**

These matters are within the authority of the Committee.

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**Is any of the information exempt from publication:**

This report is open to the public.

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**CCC ward(s):**

All Wards

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**Summary and purpose of the report:**

Many local authorities are being encouraged to consider the provision and promotion of opportunities to grow local food for local enjoyment and for local consumption - a right to grow. This is normally on land owned by the council. This right to grow approach expands on schemes, such as the long running Incredible Edible Todmorden and the more recent approach championed by the city of Hull, both of which provide learning for a Canterbury response.

The motion on a Right to Grow across Canterbury was considered by Council on 19 October and 33 councillors voted in favour of seven actions to be recommended to Cabinet.

Officers have developed a recommended approach to the motion, which focuses on a proposed three year pilot of a Right to Grow scheme to allow the council to explore the implications of delivering the scheme before committing any additional resource to its implementation. .

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**To Resolve:**

To deliver and monitor an initial three year pilot Right to Grow scheme across the Canterbury district in a limited number of locations.

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## Next stage in process:

Subject to approval by this Cabinet, a Right to Grow pilot scheme be implemented.

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## 1. Introduction

The report seeks Cabinet approval for the council to implement a pilot Right to Grow scheme for the Canterbury district.

Following the success of notable community growing initiatives in other parts of the UK, and an increasing interest from local communities to have a “right to grow” - become actively involved in local growing - a Notion of Motion was put forward to Council on a Right to Grow for the Canterbury district, with Council making seven recommendations to Cabinet.

The Environment team has been exploring Right to Grow for Canterbury and this report presents a proposal to implement and run a Right to Grow pilot scheme, and sets out the detail of how this can be achieved and how the recommendations of Council can be met.

## 2. Detail

### Where has the Right to Grow movement come from?

The pioneering initiative, Incredible Edible Todmorden, started to seek and promote community based opportunities to transport uncared for plots of land for the benefit of both those improving the site as well as those living in the neighbourhood. Their work on a garden at the front of the police station - see below - remains a success.



Based on this innovative approach, the Incredible Edible Network now supports more than 150 community growing groups, and has drawn up plans to oblige local authorities to keep a register of public land suitable for vegetable and fruit-growing, which local groups could apply to access. This independent “right to grow” campaign has cross-party support from Lords and MPs, with calls for the government to incorporate it into forthcoming Levelling Up legislation.

More recently, Hull has become the first city in Britain to give people a “right to grow” on unused council land. Community groups, charities and even small groups of neighbours are



able to cultivate fruit and vegetables on suitable council land in what campaigners say will provide healthy local food, boost mental health and revive neglected spaces. Hull councillors unanimously passed the “right to grow” motion placing a duty on the council to produce a map of suitable land and to help those who want to grow food on it overcome practical obstacles such as insurance or provision of water for the plants.

Such schemes have given rise to a growing interest in the Canterbury District from local communities to undertake community growing, gardening and cultivation within their local areas. In relation to this a Notion of Motion on Right to Grow went to Council on 19 October 2023. It said:

*I'd like to bring the following to elected members' attention:*

*- the ongoing work of the Open Spaces team to identify council-owned open space where we can facilitate and support community cultivation and/or environmental enhancement for local groups in their local area.*

*- the ambitions within the cabinet-approved (02/10/2023), district-wide Biodiversity Emergency to establish and manage new Community Gardening and Biodiversity initiatives (BA9)*

*- the importance of locally produced food to provide affordable and 8 healthy options for local people the importance of supporting pollinators and to recognise the benefit of having land for this purpose*

*- the physical and mental health benefits of gardening, especially communally ,backed by the RHS's gardening for health and well-being campaign*

*- the success of inclusive local community gardening groups such as Stream Walk Community Garden in Whitstable, Kent Community Oasis Garden in partnership with East Kent Mind and others.*

*- the Community Right to Grow campaign launched by Incredible Edible, supported by a 10-Minute Rule Bill proposed by Mike Kane MP and the proposed amendments in support of Community Right to Grow within the Levelling Up Bill.*

*- that congratulations are due to the Kent Community Oasis Garden who are finalists in the Green Gown Awards 2023 in the Student Engagement Category.*

*The benefits from public spaces which are cared for by local people and can be used to produce food, flowers or both are self-evident, in terms of the positive impact on the well-being of local communities, the individuals that tend and use them and the broader environment and biodiversity of Canterbury district and beyond.*

*This Council therefore asks the Cabinet to consider:*

- 1. the Leader of the Council wrote to the district's two MPs to ask them to show their support for the Community Right to Grow in Parliament.*
- 2. supporting the Open Spaces team to complete their work on a district right-to-grow register of suitable council-owned land that can be offered to community groups for cultivation.*
- 3. ensuring that legally-constituted community groups have a clear way of applying for land to be considered for addition to the above register.*



4. *Housing Revenue Account (HRA) held land for inclusion on the community right-to-grow register*
5. *pausing all existing enforcement with regards to community / guerrilla gardening within Canterbury district*
6. *examining the costs involved in providing reduced-cost green waste collections for formally-constituted community gardening / garden project groups*
7. *that any licences issued for the cultivation of council-owned land is for a time period not shorter than three years to allow for crop cycle, rotation and establishment and that these licences are provided to community groups at no cost.*

Based on the above Todmorden and Hull examples, and the Notice of Motion, the Environment Team has explored how the council might, subject to resources, establish a pilot for a local community growing initiative.

### **Designing a possible pilot Right to Grow scheme (RtG)**

A pilot scheme would allow the council to test operation of such a scheme at four different sites, each of which could offer a different type of growing conditions, and be under different management. Ideally of the four sites, two could be Housing Revenue Account managed sites and two being General Fund managed sites.

The pilot could explore the issues around delivering the project in different settings and through different parts of the council, and upon completion, look to capture learning from the pilot to report back to Cabinet to agree ongoing options.

The pilot initiative would look to offer parcels of suitable land for the cultivation of fruit and vegetables or cultivation of other plants for the benefit of improving biodiversity. **The pilot could run for a period of three years maximum with a break clause in place after one and a half years.**

The suggested four specific pilot sites are:

1. Box planters in Herne Bay (GF) - no community group identified yet
2. Columbia Park or Westmeads Recreation Ground, Whitstable (GF) - no community group identified yet
3. Hales Place, Canterbury (HRA) - Hales Place and Chapel Action Group
4. Crockenden Place, Barham (HRA) - no community group identified yet

For the purposes of the suggested pilot, the Right to Grow scheme:

- Is defined as a group taking on the **full management and maintenance** responsibilities for a defined site, or a defined area within a larger site. Under this definition, Canenco (or other) grounds maintenance teams would cease to maintain the defined Right to Grow area/site.
- Pilot sites have been selected to represent a **variety of gardening/growing models** to enable the council to see how each of these might work, and for the council to take away learning from the pilot.
- A pilot site can be for either growing **edible items and / or other plants for**

### **biodiversity** habitat.

- Pilot areas will need a **site assessment and condition assessment** (by officers from the Environment Team and Housing Team) to ensure they are appropriate.
- Where a friends group already exists for a site then this **site should be excluded** from RtG in order to manage potential conflicts between interests.
- A **maximum site size** should be determined for RtG sites and should be a manageable size, as there is a greater risk of failure with larger sites.
- HRA sites in the RtG pilot are subject to **HRA approval and resourcing**.
- General Fund (public open space) sites in the RtG pilot are subject to approval and resourcing by the Environment team (Transport and Environment).
- Groups accepted for the pilot must be properly constituted and also hold the appropriate Public Liability Insurance for their activities.
- Each group working on one of the pilot sites will require a land licence for a period of 3 years (with a break clause after 1.5 years) to allow for establishment of cultivation. A charge will be made to cover necessary Property and Legal input to establish a formal lease. This charge will need to be met by each group.

### **Additional considerations**

The Environment Team currently works in partnership with 10 Friends of Groups. Friends of Groups differ from RtG groups in that they work on a range of interests, such as litter clearance, education, bulb and tree planting, and have an interest across a whole site, rather than a designated area.

The Friends groups work in partnership with the council (with Memorandum of Understanding in place), and with Canenco, who retain a responsibility to maintain a large proportion of the open space, with FoG doing additional and pre-agreed enhancements - rather than taking sole responsibility for the site.

This tried and tested approach will continue as a separate model without a need for a new corporate template or for a land licence.

In response to the Motion and Council's seven asks of Cabinet, it is suggested that through the delivery of the Right to Grow scheme pilot that:

- 1) The Leader of the Council writes to the district's two MPs in support of the Right to Grow initiative.
- 2) The Environment Team now pauses, until the completion and evaluation of the suggested pilot scheme, any further work on a district right-to-grow register of suitable council-owned land that can be offered to community groups for cultivation.
- 3) When the pilot is completed, a clear process will be in place to ensure community groups can be legally-constituted groups, and if appropriate, have a clear way of applying for land to be considered for addition to any future sites' register.
- 4) Housing Revenue Account (HRA) will form 50% of the four pilot sites.
- 5) Enforcement with regards to community / guerrilla gardening within Canterbury district continues on all non-pilot Right to Grow sites. This is to protect the integrity of the Pilot scheme.

- 6) Through the pilot scheme, examine the costs involved in providing reduced-cost green waste collections for formally-constituted community gardening / garden project groups.
- 7) That any licences issued for the cultivation of council-owned land is for a time period not shorter than three years to allow for crop cycle, rotation and establishment and that these licences are provided to community groups at no cost.

### **3. Relevant Council policy, strategies or budgetary documents**

Corporate Plan  
Draft Open Spaces Strategy 2023 - 2040

### **4. Consultation planned or undertaken**

Consultation with the Right to Grow groups and site users will be undertaken as part of the evaluation of the for pilot schemes.

### **5. Options available with reasons for suitability**

Option 1: To finalise, implement and evaluate a three year pilot Right to Grow scheme across the Canterbury district.

Option 2: To restrict the pilot Right to Grow scheme to 12 months prior to its evaluation.

Option 3: Not to approve the Right to Grow pilot.

### **6. Reasons for supporting option recommended, with risk assessment**

Option 1 is recommended to Cabinet. The establishment of a pilot scheme enables both the council and the community to trial an agreed approach to test demand for right to grow, to establish the nature and extent of resources required to ensure the sites are managed well and in a safe manner, and to test how sustainable the approach is going forward. Having a discrete trial on four sites across the district demonstrates a positive but manageable response to the Right to Grow motion. It also links positively to the recent declaration of the Biodiversity Emergency across the district. The trial tests the approach across different types of sites and different types of community groups, which will maximise learning. Undertaking an evaluation of the trial will enable all parties to make informed decisions about future approaches to the Right to Grow movement.

### **7. Implications**

#### **(a) Financial**

Additional fees and resources for legal and property involvement support will need to be met by the community groups.

#### **(b) Legal**

Community groups will need a formal agreement in place to assign the land to them for the period of the pilot.

(c) Equalities

None identified

(d) Environmental including carbon emissions and biodiversity

Potential positive contribution to achieving biodiversity measures.

**Other implications**

**Contact Officer:** Martin Hall, Senior Environment Manager

**Background documents and appendices**

**Additional document(s) containing information exempt from publication:**

No

**Appendix 1 Climate Change Impact Assessment (Checklist)**

Please provide an assessment of the impact of the proposal under each of the headings below. If none, please say so.

**1. Climate Change impacts**

Impact of proposal	Explanation of impact	Mitigation
<p><b>Impact on the council's target of being carbon neutral by 2030</b> This applies to emissions of carbon dioxide as a direct result of our <b>own</b> activities and services. Please consider the whole life impact of your proposals</p>		
Positive	No direct impact on carbon dioxide emissions.	None required.
<p><b>Impact on carbon emissions in the Canterbury district</b> This applies to the carbon dioxide emissions in the district as a result of your proposal. Please consider the whole life impact of your proposals.</p>		
Neutral	Providing very local spaces for communities to grow and cultivate could lead to a reduction of some car use.	None required
<p><b>Emission of other climate changing gases</b> including methane, CFCs, nitrous oxide</p>		
Neutral	No direct impact on emissions of climate changing gases.	None required

**2. Adaptation to climate change - Impact on our resilience to the effects of climate change**

The greatest risks posed by climate change to the UK are:

- Flooding and coastal changes including erosion from extreme events
- Risks to health caused by high temperatures
- Water shortages and drought
- Risk to natural environments & services - landscape, wildlife, pollinators, timber etc
- Risk to food production & trade
- Emergence of new pests and diseases affecting people, plants & animals

**What impact do your proposals have on our ability to resist or tackle these problems in the future?**

<b>Impact of proposal</b>  Positive	Cultivating open spaces for biodiversity benefits will make a positive contribution to biodiversity and nature recovery. Cultivating land for edible gardening will make a positive contribution to health and well being, and local food production.	None required
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### 3. Further assessment work

Is a further more detailed assessment required at a later stage of this proposal?

If yes, please give a brief description

## Appendix 2 - Equality Impact Assessment

<b>Date of initial assessment</b>	March 2024
<b>Division</b>	Transport & Environment
<b>Proposal to be assessed</b>	Right to Grow pilot
<b>New or existing policy or function?</b>	Existing
<b>External (i.e. public-facing) or internal?</b>	External
<b>Statutory or non-statutory?</b>	None
<b>Your name</b>	Rebecca Booth
<b>Your job title</b>	Senior Environment Officer
<b>Your contact telephone number</b>	07429 056776
<b>Decision maker (e.g. Community Committee, Management Team etc.)</b>	Cabinet
<b>Estimated proposal deadline</b>	

<p><b>Please outline your proposal, including:</b></p> <ul style="list-style-type: none"> <li>• Aims and objectives</li> <li>• Key actions</li> <li>• Expected outcomes</li> <li>• Who will be affected and how</li> <li>• How many people will be affected</li> </ul>	<p>To finalise, implement and monitor a Right to Grow pilot on 4 agreed sites in the district.  Implement pilot, monitor, and review during the lifetime of the pilot.  Take learning from the pilot to inform and shape any future development of Right to Grow.  Local community groups involved in the pilot.  The proposal will directly affect community groups involved in the pilot, and indirectly wider communities.</p>
<p><b>What relevant data or information is currently available about the customers who may use this service or could be affected?</b>  Please give details; for example “x% of customers are female” or “x% of customers are aged over 60”</p>	

<p><b>Is the decision relevant to the aims of the Public Sector Equality Duty, which are listed below?</b>  Guidance on the aims can be found in the EHRC’s <a href="#">PSED Technical Guidance</a></p>		
Aim	Yes/No	
<b>Eliminate discrimination, harassment and victimisation</b>		
<b>Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it</b>		
<b>Foster good relations between persons who share a relevant protected characteristic and persons who do not share it</b>		

**Assess the relevance of the proposal to people with different protected characteristics, and assess the impact of the proposal on people with different protected characteristics.**

Your explanation should make it clear who the assessment applies to within each protected characteristic. For example, a proposal may have high relevance for young people but low relevance for older people; it may have a positive impact on women but a neutral impact on men.

Protected characteristic	Relevance to proposal High/ Medium/ Low/None	Impact of proposal Positive/ Neutral/ Negative	
<b>Age</b>	Medium	Positive	The pilot would encourage community groups involved to be inclusive to all age groups and to encourage cross-generational and multi-generational participation.
<b>Disability</b>	Medium	Positive	The pilot would encourage community groups involved to be inclusive to people with disabilities.
<b>Gender reassignment</b>	None		
<b>Marriage and civil partnership</b>	None		
<b>Pregnancy and maternity</b>	None		
<b>Race</b>	None		
<b>Religion or belief</b>	None		
<b>Sex</b>	None		
<b>Sexual orientation</b>	None		
<b>Other groups:</b> for example – low income/ people living in rural areas/ single parents/ carers and the cared for/ past offenders/ long-term unemployed/ housebound/ history of domestic abuse/ people who don't speak English as a first language/ People without computer access etc.			
	Medium	Positive	The pilot would encourage community groups involved to be inclusive to all members of their local community.

<b>Are you going to make any changes to your proposal as a result of these findings, in order to mitigate any potential negative impacts identified?</b> If yes, what are they? If no, why not?	Where appropriate, learning from the pilot will be used to inform any changes necessary.
<b>Is there any potential negative impact which cannot be minimised or removed? If so, can it be</b>	None identified



<b>justified?</b> (for example, on the grounds of promoting equality of opportunity for another protected characteristic)	
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<b>What additional information would increase your understanding about the potential impact of this proposal?</b>	Monitoring and review of the pilot schemes will help to increase understanding of the impacts of Right to Grow and this learning will be taken forward for future improvement of a potential expanded scheme
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**If a consultation exercise is required as part of your proposal, please complete the consultation planning form on iCan.**

Please update the section below if:

- You have amended your proposal
- You have new information
- You have undertaken consultation

<b>Date of revised assessment</b>	Click here to enter a date.
<b>Have you made any changes to your initial assessment?</b> If so, please give brief details	
<b>Did you undertake consultation?</b> – if yes, give date and the consultation results:	
<b>Do you have new information which reveals any difference in views across the protected characteristics?</b>	
<b>Can any new conclusions be drawn as to how the proposal will affect people with different protected characteristics?</b>	
<b>Are you going to make any changes to your proposal as a result of these findings, in order to mitigate any potential negative impacts identified?</b> If yes, what are they? If no, why not?	
<b>Is there any potential negative impact which cannot be minimised or removed? If so, can it be justified?</b> (for example, on the grounds of promoting equality of opportunity for another protected characteristic)	

Should you need to revisit your assessment more than once, please ensure that you provide details of any changes or new information and the date these amendments were made.

**Item 9**

**Cabinet**  
**22nd April 2024**

**Subject: Strategic Grants: Performance Review**

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**Director and Head of Service:**

Director of Place, Bill Hicks

Culture, Leisure and External Development, Head of Service, Michelle Moubarak

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**Officer:**

Senior Voluntary Sector Development Manager, Alison Small

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**Cabinet Member:**

Councillor Connie Nolan Cabinet Member for community, culture, safety and engagement

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**Key or Non Key decision:** Non Key

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**Decision Issues:**

These matters are within the authority of the Cabinet

**Is any of the information exempt from publication:**

This report is open to the public.

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**CCC ward(s): All**

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**Summary and purpose of the report:**

This report outlines the performance of the 2023/24 Strategic Grant process. Recommendations will be based on performance, local data and the Strategic Grants Panel which will outline the priorities and timelines for the grant programme going forward for the 2024/25 Strategic grants.

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**ToResolve**

To continue to run the Strategic Grants Programme in the current form and agree the priorities and timetable put forward by the Strategic Grant Panel.

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**Next stage in process:**

To open the first round of Strategic Grants 2024/25

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**1. Introduction**

The Commissioning and External Support Policy was reviewed in 2023, to enable the council to achieve the outcomes and principles ensuring funding is distributed fairly and transparently in order to meet the Council's aspirations.

The Strategic Grants are part of the RISE Development Programme, which has been designed to support local not-for-profit organisations as described in Canterbury City Council's External Development & Support Policy. The Strategic Grants are to support issues identified by the sector related to the council's corporate priorities, needs and sector assessments.

Grants will be awarded to organisations that best demonstrate this alignment with clear aims and objectives and an appropriate evaluation method for measuring success. In the current programme there are two rounds of grants delivered, offering up to £10,000 per application on the priorities set by the Strategic Grant Panel.

## **2. Detail**

### **Strategic Grant panel round one**

The Strategic Grant round 1 opened on April 6th 2023 and closed on 19th May 2023. This fund had two application forms where organisations could apply for either:

- Up to a maximum of £4k with a maximum of 20% of the organisation's total cost of utilities and staffing e.g. salaries, water, gas & electricity for project delivery meeting the following core funding priorities: the cost of living crisis and social cohesion.

Alternatively organisations could apply up to £10k on project costs that met the priorities of projects that promoted social cohesion in particular those aimed at:

- Intergenerational activity to tackle loneliness and/or poor mental health
- Deepening young people's understanding of equalities, promoting inclusion and tackling prejudice

Only one application per organisation could be accepted in this round of funding and extra weighting was given for new organisations to the Strategic Grant.

### **Round two**

This Strategic Grant round opened on September 4th 2023 and closed on 9am Thursday 12 October 2023

Organisations could apply for up to £10k for this round if they demonstrated clear aims and objectives that help tackle the following priorities:

- Cost of living- Maximising incomes through claiming benefits & employment skills
- Early intervention for men's mental health
- Promoting active lives.
- Young people- activities to tackle boredom and antisocial behaviour, creating a greater sense of belonging and ownership.

Only 20% of funding could be allocated to core costs and in this round it was decided to withhold £250 until the final project monitoring was received at the end of the programme.

### **Overall performance of Strategic Grants for 23/24**

Strategic Grants had £100k allocated for 2023/24 the programme was delivered over two rounds of applications. We received 88 applications applying for £591,176 funding, there

were 56 applications in round one and 32 in round two. Overall there were 19 successful organisations which were allocated £114,553 with the additional £14,553 being used from existing external development budgets.

The successful organisations are listed below:

<b>Organisations Round 1</b>	<b>Organisations Round 2</b>
Canterbury Food Bank	Prince Of Wales Youth Club
Kent Cricket Trust	St Alphege
Sport Connect	People United
Time Out	Revival Food and Mood
Stream Walk Community Garden	MAYA CIC
East Kent Schools Together	Ethnic Minorities In Canterbury
Canterbury Baptist Church	Kent Union
East Kent Mind	
Kent Refugee Action Network	
MAYA CIC	
Rising Sun Domestic Violence and Abuse Charity	
Climate Action Partnership	

In round one 42% of successful applicants were new organisations to the grant process and only 12% of applicants took the opportunity for pre application advice that is offered to any organisation planning on making an application.

The table below shows the allocation of the grants to each sector, showing the most successful sector getting funding was community organisations, which is not a surprise considering the priorities around cost of living and social cohesion.

<b>Community Organisations</b>	<b>Cultural Organisations</b>	<b>Sport Organisations</b>	<b>Mixed sector</b>
74%	5%	10.5%	10.5%

The strategic grants applications predicted that there would be a total of 54,499 users participating in the projects across the district.

There was an even spread across the district for project delivery as the table below shows.

<b>Number of Projects in</b>	<b>Round 1</b>	<b>Round 2</b>	<b>Total</b>
<b>Canterbury</b>	11	3	14
<b>Whitstable</b>	10	4	14

<b>Herne Bay</b>	9	2	11
<b>Rural Areas</b>	9	4	13

The projects reported there would be 829 volunteers utilised across the year reporting over 49k hours of volunteer hours, the equivalent of over £514k in monetary value based on the current living wage. The funding given to organisations in this year contributed to over 2 million pounds of additional funding towards the projects.

The beneficiaries of the grants were spread fairly evenly over a number of demographics as demonstrated from the table below.

<b>Number of Projects in</b>	<b>Round 1</b>	<b>Round 2</b>	<b>Total</b>
<b>Children</b>	<b>9</b>	<b>4</b>	<b>13</b>
<b>Young people</b>	<b>10</b>	<b>7</b>	<b>17</b>
<b>Adults</b>	<b>10</b>	<b>3</b>	<b>13</b>
<b>Older People</b>	<b>7</b>	<b>2</b>	<b>9</b>

We are currently waiting for the final monitoring to be received for the end of the grants process, in which organisations will be able to report back on their final outcomes and outputs. These are due back to officers by the end of April as stated in their grant agreements.

### **The Strategic Grants Panel**

The Strategic Grants Panel met on 20th February 2024 and went through the updated needs assessment focusing on recent research on local data sets for Canterbury District and neighbouring authorities in Kent. A lot of the evidence remained the same and the key areas highlighted included:

1. Health inequalities which continued to see increases in poor mental health and suicide especially in males, ageing population struggling with social isolation, premature mortality, smoking prevalence and the increase of vaping in young people.
2. Crime and disorder increases in organised crime and theft, ongoing ASB, and issues around substance misuse.
3. Cost of living crisis continued to be an area of concern, around the increase in food poverty and child poverty. Data showed an increase of referrals to local food banks.
4. Local sector intelligence identified that there is a local shortage of volunteers and retaining the current volunteers is an issue. Continued funding shortages makes applying for funding competitive and is causing some organisations to face risk of closure with demand for services increasing.

The panel reported back on local intelligence from local knowledge and other Councillors and these included increase in Youth ASB, increase in local crime, substance misuse, cost of living, and isolation for older people especially around transport.

The panel recognised it is difficult to address all the needs so recommended the priorities for

this round to include:

Projects and activities that promote social cohesion and inclusion within the following themes:

- Intergenerational projects between adolescents and elderly residents to tackle negative perceptions and build social cohesion.
- Projects to tackle loneliness and isolation within the elderly population; strengthening links within the community and overcoming difficulties such as transportation.
- Projects to provide diversionary activity, promoting self-esteem and a sense of belonging for young people and prevent young people engaging in anti-social behaviour.
- Cost of living focusing on people in need of food, warmth and benefits.
- Projects providing advice and guidance for people tackling substance abuse.

All projects will need to demonstrate how they will work in partnership with other voluntary sector organisations to avoid duplication and have a commitment to working to a sustainable green agenda that prioritises recycled materials.

There will be additional weighting for the following areas:

- Organisations that are new to this funding programme.
- Projects designed with environmental sustainability in mind e.g. encouraging reusable materials in line with the council's [Climate Pledge in 2019 and committed to achieve net-zero carbon emissions by 2040.](#)

Applicants will be able to apply for funding up to £10k that demonstrates project delivery meeting one of the priorities with a maximum 5% core cost \*(core costs include back office expenditure that would be paid for e.g. day to day management, utilities, office support etc).

Alternatively they can apply for core funding costs up to £4k If the organisation's core objectives meet one of the Strategic Grants priorities they can apply for core funding rather than project support. Core costs mean financial support for non project based activity such as, back office expenditure that would be paid for e.g. day to day management, utilities, office support, regular staffing etc)

A total of £100k is available for Strategic Grants in 2024/25 and will be split into two funding rounds. It is recommended that £60k is allocated in the first round in spring to give applicants more time to deliver their projects. The remaining £40k will be allocated in autumn.

**Timetable for two grant rounds are:**

Application Opens	Friday 26th April 2024
Deadline for Submissions	Monday 3rd June 2024
Deadline Decision	W/C Monday 17th June 2024
Project End	Monday 3rd March 2025
Final Project Monitoring Form to be returned	Monday 24th March 2025

## Strategic Grants Round 2

Strategic Grant Panel meeting WC 22nd July in person

Application Opens	Monday 2nd September 2024
Deadline for Submissions	Monday 7th October 2024
Deadline Decision	W/C Monday 21st October 2024
Project End	Monday 3rd March 2025
Final Project Monitoring Form to be returned	Monday 24th March 2025

### 3. Relevant Council policy, strategies or budgetary documents

External Development and Support Policy

### 4. Consultation planned or undertaken

The Strategic Grant Panel met on Tuesday 20th February 2024 to discuss recommendations for the Strategic Grant Priorities based on data and local knowledge.

The Strategic Grants Panel will be reconvened to recommend revisions to priorities based on update needs assessments prior to the autumn round of funding.

### 5. Options available with reasons for suitability

#### Option 1

To accept and continue to run the Strategic Grants programme in the current form with the recommended priorities set by the Strategic Grant Panel.

#### Option 2

To continue to run the current Strategic Grants Programme with amended priorities.

#### Option 3

To make changes to the Strategic Grant Programme and priorities.

### 6. Reasons for supporting option recommended, with risk assessment

#### Option 1:

This option has been through the Strategic Grant Panel and will enable Officers to go live with the grant process on the 26th April enabling organisations to apply and receive funding by mid June.

#### Option 2&3

We would not recommend changes to the current grant programme in 24/25 as it is working well and has been adapted in consultation with the sector, any changes may delay the

programme and cause disruption for the sector.

## **7. Implications**

Delays in opening the first round of Strategic Grants that would put a strain on the local voluntary sector and give organisations delays in starting projects.

### **(a) Financial**

The £100k allocated to Strategic Grants is in line with the agreed 2024/25 budget.

### **(b) Legal**

No Legal Implications

### **(c) Equalities**

Appendix 1

### **(d) Environmental including carbon emissions and biodiversity**

Appendix 2

### **Other implications**

**(j) Safeguarding children:** All successful applications will be expected to have a safeguarding policy and may be audited within the financial year.

**Contact Officer: Alison Small 01227 910466**

### **Background documents and appendices**

Appendix 1 Climate Change Impact Assessment

Appendix 2 Equality impact Assessment

### **Additional document(s) containing information exempt from publication:**

No



## Appendix 1 Climate Change Impact Assessment (Checklist)

Please provide an assessment of the impact of the proposal under each of the headings below. If none, please say so.

### 1. Climate Change impacts

Impact of proposal Positive/ Neutral/ Negative	Explanation of impact If you have any relevant data, please include that in the explanation and reference the source.	Mitigation
<b>Impact on the council's target of being carbon neutral by 2030</b> This applies to emissions of carbon dioxide as a direct result of our <b>own</b> activities and services. Please consider the whole life impact of your proposals		
Positive	We are asking for projects to be designed with environmental sustainability in mind e.g. encouraging reusable materials in line with the council's <a href="#">Climate Pledge in 2019 and committed to achieve net-zero carbon emissions by 2040.</a>	
<b>Impact on carbon emissions in the Canterbury district</b> This applies to the carbon dioxide emissions in the district as a result of your proposal. Please consider the whole life impact of your proposals.		
Positive	We are asking for projects to be designed with environmental sustainability in mind e.g. encouraging reusable materials in line with the council's <a href="#">Climate Pledge in 2019 and committed to achieve net-zero carbon emissions by 2040.</a>	
<b>Emission of other climate changing gases</b> including methane, CFCs, nitrous oxide		
Positive	We are asking for projects to be designed with environmental sustainability in mind e.g. encouraging reusable materials in line with the council's <a href="#">Climate Pledge in 2019 and committed to achieve net-zero carbon emissions by 2040.</a>	

### 2. Adaptation to climate change - Impact on our resilience to the effects of climate change

The greatest risks posed by climate change to the UK are:

- Flooding and coastal changes including erosion from extreme events

- Risks to health caused by high temperatures
- Water shortages and drought
- Risk to natural environments & services - landscape, wildlife, pollinators, timber etc
- Risk to food production & trade
- Emergence of new pests and diseases affecting people, plants & animals

**What impact do your proposals have on our ability to resist or tackle these problems in the future?**

Impact of proposal Positive/ Neutral/ Negative	Explanation of impact	Mitigation
Positive	We are asking for projects designed with environmental sustainability in mind e.g. encouraging reusable materials in line with the council's <a href="#">Climate Pledge in 2019 and committed to achieve net-zero carbon emissions by 2040.</a> .	

### 3. Further assessment work

Is a further more detailed assessment required at a later stage of this proposal?

If yes, please give a brief description

## Appendix 2 - Equality Impact Assessment

<b>Date of initial assessment</b>	Tuesday 2nd April 2024
<b>Division</b>	Culture, Leisure and External Development
<b>Proposal to be assessed</b>	Strategic Grants: Performance Review and Priorities
<b>New or existing policy or function?</b>	Existing
<b>External (i.e. public-facing) or internal?</b>	External
<b>Statutory or non-statutory?</b>	Non Statutory
<b>Your name</b>	Alison Small
<b>Your job title</b>	Senior Voluntary Sector Development Manager
<b>Your contact telephone number</b>	01227 910466
<b>Decision maker</b> (e.g. Community Committee, Management Team etc.)	Cabinet
<b>Estimated proposal deadline</b>	22nd April 2024

<p><b>Please outline your proposal, including:</b></p> <ul style="list-style-type: none"> <li>• Aims and objectives</li> <li>• Key actions</li> <li>• Expected outcomes</li> <li>• Who will be affected and how</li> <li>• How many people will be affected</li> </ul>	<p>To review the Strategic Grant performance 23/24 and agree the priorities for Round 1 24/25</p> <p>Grants are open to all Two priorities focus on older people and young people</p> <p>Grants to open in April 2024</p>
<p><b>What relevant data or information is currently available about the customers who may use this service or could be affected?</b> Please give details; for example “x% of customers are female” or “x% of customers are aged over 60”</p>	

<p><b>Is the decision relevant to the aims of the Public Sector Equality Duty, which are listed below?</b> Guidance on the aims can be found in the EHRC’s <a href="#">PSED Technical Guidance</a></p>		
Aim	Yes/No	Explanation
<b>Eliminate discrimination, harassment and victimisation</b>	No	
<b>Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it</b>	No	
<b>Foster good relations between persons who share a relevant protected characteristic and persons who do not share it</b>	No	

**Assess the relevance of the proposal to people with different protected characteristics, and assess the impact of the proposal on people with different protected characteristics.**

Your explanation should make it clear who the assessment applies to within each protected characteristic. For example, a proposal may have high relevance for young people but low relevance for older people; it may have a positive impact on women but a neutral impact on men.

Protected characteristic	Relevance to proposal High/ Medium/ Low/None	Impact of proposal Positive/ Neutral/ Negative	Explanation
<b>Age</b>	Medium	Medium	Two priorities focus on young people and older people
<b>Disability</b>	None	Neutral	
<b>Gender reassignment</b>	None	Neutral	
<b>Marriage and civil partnership</b>	None	Neutral	
<b>Pregnancy and maternity</b>	None	Neutral	
<b>Race</b>	None	Neutral	
<b>Religion or belief</b>	None	Neutral	
<b>Sex</b>	None	Neutral	
<b>Sexual orientation</b>	None	Neutral	
<b>Other groups:</b> for example – low income/ people living in rural areas/ single parents/ carers and the cared for/ past offenders/ long-term unemployed/ housebound/ history of domestic abuse/ people who don't speak English as a first language/ People without computer access etc.	Medium	Positive	Priorities recommended are: <ul style="list-style-type: none"> <li>• Intergenerational projects between adolescents and elderly residents to tackle negative perceptions and build social cohesion.</li> <li>• Projects to tackle loneliness and isolation within the elderly population; strengthening links within the community and overcoming difficulties such as transportation.</li> <li>• Projects to provide diversionary activity, promoting self-esteem and a sense of belonging for young people and prevent young people engaging in anti-social behaviour.</li> <li>• Cost of living focusing on people in need of food, warmth and benefits.</li> <li>• Projects providing advice and guidance for people tackling substance abuse</li> </ul>

<p><b>Are you going to make any changes to your proposal as a result of these findings, in order to mitigate any potential negative impacts identified?</b> If yes, what are they? If no, why not?</p>	No
<p><b>Is there any potential negative impact which cannot be minimised or removed? If so, can it be justified?</b> (for example, on the grounds of promoting equality of opportunity for another protected characteristic)</p>	N/A

<p><b>What additional information would increase your understanding about the potential impact of this proposal?</b></p>	N/A
--	-----

**If a consultation exercise is required as part of your proposal, please complete the consultation planning form on iCan.**

Please update the section below if:

- You have amended your proposal
- You have new information
- You have undertaken consultation

<p><b>Date of revised assessment</b></p>	N/A
<p><b>Have you made any changes to your initial assessment?</b> If so, please give brief details</p>	
<p><b>Did you undertake consultation?</b> – if yes, give date and the consultation results:</p>	
<p><b>Do you have new information which reveals any difference in views across the protected characteristics?</b></p>	
<p><b>Can any new conclusions be drawn as to how the proposal will affect people with different protected characteristics?</b></p>	
<p><b>Are you going to make any changes to your proposal as a result of these findings, in order to mitigate any potential negative impacts identified?</b> If yes, what are they? If no, why not?</p>	
<p><b>Is there any potential negative impact which cannot be minimised or removed? If so, can it be justified?</b> (for example, on the grounds of promoting equality of opportunity for another protected characteristic)</p>	

Should you need to revisit your assessment more than once, please ensure that you provide details of any changes or new information and the date these amendments were made.

Item 10

Cabinet  
22 April 2024

**Subject: Canterbury District Parish Charter**

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**Director and Head of Service:**

Tricia Marshall, Director of Corporate Services  
Matthew Archer, Head of Corporate Governance

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**Cabinet Member:**

Councillor Alex Ricketts, Cabinet Member for Tourism, Movement and Rural Development

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**Key or Non Key decision:** Non Key

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**Decision Issues:**

These matters are within the authority of the Cabinet

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**Is any of the information exempt from publication:**

This report is open to the public.

---

**CCC ward(s): All**

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**Summary and purpose of the report:**

*The purpose of this report is to seek approval for the adoption of the Charter on behalf of the council.*

*The council has worked with representatives of the Canterbury Association of the Kent Association of Local Councils (KALC) on revisions to the Parish Charter. This is in line with the charter commitment to review the document in the first year of each new political administration. As before, the aim is to create a document that describes how the council and parish councils will work together in a way that is practical, measurable and promotes positive working relationships between the parties.*

---

**To Resolve:**

That the revised Canterbury District Parish Charter be adopted and to delegate to the Head of Paid Service the ability to make minor changes in consultation with the portfolio holder and parish council representatives.

**Next stage in process:**

To promote the charter to officers, councillors and parish council representatives.

**1. Introduction**

The first version of this charter was created two years ago to draw together the two tiers of

local government in a spirit of trust and cooperation.

One of the commitments in the charter is to review the document in the first year of every new political administration to ensure that it continues to reflect the spirit of partnership, both in tone and practical delivery.

Discussions have taken place over the last few months between representatives of the City Council and representatives of the Canterbury Association of the Kent Association of Local Councils to review the charter document.

The aim of those discussions was to review how well the charter was being implemented at present and consider any suggestions for further improvement.

The outcome is the revised charter document is attached at Appendix B.

Approval by Cabinet on behalf of the council represents the final step in the adoption process for the city council.

The charter will also be submitted to the Canterbury Association of KALC for approval on behalf of the 27 parish council representatives.

Thereafter, the charter will remain in place for the period of this administration, with an ongoing commitment by both parties to review the document every four years in the first year of each new political administration.

The charter has been shared with officers across the organisation who have provided comments and pledged to meet the commitments outlined in the document.

There is an undertaking included in the document to raise awareness of the charter with councillors and parish councillors to ensure that the objectives on both sides are acknowledged and understood.

Should any refinement be needed over the course of this administration then delegation is sought for the Head of Paid Service to agree changes in consultation with the portfolio holder and parish council representatives.

### **3. Relevant Council policy, strategies or budgetary documents**

None

### **4. Consultation planned or undertaken**

Extensive consultation has been undertaken with parish councils across the district via the local association.

### **5. Options available with reasons for suitability**

Option 1 - To adopt the charter (recommended).

Option 2 - To adopt the charter with amendments - this would require further consultation with the parish council representatives as all of the commitments set out in the document have been mutually agreed by both parties.

Option 3 - To reject the charter

## **6. Reasons for supporting option recommended, with risk assessment**

Option 1 is recommended

## **7. Implications**

(a) Financial

None

(b) Legal

None

(c) Equalities

None

(d) Environmental including carbon emissions and biodiversity

CCIA attached

### **Other implications**

(e) Staffing resource

In adopting the Charter, staff are committing to meeting the requirements set out in the document.

(f) Planning including building regulations

The Charter includes a section on the mutual commitments agreed in relation to planning.

**Contact Officer: Matthew Archer**

### **Background documents and appendices**

Appendix A - Climate Change Impact Assessment

Appendix B - Draft Canterbury District Parish Charter

### **Additional document(s) containing information exempt from publication:**

No



## Appendix A Climate Change Impact Assessment (Checklist)

### 1. Climate Change impacts

Impact of proposal Positive/ Neutral/ Negative	Explanation of impact If you have any relevant data, please include that in the explanation and reference the source.	Mitigation
<b>Impact on the council's target of being carbon neutral by 2030</b> This applies to emissions of carbon dioxide as a direct result of our <b>own</b> activities and services. Please consider the whole life impact of your proposals		
Neutral		
<b>Impact on carbon emissions in the Canterbury district</b> This applies to the carbon dioxide emissions in the district as a result of your proposal. Please consider the whole life impact of your proposals.		
Neutral		
<b>Emission of other climate changing gases</b> including methane, CFCs, nitrous oxide		
Neutral		

### 2. Adaptation to climate change - Impact on our resilience to the effects of climate change

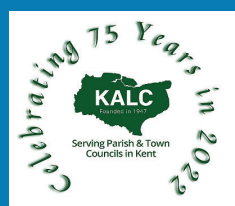
The greatest risks posed by climate change to the UK are:

- Flooding and coastal changes including erosion from extreme events
- Risks to health caused by high temperatures
- Water shortages and drought
- Risk to natural environments & services - landscape, wildlife, pollinators, timber etc
- Risk to food production & trade
- Emergence of new pests and diseases affecting people, plants & animals

**What impact do your proposals have on our ability to resist or tackle these problems in the future?**

Impact of proposal	Explanation of impact	Mitigation
Neutral		

# CANTERBURY DISTRICT Parish Charter 2024









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## Foreword

The first version of this charter was designed to draw together two tiers of local government in a spirit of trust and cooperation.

In many ways it was successful in this goal, in no small part due to the officers, clerks and elected councillors of Canterbury City Council and the Parish Councils who committed to make it work.

This version is created very much in that spirit, recognising that the various provisions of this charter will only succeed if everyone is both aware of and agrees with them.

To this end much of the new content focuses on how those individuals will work together, fostering greater understanding between district councillors and the parish councillors within their wards, offering training to councillors, officers and clerks and improving the flow of information between the two bodies.

As noted before, this charter is comprehensive but not exhaustive.

Additional information can be found concerning services, protocols and standards on the city and parish councils' websites.

The group of people who reviewed the charter, and made the changes you will see, sought to address some specific issues, tighten up some of the wording and introduce some new measures to ensure the document is a base from which even greater cooperation can grow.

All of those involved in local government want to help their community and contribute positively to the area in which they live.

We may differ on how best to do that, but it is important to understand that we are all driven by the same guiding impulses.

Greater understanding and cooperation between district and parish will help us all to serve our communities and be more effective representatives.

Councillor Alex Ricketts, Cabinet Member for tourism, movement and rural development and Councillor Alan Atkinson, Chair, Canterbury Association of the Kent Association of Local Councils

**“ All of those involved in local government want to help their community and contribute positively to the area in which they live. ”**





## Core commitments

The aim of the Canterbury District Parish Charter is underpinned by the following core commitments.

Together we will:

- work together to promote local economic, social and environmental wellbeing
- value the roles, responsibilities and opinions of our respective councils and be aware at all times that we have a common purpose to serve the public of the district and that we serve the same residents
- respect the democratic mandates of all our individual councils within their legal and service remits, recognising the city council and parish councils exist as separate bodies and have separate tax raising powers
- work together to address the significant challenges facing our area. As resources continue to tighten, we will collaborate in supporting communities to do more for their areas and make the best use of new ways of working, with greater emphasis on the use of digital technology as staffing resources reduce
- work together to try and answer residents' queries at the first point of contact, signposting as necessary, regardless of whether the query is to a parish or to the city council
- form a positive working relationship between the ward councillor and the parish councils within the area they represent



## Introduction

The charter has one simple aim – to provide a framework for Canterbury City Council and parish councils to work together to serve the people living in the rural areas of Canterbury.

We have a common purpose to promote the wellbeing of Canterbury and we serve the same residents. This is the foundation of our charter.

The charter sets out how we will achieve this, by:

- working closely with each other and with the Canterbury Area Committee of the Kent Association of Local Councils (KALC CAC)

- maintaining high ethical standards, respecting and valuing each other
- being good partners and continuously strengthening relationships
- providing practical support and helping each other out
- being clear on who does what

This document highlights some of the key statutory requirements Canterbury City Council and the parish councils are required to fulfil which impact on their relationship with each other.

It also summarises the additional actions both parties agree to.

# 1 Communication and information sharing

## Canterbury City Council will:

- 1 Hold a publicly accessible, up-to-date list of parish clerks and links to parish web pages on the city council's website **canterbury.gov.uk** and to ensure all of its staff use that information for contact purposes themselves.
- 2 Provide parishes with an A-Z of services with senior management contact details, so they are clear who is responsible for each function and can escalate problems to the right person.
- 3 Make available a named lead officer and lead councillor for parish councils to contact.
- 4 Ensure the parish clerk is the key contact for all communications with a parish council.
- 5 Provide up-to-date information about city councillors, the governance structure and membership of committees at least once every three months.
- 6 Familiarise its key staff on the role, responsibilities, and functions of the parish tier.
- 7 Invite parish councils, through the KALC local association chair, to add items to the Parish Engagement meeting agendas where of interest.

- 8 Publish a Forward Plan of upcoming cabinet decisions which will be publicly accessible.
- 9 Provide a subscription service for all news releases, minutes and agendas of committee meetings and make sure parish clerks are aware of this facility and how to use it, including how to refine their alerts.
- 10 Arrange a 'charter awareness' training session for key officers, city councillors and parish council representatives as soon as possible after each four year local election cycle.

## Parish councils will:

- 1 Ensure the main contact for each parish council is the parish clerk who is responsible for onward dissemination of information.
- 2 Promptly inform the council of any changes to parish clerk contact details and links to parish web pages.
- 3 Advise the city council of their meeting cycles so that each district councillor can be made aware.
- 4 Encourage parish clerks and/or parish council chairs to attend training sessions provided by the city council for parish councils.

Notifications should be sent to  
**[electoral.services@canterbury.gov.uk](mailto:electoral.services@canterbury.gov.uk)**





## 2 Consultation

### Canterbury City Council will:

- 1 Involve parish councils in the setting of its long-term corporate strategies and other priorities via consultation.
- 2 Where possible, provide a minimum of six weeks for consultation on any district wide or specific issues that affect parishes - other than in cases where the council is bound by other statutory requirements (eg planning applications). It will provide a rationale to parish councils where shorter timescales are required.
- 3 Ensure individual and joint parish council representations are treated as key stakeholder responses and identified separately in consultation analysis and planning committee reports.
- 4 Take parish council representations into account when making decisions.
- 5 Notify the parish clerk of all new relevant consultation exercises published on its website at the time of publication.
- 6 Keep parish councils informed of upcoming consultation exercises by providing an update on the forward plan of consultation proposals at each parish engagement meeting.

### Parish Councils will:

- 1 Respond to all relevant consultations, within the agreed timescale.  
  
Where circumstances do not allow a parish to respond collectively within the consultation period specified they may wish to consider the use of delegated powers granted under S101 of the Local Government Act 1972 to enable the parish clerk to send a response on behalf of the parish council.
- 2 Where possible, use electronic forms of communication to respond to consultations and use the consultation portal when responding to Local Plan issues.
- 3 Ask their parish clerk to subscribe to council agenda updates on the council's website if they wish to be notified about newly-published committee agendas.
- 4 Work with the council to seek mutually acceptable solutions to contentious issues up to the point where a decision is taken.
- 5 Sign up to receive notifications from the council's newsroom if they wish to be updated on key issues.

## 3 Service Delivery

### Canterbury City Council has a statutory responsibility to:

- 1 Provide information and advice on the Community Right to Bid and Community Right to Challenge powers.
- 2 Process applications for the designation of Assets of Community Value within the legal and policy framework.

### Both councils will:

- 1 Ensure any new service devolved will have clear and agreed terms and conditions, including any financial arrangements. Where no conditions are specified, the parish council has discretion to manage the service as it sees fit.
- 2 We recognise a shared interest in support for community facilities.
- 3 Activate emergency plans when required to ensure the most vulnerable in our community are protected.



## 4 Democracy and community leadership

### Canterbury City Council has a statutory responsibility to:

- 1 Hold formal Cabinet and committee meetings in public unless matters are exempt from publication or confidential, as defined in law.
- 2 Provide administrative support for parish council elections, polls and locally-raised referendums.

Elections and local polls will be charged by the council using the Kent scale of fees as agreed each year.

- 3 Collate, publish and promptly update the Register of Disclosable Pecuniary Interests for councillors on behalf of the parish councils.
- 4 Deal with complaints about parish councillor conduct via the Monitoring Officer and Independent Person, referring to the Standards Committee as appropriate.

### Both have a statutory responsibility to:

Adhere to their adopted Code of Conduct for Members.

### Canterbury City Council will:

- 1 Liaise with KALC Canterbury Area Committee to appoint three non-voting parish council representatives to its Standards Committee and a co-opted non-voting representative to the Canterbury Joint Transportation Board.
- 2 Provide training and advice to co-opted parish council members of the Standards Committee.
- 3 Advise parishes on changes to the Code of Conduct and provide training.
- 4 Expect city councillors will form a working relationship with their parish councils. City councillors will be encouraged to attend parish council meetings regularly or provide a written report.
- 5 Encourage city councillors to submit a written report to parish council meetings when they are unable to attend in person.
- 6 Hold parish council engagement meetings – with a minimum of two pre-arranged meetings held each year at six-monthly intervals. In addition, meetings will be convened to engage parish councils



in council consultation according to the decision-making timetables. Terms of reference are appended to the charter.

- 7 Send a representative to KALC meetings if possible when invited.
- 8 Publish parish councillor Declaration of Interest forms on the council's website.
- 9 Advise parish councils whether an election has been requested and, if an election isn't called, will confirm the parish council may co-opt.
- 10 Help parish clerks in keeping Register of Interest form up-to-date on Canterbury City Council's website.
- 11 Indicate in committee reports when proposals affect parished areas to a greater extent than the wider district.

**Parish councils will:**

- 1 Nominate three parish councillors (who are not also city councillors) to sit on the council's Standards Committee, facilitated by KALC Canterbury Area Committee, and ensure that at least one is present when a decision relating to parishes is made, even though they have no voting rights, but can speak at Standards Committee.

- 2 Form and forge a working relationship with their ward councillor(s).
- 3 Send city councillors papers for parish council meetings in advance.
- 4 Promptly update the council about changes to the DPI register.
- 5 Attend parish council engagement meetings whenever possible.
- 6 Encourage local people to stand as parish councillors.
- 7 Notify Electoral Services when a vacancy arises in membership of their parish council and will advertise the vacancy using the notice provided by Electoral Services.
- 8 Notify Electoral Services when a new member has been co-opted and will arrange for a DPI to be completed.

**Both will:**

- 1 Champion local democracy and encourage residents to participate fully in the democratic process.
- 2 Work with the city council's Monitoring Officer to promote and maintain high standards of conduct.



## 5 Finance/funding

### Canterbury City Council will:

- 1 Consult with parish councils about any budget changes which may have a direct impact on them.
- 2 Ensure parish councils are notified of any proposed changes that may affect their budget-setting processes no later than the third week of October.
- 3 Transfer the 'Neighbourhood Portion' of Community Infrastructure Levy (CIL) receipts to the relevant parish in accordance with Regulation 69B of the Community Infrastructure Levy (CIL) Regulations (2010) (as amended) and the city council's CIL Instalments and Payment in Kind Policy<sup>1</sup>.

Where a CIL chargeable development is within a parish council, Canterbury City Council will pass the agreed percentage of CIL receipts from the development to the parish council. Money is transferred twice yearly usually in April and October. Parish councils will be notified in advance.

- 4 Provide an annual summary of how CIL funding has been deployed via the Infrastructure Funding Statement.

### Parish councils will:

- 1 Return any financial information within the set timescales, to allow the council to adhere to its statutory requirements.
- 2 Provide evidence of expenditure relating to any grants or reimbursements received

from the city council, including Concurrent Functions Funding.

- 3 Submit a CIL Monitoring Report to the city council setting out how CIL funding has been allocated by the parish council. This will be published on the CCC website as an appendix to the Infrastructure Funding Statement<sup>2</sup>.

### In addition

#### Canterbury City Council will:

- 1 Administer any sums payable under Concurrent Functions funding and the Parish Capital Grants scheme.

#### Parish councils will:

- 1 Submit returns to inform CFF awards.
- 2 Submit bids for capital grants that support the scheme objectives.

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1 [CIL Instalments and Payment in Kind Policy](#)

2 [Infrastructure Funding Statement](#)

## 6 Planning

### Canterbury City Council has a statutory requirement to:

- 1 Inform parish councils about, and ensure they have sight of, relevant planning applications and allow the statutory 21-day response period for comments. Note submissions made by parish councils as statutory bodies.
- 2 Ensure parish councils have every opportunity to engage in the development of the Local Plan as set out in the Statement of Community Involvement (SoCI).

### In addition:

#### Canterbury City Council will:

- 1 Ensure parishes can access the online planning application information and alert system.
- 2 Notify parishes about all planning applications (including revised plans where relevant) in accordance with statutory procedures and inform the parish which Planning Officer is handling the application using the online application system.
- 3 Consider comments and concerns about applications that have an impact on a specific parish or group of parishes in line with the Code of Practice.
- 4 Expect city ward councillors to engage with the parish council on planning matters, including the possible use of call-in powers. Ward councillors also may meet planning officers about a scheme and can advise and engage on this basis at parish meetings or invite parish representatives to attend meetings when appropriate.
- 5 In the event that a city councillor fails to, or is unable to, engage with their parish council on a particular matter, the parish clerk will speak to the case officer directly who will hear their point and consult with the ward councillor about whether the matter should be called in.
- 6 Maintain specific speaking rights for parishes at Planning Committee. Limits on numbers of speakers on an application do not apply to parishes.
- 7 Support communities undertaking neighbourhood planning. This will include sharing information, providing guidance and making arrangements for any examination and referendum.
- 8 Transfer the 'Neighbourhood Portion' of CIL receipts to the relevant parish in accordance with the funding formula described in the Finance section.
- 9 Provide occasional briefing sessions to parish councils on planning matters.
- 10 Encourage the developers to engage with parish councils at the earliest stage and remind them of the benefits of engaging with the community in shaping their proposals as it is likely to make the planning application run more smoothly and enable parish councils to actively influence concept plans.
- 11 Invite representatives of the parish council, along with the local ward councillors to attend and participate in Canterbury Design Panel review meetings for new developments within their parishes.



- 12 Ensure where the Planning Committee defers a matter for a site visit, the visit is open for any member of the public to attend, including parish council representatives. Public access to private property is subject to the land owner's permission. Those who have registered to speak will be notified.
- 13 Engage with parish councils in relation to s106 agreements and encourage parish councils to engage with developers at the earliest possible stage before sites are allocated in the Local Plan to facilitate community infrastructure that can reasonably be secured through s106 agreements.
- 14 Publish an annual report setting out the details of allocated s106 developer contributions, with the relevant parished area identified in the report<sup>3</sup>.
- 15 Offer engagement with parish councils in relation to the allocation of Community Infrastructure Levy payments and expenditure to maximise value for the community.
- 16 Encourage applicants to conduct early engagement with the relevant parish council on small scale proposals at the pre-application stage, to enable informed comments to be received and improve the chances of the application potentially being supported.
- 17 Ensure individual and joint parish council representations are treated as key stakeholder responses and identified separately in consultation analysis.

**Parish councils will:**

- 1 Publish an annual report by the end of December of the following year on how they have allocated the Neighbourhood Portion of CIL money in accordance with the statutory requirements.
- 2 Encourage parish councils to engage with the city council on the allocation of CIL funding.
- 3 Sign up to the online planning application and alert system if the parish council wishes to receive notification of any new documents or comments lodged against that particular application.
- 4 Encourage, through their clerks, liaison with planning officers to discuss planning applications so that the parish council is aware of the planning issues and can make more informed comments.
- 5 Respond to all consultations in relation to Local Development Frameworks within the planning authority's deadlines.
- 6 Respond to all notifications on planning applications within the planning authority's deadlines.
- 7 Work with the ward councillor so they are well briefed in advance of site visits.
- 8 In relation to community planning – consider producing a Parish Plan and/or Neighbourhood Plan for their parish.
- 9 Actively engage with developers at a very early stage in order to influence design principles and concept plans.
- 10 Parish council to consider adopting a Community Infrastructure Levy Strategy [an example can be found on the [Chestfield Parish Council](#) website].

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<sup>3</sup> [www.canterbury.gov.uk/planning-and-building/planning-obligations/how-we-report-developer-contributions](http://www.canterbury.gov.uk/planning-and-building/planning-obligations/how-we-report-developer-contributions)

## 7 Monitoring and review

### Both councils will:

- 1 Review the parish charter at four-year intervals within the first year of a new political administration. Complaints will be handled in accordance with the council's complaints procedure.
- 2 Review individual elements where there is consensus that a charter commitment needs to be changed because it is out of step with current practice. The matter will be raised initially with the lead officers of the city council and KALC. Delegated authority to make minor changes will be sought at the time of approval.
- 3 Grant themselves delegated powers to make minor amendments to the charter to deal with factual matters or legislative changes, by mutual agreement.

### In addition:

#### Canterbury City Council will:

- 1 Draw matters to the attention of the parish council chair if the city council feels a parish council or councillor is not acting in the spirit of the charter.
- 2 If a matter cannot be resolved then the city council will draw matters to the attention of the Chair of the local association of KALC.

### Parish councils will:

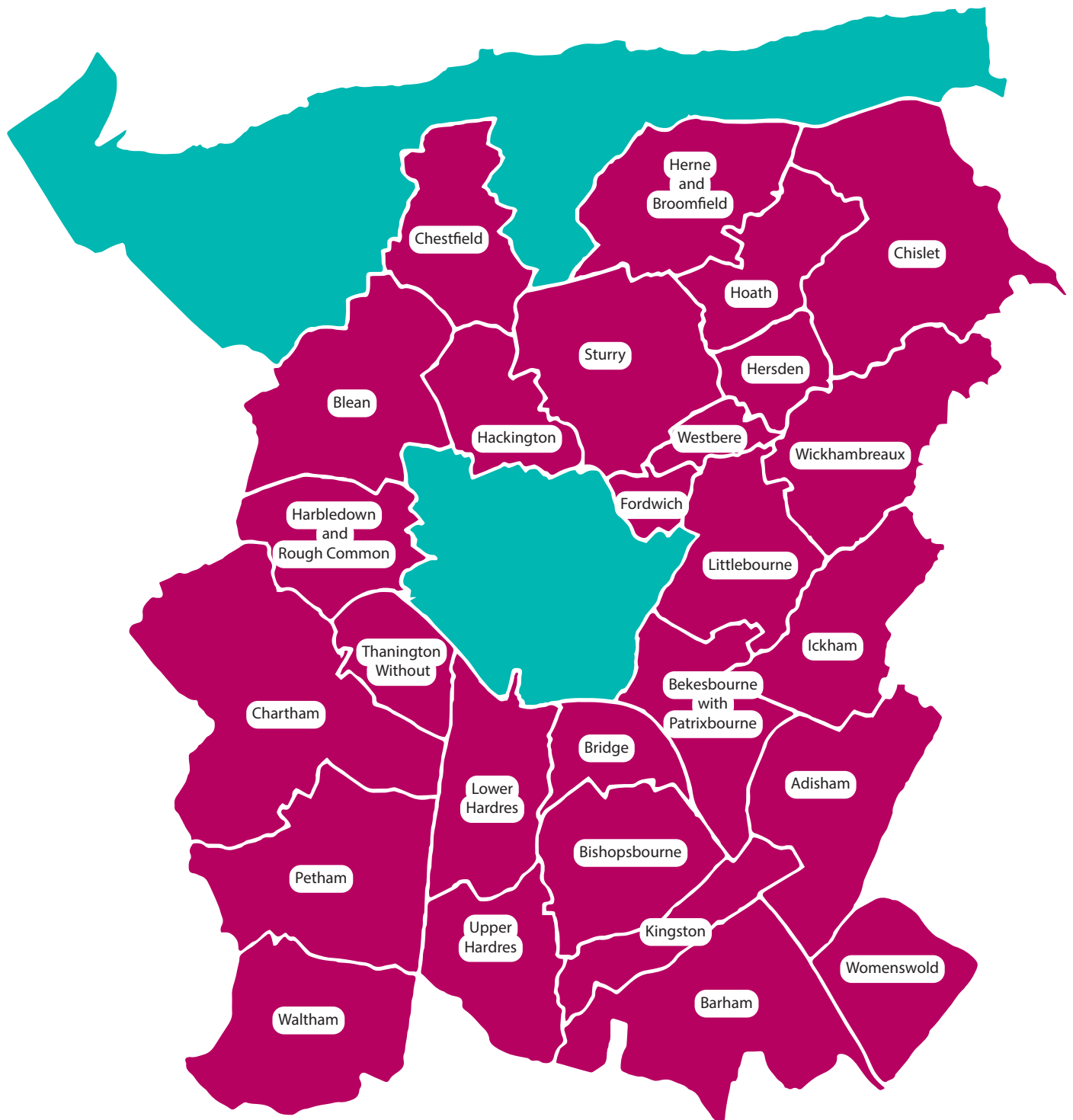
- 1 Draw matters to the attention of the officer or their line manager (guided by the A-Z of services) where a parish council feels that officer/s are not acting within the spirit of the charter. More serious matters may also be referred to the lead officer.
- 2 Draw matters to the attention of the relevant political group leader where a parish council feels an individual councillor is not acting within the spirit of the charter.
- 3 Draw matters to the attention of the Leader and lead officer if three or more parish councils collectively feel the city council is not acting within the spirit of the charter.

**“Review individual elements where there is consensus that a charter commitment needs to be changed because it is out of step with current practice.”**





# Parish Map



# APPENDIX 1

# Parish Engagement Meeting

## Terms of Reference

### 1. Purpose

- To provide an informal environment for discussion between the city council and parish councils on matters of mutual interest.

### 2. Membership

- Canterbury City Council rural ward councillors, supported by the nominated lead director and head of service. Other officers will attend as necessary.
- Parish clerk and representatives from the parish councils.
- The meeting will be chaired by the nominated lead councillor, supported by the lead officer.

### 3. Roles and responsibilities

- To work collaboratively with all parish councils on issues of mutual interest.
- To build effective direct working relationships between the city council and parish councils.
- To act as a consultative stakeholder group on council topics affecting rural areas.
- To monitor the effectiveness of the parish charter.

### 4. Meetings – frequency/duration

- There will be a minimum of two pre-arranged meetings held each year at six-monthly intervals. In addition, meetings will be convened to engage parish councils in council consultation according to the decision-making timetables.
- Meetings may be physical or virtual depending on the agenda.
- This is not a public meeting. Attendance is by invitation only.
- Meetings will be held at 4pm or 7pm where possible but may vary according to availability.
- In addition, we will aim to hold one meeting per year as a Q&A session with Cabinet members.

## 5. Business management

- Agendas will be agreed by the Canterbury City Council lead councillor, lead officer and the chair of KALC.
- Parish council representatives are encouraged to suggest agenda items for meetings. Parish councils can do this directly by contacting the council's representatives via KALC, or through their ward councillor.
- Parish councils and KALC are also welcome to informally raise discussion points with the lead councillor or lead officer so that they can be addressed at the earliest opportunity.
- Matters will be added to the agenda of the next scheduled meeting where they are of interest to multiple parish councils and it is not possible to resolve matters directly nor informally.
- Meeting dates will be arranged by the Canterbury City Council Democratic Services team and notes taken by the director's PA and circulated following the meeting.
- Meeting dates for consultation led items will be scheduled to fit with the consultation timetable.
- Agendas and supporting documents will be circulated at least a week prior to the meeting.

Last update 18 March 2024



Cabinet  
22 April 2024

**Subject:** **Bridge Neighbourhood Plan**

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**Director and Head of Service:**

Peter Davies, Director of Strategy and Improvement  
Leo Whitlock, Head of Policy and Communications

---

**Officer:**

Andrew Thompson, Corporate Policy and Strategy Manager

---

**Cabinet Member:**

Alan Baldock, Leader

---

**Key or Non Key decision:** Key

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**Decision Issues:**

These matters are within the authority of the Cabinet

---

**Is any of the information exempt from publication:**

This report is open to the public.

---

**CCC ward(s):**

Nailbourne

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**Summary and purpose of the report:**

Following the referendum held on 28 March 2024, this report proposes that the council now adopt, or “make” the Bridge Neighbourhood Plan in line with legal requirements.

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**To Resolve:**

That the council make the Bridge Neighbourhood Plan (2022-2037) in line with the Planning and Compulsory Purchase Act 2004 and the Neighbourhood Planning (General) Regulations 2012.

---

**Next stage in process:**

Implementation of the Bridge Neighbourhood Plan.

**1. Introduction**

Bridge Parish Council has spent a number of years preparing a Neighbourhood Development Plan (NDP) for the Parish.

The Bridge NDP was subject to independent examination over the summer/autumn last year, and the Examiner found that the plan met the statutory requirements, subject to a number of modifications.

The council published its Decision Statement in December 2023, which confirmed that the council accepted the examiners' conclusions and his recommended modifications and could proceed to referendum.

A referendum was held on 28 March 2024, where voters were asked "Do you want Canterbury City Council to use the Neighbourhood Plan for Bridge to help it decide planning applications in the neighbourhood area?" and voters were asked to indicate YES or NO.

The results of the referendum were that 66% of voters indicated YES (398 people) and 34% of voters indicated NO (207 people).

## **2. Detail**

Where a referendum results in a majority YES vote (i.e. over 50%), the City Council must make the neighbourhood plan as soon as reasonably practical and in any event, within 8 weeks of the day after the referendum.

Once made, the Bridge Neighbourhood Plan is adopted and will become part of the Development Plan for Canterbury District. This means it will have the same status as the adopted Canterbury District Local Plan (2017).

In accordance with the Planning and Compulsory Purchase Act, the City Council will determine planning applications in accordance with the Development Plan unless material considerations indicate otherwise.

When the council's new Local Plan is adopted, the Bridge Neighbourhood Plan will sit alongside the new Local Plan as part of the Development Plan for the district. Should the Parish Council decide to update their plan in the future, this would need to reflect the adopted Local Plan in place at that time.

It should be noted that the Bridge Neighbourhood Plan is the first neighbourhood plan to make it to this stage of the process within the district. The Parish Council should be commended for its efforts in producing an effective plan for its area. The City Council is continuing to support other parishes in the district as they progress their own plans.

## **3. Relevant Council policy, strategies or budgetary documents**

Canterbury District Local Plan (2017)

#### **4. Consultation planned or undertaken**

The preparation of the Bridge Neighbourhood Plan has involved extensive consultation, in line with statutory requirements.

#### **5. Options available with reasons for suitability**

That the council make the Bridge Neighbourhood Plan (2022-2037) in line with the Planning and Compulsory Purchase Act 2004 and the Neighbourhood Planning (General) Regulations 2012.

Following the referendum result, the council is now required to make the Neighbourhood Plan.

#### **6. Reasons for supporting option recommended, with risk assessment**

Following the referendum result, the council is now required to make the Neighbourhood Plan and must do so within 8 weeks of the referendum result.

#### **7. Implications**

##### **(a) Financial**

The council is able to apply for financial support for neighbourhood planning from the Government at certain stages of neighbourhood plan development, including when a plan reaches decision/referendum stage.

##### **(b) Legal**

The council is satisfied that the Bridge Neighbourhood Plan (2022 - 2037) meets the legal requirements as required by the Planning and Compulsory Purchase Act 2004 and the Neighbourhood Planning (General) Regulations 2012.

During the course of the referendum period we received a number of complaints that we investigated and repeatedly reached the conclusion that the processes we have followed have been legally robust.

The council is now required to make the Neighbourhood Plan in line with the Planning and Compulsory Purchase Act 2004 and the Neighbourhood Planning (General) Regulations 2012.

##### **(c) Equalities**

The Bridge Neighbourhood Plan (2022-2037) is expected to have a positive impact on a range of equalities groups.



(d) Environmental including carbon emissions and biodiversity

The Bridge Neighbourhood Plan (2022-2037) is expected to have a positive impact on a range of climate change and biodiversity matters.

### **Other implications**

(e) Staffing resource

The neighbourhood planning function is fully resourced within the Corporate Policy and Strategy Team.

(f) Property portfolio

None identified

(g) Planning including building regulations

Once made, the Bridge Neighbourhood Plan will be used for decisions on planning applications.

(h) Human rights issues

None identified

(i) Crime and disorder

None identified

(j) Safeguarding children

None identified

(k) Heritage

Once made, the Bridge Neighbourhood Plan will be used for decisions on planning applications affecting heritage assets.

### **Contact Officer:**

Andrew Thompson (Corporate Policy and Strategy Manager)

### **Background documents and appendices**

Appendix A: Bridge Neighbourhood Plan (2022 - 2037)

Appendix B: Referendum Report

### **Additional document(s) containing information exempt from publication:**

None



Bridge Neighbourhood Plan  
2022-2037

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## Introduction

**1.1** This Plan sets out our vision for the future of Bridge until 2037 and lays down policies to help achieve that vision. This Plan has been drawn up under the provision of the Localism Act 2011, and the National Planning Policy Framework 2021, and in accordance with the Canterbury District Local Plan 2017-2031 as per the expectations contained within NPPF 26, *“Effective and on-going joint working between strategic policy-making authorities and relevant bodies is integral to the production of a positively prepared and justified strategy.”*

By 2037 Bridge will continue as a sustainable, identifiable, village community that values its open space and separation from Canterbury. It will have developed local services and transport links that provide residents with a strong safe community identity. The historic fabric of the village will be conserved and enhanced.

By encouraging new sustainable development as per NPPF 2023 paragraphs 8 and 9, enhancing our valued green spaces and the setting of our heritage assets, Bridge will be a thriving village with a strong sense of community, where our streets are safe, clean and with amenities and services to offer our residents and visitors.

## The Vision for the Village of Bridge

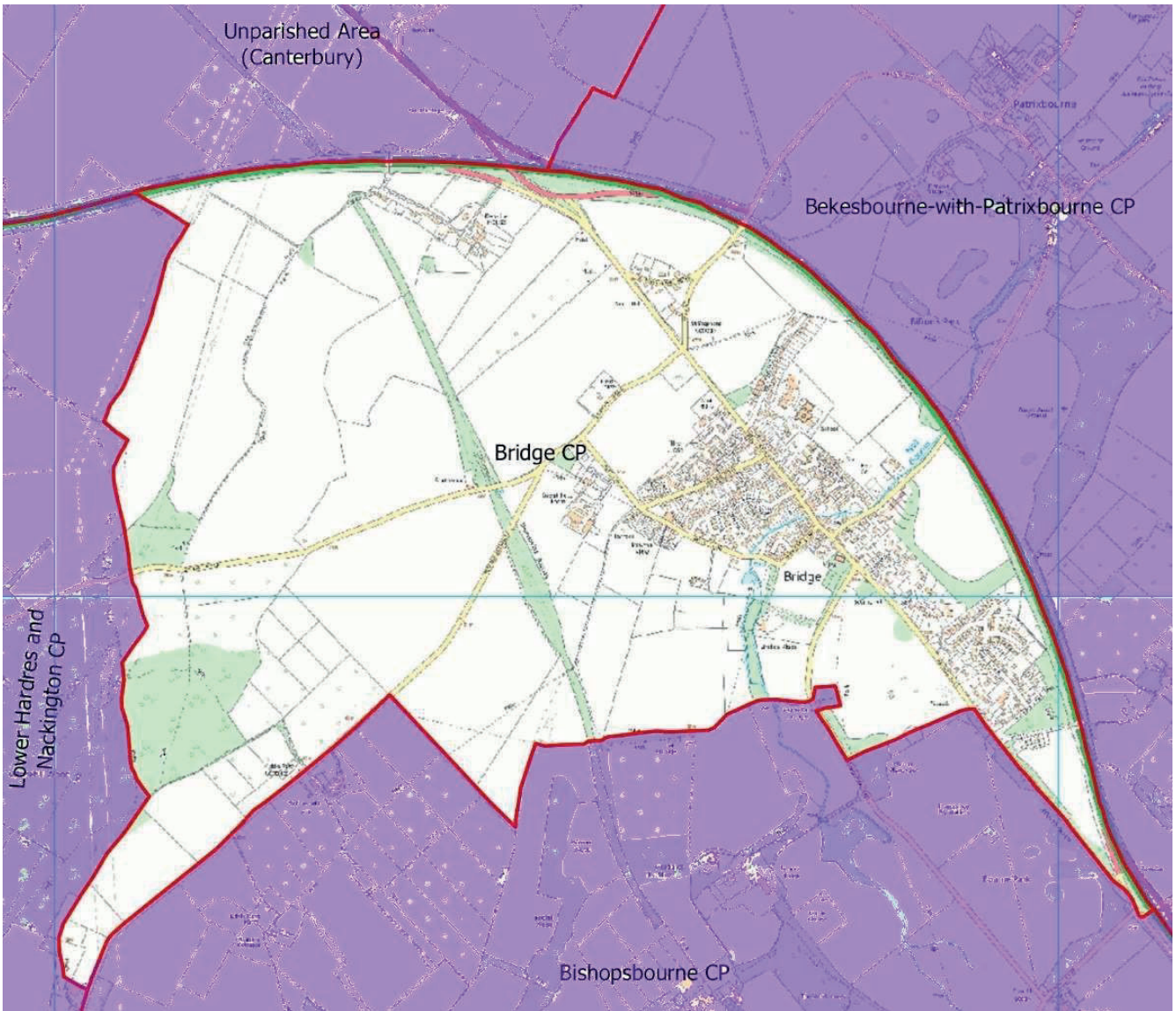
This Neighbourhood Plan (NP) came about as the Council realised that the village was likely to have a sizeable housing development imposed upon it by Canterbury District Council, via its Local Development Plans, as well as similar proposals by other landowners and developers, without the village having a significant voice in determining its own future development. The Plan was, and is, seen as a mechanism by which local residents might address the challenges faced by the village of Bridge, and through which they could take advantage of the opportunities afforded them.

The Localism Act enabled Parish Councils to develop their own NP. So we, the residents of Bridge, via our Parish Council, have developed this local plan to protect and improve our village. Bridge Parish Council (BPC) is keen to set out its vision for the area, and the NP legislation provides the village with the opportunity to influence its own future by introducing Policies to protect and enhance Village life up to 2037. The Neighbourhood Planning Committee (NPC) was established to produce this NP which is intended to provide guidance for local people, developers and others about planning decisions within the NP area. BPC was, at that time, considering options directed towards the Parish Council retaining control of the Recreation Ground, the lease of which was set to expire in June 2023.

The Canterbury District Local Plan (CDLP), prepared by the District’s Planners, then set out a development within the Area of Natural Beauty (AONB) at Brickfields, one that brought with it no benefit other than the additional housing units, and which was opposed by many within the village. Parish Councillors argued against the District’s proposed development in front of the CDLP Inspector, who agreed with BPC, directing that any housing allocation for Bridge was to be decided from within the emerging Bridge NP. Thus the original concerns expressed by the members of BPC and the initial reason for the creation of Bridge’s NP were shown to be well founded; the value of a Plan in retaining some measure of local control over local development decisions has thus been shown, and the Plan will require that any future development within Bridge addresses, as its main priority, issues that are raised from within the Village. Careful regard has been paid to the views expressed to the NPC. The Committee has consulted widely and frequently, as is shown elsewhere within this Plan and its supporting documents, and this final draft of the Plan has been shaped in the light of those consultations and other submissions made to the NPC.



# Area Covered by the Neighbourhood Plan



(Base OS map © Crown copyright under license)

# Reading this Neighbourhood Plan

**1.2** To more easily follow this Plan, we have marked out and numbered Policies and Projects.

Policies are set in yellow shaded text boxes. These Policies are intended to be the guiding principles for future development within the village for the life-span of this Plan. These would work alongside the Canterbury District Planning Policies, as per NPPF 26, as supplementary local planning policies for the parish of Bridge, the Neighbourhood Plan area. They are each broadly in line with the Policies contained within the CDLP as is required by the enabling legislation.

Projects are set out in green and are more aspirational in nature. These Projects are grouped together at the end of the Plan, with references to the allied Policies.

There is additional text, setting out the context for these Policies and Projects, which sits within the chapters.

For ease of reference, the narration, which offers an explanation for the Policies and Projects, is labelled, and numbered, by chapter and section.

## Policies

These are set in yellow shaded boxes.

## Projects

These are set in green shaded boxes and are more aspirational in nature. The Projects are grouped together towards the end of this Plan.

In addition, there is a Basic Conditions Statement and a Consultation Statement that accompanies this Neighbourhood Plan.



## Bridge Village

**1.3** The village of Bridge (51.2N 1.12E) lies in the Kent Downs Area of Outstanding Natural Beauty (AONB) and covers an area of 341 hectares (843 acres) to the south east of the City of Canterbury in the County of Kent. The village has a population of 1576 people (Census of 2011) living in 690 properties, of which 43 are listed buildings. The majority of the population (51%) is of working age and 55% are female. A significant number (39%) of people are qualified to NVQ level 4 (HNC) or above, which is greater than the average (30%) for the South-East of England.

**1.4** The idea for a Neighbourhood Plan came about as the Council realised that the village was likely to have a large housing development imposed upon it by Canterbury's Local Development Plans, without any significant say in how the village was being developed coming from within the village itself. The Localism Act allowed the Parish Council to develop its own Neighbourhood Plan, to take advantage of the opportunity and put forward the wishes of the community, and so they began the work of producing a Plan. They were, at that time, considering options directed towards the Parish Council retaining control of the Recreation Ground, the current lease of which expires in June 2023. The CDLP, prepared by the District's Planners, then set out a development within the AONB at Brickfields, one that brought with it no benefit other than the additional housing units, and which was opposed by many within the village. Parish Councillors argued against the District's imposed development in front of the CDLP Inspector, who agreed with BPC, directing that a housing allocation for Bridge was to be decided from within the emerging Bridge Neighbourhood Plan. Thus the original concerns expressed by the members of BPC, the initial reason for the creation of Bridge's Neighbourhood Plan were shown to be well founded; the value of a Plan in retaining some measure of local control over local development decisions has been shown.

**1.5** It is hoped that this Plan will require that any future development within Bridge addresses, as its main priority, issues that are raised from within the village. Specifically, following the NPPF, and in particular sections 8 to 11:- that the Plan will allow the village to develop in a positive, sustainable way, to help build a strong, responsive and competitive economy within the village, supporting growth, innovation and improved productivity; and by identifying and highlighting the need for the provision of an appropriate infrastructure; that the Plan will support a strong, vibrant and healthy community in Bridge, ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed beautiful and safe places, with accessible services and open spaces that reflect current and future needs and that will support this communities' health, social, recreational and cultural well-being; and finally, that this Plan will protect and enhance our natural, built and historic environment; making effective use of the land: improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, and assist with the move towards a low carbon economy.

## Objectives

**1.6** The Neighbourhood Plan is constructed around six objectives, which are:

- a) to build a strong, competitive economy and ensure the vitality of the village centre;
- b) to promote sustainable transport;
- c) to maintain a choice of high quality homes with good design;
- d) to promote a healthy community;
- e) to meet the challenges of climate change and flooding and to conserve and enhance the natural environment;
- f) to conserve and enhance the historic environment.

**1.7** The policies contained within the Neighbourhood Plan shall be in effect until 1st September 2037.

## Monitoring and Review

**1.8** The Parish Council will monitor the effectiveness of the policies in this Plan to ensure that they achieve the Plan's Objectives. Future reviews of the Plan will take account of the emerging review of the Canterbury District Local Plan to ensure that the Plan remains in general conformity with the strategic policies of the Local Plan.

## Objective A: Building a Strong, Competitive Economy & Ensuring the Vitality of the Village Centre

**2.1** The village is home to a number of business premises but this Plan recognises that some may be unable to support economically viable employment for the full term of the Plan due to current wider economic uncertainties. The Plan will therefore endeavour to support any potential appropriate long-term employment opportunities. New small-scale business development in the village will therefore be encouraged, wherever possible. A number of villagers already work from home and the Plan aims to encourage this by supporting measures that work towards effective internet and communication networks across the village. Obviously, with few workplaces outside the home available within the village, many wage earners work outside the village.

**2.2** New development associated with the expansion of an existing business or formation of a new business should also respect the rural character of the village and provide sufficient vehicle and cycle parking for staff and visitors in line with the standards set out in the Local Plan and by Kent County Council.

**2.3** The National Planning Policy Framework (NPPF) section 84 states “Planning policies and decisions should enable ... the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings”.

### Policy A1

Proposals for the development of new business uses within the built up area boundary of Bridge, will be supported provided they do not lead to the loss of shops or of community facilities and do not harm local residential amenity.

The expansion of existing businesses or formation of new businesses should respect the rural character of the Village and should include sufficient provision for vehicle and cycle parking to meet the needs of staff and visitors.

Proposals should also take account of other relevant policies in this Plan and in the adopted Canterbury District Local Plan.

**2.4** The NPPF section 82 states that the Plan should “be flexible enough to accommodate needs not anticipated in the plan, allow for new and flexible working practices (such as live-work accommodation), and to enable a rapid response to changes in economic circumstances”.

**2.5** Business development within the village should have proper regard to Policy B2 regarding adequate parking provision. In particular, development applications that would significantly increase the parking problems in Bridge will not be supported.

**2.6** The Canterbury District Local Plan (CDLP) section 3.49 states “There are also potentially quite significant benefits to be gained in relation to reducing traffic congestion, hence improving air quality. In terms of the City Council’s vision for the District, therefore, home-working is supported.”

## Objective B: Promoting Sustainable Transport

**3.1** There are train connections from Canterbury to London and other destinations, including a high-speed link from Canterbury West to St Pancras. Bekesbourne railway station is approximately one mile from Bridge and provides an alternative to the journey by road to Canterbury, which has its own traffic congestion and parking difficulties. This line only serves the Canterbury East route. Bridge is well served by bus services to Canterbury, Dover and Folkestone. An E-mail from Stagecoach to the Clerk, dated 9<sup>th</sup> December 2020 states *"Stagecoach provides regular bus services linking the village of Bridge to Canterbury, Folkestone (via the Elham Valley) and Aylesham.*

*"Routes 17 and 89 provide a direct service to and from Canterbury, with a combined daytime frequency of 3 buses per hour on weekdays and 4 journeys on Sundays, when Route 89 does not run. In the early mornings, and in the evenings some Route 16 buses also serve Bridge.*

*"Route 17 provides a service to and from Folkestone, via the Elham Valley, at a daytime frequency of 1 bus per hour on weekdays, with 4 journeys on Sundays.*

*Route 89 provides a service to Aylesham on Mondays to Saturdays, with a roughly 2 buses per hour frequency.*

*"The main bus stops are located in High Street, adjacent and opposite the [former] Post Office, adjacent and opposite [former] The White Horse, at The Steps (towards Folkestone/Aylesham only) and adjacent and opposite Higham Lane."*

**3.2** The Canterbury District Local Plan has policies relating to sustainable transport in the District and these form this Plan's policies as far as they relate to Bridge.

**3.3** Bridge currently lacks a cycle route to Canterbury that is not physically separated from motor vehicle traffic. The current cycle route from Canterbury is partly along the busy A2050. A safe cycle route would enable children from Bridge to cycle to the secondary schools in South Canterbury. This would reduce car use on 'school runs' and provide health benefits. The Plan regards this as an essential development for the village. The CDLP has provision for such a route, which is strongly supported by this Neighbourhood Plan.

**3.4** Parents collecting and dropping off children at school times create congestion in the village. Local parents will be encouraged to walk children to school individually or by 'Walking Bus' using drop off points away from the centre of the village. The Neighbourhood Plan will seek to make the environment safer for children by limiting and controlling vehicular access to the school at peak times. This would reduce congestion, alleviate car-parking problems and improve air quality.

**3.5** The introduction of electric charging points for cars in residential areas should be supported as technology allows.

**3.6** Bridge has a good bus service, which is well used and valued by the community. Encouragement should be given to all residents to help the environment and reduce pollution by using the buses.

## Policy B1

Where appropriate, proposals for new development in the Plan area should seek to integrate with the local cycle network and identify opportunities to extend the network.

Development proposals should provide traffic-free cycle and pedestrian routes wherever possible. Opportunities to integrate with existing cycle routes and Local Plan safeguarded cycle routes should be considered at an early stage of the development design process.

**3.7** Until demand for greater bus usage materializes, it is widely acknowledged that current car usage highlights the fact that Bridge has limited public car parking capacity. This is a problem, especially pressing on weekdays in term time, and a shortage of parking spaces drives people away from village shops and businesses. Employers should be encouraged to find their staff alternative parking away from the High Street. The potential for providing a village car park should be examined together with ways of increasing existing parking bays.

## Policy B2

Proposals for new development in the Plan area should seek to incorporate appropriate provision for off-street car parking, together with provision for cycle and powered two-wheeler parking, in accordance with the adopted standards of Kent County Council and Canterbury City Council.

Where local settings or characteristics will not enable this to be achieved satisfactorily, then the relevant guidance provided by the County Council and the City Council should be followed.

## Objective C: To Maintain a Choice of High-Quality Homes With Good Design

**4.1** The Neighbourhood Plan will encourage only a limited amount of housing, to assist towards meeting local needs. The CDLP allowed this NP to bring forward a housing allocation that would be determined from within the village. The intention is for there to be a single residential allocation within which there would be an element sufficient to meet the village's identified need for affordable housing units.

**4.2** The Parish Council has welcomed the completion of a Bridge Architectural Legacy statement (BAL) which analyses the aesthetic makeup of the village and sets out the criteria, which should be applied to all new development.

**4.3** The Plan will encourage energy saving and environmental benefits, by encouraging local residents to use renewable energy and energy efficiency measures. This may help towards reducing fuel poverty within Bridge. The Planning Sub-Committee of the Parish Council will work to ensure that any proposed new housing is built to the highest environmental standard.

**4.4** New developments should encourage Bridge's current community ambiance by strengthening neighbourliness through shared public spaces and access.

**4.5** Any further new housing should consist of mixed scales and designs and materials, and should include 2-3 bed dwellings mixed in with one-bedroom flats and ground floor and single storey housing for the elderly, where evidence for the need for such accommodation is identified through a housing needs assessment.

**4.6** The Housing Needs survey carried out by ACRK in July 2017 identified a need, at that time, for 11 affordable housing units for local people. No new affordable housing has been brought forward since that survey was completed.

**4.7** There has been a long-term steady stream, of about five housing units built and occupied per year, as per District Planning notices and BPC Planning sub-committee minutes. This actual supply of homes, being occupied, suggests an effective demand for homes, amounting to what would be about seventy-five additional units over the fifteen-year life of this Neighbourhood Plan.

**4.8** In the two years June 2016-June 2018, Canterbury City Council's planning department, the Parish's Local Planning Authority, has granted permission for fourteen additional homes within the Parish, an average therefore of seven new homes approved per year. This would extrapolate to over one hundred additional homes over the fifteen-year life of this Plan. In addition, numerous additional permissions were granted for increased internal living space by way of extensions to existing homes.

**4.9** In the four months between November 2019 and February 2020, i.e. immediately prior to the Covid-19 restrictions, the District received several applications for extensions to residential accommodation so providing additional accommodation within existing dwellings, as well as for four new housing units within the village, at a rate therefore, of twelve additional new housing units per annum. This would extrapolate to one hundred and eighty additional new homes over the fifteen-year life of this Plan.

**4.10** Thus, the rate of supply of new homes does appear to be increasing, as evidenced by the increasing rate of planning applications applied for by developers, and then subsequently granted by the District's Planning department. As these newly built homes are now occupied, this constitutes evidence of effective demand for at least this level of additional homes within the village.

**4.11** The population growth rate for the village, as calculated via the decadal census, local figures available at [www.kent.gov.uk/data/assets/pdf\\_file/0016/8125/2011-Census-parish-population-bulletin.pdf](http://www.kent.gov.uk/data/assets/pdf_file/0016/8125/2011-Census-parish-population-bulletin.pdf) is shown as +7.43% over the ten year period from 2001 to 2011. The population total for 2011 was given as 1576; thus at that rate, the expected 2021 census figure so near to the start of this Plan's effective life, would be 1693 persons, and fifteen years later, at the end of this Plan, the population figure would have increased by 11.35%, a further increase of 192 persons, to a total of 1,885 persons. An additional 192 persons living within the village would suggest a need for over fifty additional homes.

**4.12** If the affordable homes requirement was adjusted in line with the +7.43% growth rate, at least 12 units would be needed, and if these units were to be 30% of any development, a new housing development in excess of 40 housing units would be required.

**4.13** The District's Indicative Housing figure, as calculated by Canterbury City Council's planning officers for the Parish for the purposes of this Plan, was 168 housing units over the fifteen year life of this Neighbourhood Plan.



## Policy C1

All development must be designed to a high quality, responding to the heritage, landscape and locally distinctive character of Bridge as described in the Bridge Architectural Legacy statement. Proposals for new development should take full account of:

- a) the height, scale, spacing, density, layout, orientation, design and materials of buildings;
- b) the scale, design and materials of the public realm (highways, footways, open spaces and landscape);
- c) the need to sustain and enhance the significance and setting of any heritage asset;
- d) the need to conserve or enhance the character and appearance of the Conservation Areas and their settings;
- e) utilising sustainable building design, including energy efficiency and use of renewable resources such as energy and water;
- f) the need to incorporate efficient sustainable drainage systems, (SuDS);
- g) incorporating the principles of 'Secured by Design' 2019 (SBD) as amended, and wherever possible, achieve SBD accreditation to ensure that a safe and sustainable community is maintained;
- h) providing garden space for each new dwelling so as to ensure that it is in keeping with the character of the locality, within the village, in which it is situated;
- i) respecting the natural contours of the site; retaining existing important landscape features such as trees, hedges and ponds; and contributing towards landscape enhancement, including new open space where appropriate;
- j) utilising native species in new landscaping to conserve and enhance the natural beauty of the area and provide appropriate habitats for native fauna;
- k) creating safe, accessible and well-connected environments that meet the needs of users;
- l) avoiding unacceptable levels of light, noise, air or water pollution, and protecting the tranquility and dark night skies of the area;
- m) making most efficient use of the site to accommodate development;
- n) respecting the privacy, tranquility and setting of existing neighbouring properties, to ensure that developments meet the highest standards of accessibility and inclusion.

**4.14** Paragraph 177 of the National Planning Policy Framework 2021 (NPPF) sets out how AONB spaces should be managed. Thus, *“...The scale and extent of development within these designated areas should be limited. Planning permission should be refused for major development other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest. Consideration of such applications should include an assessment of:*

- a) the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy;*
- b) the cost of, and scope for, developing outside the designated area, or meeting the need for it in some other way; and*
- c) any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated.”*

**4.15** The proposed housing allocation site for a maximum of 40 new dwellings, as identified in Policy C2, is located adjacent to the Recreation Ground and is within the designated Kent Downs AONB and the Bifrons Park Conservation Area. The site is bounded on two sides by existing residential development, on a third side by the Primary School and on its fourth side by the raised viaduct which carries the A2 road across the Nailbourne. The supporting ‘Landscape and Visual Impact Assessment’ sets out the mitigation measures that will be necessary to address the satisfactory development of the site.

**4.16** By allocating up to 40 housing units at the site, to include affordable housing units in accordance with Canterbury City Council’s policy requirements, the village has the opportunity to secure, as part of the overall development proposals for the site, a new village hall with appropriate car parking spaces, land for football pitches and an associated pavilion building, tennis courts, a formal children’s play area and the proposed Local Green Space. This will significantly enhance the recreational and community facilities within the village.

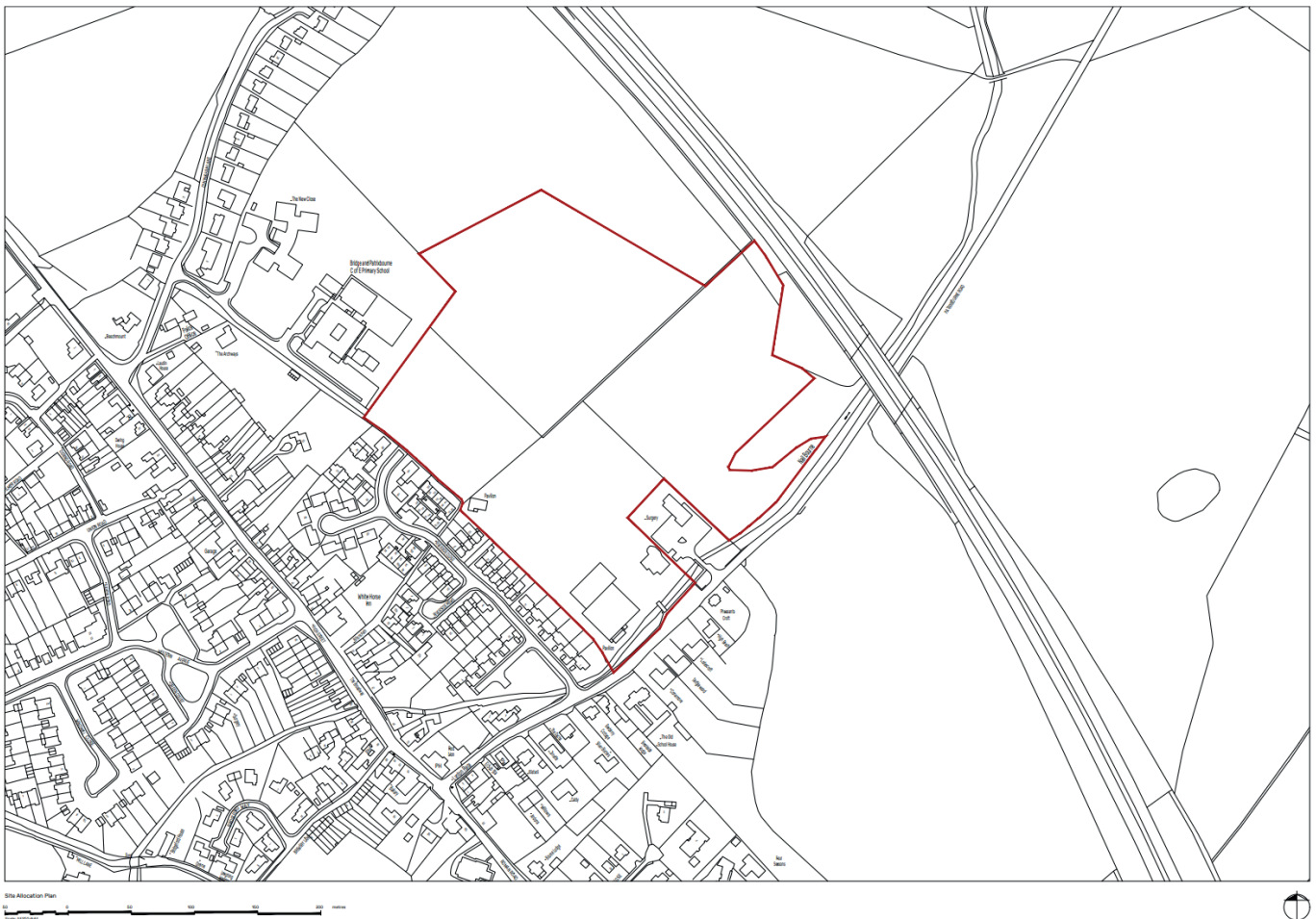
## Policy C2

Land to the north of Patrixbourne Road, Bridge totalling 7.44 hectares, as defined on the accompanying site plan, is allocated for the development of up to 40 new dwellings, including affordable housing units, a new village hall, additional sports pitches, tennis courts, a children's play area, the designated Local Green Space and car parking to serve these facilities and the adjoining Bridge and Patrixbourne C of E Primary School.

The development of this site, which is within the Kent Downs Area of Outstanding Natural Beauty and the Bifrons Park Conservation Area must be undertaken in compliance with all relevant policies of the adopted Canterbury District Local Plan and of this Plan, and in accordance all other relevant guidance.

The development of the site shall also secure Biodiversity Net Gain (BNG) at a level of at least 10% above the baseline position, in accordance with the national policy requirements contained in the Environment Act 2021 and its accompanying policy guidance.

### Site Allocation Plan



**4.17** Bridge is surrounded by AONB land, and land similarly designated. This poses some difficulty when seeking to use land for any limited but necessary development purposes. The land to be used for development as mentioned within Policy C2, located between the village and A2 Highway, was designated as AONB prior to the construction of the raised carriageways of the A2 by-pass around Bridge. Thus, this enclosed space is separated from the open countryside of the Kent Downs which elsewhere surrounds the village.

**4.18** Three alternative sites were considered: land at Church Meadow, land north of Conyngham Lane; land at Brickfields. Each site was considered by the SEA and assessed against the assessment schematic used by the District. The land at Church Meadow was additionally assessed to be prone to heavy flooding from groundwater, and excluded from further consideration. The land North of Conyngham Lane was not favourably considered because it would reduce the separation between the village and the City of Canterbury and thus the site met with considerable local opposition. The Brickfields site was considered less suitable for development as it was unbounded, with open pristine AONB land extending along the river as far as the adjacent village. The site chosen was considered to be bounded by pre-existing development and by the raised carriageway of the A2., and thus less likely to be open to further phases of development in future years.

**4.19** Recognising that local housing densities and settings are an important element in creating the general appearance and character of this rural village, Bridge Parish Council, via this plan, will not support increased local housing densities beyond what has been established locally within the village.

**4.20** Planning decisions should utilise Sustainable Drainage Systems (SuDS) unless there are practical reasons for not doing so. It will not be acceptable for surface water run off to enter the foul water system.

**4.21** If mitigation measures to achieve nutrient neutrality at the Stodmarsh SAC/SPA are required, the following measures should be considered:

- a) Secured agreement with the wastewater treatment provider that they will maintain an increase in nitrogen/phosphorous removal at the Wastewater Treatment Works (WwTW);
- b) Secured agreement with the wastewater treatment provider or others to provide and maintain an increase in nitrogen/ phosphorous offsetting from catchment management measures (this may include mini-farm interceptor wetlands);
- c) Provide measures that will remove nitrogen/phosphorous draining from the development site or discharged by the WwTW (such as wetland or reedbed);
- d) Increase the size of the Open Space provision for the development on agricultural land that removes more nitrogen/phosphorous loss from this source;
- e) Establish changes to agricultural land in the wider landholding in perpetuity that removes more nitrogen/phosphorous loss from this source;
- f) Acquire, or support others in acquiring, agricultural land elsewhere within the river catchment area containing the development site (or the waste water treatment discharge if different), changing the land use in perpetuity (e.g. to woodland, heathland, saltmarsh, wetland or conservation grassland) to remove more nitrogen/ phosphorous loss from this source and/or, if conditions are suitable, provide measures that will remove nitrogen/ phosphorous on drainage pathways from land higher up the catchment (e.g. interception wetland); and
- g) Seek additional information and methodologies for mitigation on wetlands through The Wetland Hub and the Wetland Mitigation Framework.

**4.22** Any new development must not place further pressure on the environment nor should it compromise nationally applicable Water Framework Directive objectives.

**4.23** In view of recent flooding in the village (2000/2001 and 2013/2014) any new housing development must have adequate drainage and sewerage facilities incorporating appropriate property level flood resilience measures. It is important that surface water and draining facilities of any new housing development do not adversely affect those of existing housing and the general village environment.

### Policy C3

Before any development takes place developers shall carry out a thorough investigation related to the drainage and sewerage systems and identify any potential increase in flood hazard in Bridge and the surrounding areas which might result from the development.

Any new development must not place further pressure on the environment nor should it compromise nationally applicable Water Framework Directive objectives. Such development will only be supported if it can achieve nutrient neutrality regarding Stodmarsh SAC/SPA

Proposals for new development in the Plan area should utilise Sustainable Drainage Systems (SuDS) unless there are identified practical reasons for not doing so. It will not be acceptable for surface water run off to enter the foul water system and new development at sites will not be supported unless they contains details of the measures that will be taken to ensure that polluted runoff (including suspended sediment) does not leave the site and enter the Nail Bourne and surrounding waterbodies during construction and operation. Such development will only be supported if they can achieve nutrient neutrality regarding Stodmarsh SAC/SPA.

All proposals for new development should take account of the guidance set out at paragraph 4.21.

Such developments must comply with the expectations contained within our Habitats Regulations Assessment.

## Objective D: Promoting Healthy Communities

**5.1** The Neighbourhood Plan will aim to protect the current high standard of living and low crime rate in Bridge. It will endeavour to ensure that sufficient leisure and community facilities are maintained to serve the village, and to promote new provision as the village develops. Facilities and groups that promote a sense of community and maintain these values will be supported and encouraged. The Neighbourhood Plan will protect existing green spaces within the village and encourage walking and enjoyment of the open spaces in and around the village.

**5.2** The National Planning Policy Framework (NPPF) section 98 states 'Access to a network of high quality open spaces and opportunities for sport and physical activity is important for the health and well-being of communities.' The NPPF states that open spaces, sports and recreational buildings and land, including playing fields should generally not be built on unless an assessment has been undertaken which has clearly shown the open space, building or land to be surplus to requirements. The Neighbourhood Plan seeks to protect existing open spaces and recreational facilities within the village and on its outskirts. Open spaces such as the recreation ground and allotments and natural open space located both within and outside the village will be protected for the health and benefit of villagers and visitors alike. (See Map of Important Local Green Spaces within Objective E).

**5.3** Bridge is fortunate to have a strong community spirit, as reflected by the number and scope of groups and activities which take place within the village. These groups have strong co-ordinating bodies such as the Parish Council, the Parochial Church Council, sports clubs, school based activities and uniformed organisations as well as many interest groups. Bridge has few places in which such groups can meet. The Neighbourhood Plan seeks to ensure that existing facilities are retained and where possible improved for the use of the community.

**5.4** The Bridge Village Sports Pavilion will be retained for use within the recreation ground.

**5.5** Bridge Health Centre is a modern and purpose built accessible facility on the edge of the village. It provides a wide range of GP services, therapies and treatments. Bridge is also fortunate to have a private dental practice. It is important that these facilities are maintained and supported as the village grows and more pressure is placed on services by development in South Canterbury.

**5.6** The Neighbourhood Plan supports the deployment of shared Police Community Support Officers and other Community Support staff within the village and would welcome additional similar involvement within the community. It seeks to strengthen links with the police. It supports the Neighbourhood Watch Scheme and would encourage its expansion.

**5.7** Also supported, is the Speedwatch Scheme, which is organised by the Parish Council with local volunteers and which helps to make our village streets safer. It supports the introduction of a 20mph speed limit within the village.

## Policy D1

Development proposals in the Plan area should retain and, where appropriate, seek to enhance the public rights of way, important local green spaces and other green infrastructure around the village which contribute to the health and wellbeing of residents.

**5.8** Enjoyment of the countryside and preservation of its peace and quiet is important to the wellbeing of our rural community. The Plan will maintain green spaces both within the village and on its outskirts. Public footpaths will continue to be maintained, supported by the Parish Council and volunteers, as a supplement to the work of Kent Highways Authority. The enjoyment of green spaces and the effect that loss of access to it will have on the community will be a material factor to be considered should any proposal be put forward for whatever purpose which reduces the existing green spaces round the village. Any proposal which would reduce the potential for such enjoyment will be opposed.

(See Map of Designated Local Green Spaces within Objective E.)

**5.9** The Neighbourhood Plan envisages the retention of village assets for the use of its youth groups. These assets draw young people from the south of the District to participate in a range of sporting and cultural activities. The loss of such amenities would result in a significant reduction of provision for our youth and the Parish Council would seek to have such assets replaced.



## Objective E: Meeting the Challenges of Climate Change and Flooding and Conserving and Enhancing the Natural Environment

**6.1** This Plan supports the stance taken in the CDLP, chapter 7. With reference to Bridge this indicates taking steps to minimise vulnerability and providing resilience with respect to the impact of climate change, and supporting the delivery of low carbon energy.

**6.2** Most of the built area of Bridge lies within the catchment area of the Nailbourne. As observed during the recent floods (see also CDLP 7.21-7.39), fluvial flooding, groundwater flooding and sewer overtopping are of particular concern to Bridge. Flood risk areas within the village, as determined by the Environment Agency, are set out below.

**6.3** This Plan supports the CDLP 7.34 and Policy CC4 in regard to Southern Water continuing to repair the sewer to secure against ingress and the prevention of any significant further development until the major improvements have been carried out (such as new culverted outfalls, major pumping at outlets or large attenuation lakes).

**6.4** The Neighbourhood Plan Objective will tighten the CDLP Policy CC11 on Sustainable Drainage Systems by only permitting surface water drainage back into the ground. This will reduce the strain on the drains and the Nailbourne itself. The policy is also enhanced to include all planning decisions, not just those in the flood risk area, since the whole catchment area impacts upon the flood risk.

**6.5** The risk identified is so great that no development will be supported in Flood Zone 3.

Development within Flood Zone 2 areas will only be permitted with appropriate flood and flow mitigation measures as directed by either the Environment Agencies or K.C.C., the lead Flood Authority.

Development proposals should be considered with reference to the flood zone maps produced by the Environment Agency, available at <https://flood-map-for-planning.service.gov.uk>

### Policy E1

Proposals for new development within those parts of the Plan area which are at higher risk of flooding, as shown on the accompanying map at Page 22, will only be supported if it can be satisfactorily demonstrated through an accompanying Flood Risk Assessment and any required mitigation measures that the development will not lead to any greater risks of flooding at the site itself and within the surrounding areas.

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

## Flood Zone Map



**6.6** Paragraph 174 of the National Planning Policy Framework states that the planning system should contribute to and enhance the natural and local environment.

Canterbury District Local Plan (CDLP) (10.1) states “One of the City Council’s objectives is to protect and enhance the countryside, acknowledging its own intrinsic value, the diversity of landscapes, heritage and wildlife and recognising that a high quality environment contributes to the economic, social and cultural well-being of the district.”

CDLP (11.11) states “Open space performs a wide range of roles in enhancing the liveability of cities, towns and rural villages. Protecting open space for its amenity, ecological, educational, social and community benefits are now well established principles among planning authorities and other organisations”.

Canterbury City Council has adopted the environmental strategy of Kent County Council.

**6.7** Bridge Parish Council will seek to ensure that the existing natural environment is conserved, protected and enhanced. The Plan will protect existing green spaces in the village and on the outskirts to preserve and improve biodiversity where possible.

**6.8** The Parish Council Planning Committee will recommend the refusal of planning permission to pave over front gardens for car parking but applications for new hard surfacing that would be constructed from a permeable material will be supported by the Parish. Apart from aesthetic and environmental aspects this would help to prevent local flooding. The Plan will seek to maintain these areas as open natural spaces.

**6.9** The Draft Open Space Strategy for the Canterbury District 2014-2019 3.7 states that “...the design of public open space sets the scene for the housing, that it is considered at the start and throughout the design process, not as an afterthought and should provide an attractive setting as well as opportunities for leisure and recreation use”. The Parish Council will work vigorously to ensure that provision for new green spaces is incorporated into any emerging development by scrutinising the planning applications and objecting to unsuitable plans.

## Policy E2

Proposals for new development that would lead to the coalescence of the village of Bridge with the urban area of Canterbury will not be supported, in order to ensure that the setting and character of the village and the open countryside between the settlements is not adversely affected, and that the individual identity of the two settlements is retained.

**6.10** CDLP (11.42) states “The objective of the green gap policy is to retain separate identities of existing settlements, by preventing their coalescence through development”.

With this Neighbourhood Plan, Bridge Parish Council will continue to object to unwanted development in the Area of Outstanding Natural Beauty (AONB) on the south side of Canterbury to maintain the existing open space.

Ninety percent of respondents to the Neighbourhood Plan questionnaire opposed the merging of Bridge with South Canterbury, which would result in Bridge losing its identity as a thriving rural community. CDLP (11.44) states “The Council is concerned that this gradual coalescing between existing built up areas not only harms the character of the open countryside, but is having an adverse impact on the setting and special character of villages”. It is the case that there has been strong opposition from within the village to any suggestion that this gap might be closed up.

**6.11** The Neighbourhood Plan will encourage the conservation of the character of Bridge and the High Street in particular.

**6.12** The Parish Council will seek to maintain open spaces including areas within the Parish that are of particular value to the community as set out within the NPPF 2021 paragraphs 137 and 138. This Plan has identified seven such areas which are mapped out and described on the following pages. These areas, identified as Important Local Green Spaces, should be treated as set out within NPPF 101 and NPPF 103, and be protected from development other than development proposed elsewhere within this NP.

### Policy E3

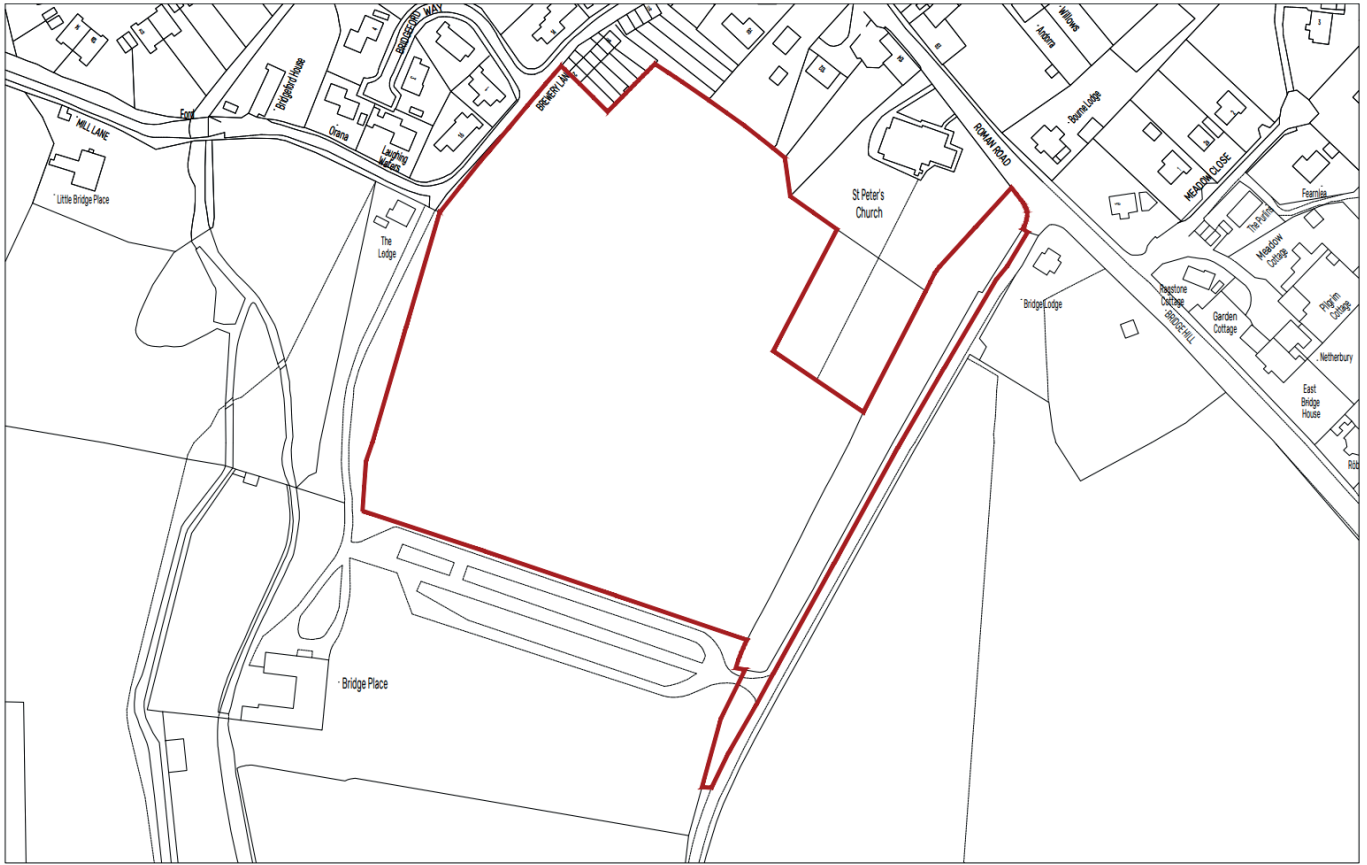
Proposals for new development in the Plan area should seek to achieve sustainable development by contributing positive benefits to the social, economic and environmental characteristics of the Parish.

Relevant proposals should also secure Biodiversity Net Gain (BNG) at a level of at least 10% above the baseline position, in accordance with the national policy requirements contained in the Environment Act 2021 and its accompanying policy guidance.

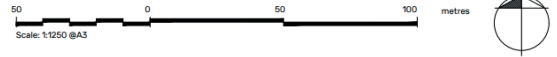
### Policy E4

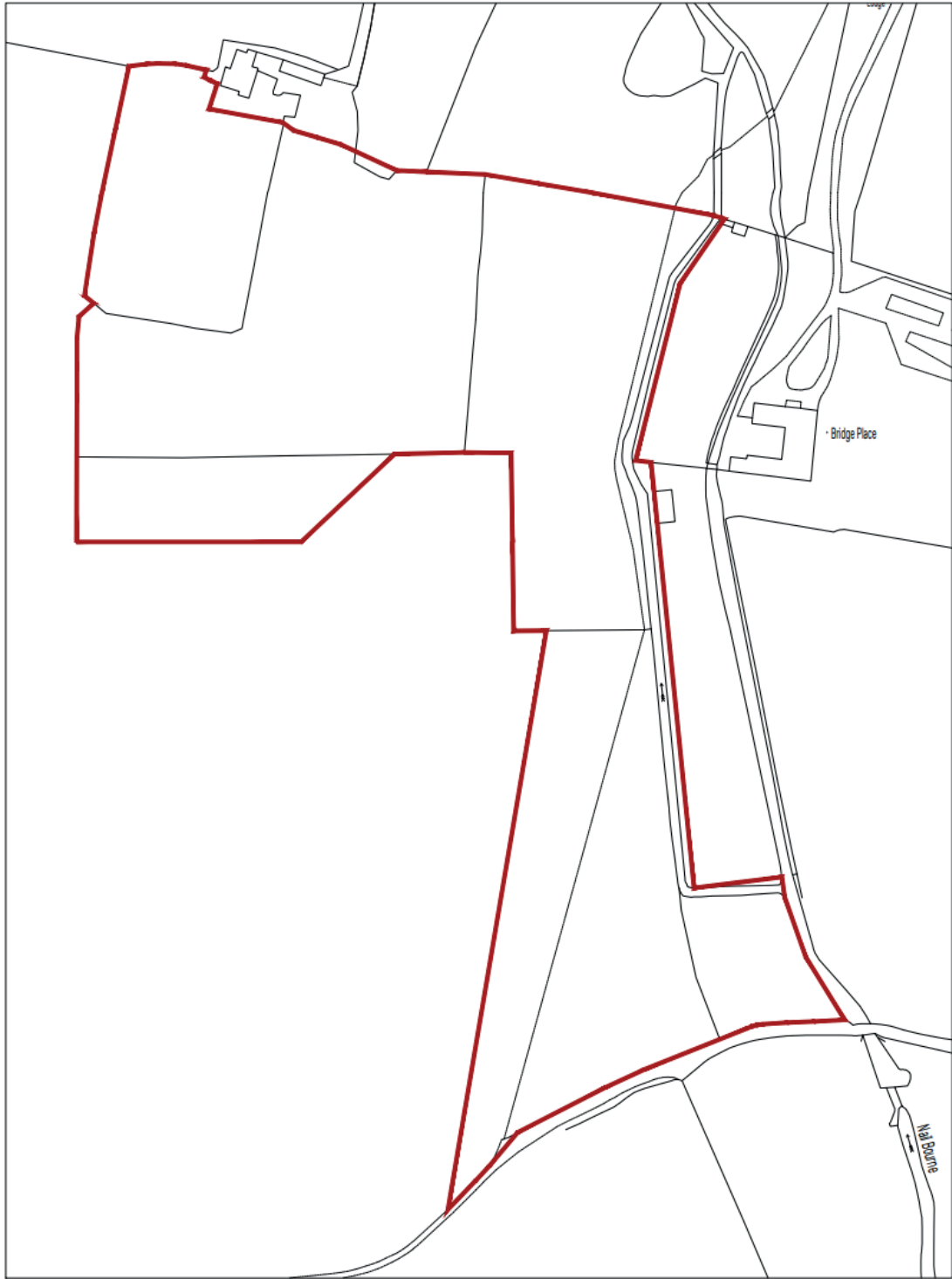
Development proposals in the seven designated Local Green Spaces listed on Page 26 and defined on the accompanying maps to this policy will be managed in accordance with national policy for Green Belts.

# Designated Local Green Spaces



Local Green Space.01  
Church Meadow

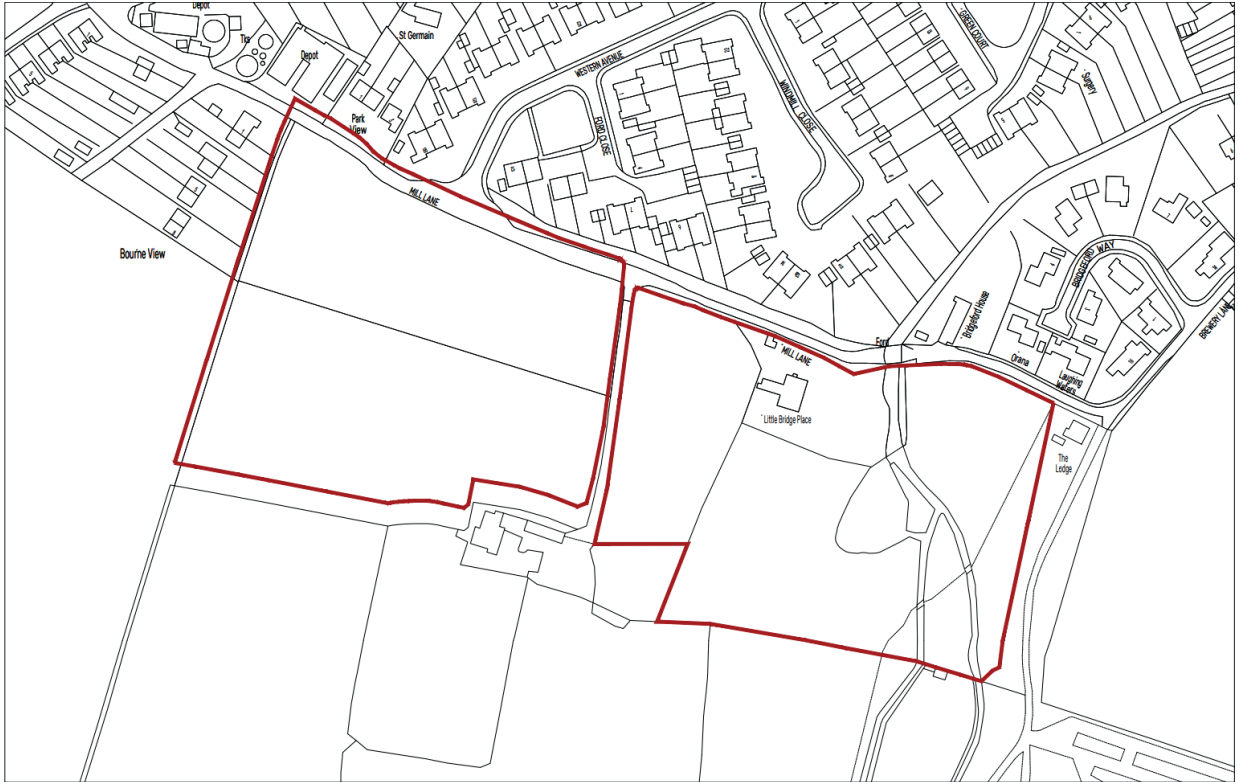




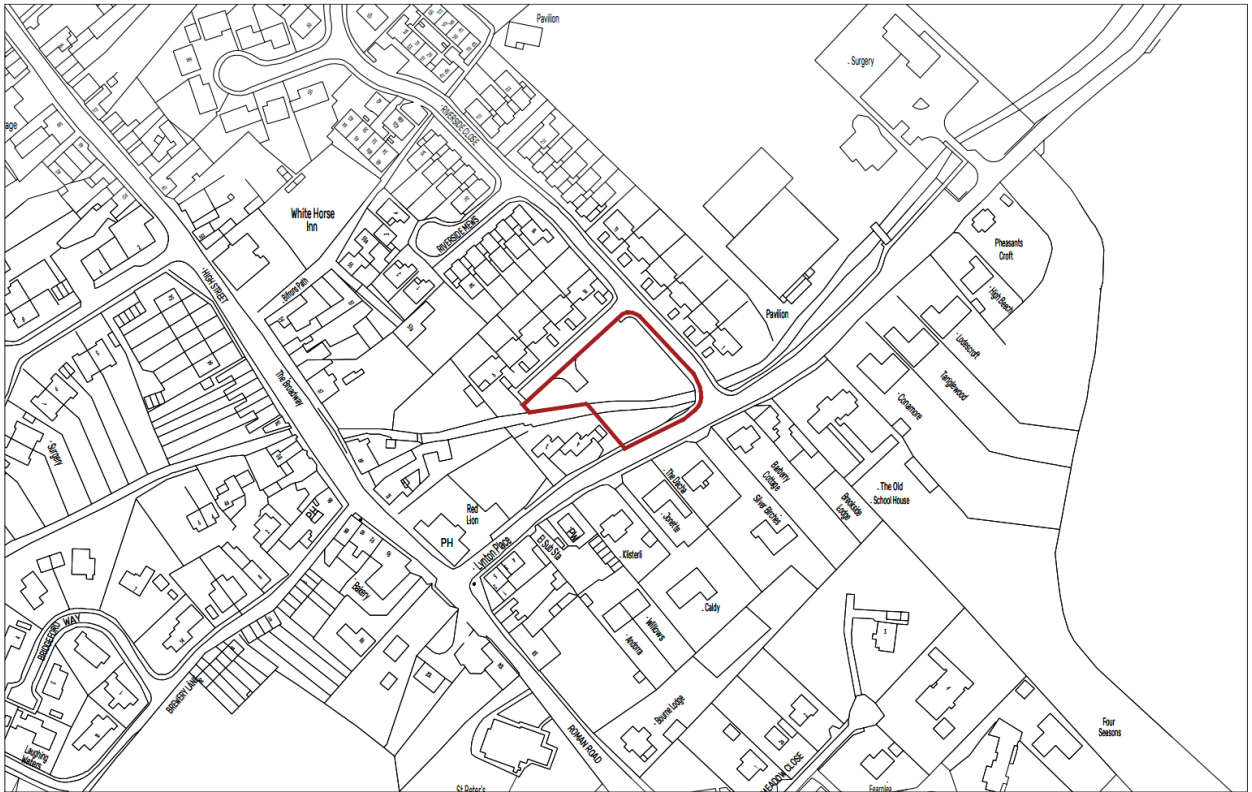
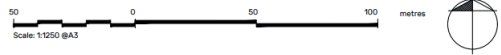
Local Green Space 02  
Land Between Brickfields and the Nailbourne



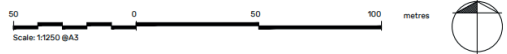




Local Green Space 03  
Water Meadows along Brewery Lane/Nailbourne



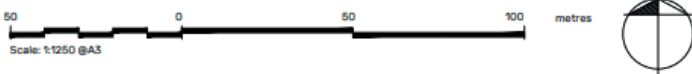
Local Green Space 04  
Land along Patricbourne Road at the entrance to Riverside Close (both sides of the Nailbourne)

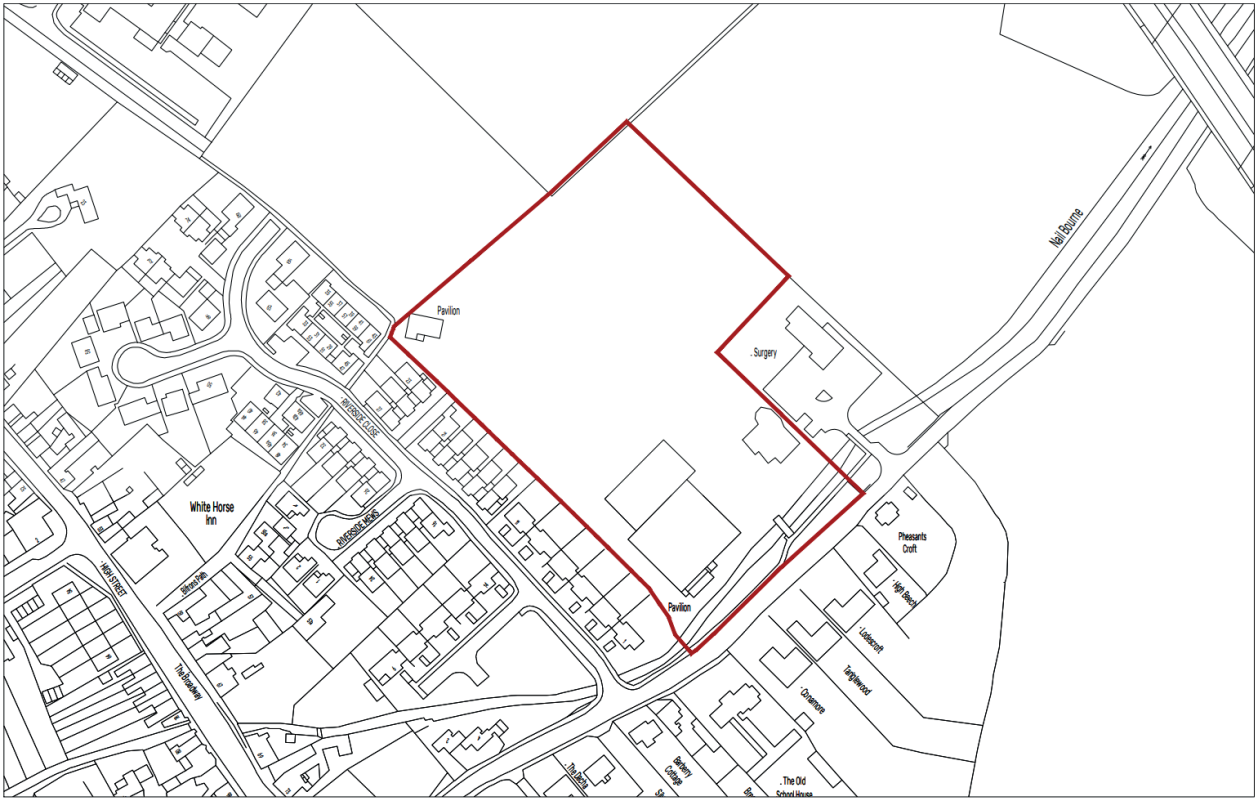






Local Green Space\_05  
 Land to the west of the main road leading from the village, northwards towards Canterbury





Local Green Space, 06  
Recreation Ground Managed green space

Scale: 1:1250 @A3



Local Green Space, 07  
Areas along Western Avenue

Scale: 1:1250 @A3

			Meets the criteria set within NPPF paragraph 102.		
			1	2	3
1.	Church Meadow	Enhances the setting of Bridge Parish Church and graveyard. Start of green corridor along the Elham Valley. Essential to maintain this water meadow which contains numerous underground streams and acts as a natural flood relief area so preventing further flooding on Bridge High Street and Brewery Lane. This space has an abundance of wildlife.	✓	✓	✓
2.	Land between Brickfields and the Nailbourne	Recreational and visual amenity enhances the setting of the residential development at Brickfields, and is important also for the setting of the listed Jacobean manor house. Important natural floodplain, alongside river rich with an abundance of wildlife.	✓	✓	✓
3.	Water Meadows along Brewery Lane/Nailbourne	Recreational amenity and visual amenity used frequently by residents and walkers along the public rights of way. Essential to retain these water meadows to protect Brewery Lane and subsequently the High Street from flooding. Currently farmland and wildlife haven.	✓	✓	✓
4.	Land along Patricbourne Road at the entrance to Riverside Close (both sides of the Nailbourne)	A managed planted area surrounded by a residential area of the village. Local visual amenity, enhancing the setting of the residential development and is in keeping with local character of other residential areas within the village.	✓	✓	✓
5.	Land to the west of the main road leading from the village, northwards towards Canterbury	Land is currently largely used as allotments, a well-used facility for residents. The space also acts as a green corridor between the village and A2/city.	✓	✓	✓

6.	Recreation Ground Managed green space.	As set out elsewhere within this Plan, this large area will sit adjacent to space to be used for a future Village Hall and associated amenities whilst retaining its present character.	✓	✓	✓
7.	Areas along Western Avenue	These are managed planted areas within a main residential area of the village. Enclosed by residential properties these green spaces are green wildlife corridors valued by residents. Green Court is managed by garden volunteers and has been transformed into a pollinator and wildlife haven. Weston avenue and Ford close have been enhanced with the planting of new trees and shrubs for wildlife.	✓	✓	✓

**6.13** The Parish Council will continue to encourage people of all ages to use and enjoy, to volunteer to help with, and to maintain the recreation ground.

**6.14** CDLP (11.14) states “It is important that allotments are retained where they can perform an important open space function and contribute to the City Council’s wider sustainable development objectives, including the production of local fresh produce and enhanced quality of life in terms of health, social activity...and wild life habitats”.

The Parish Council will actively encourage the take up and maintenance of the allotments in the village to provide local fresh produce and enhance the social wellbeing of the residents of Bridge.

**6.15** BPC will look to support the principles set out within the NPPF paragraph 185 which states that Developers should

“(a) mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life;

(b) identify and protect tranquil areas which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason; and

(c) limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.”.

### Policy E5

Proposals and initiatives which include measures to reduce light pollution and promote the visibility and clarity of the night sky will be supported. Applications for additional external lighting within the Conservation Area will not be supported if they would increase light pollution within the village and/or adversely affect their surroundings.

**6.16** The Plan will encourage and support the use of land to establish sustainable farming, allotments and community orchards to provide employment and enrich the wellbeing of local residents.

## Objective F: Conserving and Enhancing the Historic Environment

**7.1** The village draws some of its character from the fact that it stands on the Roman road from Dover to London through Canterbury. This road became known as Watling Street. The bridge at Bridge is built over the Nailbourne, an intermittent stream which is often completely dry but is also capable of rising rapidly to flood low-lying areas in the village. The Nailbourne lies in a valley so that Watling Street rises up-hill in both directions from the centre of the village. Consistent with its age and location the village has more than sixty listed buildings dating from the early fifteenth century onwards.

### Policy F1

To reflect the existing character, appearance and setting of the village of Bridge, the design of proposed new developments should seek to complement the local vernacular in terms of massing, scale, building style and materials.

**7.2** The Plan will continue to ensure that any new development is appropriate to complement the present building infrastructure as recorded within the Bridge Architectural Legacy statement.

**7.3** CDLP Policy DBE1 (Sustainable Design and Construction) states “All development should respond to the objectives of sustainable development and reflect the need to safeguard and improve the quality of life for residents, ... minimise waste and protect and enhance the environment”.

“The City Council will therefore require development schemes to incorporate sustainable design and construction measures that must satisfy the criteria...”

**7.4** The Parish Council Planning Committee will closely monitor the building materials intended for use in any proposed new building. While this applies to all buildings it is of particular significance to those intended for conservation areas in the village.

**7.5** The Historic England Record reveals numerous historic sites or buildings within the Parish. Notable among these are the course of the major Roman road, Watling Street, one of the foremost highways of Roman Britain, which runs through the heart of the settlement of Bridge and is marked as a Roman road on the Ordnance Survey base map. Bridge is thus part of a significant historical area and important finds and sites have been and are still being discovered, some of which are of national importance. It is therefore imperative that before any development begins, an archaeological survey is carried out by an independent organisation.

### Policy F2

Where appropriate, proposals for new development in the Plan area will be required to include an initial archaeological assessment of the development site. If necessary, a full archaeological investigation of the site will be required prior to the commencement of any development

## Projects allied to the Policies contained within this Neighbourhood Plan

These projects are set down here because although they do not have the same effect as the Planning Policies, they do serve to augment the effect of the Policies contained within the Plan. The narratives that further explain these Projects can be found alongside the Policies of each section of the Plan.

### Objective A

#### Project A1

To support residents with their plans to work from home by encouraging the spread of high speed internet access throughout the parish by maintaining and upgrading existing facilities when technology allows and by supporting the introduction of the most modern new communication systems within the village.

#### Project A2

To support the presence of a Post Office within the village.

### Objective B

#### Project B1

To control the level and environmental impact of vehicular traffic and improve air quality, by installing air monitoring equipment and by encouraging drivers to switch off engines while stationary.

#### Project B2

To work towards achieving a 20mph speed limit throughout the village.

#### Project B3

To promote the use of public transport and retain the existing bus service through Bridge.

#### Project B4

To work with Canterbury City Council and others towards providing a safe cycle path between Bridge and Canterbury.



### Project B5

To explore ways to alleviate parking difficulties within the Village.

### Objective C

No projects listed within this category

### Objective D

#### Project D1

To ensure that sufficient community and leisure facilities are maintained to serve the village.

#### Project D2

To work to support KCC policies that give local children priority in obtaining places at the local primary school.

### Objective E

#### Project E1

To ensure that the development of South Canterbury is suitably contained to protect open space between the city and the village.

#### Project E2

Proposals for allotments and community gardens or orchards within new developments will be encouraged. Sustainable farming and farm shops will also be encouraged provided that they are in line with National and Local Plan Policies.

## Bridge Neighbourhood Plan: Policies

Here is an indicative summary of the Policies for ease of reference within the main text.

Objective A : Building a Strong, Competitive Economy & Ensuring the Vitality of the village Centre

A1 Encouragement, and restrictions thereof, regarding new businesses within the built up area.

Objective B : Promoting Sustainable Transport

B1 Local cycle network. B2 Parking, and traffic.

Objective C : To Maintain a Choice of High-Quality Homes With Good Design

C1 Sustainable Development Standards. C2 Cantley's proposal for Recreation Ground.

C3 Drainage and sewerage for new development.

Objective D : Promoting Healthy Communities

D1 Retention of the green infrastructure.

Objective E : Meeting the Challenges of Climate Change and Flooding and Conserving and Enhancing the Natural Environment

E1 Related to flooding.

E2 Retaining a green gap between Bridge and the City of Canterbury.

E3 Additional future development only in return for substantial benefits. E4 Relating to Important Green spaces within the village.

E5 Relating to light pollution

Objective F : Meeting the Challenges of Climate Change and Flooding and Conserving and Enhancing the Natural Environment

F1 Visual impacts: respecting the existing village character and appearance. F2 Archaeological assessment of development sites.

# Canterbury District Local Plan 2017 Policies

## Chapter 1 – Strategy

SP1 Presumption in favour of sustainable development unless material considerations indicate otherwise.

SP2 Levels of land supply to meet the identified development requirements and guidelines. SP3 Strategic allocations. Development will be permitted at strategic sites in the District, subject to the provision of the listed infrastructure.

SP4 Urban areas of Canterbury, Herne Bay and Whitstable to be principal focus for new development.

SP5 Infrastructure Delivery Plan to be prepared to set out proposals for S106 and CIL. SP6 Development that adversely impacts on SACs, SPAs or Ramsar Sites (alone or cumulatively) will not be permitted.

## Chapter 2 – Housing

HD1 Housing allocation sites.

HD2 Requirement for affordable housing for residential developments. HD3 Rural exception sites will be permitted subject to criteria.

HD4 New dwellings in the countryside only granted in specified circumstances. HD5 Conversion of rural buildings to residential use, criteria for assessment

HD6 HMOs. Change of use to and extensions of HMOs allowed unless proportion within 100m radius exceeds 10%.

HD7 Purpose-built student accommodation, criteria for assessment. HD8 Retention of housing accommodation.

HD9 Permission to be granted for bringing empty residential property into more efficient residential use.

HD10 Seasonal, temporary or permanent use of land by gypsies and travellers, criteria for assessment.

## Chapter 3 – Employment

EMP1 Land allocated for employment use to be safeguarded from other uses; small proportion of non-Class B uses may be permitted where no harm caused.

EMP2 Support for non-class B and educational uses where significant to the local economy. EMP3 Permission to be granted for use of upper floors of retail and commercial premises in town centres for office use, criteria for assessment.

EMP4 Existing and allocated employment sites to be protected from non-employment uses and support for expansion of existing business onto adjoining land. Loss of office accommodation permitted subject to criteria

EMP5 Support for home based business, subject to criteria.

EMP6 Installation of digital infrastructure on strategic allocation sites. EMP7 University of Kent development proposals.

EMP8 Canterbury Christchurch University development proposals.

EMP9 Provision to be made for educational needs arising from new development. EMP10 Land at Hadlow College, Canterbury to be retained for educational purposes.

EMP11 Whitstable Harbour. Development proposals to have regard to the Whitstable Harbour Strategic Plan.

EMP12 Best and most versatile farmland to be protected.

EMP13 New agricultural buildings to be permitted subject to criteria.

EMP14 Support for new businesses in suitable locations in the rural area. EMP15 Horse related development acceptable subject to specified criteria.

## Chapter 4 – Town Centres and Leisure

TCL(A) Retail Hierarchy and Network

TCL1 Within town centres, permission to be granted for development that adds to its vitality and viability. Over-concentration of uses to be avoided.

TCL2 Primary Shopping Frontages. Promotion of A1 uses and ground floor of retail premises to be generally retained in A1 use.

TCL3 Secondary Shopping Frontages. Promotion of A use class and changes of use between the A use class permitted; changes of use to non-retail uses and residential not normally permitted.

TCL4 'Active' town centre uses to be permitted within the Cultural Enhancement Area, criteria for assessment.

TCL5 Retail and other community uses to be protected and improved in Local Centres. TCL6 Criteria for the provision of main town centre uses outside town centres.

TCL7 Wincheap Retail Area to be developed as a retail-led mixed used development.

TCL8 Development within Herne Bay and Whitstable town centres to be of an appropriate scale and to reflect character and function of the individual centre.

TCL9 Environmental Improvement Areas. Environmental improvements to be sought within designated areas.

TCL10 Mixed Use Development. Within and around town centres, a mix of uses to be delivered. Retail uses provided at ground floor within Primary Shopping Frontages. Additional sites allocated for mixed-use development.

TCL11 Commercial Leisure and Cultural Activities. New/enhanced leisure facilities to be promoted, existing to be safeguarded.

TCL12 Evening and night-time economy. Applications approved, subject to criteria.

## Chapter 5 – Transport Infrastructure

T1 Location of new developments to be considered against Canterbury Transport Strategy. T2

Proposed pedestrian and cycle routes to be protected.

T3 Bus Improvement Links. Permission not to be granted for proposals that prejudice bus improvement measures and fast bus links.

T4 Rail Improvement Links. Permission not to be granted for proposals that prejudice rail improvement measures

T5 Wincheap Park & Ride. Land safeguarded for expansion. T6 Sturry Road Park & Ride. Land safeguarded for expansion.

T7 New Dover Road Park & Ride. Provision made adjacent to new A2 interchange for relocation and expansion of facility.

T8 Whitstable Park & Ride. Proposals to meet identified criteria.

T9 Parking and cycle provision to have regard to identified standards.

T10 Restriction of on-site parking provision for retail, office and commercial uses is specified areas. Provision to be limited to operational parking only.

T11 Wincheap Traffic Management Scheme. Implementation of the A2 off-slip road at Wincheap, an A28 relief road and improvements at Wincheap Green. Proposals which prejudice these routes will be resisted. Contributions to be sought.

T12 Implementation of A2 Bridge Interchange. Proposals which prejudice this route will be resisted. Contributions to be sought.

T13 Provision of Herne Relief Road required. Proposals which prejudice this route will be resisted.

Contributions may be sought from appropriate developments.

T14 Sturry Relief Road required. Proposals which prejudice this route will be resisted. Contributions to be sought.

T15 A28/A257 Barracks Link Road. Proposals which prejudice this route will be resisted.

T16 Rural lanes of landscape amenity, nature conservation, historic or archaeological importance protected from changes which would damage their character and where possible be enhanced.

T17 Transport Assessment and Travel Plans required for developments which would have significant transport implications.

## Chapter 6 – Tourism and Visitor Economy

TV1 Cultural and arts facilities to be encouraged. All new large developments to make provision for public art.

TV2 New tourism development in and on edge of town centres to be granted, subject to criteria.

TV3 Loss of visitor staying accommodation acceptable subject to criteria.

TV4 Touring and static caravan sites. Existing sites to be protected. Criteria for assessment. TV5

Proposals for Marina provision acceptable subject to criteria.

TV6 Reculver Country Park. Proposals for enhancement to be permitted. Criteria for assessment.

TV7 Rural tourism proposals encouraged where they provide local jobs and are of an appropriate scale and type, subject to no conflict with other plan policies.

TV8 New tourism accommodation and facilities in the rural area acceptable subject to criteria; new buildings to be related to existing settlements.

## Chapter 7 – Climate Change, Flooding, Coastal Change and Water Resources

CC1 Proposals for renewable and low-carbon sources of energy to be encouraged in appropriate locations. Removal of installations required after use has ceased.

CC2 Development to include measures to reduce carbon emissions from energy use. CC3 Strategic sites and large developments to provide site wide renewable or gas fired Combined Heat and Power unless specific criteria met.

CC4 Development proposals within areas at risk of flooding or with increased surface water run-off to be subject to a FRA.

CC5 New development permitted on undeveloped sites within Flood Zones 2 and 3 only where sequential/exception tests passed.

CC6 Minor infill development and development on previously developed land in Flood Zones 2 and 3 acceptable subject to other plan policies.

CC7 No development within overtopping hazard zones.

CC8 Replacement dwellings outside of urban boundary at Faversham Road, Seasalter not permitted. Extensions only allowed in exceptional circumstances.

CC9 Coastal Change Management Area to be defined at Reculver.

CC10 Development proposals will normally be refused in Coastal Protection Zone.

CC11 Sustainable Drainage Systems to be utilised. Greenfield run-off rates to be achieved where possible. Hierarchy for the management of surface water flows. Details of management of SUDS to be provided prior to commencement.

CC12 Water quality to be safeguarded and enhanced where possible as part of new development proposals.

CC13 Development to be phased to ensure the provision of necessary water infrastructure works. Development to minimise water use and incorporate water efficiency and recycling measures.

## Chapter 8 - Design and the Built Environment

DBE1 All development to incorporate sustainable design and construction measures. DBE2 Criteria for renewable and micro-generation equipment to avoid adverse impacts.

DBE3 Development proposals to be of high quality, to be assessed against specific amenity, visual, landscape, accessibility and highways criteria.

DBE4 New housing to have acceptable standard of accommodation, having regard to national minimum space standards and to provide refuse and cycle storage and outdoor space.

DBE5 High standards of accessibility and inclusive design to be incorporated into new developments.

Additional requirements for major and strategic development.

DBE6 Alterations and extensions to respect character of the original building, to not result in overshadowing and overlooking and to avoid detriment to the amenity and character of the locality. Particular care to be given to works to heritage assets.

DBE7 High quality design of public realm to be expected in new development proposals. DBE8 Functional and visually successful public open space to be incorporated into new developments, including PROW, open space, landscaping and public art.

DBE9 Outdoor lighting proposals, criteria for assessment.

## Chapter 9 – Historic Environment

HE1 Proposals which protect, conserve and/or enhance the historic environment will be supported.

HE2 World Heritage Site and Buffer Zone. World Heritage Site to be protected and enhanced, including views into and from the site.

HE3 Significant views of the City and World Heritage Site to be protected. HE4 Development proposals to preserve or enhance the special historic or architectural interest or the setting of listed and locally listed buildings.

HE5 Alterations to listed and locally listed buildings to preserve their character; applications to be accompanied by full details.

HE6 Development proposals to preserve or enhance the setting of conservation areas.

HE7 Highway works and traffic schemes to protect the character and appearance of historic buildings and conservation areas.

HE8 Presumption in favour of the conservation of heritage assets.

HE9 Adverts on listed buildings and within conservation areas to be kept to a minimum and be designed to avoid harm to the heritage asset.

HE10 New shopfronts to be of a high standard of design and existing shopfronts of historical interest to be retained

HE11 Important archaeological sites to be protected and archaeological evaluation required where potential for impact on archaeology.

HE12 Archaeological evaluation required for sites within the Canterbury Area of Archaeological Importance and other sites of archaeological potential.

HE13 Historic landscapes, parks and gardens to be preserved and enhanced.

## Chapter 10 – Landscape and Biodiversity

LB1 Proposals to conserve and enhance the Kent Downs Area of Outstanding Natural Beauty. LB2 Impact of the development on Areas of High Landscape Value.

LB3 Undeveloped Coast. Development that does not detract from the unspoilt scenic quality or scientific value of the undeveloped coast will be permitted.

LB4 Landscape character assessment. Proposals to have regard to the landscape character of the area.

LB5 Development not permitted where it may have an adverse impact on the integrity of an SAC, SPA or Ramsar site.

LB6 Proposals that would materially harm scientific or nature conservation interest of an SSSI, NNR or MCZ only acceptable in specified circumstances.

LB7 Development adversely impacting on Local Wildlife Sites, Local Nature Reserves or Regionally Important Geological/Geomorphological Site only acceptable where justification for proposal outweighs the harm.

LB8 Ecological improvements to be incorporated into new developments to improve connectivity.

LB9 All development to avoid a net loss of biodiversity and pursue opportunities to achieve a net gain.

LB10 Development to be designed to retain important trees, hedgerows and woodland. LB11 Measures to safeguard the Blean Complex Special Area of Conservation (SAC).

LB12 Seasalter Marshes. Projects to restore, enhance and extend the ecological value of this site to be supported.

LB13 The environment within river corridors will be conserved and enhanced. Supply of water, treatment and disposal of waste water and flood risk management should be sustainable.

## Chapter 11- Open Space

OS1 Proposals to protect and enhance sites designated as Local Green Space.

OS2 Proposals resulting in loss of playing fields only acceptable in specified circumstances. OS3 Land at Greenhill allocated for public playing fields.

OS4 Land adjacent to St Augustine's Business Park, Swalecliffe allocated for junior football pitches.

OS5 Land at Stuppington Lane, Canterbury allocated for informal public recreational uses OS6 Green Gaps. Development only permitted in specified circumstances.

OS7 Herne Bay and Whitstable Green Gap. Development only permitted in specified circumstances.

OS8 Sports and recreation in the countryside, criteria for assessment. OS9 Protected Open Space to be safeguarded unless specific criteria met.

OS10 Development that results in loss of open space/play areas within new developments that contribute to visual/recreational amenity to be refused.

OS11 New housing development to make provision for appropriate outdoor space.

OS12 Green infrastructure to be planned designed and managed to conserve and enhance the character of landscapes and settlements. Measures to be implemented for new major development sites.

OS13 Land identified along the River Stour corridors protected from development. Regard to be had to the Riverside Strategy.

OS14 Land allocated at Lime Kiln Road, Canterbury for a future allotments/community garden site

OS15 Permission to only be granted for loss of allotments/community gardens if criteria are met.



## Chapter 12- Quality of Life

QL1 Support for social infrastructure/community facility uses and buildings.

QL2 Improvements to village services and facilities to be approved, unless there are overriding conflicts.

QL3 Retention of village and community facilities in the rural area. QL4 Support for farm shops in appropriate locations.

QL5 New local community services to be provided within new residential developments. QL6 Retention of community uses and buildings unless no need in the locality and other community uses could not operate from the building or land.

QL7 Land allocated for community purposes QL8 Provision of health and social care facilities.

QL9 Land allocated adjacent to Kent and Canterbury Hospital for health related development QL10 Provision of new medical, health and social care facilities.

QL11 Development resulting in worsening air quality to be appropriately mitigated. QL12 Mitigation of pollution from new development.

## Supporting Documents

The following supporting documents that have been prepared for this Plan are available to view at the Parish Council's web-site <https://www.bridgevillage.org.uk/parish-council>:

- Bridge Rural Community Profile
- Bridge Architectural Legacy Statement
- Housing Needs Survey
- Strategic Environmental Assessment
- Habitats Regulations Assessment
- Bridge Fields Plans
- Bridge Landscape and Visual Impact Assessment

## This Plan's policies cross-referenced to CDLP

### Objective A. Building a Strong, Competitive Economy & Ensuring the Vitality of the Village Centre

A1 Prevent loss of business premises	SP1, EMP1, EMP4, QL3. EMP1, EMP4, EMP14. EMP1, EMP4, EMP13, EMP14.
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### Objective B. Promoting Sustainable Transport

B1 Local cycle network	T2, OS8, QL2.
B2 Parking, and traffic	T16, T17, HE7, QL2, QL11, Appx4

### Objective C. To Maintain A Choice of High Quality Homes With Good Design

C1 Development standards	CC11, DBE1, DBE3, DBE4, DBE5, DBE7, HE5, HE6.
C2 Cantley proposal for Recreation Ground	HD1, HD2, DBE1, DBE8, OS2, OS10, OS11, QL1, QL3, QL5, QL7. DB6
C3 Drainage, sewerage and for new development.	HD5.

### Objective D. Promoting Healthy Communities

D1 Retaining the green infrastructure, PROW.	HE13, LB1, LB4, LB7, LB13, OS8, QL2.
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### Objective E. Meeting the Challenges of Climate Change and Flooding and Conserving and Enhancing the Natural Environment

E1 Related to flooding	CC4, CC5, CC11. LB13.
E2 Separation between Bridge and Canterbury	HE13, OS6, OS9.
E3 Additional development benefits	TCL5, LB10, OS8, OS9, OS10, OS12, TCL5, OS2, OS8, QL2, QL3, QL6, QL8.
E4 Retention of Important Green Spaces	LB9, LB10, OS1
E5 Reducing light pollution	LB4, OS1, OS9, Appendix 5

### Objective F. Conserving and Enhancing the Historic Environment

F1 Visual impacts	HE13, LB2, LB10, LB13, OS12.
F2 Archaeological assessment of development sites.	HE1, HE4, HE5, HE8, HE11, HE12.

# Neighbourhood Plan Committee Members - Past and Present

## Who Drafted the Neighbourhood Plan?

**10.1** The Neighbourhood Plan Committee was formed following a formal resolution proposed to, and approved by, Bridge Parish Council.

**10.2** Initial members were all members of the Parish Council when the Neighbourhood Plan Committee was constituted, plus the two immediately previous Clerks to Bridge Parish Council. Future Members of BPC are asked if they wish to be members of the committee and if so, are appointed to it. NP Committee members may opt to retain membership of the Committee when they resign as Clerk or as Council Members.

**10.3** The Parish Council has decided to appoint the Neighbourhood Plan Committee as a subcommittee of the Parish Council.

**10.4** Over the years, a number of meetings have been held, as demonstrated in the accompanying Consultation Statement, and the committee has had changes in its membership, but we would like to acknowledge with grateful thanks, all those who have served as Committee Members at any time, and all others who have assisted with the production of this Plan.

**10.5** Outside consultants advised the Committee and the Committee members would like to extend their thanks to these people also.

## A Glossary

<b>Abbreviation</b>	<b>Full Name</b>
ACRK	Action for Communities in Rural Kent
AONB	Area of Outstanding Natural Beauty
BAL	Bridge Architectural Legacy statement
BPC	Bridge Parish Council
CCC	Canterbury City Council, the district planning authority
CDLP	Canterbury District Local Plan
CHP	Combined Heat and Power
CSH	The Code for Sustainable Homes
GP	General Practitioner
HNC	Higher National Certificate
NPPF	National Planning Policy Framework
NP	Neighbourhood Plan
NPC	The Bridge Neighbourhood Plan Committee
NVQ	National Vocational Qualification
PCSO	Police Community Support Officer
SBD	Secured by Design
SuDS	Sustainable Drainage Systems

# Referendum on the Bridge Neighbourhood Plan

I, the undersigned, being the Counting Officer for Canterbury City Council at the referendum held on 28 March 2024, DO HEREBY GIVE NOTICE that the results of the votes cast is as follows.

<b>Question:</b>		
<b>Do you want Canterbury City Council to use the neighbourhood plan for Bridge to help it decide planning applications in the neighbourhood area?"</b>		
	Votes recorded	Percentage
<b>Number cast in favour of a 'Yes'</b>	<b>398</b>	<b>66%</b>
<b>Number cast in favour of a 'No'</b>	<b>207</b>	<b>34%</b>

The number of ballot papers rejected was as follows:

• Want of official mark	0
• Voting for both answers	0
• Writing or mark by which voter could be identified	0
• Being unmarked or wholly void for uncertainty	3
Total rejected	<b>3</b>

I do hereby declare that more than half of those voting have voted in favour of the Bridge Neighbourhood Plan.

Electorate: 1249

Ballot Papers Issued: 609

Turnout: 48.7%

Cabinet  
22 April 2024

**Subject: Recommendation from Audit Committee for an external investigation into councillor conduct**

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**Director and Head of Service:**

Tricia Marshall, Director of Corporate Services

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**Officer:**

Jan Guyler, Head of Legal Services

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**Cabinet Member:**

Mike Sole

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**Key or Non Key decision:** Non Key

**Decision Issues:**

These matters are within the authority of the Cabinet.

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**Is any of the information exempt from publication:**

This report is open to the public.

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**CCC ward(s): All**

**Summary and purpose of the report:**

East Kent Audit Partnership carried out a review of processes and procedures around the inclusion of the Milton Manor site in the previous draft local plan, and made three recommendations for improvements to procedures which have been implemented.

When the Audit Committee received that report it supported its recommendations and also recommended that an external investigation into councillor conduct be carried out.

As such an investigation would require council resources, Cabinet is being asked to consider that recommendation.

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**To Consider:**

A Recommendation from the Audit Committee for an external investigation into the conduct of three former councillors in relation to their Disclosable Pecuniary Interests/Other Significant Interests and if such an investigation is to be undertaken provide confirmation of the allegations to be investigated.

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**Next stage in process:**

If Cabinet agree the recommendation the matter will be referred to independent investigators. If Cabinet do not agree the recommendation the matter will conclude at that stage.

## 1. Introduction

There has been considerable public interest in a Private Eye article about the inclusion of a site owned by councillors in the draft local plan and allegations that planning permission had been granted for that site, all without the appropriate levels of transparency.

As a result the East Kent Audit Partnership (EKAP) was asked to:

1. Review the processes surrounding the inclusion of the Milton Manor site into the draft Local Plan and whether they complied with the Council's constitution and any other relevant Council procedures or guidance in place at the time;
2. Comment on whether improvements could practically be made to the constitution or any other relevant Council procedures or guidance in order to improve transparency and public confidence in decision making on the Local Plan and sites allocated within it for development that are owned by councillors or officers;
3. Similarly, review the processes around any planning applications and screening/scoping opinion requests relating to this site;
4. Comment on whether improvements could practically be made to the constitution and any other relevant Council procedures or guidance in order to improve transparency and public confidence in consideration of planning applications/opinion requests by councillors or officers; and
5. Comment on the submitted evidence supporting a request for anonymity under s32 of the Localism Act and seek assurance that the decision to grant anonymity was proportionate, consistent and justified on all three occasions. - to include a review of the MO's previous decisions in 2015 and 2019 (- while maintaining confidentiality over the details).

EKAP's work did not include an investigation regarding the conduct of Councillors as that would normally be carried out by the Monitoring Officer in relation to Members' Code of Conduct complaint.

## 2. Detail

The EKAP Governance Review report and covering report from the Audit Committee on 24 January 2024 are attached to this report as Appendix 1.

The EKAP report makes three recommendations which have been implemented, in summary these were:

- a declaration to be added to the Call for Sites Submission form to be completed by Members and officers where they own a site being put forward and if completed planning officers to record that and notify the MO;
- any unpaid directorships to be registered by members (requiring an amendment to the Members' Code of Conduct); and
- Control Sheet to be adopted to record all s32 sensitive interests requests received, the evidence reviewed and the outcome of the decision, to be retained by the Monitoring Officer within the legal services case management system.

The Audit Committee on 24 January 2024 made two further recommendations:

- The Arrangements for dealing with Councillor Conduct complaints, which form part of the Constitution, be amended so that the Monitoring Officer (rather than the complainant) reports any possible criminal offence to the police;



- ***A recommendation to Cabinet that an external investigation is carried out regarding the conduct of three former councillors. It is this recommendation that remains outstanding and is the subject of this report.***

The Standards Committee made one further recommendation which the Governance Committee considered and recommended to Council it be incorporated:

- that the Monitoring Officer reports any potential criminal offence to police in relation to former councillors as well as serving Councillors or any other person.

All recommendations, save for the recommendation that an external investigation should be carried out, were approved by full council on 22 February 2024.

The history of this matter is set out in the covering report to the Audit Committee at Appendix 1 and should be read in conjunction with this report to provide the basis for the recommendation for an external investigation. Questions were also asked at the Audit Committee and responses given to clarify the position.

In summary:

1. Any complaints regarding the conduct of councillors are referred to the Monitoring Officer for investigation.
2. The Council's arrangements for dealing with Councillor Conduct Complaints require that any complaint regarding former councillors would fail the first screening test given that they are no longer councillors.
3. The MO received one councillor conduct complaint regarding the conduct of the two councillors who owned the site put forward for the draft local plan and the Leader of the Council at the time, alleging he was friends with the site owners and fellow Councillors and should not have taken part in the decision making at Cabinet for the draft local plan to go out to public consultation on 19 October 2022.

That complaint was received on 6th September 2023. Therefore, by the time the complaint had been received and assessed, the subject councillors had ceased to be councillors since May 2023 and the complaint therefore failed the first screening test.

4. There was no evidence that the councillors had attempted to gain an advantage for themselves or fellow councillors by using their position as councillors. The two site owners appropriately declared their interest in the site on the register of interests (albeit they were not published due to the councillors having a sensitive interest under s32 of the Localism Act 2011) and the site owner councillors took no part in the one council decision made by Cabinet in October 2022 to go out to public consultation.
5. It was for the then Leader of the council at that Cabinet stage in October 2022 to consider whether he was "friends" with the two site owner councillors rather than merely colleagues as Councillors and whether that amounts to an Other Significant Interest, which is unlikely given that the decision as to whether to include the site in the next local plan is yet to be considered and will require future planning decisions regarding that specific site going forward.
6. Any new complaint regarding the councillors' conduct would fail the first screen test given that they are no longer councillors.
7. As former councillors the council or any investigator acting on their behalf would not be able to compel the three individuals to co-operate with the investigation and no sanctions could be applied.

As the recommendation for an external investigation is outside the Council's existing procedures and would incur additional expenditure it is a matter to be considered and decided upon by Cabinet.

A report from independent external solicitors specialising in local government governance and member standards has been obtained to set out the relevant issues to be considered by Cabinet and is attached as Appendix 5 (confidential).

The independent external solicitors undertook a desktop investigation and review of the circumstances surrounding the allegations, and the underlying legislation applicable to member conduct and interests.

In summary, their view is as follows:

1. Section 28(4) of the Localism Act 2011 (LA 2011) states that a failure to comply with the Council's Members' Code of Conduct is not to be dealt with otherwise than in accordance with the Council's arrangements under which allegations can be investigated and decisions can be made on such allegations. Case law provides that decisions as to breach and what action to take in consequence have to be dealt with under the LA 2011 arrangements – this is because of the importance that Parliament placed on the involvement of the Independent Person, whose views must be sought before a decision on breach is taken.
2. The Council's arrangements make it clear that where a complaint fails the jurisdiction test (in this instance on the basis that the individuals were no longer members) no further action will be taken and the complaint will be rejected. The decision of the Monitoring Officer was therefore entirely in accordance with the Council's arrangements.
3. Neither of the ex-members who had a disclosable pecuniary interest (DPI) in relation to the property were involved in the decision of Cabinet on 19 October 2022 to approve the consultation on the draft local plan. In that respect there was no breach of the Code.
4. The minutes of the Cabinet meeting on 19 October 2022 were approved as a correct record at the next meeting of Cabinet on 9 November 2022. Those minutes were put forward to be received by full Council on 5 January 2023. It is to be noted that in relation to the minutes of Cabinet, full Council does not, and did not at the relevant time, have authority to amend those minutes. Cabinet minutes are presented to full Council for the sole purpose of allowing members of full Council to raise any questions or make comments on those minutes. Regardless of what questions or comments are made (if any) those minutes will remain as an approved correct record of the Cabinet meeting – in other words there is no substantive decision being taken by full Council. The decision to take the draft local plan to consultation had already been made and could not be changed by full Council.
5. Our understanding is that the minutes were received by general assent, and there were no questions raised or comments made – neither were any individual votes taken.
6. Even on the assumption that an interest should have been declared at the full Council meeting:
  - (a) it is not clear how the ex-members could have been able to benefit personally from the receipt of the agreed minutes. Even if they were absent, full Council had no discretion other than to receive the minutes; and
  - (b) if the complaint had not failed the jurisdiction test, we would suggest that it would have been appropriate to deal with it informally at the initial stage by providing appropriate advice.
7. Further allegations were made in relation to the non-disclosure of DPI's relating to one of the ex-member's directorship of and shareholding in a company, which we have also considered.

8. In relation to the shareholding in the company, the relevant definition set out in legislation contains a 2 limb test, specifically that (a) the member must have a shareholding value in excess of £25k or 1/100 th of the issued share capital; and (b) the company must have a place of business and/or have an interest in land within the Council's area. The ex-member's shareholding did not meet the test because part (b) was not met.

9. In relation to the directorship of the company, the relevant definition set out in legislation requires registration of any employment, office, trade, profession or vocation carried on for profit or gain. It is of importance to note that in bringing in the new standards regime under the LA 2011 government only legislated to require registration of pecuniary interests, leaving it to the discretion of the Council whether to adopt any other categories of interest requiring disclosure (the Council having adopted "other significant interests").

10. The definition also uses the words "carried on" for profit or gain. The word "carried" is the past tense of "carry". It therefore arguably refers to past activity, but it is accepted that it could also be argued to encapsulate something which was being carried on at the point of registration. It would not in our view cover future activity.

11. Notwithstanding that a company may have been set up to make a profit, this does not automatically mean that a director will receive any profit or gain from their position as director.

12. Our understanding is that the ex-member did not receive any direct profit or gain arising from their position as a director of the company. At the material time although the ex-member held the position of director, this was not being directly "carried on for profit or gain".

13. There is however an argument that although their directorship was unpaid, it was intended to be carried on for indirect profit or gain (despite none actually arising on the facts) through the development of the property.

14. Our understanding is that the Company never traded – in that respect at the time the ex-member was required to register their DPI's and other interests, the Company had not carried on any activity for profit or gain. We would suggest that if at any time post registration the Company had started trading, this would likely be a DPI which would require registration upon re-election, or sooner if a matter was being considered by the Council which related to or impacted upon that interest.

15. Although it is not clear how a court might determine the matter, in our view on balance the ex-member's directorship did not give rise to a DPI at the relevant time.

16. However, the practical effect of the outcome of an argument as to whether the directorship was registrable, in terms of the underlying purpose of the legislation (which is to ensure that an elected member does not gain improperly financially by way of their office), is arguably academic.

17. This is because the ex-member's interest as owner of the property was registered separately as a DPI in land. Therefore should there have been any decision of the Council which related to their ownership of the property, such as where the company had applied for planning permission, this would result in the ex-member being unable to take part in the decision (unless there was a dispensation). Equally, had the ex-member subsequently disposed of any interest in the property to the company, their shareholding would have become a DPI (which would have been disclosable under section 31 of the LA 2011).

Further, should the company have entered into any contract with the Council, this would have been caught by the contracts DPI. The same can be said of the other DPIs pertaining to licences and corporate tenancies.

18. Neither did the Council's Code at the material time require registration of unpaid directorships as "other interests".

19. There were also allegations that the ex-Leader of the Council was a friend of the ex-members. This would not give rise to a DPI, however the Council has provided for “other significant interests” in its Code of Conduct. The relevant part of the test set out in the Code is whether the interest (here being an alleged friendship) would be such that a member of the public with knowledge of the relevant facts would reasonably regard as being so significant that it is likely to prejudice the member’s judgement of the public interest. It is a matter for the member concerned to determine whether they have an “other significant interest”.

20. In considering whether the test is met, it is important to properly consider the nature of the matter under consideration.

21. Here the Cabinet had been presented with a draft local plan prepared by professional planning officers (who were aware that the property was owned by the ex-members because their agents had informed them voluntarily), which included land and properties that they considered, based on professional standards, should be included in that draft local plan. Cabinet were being asked not to approve the content of the draft plan, and therefore the sites contained within it, but (as per the report to Cabinet) were being asked to resolve:

To conduct a consultation under Regulation 18 of The Town and Country Planning (Local Planning) (England) Regulations 2012 on the draft Canterbury District Local Plan To 2045 (Appendix B) as set out in this report.

22. It is of note that the draft local plan was some 283 pages long, containing many different sites and policies. As above, Cabinet were not being asked to approve the content – this had been determined by officers. Cabinet were instead being asked to approve a public consultation on the draft local plan.

23. In our view, given the nature of the decision being taken, and on the assumption that there was a friendship, it is unlikely that the (assumed) friendship between the ex-Leader and the ex-members was so significant that it would prejudice the ex-Leader’s judgement in the public interest as to whether to agree to the draft local plan being taken for consultation.

The substantive decisions as to the approval of the draft local plan and its final content were yet to be taken.

24. In our opinion there would be little merit in undertaking a further investigation for a number of reasons, including:

(a) it is unlikely that the ex-members acted in breach of the Code of Conduct, or the legislative framework underpinning the same;

(b) even if it is assumed that the ex-members should have declared an interest at the full Council meeting, we would suggest that this could have been dealt with informally;

(c) the EKAP review has identified a number of changes to the Council’s arrangements to assist with similar issues should they arise in future – a further investigation is unlikely to result in any further recommendations for changes to be made;

(d) the Council is required by law to comply with its arrangements in relation to allegations of breach of the Code – the arrangements make it clear that where the individuals who are the subject of allegations are no longer members of the Council, the jurisdiction test is failed, and the complaint cannot proceed;

(e) we have undertaken a detailed desktop investigation and review of the circumstances surrounding the allegations, and the underlying legislation applicable to member conduct and interests. It is not clear how a further investigation would result in the provision of additional evidence that might be of relevance or result in a different view being taken to that which we have set out above. The core issues revolve around the application of the legislation and the Council’s arrangements, which we have considered; and

(f) the matter has been reported to the police who have not as yet determined to take any action.

25. Based on our views, we would suggest that undertaking any further investigation would not be a beneficial use of Council resources.

### **3. Relevant Council policy, strategies or budgetary documents**

None except those referred to in the appendices.

### **4. Consultation planned or undertaken**

For noting only, no consultation required.

### **5. Options available with reasons for suitability**

To either agree to an external investigation of the conduct of three former councillors or reject the recommendation.

### **6. Reasons for supporting option recommended, with risk assessment**

The various issues to be considered are set out in the report by external solicitors, attached as Appendix 5.

### **7. Implications**

#### **(a) Financial**

If Cabinet agree the recommendation for an external investigation to be carried out the investigation is likely to cost between £8000- £10,000 and in addition to that there will be a significant amount of officer and councillor time required to deal with this process.

#### **(b) Legal**

The process for dealing with councillor conduct complaints has already been exhausted and the one complaint failed the first screening test. If granted this external investigation will be outside the Council's established processes and will have no power to compel the former councillors to co-operate nor any powers to implement any sanctions against them.

#### **(c) Equalities**

None

#### **(d) Environmental including carbon emissions and biodiversity**

None

#### **Other implications**

None

**Contact Officer: Jan Guyler, Head of Legal Services & Monitoring Officer**

## **Background documents and appendices**

[Appendix 1 - Audit Committee Papers from 24 January 2024](#) (Councillor Interest Governance Review and covering report)

[Appendix 2 - Minutes of Audit Committee on 24 January 2024](#)

[Appendix 3 - Council Papers from 22 February 2024](#) (item 7 c)

[Appendix 4 - Minutes of Council on 22 February 2024](#)

**Additional document(s) containing information exempt from publication:**

**Yes - see item 15**



## Agenda

# **Audit Committee**

Wednesday

**24 January 2024**

at 7.30 pm

The Guildhall  
St Peter's Place  
Canterbury  
CT1 2DB



## Membership of the Audit Committee

Councillor Alister Brady (Chair)  
Councillor Dan Smith (Vice Chair)  
Councillor Dane Buckman  
Councillor Elizabeth Carr-Ellis  
Councillor Andrew Harvey  
Councillor Roben Franklin  
Councillor Robert Jones

Quorum: 4 councillors

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### **NOTES**

1. Members of the public may speak at meetings of the Committee so long as they contact Democratic Services by 12.30pm the working day before the meeting.

2. The venue for the meeting is wheelchair accessible and has an induction loop to help people who are hearing impaired.

3. Everyone is welcome to record meetings of the Council and its Committees using whatever non-disruptive methods you think are suitable. If you are intending to do this please mention it to the Democratic Services Officer and do not use flash photograph unless you have previously asked whether you may do so. If you have any questions about this please contact Democratic Services (members of the press please contact the Press Office).

Please note that the Chair of the meeting has the discretion to withdraw permission and halt any recording if in the Chair's opinion continuing to do so would prejudice proceedings at the meeting. Reasons may include disruption caused by the filming or recording or the nature of the business being conducted.

Anyone filming a meeting is asked to only focus on those actively participating but please also be aware that you may be filmed or recorded whilst attending a council meeting and that attendance at the meeting signifies your agreement to this if it occurs. You are also reminded that the laws of defamation apply and all participants whether speaking, filming or recording are reminded that respect should be shown to all those included in the democratic process.

Persons making recordings are requested not to put undue restrictions on the material produced so that it can be reused and edited by all local people and organisations on a non-commercial basis.

If a meeting passes a motion to exclude the press and public then, in conjunction with this, all rights to record the meeting are removed.

4. The information contained within this agenda is available in other formats, including Braille, large print, audio cassettes and other languages.

Contact: Democratic Services, 01227 862009,  
[democracy@canterbury.gov.uk](mailto:democracy@canterbury.gov.uk)

# AGENDA

Page (s)

## 1 APOLOGIES FOR ABSENCE

## 2 SUBSTITUTE MEMBERS

## 3 DECLARATION OF ANY INTERESTS

TO RECEIVE any declarations for the following in so far as they relate to the business for the meeting:-

- a. Disclosable Pecuniary Interests
- b. Other Significant Interests (what were previously thought of as non-pecuniary Prejudicial interests)
- c. Voluntary Announcements of Other Interests

Voluntary Announcements of Other Interests not required to be disclosed as DPI's or OSI's, ie announcements made for transparency reasons alone, such as:

- Membership of outside bodies that have made representations on agenda items, or
- Where a Councillor knows a person involved, but does not have a close association with that person, or
- Where an item would affect the well-being of a Councillor, relative, close associate, employer, etc but not his/her financial position.

[Note: an effect on the financial position of a Councillor, relative, close associate, employer, etc; OR an application made by a Councillor, relative, close associate, employer, etc, would both probably constitute either an OSI or in some cases a DPI].

## 4 MINUTES OF THE MEETING HELD ON 4 OCTOBER 2023

6 - 12

## 5 PUBLIC PARTICIPATION

Members of the public may speak on any item on the agenda, for a maximum of three minutes, provided that notification has been given to Democratic Services by 12.30pm on the working day before the meeting.

[To find out more visit this page.](#)

## 6 COUNCILLOR INTEREST GOVERNANCE REVIEW

13 - 30

To NOTE the report of the Corporate Services Director and Head of Paid Service

**7 2023-24 HALF YEAR TREASURY MANAGEMENT REPORT 31 - 41**

TO NOTE the report of the Service Director – Finance and Procurement

**8 EAST KENT AUDIT PARTNERSHIP INTERNAL QUARTERLY AUDIT REPORT 42 - 58**

TO NOTE the report of the Deputy Head of the East Kent Audit Partnership

**9 UPDATE REPORT ON THE STRATEGIC RISK REGISTER**

TO NOTE the verbal update of the Service Director – Finance and Procurement

**10 REGULATION OF INVESTIGATORY POWERS ACT 2000**

TO NOTE the verbal update of the Head of Finance and Procurement and Head of Legal Services & Monitoring Officer

**11 DATE OF NEXT MEETING**

7pm on Wednesday 13 March 2024

**12 ANY OTHER URGENT BUSINESS TO BE DEALT WITH IN PUBLIC**

**13 EXCLUSION OF THE PRESS AND PUBLIC**

TO RESOLVE – That under Section 100(A)(4) of the Local Government Act 1972, the press and public be excluded from the meeting during consideration of the following items of business on the grounds that there would be disclosure of exempt information as defined in Part 1 of Schedule 12A of the Act or the Freedom of Information Act or both

**14 ANY OTHER URGENT BUSINESS WHICH FALLS UNDER THE EXEMPT PROVISIONS OF THE LOCAL GOVERNMENT ACT 1972 OR THE FREEDOM OF INFORMATION ACT 2000 OR BOTH**

## CANTERBURY CITY COUNCIL

### AUDIT COMMITTEE

Minutes of a meeting held on Wednesday, 4th October, 2023  
at 7.00 pm in The Guildhall, St Peter's Place, Canterbury

**Present:** Councillor Alister Brady (Chairman)  
Councillor Dan Smith  
Councillor Dane Buckman  
Councillor Elizabeth Carr-Ellis  
Councillor Andrew Harvey  
Councillor Roben Franklin  
Councillor Ian Stockley

**In attendance** Sophia Brown, Grant Thornton UK LLP\*

**Officers:** Nicci Mills - Service Director of Finance and Procurement  
Jan Guyler - Head of Legal Services & Monitoring Officer  
William Hicks - Service Director for Place  
Marie Royle - Service Director for People  
Abigail Agba - Acting Head of Housing and Community  
Oksana Ivanova - Accountant - Finance and Procurement  
Alexis Jobson - Head of Facilities Management  
Christine Parker - Head of East Kent Audit Partnership  
Christopher Parker - Deputy Head of Audit  
Lauren Wheeler - Democratic Services

(\*present for part of the meeting)

269 **APOLOGIES FOR ABSENCE**

There were apologies received from Councillor Robert Jones.

270 **SUBSTITUTE MEMBERS**

Councillor Ian Stockley was present as a substitute for Councillor Jones.

271 **DECLARATION OF ANY INTERESTS**

There were no declarations for the meeting.

272 **MINUTES OF THE MEETING HELD ON WEDNESDAY 5 JULY 2023**

The minutes were agreed as a true record by general assent.

273 **PUBLIC PARTICIPATION**

There were no public speakers for the meeting.

274 **EXTERNAL AUDIT PLAN 2022 - 2023**

The Director (of Grant Thornton UK LLP) introduced the report and provided further detail and explanation on the points raised within.

An overview by the Director included the following:

- A summary of the headlines and priorities
- Revised timescales and the progress of the Value for Money work
- Audit fees for this year which are 30k less than the previous year, and how this has been reduced, including working closely with officers and the prioritisation of audit queries by the council
- Areas of focus
- Pension fund liability
- The review of any flags and recommendations from last years report and the provision of updates as part of the audit findings report - to be produced
- Group accounts including Canenco
- The NAO (National Audit Office) threshold. (The council is currently under the threshold).
- Level of triviality and assessment of materiality
- The 3 main areas of financial sustainability, there are no areas of weakness identified so far, any issues or errors over 5% will be brought to the attention of officers and reported within the audit findings report and to this committee

The following points were raised and further explanation provided:

- Management over-ride of controls and risk assessment process
- Heritage assets, assets under construction, and specialised assets
- Brought forward creditors
- Journal and source evidence
- Land valuation, the current process and evidence
- Common themes with associated and significant risks
- A request for a future session for members to include more detailed information re: the valuation process, depreciated replacement costs, investment properties etc. and a link to useful definitions be included in future reports.

The Service Director - Finance and Procurement confirmed that there will be a future briefing held on the Statement of Accounts providing further detail.

The Director (of Grant Thornton UK LLP) confirmed they have not experienced any issues or delays in receiving information from officers, and there are currently no specific concerns over process or controls tested during the past year.

The Chair thanked the Director for the detailed report.

The committee NOTED the report by general assent.

275 **EXTERNAL AUDIT ANNUAL REPORT UPDATE**

The Service Director - Finance and Procurement provided a verbal update on the previous recommendations identified in the Grant Thornton report 2021/22, presented at the last Audit Committee in July 2023.

The update was discussed and included:

- What is a 'Heritage asset?'
- The Grant register
- Land valuation
- Assets under construction
- Evidence register

The Service Director - Finance and Procurement confirmed that there are a number of recommendations still in progress.

The committee NOTED the verbal update by general assent.

276 **LOCAL GOVERNMENT AND SOCIAL HOUSING OMBUDSMAN ANNUAL REPORT 2022/23**

The Service Director - Finance and Procurement presented the report on behalf of the Corporate Services Director and Head of Paid Service.

The following points were discussed:

- Possible reasons for the high levels of complaints/investigations in comparison to other Kent councils during 2022/23 including vacancy recruitment issues
- The current process for handling complaints, including response timeframes, communication with complainants and progress updating, transparency, providing realistic timescales for resolution, record keeping, training for staff
- Housing and environmental enforcement
- 'No win - no fee' claims
- The recent 'root and branch' review
- The importance of looking at 'Lessons learnt', prevention, complaint trends, ways to improve, and evaluation of what has worked well and what hasn't
- Statutory timeframes for complaints and responding to the Ombudsman's findings in a timely way in the future
- The commitment required to prioritise complaints across all services, working together with a joint approach

An update of actions and improvements will be taken back to Management Team initially to decide on the best route to monitor progress, and a summary provided to this committee.

The committee NOTED the report by general assent.



277 **SOCIAL HOUSING TENANCY FRAUD UPDATE**

The Deputy Head of Audit and Head of Audit (EKAP) provided a verbal update on Social Housing tenancy fraud, as requested at the last committee meeting.

Information on this matter specific to Kent and the local area in the public domain is limited and varied in format. There is a requirement under the Transparency Code to publish all fraud. The verbal update included data (where available) from other authorities as a comparison.

References were made to a recent report published by the Tenancy Fraud Forum and the Fraud Advisory Panel entitled "Lost Homes Lost Hope" regarding Social Housing fraud in England, which provided an overview on the current situation, some case studies, and some regional findings. (The report had been circulated to all committee members following the meeting).

The following points were discussed:

- The Tenancy Fraud Forum, and plans to strengthen the data captured for the Canterbury area in the future.
- 'New' powers of prosecution, changes in legislation.
- Lack of a National Framework since 2016, and discrepancies in the types of data held in the public domain
- The estimated cost of Tenancy Fraud to the public purse, and the differing methods of calculating this.
- How others had considered a 'self funding' post to tackle the issues.
- The resourcing required to be impactful in reducing fraud, in addition to the basic checks that are already completed on an operational level
- A 2018 counter fraud pilot that focused on intelligence led counter fraud work.

A further update will be included when the Progress Report to 'Counter Fraud Arrangements' will hopefully be presented in the Q4 report to the committee.

The Chair and committee thanked the Deputy Head of Audit (EKAP) for seeking the information and their work so far.

The committee NOTED the verbal update by general assent.

278 **MANAGEMENT REVIEW OF HOUSING VOIDS UPDATE**

The Service Director – People introduced the Management Review of Housing Voids update which included:

- A summary of the progress achieved since the 2022 audit which was welcomed, including; completion of the management actions, consideration of the points raised to shape service delivery, asbestos removal records, improved handover sheets from contractors, holding contractors to account, post inspection reports, clear accountable processes for sign offs, reviewing KPIs associated with housing voids, and revising policies that were inherited from East Kent Housing
- An update following the 'root and branch' review where a number of areas were identified as requiring change or improvement, and where the council is

losing rent on empty properties actions need to be undertaken to reduce the financial impact

- Confirmation that future reporting on Housing Voids/performance will be via the Scrutiny Sub Committee, the Audit Committee will receive further updates after the next audit inspection. The Service Director – People, and the Service Director - Place have brought together Heads of Service and specialists to coordinate the strategic direction and management of the council's assets. They have worked with the Head of Property and Regenerations, Head of Housing and Community, and Head of Facilities Management to set up a Corporate Landlord approach to ensure a cohesive response to the priorities

The Service Director – People, Head of Housing and Community, and Head of Facilities Management provided clarification and further explanation of the report, including the following points that were discussed:

- The churn of stock, the demands of the housing needs register, the refreshed allocations policy, and the bidding and 'banding' process for applicants
- The new voids targets, and issues around long term voids and lost rental income
- Vulnerable and disabled tenants, and the challenges of adaptations required, HRA funding, working closely with OT's
- Tenants over 55, service charges, under occupancy and how to improve the provision for older people and better meet their needs which is being looked at through a councillor working group
- Previous experiences with contractors, introducing new contracts to enable applying penalties, addressing and handling contractor issues, the retendering process
- The repair processes and priorities for void works including structural issues and remedial works, dealing with mould and damp, asbestos surveys, robust monitoring and the ongoing costs and challenges with removal
- Issues with key meters and the current 'work around' to eliminate the previous problems
- Making best use of officer resources through the neighbourhood/patch model, making contacts with tenants count and building good relationships, and getting into properties earlier before they become void to check condition and see whether there has been any damage by the tenants
- The Tenancy work plan and future planning and strategies, priority of spend,
- wider/improved monitoring, using data to inform future decisions, all with the overall aim of reducing the number of voids on the list and improving quality of housing stock
- RAAC in public buildings/housing stock. A contract is currently out to tender and it is anticipated there will be arrangements in place by the end of the year, and a surveyor appointed to assess the properties that have been identified and make recommendations.

An update on Asbestos compliance and on the RAAC position will be included in the half year performance report for Scrutiny Sub Committee, and a link to the report will be shared with committee members.

An update will be circulated to committee members explaining the bedroom tax.

The committee NOTED the report by general assent.

279 **EAST KENT AUDIT PARTNERSHIP INTERNAL QUARTERLY AUDIT REPORT**

The Deputy Head of the East Kent Audit Partnership presented the report of the Head of Finance and Procurement asking members to accept the results of internal audit work, and make comments, if required, to full Council.

An update was provided on progress since the report to the last committee meeting and the main points were summarised. The following points were discussed:

- The audit findings and management response re: Housing Responsive Repairs and Maintenance. The Head of Facilities provided a summary of the background and details of a new contract being tendered this year which should rectify the issues raised in the report. The new contract will return the control to the council, enabling the improvements required.
- The assurance level of Climate Change and Housing Capital Programme remain the same. The assurance level of the Whitstable South Quay Shed has improved from reasonable/limited to reasonable assurance.
- Planned progress targets for the period are showing as slightly behind as at quarter one, these will pick up through the rest of the year.
- Balance scorecard targets re: continued professional development for East Kent Audit Partnership would be on track following the upcoming networking/training conference in November.

It was proposed, seconded and when put to a vote unanimously RESOLVED that;

The Committee accepts the results of internal audit work.

280 **QUARTERLY TREASURY MANAGEMENT REPORT**

The Accountant presented the report of the Service Director - Finance and Procurement, and provided a summary of the main points and the tables contained within. The Service Director - Finance and Procurement provided further detail as required.

The following points were discussed:

- Treasury Management summary for Q1, as per the new quarterly reporting requirements
- Short-term borrowing/cash flow and capital programmes
- Fixed rates and annuity borrowing
- Asset management and the economic climate
- Mid/longer term borrowing
- Refinancing options
- Maturity structure of borrowing

Committee members raised queries about the loan maturity table on page 79 of the reports pack and requested a user friendly table at the next meeting with added commentary.

The committee NOTED the report by general assent.

281 **UPDATE REPORT ON THE STRATEGIC RISK REGISTER**

The Service Director - Finance and Procurement presented the report and appendices, and provided a summary of the register, risk scores and criteria, including the following:

- Inherent risks, when to remove a risk i.e. budget setting process, and how they are reported to the Audit Committee
- Recently removed and reduced risks
- RAAC is currently under review, and will be reported back to the Audit Committee through the Strategic Risk Register

The Chair thanked officers for the Strategic Risk Management training session held recently.

The committee NOTED the report by general assent.

282 **REGULATION OF INVESTIGATORY POWERS ACT 2000**

The Service Director - Finance and Procurement confirmed there were no verbal updates to provide.

283 **DATE OF NEXT MEETING**

7pm on Wednesday 24 January 2024

Councillor Ian Stockley and the Chair both thanked the officers for a worthwhile and informative meeting this evening.

284 **ANY OTHER URGENT BUSINESS TO BE DEALT WITH IN PUBLIC**

There was no other urgent business to be dealt with in public.

285 **EXCLUSION OF THE PRESS AND PUBLIC**

It was proposed, seconded and when put to a vote unanimously RESOLVED that

under Section 100(A)(4) of the Local Government Act 1972, the press and public be excluded from the meeting during consideration of the following items of business on the grounds that there would be disclosure of exempt information as defined in Part 1 of Schedule 12A of the Act or the Freedom of Information Act or both.

286 **ANY OTHER URGENT BUSINESS WHICH FALLS UNDER THE EXEMPT PROVISIONS OF THE LOCAL GOVERNMENT ACT 1972 OR THE FREEDOM OF INFORMATION ACT 2000 OR BOTH**

None notified.

There being no other business the meeting closed at 9.10 pm

Audit Committee  
24 January 2024

**Subject: Governance Review - Local Plan Interests**

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**Director and Head of Service:**

Corporate Services Director and Head of Paid Service - Tricia Marshall

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**Officer:**

Head of Audit - East Kent Audit Partnership

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**Cabinet Member:** not applicable

**Key or Non Key decision:** not applicable

**Decision Issues:**

These matters are within the authority of the Committee

This report is open to the public.

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**CCC ward(s):** not applicable

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**Summary and purpose of the report:**

To report back on a special audit commissioned on governance arrangements around local plan interests.

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**To Note:**

The outcome of this audit report and the related action plan

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**Next stage in process:**

To implement the agreed actions arising from the audit review.

**1. Introduction**

In September a special audit review was commissioned from the East Kent Audit Partnership. The terms of reference for that review were signed off by the political group leaders and were to:

1. Review the processes surrounding the inclusion of the Milton Manor site into the draft Local Plan and whether they complied with the Council's constitution and any other relevant Council procedures or guidance in place at the time;
2. Comment on whether improvements could practically be made to the constitution or any other relevant Council procedures or guidance in order to improve transparency and public confidence in decision making on the Local Plan and sites allocated within it for development that are owned by councillors or officers;
3. Similarly, review the processes around any planning applications and screening/scoping opinion requests relating to this site;

4. Comment on whether improvements could practically be made to the constitution and any other relevant Council procedures or guidance in order to improve transparency and public confidence in consideration of planning applications/opinion requests by councillors or officers; and
5. Comment on the submitted evidence supporting a request for anonymity under s32 of the Localism Act and seek assurance that the decision to grant anonymity was proportionate, consistent and justified on all three occasions. - to include a review of the MO's previous decisions in 2015 and 2019 (- while maintaining confidentiality over the details).

The Audit report for the review is attached as an appendix to this report.

EKAP's work did not include any investigation that would normally be carried out by the Monitoring Officer as a Code of Conduct complaint as that was, appropriately, outside the scope of the audit.

Some questions have been raised about this matter that are outside the scope of the audit review.

In response some information is set out below to assist councillors' understanding of this matter.

## 2. Detail

### **Classification of Milton Manor as a sensitive interest**

1) The two councillors appropriately registered their interest in the property by including it in a Disclosable Pecuniary Interest (DPI) form submitted to the Monitoring Officer.

2) The address of that property was appropriately withheld from the published DPI form in accordance with s32 of the Localism Act 2011 due to the councillors being at risk of threats and intimidation. That is a decision for the Monitoring Officer to make.

Three consecutive Monitoring Officers assessed the risks and considered it appropriate to consider the property address to be a sensitive interest.

The test is whether the Councillors are at risk of threats and intimidation. The planning status of the property is not relevant.

### **Council decision making on the draft local plan**

3) Agents acting on behalf of the councillors put the site forward for the local plan and advised the planners that the site was owned by the two (now former) councillors.

4) The draft local plan was put together by CCC officers who are professional planning officers. The Leader had no active role in selecting one site above another.

5) There is no legal requirement to set up a cross party working group to develop a local plan; that is a matter of choice and the previous leader chose not to establish such a group.

6) The only decision taken by the Council in relation to the draft local plan was the decision of Cabinet on 19 October 2022 to put the draft local plan out for public consultation. LJR and MJR did not attend or take any part in that Cabinet meeting.

7) The meeting of full council held on 5 January 2023 received the minutes of the Cabinet meeting held on 19 October 2022. LJR and MJR were present at that council meeting. The Cabinet minutes had already been resolved by Cabinet at its meeting on 9 November 2022. Minutes of other meetings are “received” at Full Council only for the purpose of asking questions or making comments – the minutes have already been “approved” by the Meeting to which they relate as being a correct record of proceedings.

There was no discussion on the minutes so in the absence of any dissent they were received by general assent. As there was no discussion regarding the draft local plan at the full council meeting there was no need for LJR and MJR to disclose an interest in the property or abstain from voting by general assent.

8) There is no prohibition on councillors investing in property. If they do, they need to ensure that they do not gain an advantage from their position as councillor.

9) In light of the above declarations and no participation in council decision making there is no evidence that LJR and MJR gained an advantage due to their Councillor positions.

#### **Handling complaints about councillor conduct**

10) Any complaints about individual councillor conduct are referred to the Monitoring Officer for investigation.

11) The Council's arrangements for dealing with Councillor Conduct Complaints requires that any complaint regarding former councillors shall fail the first screening test (paragraph 1.2 (g) of Annex 1). This would apply to any conduct complaint about the former councillors Jones Roberts and Fitter-Harding.

If that was not the case, on the information available to date, the complaint would most likely fail the second screening test, the local assessment criteria test, on the basis that the complaint has been the subject of an investigation or other action and there is nothing more to be gained by further action being taken (paragraph 1.5(i), Annex 1).

12) In relation to whether LJR and MJR were “friends” of the former Leader, BFH, rather than merely colleagues as Councillors, that would be for BFH to consider at the Cabinet meeting stage and whether that amounted to an Other Significant Interest (OSI) which should have been declared at the Cabinet Meeting.

However, even if there was an OSI, the nature of the decision merely to go out to consultation would be unlikely to be so significant that it is likely to prejudice his



judgement of the public interest. The decision as to whether to include the site in the next draft local plan is yet to be considered and will require further planning decisions regarding that specific site going forward and would not therefore amount to an OSI.

13) Any allegation regarding a Councillor's failure to register/declare their pecuniary interests is a matter for the police to investigate. I understand that this has been reported to the police and it would not be appropriate for me to comment further.

### **Audit recommendations**

The report contains three recommendations for enhancements to current arrangements for declaring interests. All three recommendations are being actioned by officers and they will be taken to relevant committees where council approval is required for their implementation.

### **3. Relevant Council policy, strategies or budgetary documents**

None except those referred to in the appendix.

### **4. Consultation planned or undertaken**

For noting only, no consultation required.

### **5. Options available with reasons for suitability**

For noting only.

### **6. Reasons for supporting option recommended, with risk assessment**

For noting only.

### **7. Implications**

None identified.

(a) Financial

None

(b) Legal

None

(c) Equalities

None

(d) Environmental including carbon emissions and biodiversity

None

**Contact Officer: Tricia Marshall, Corporate Services Director and Head of Paid Service**

**Background documents and appendices**

Appendix - EKAP report Governance Review - Local Plan Interests

**Additional document(s) containing information exempt from publication:**

No

## Governance Review - Local Plan Interests

### 1.0 Information

Summary of Scope:	To review the adequacy and effectiveness of governance arrangements for potential parcels of land owned by officers or members to be considered for inclusion in the Local Plan.  EKAP's work will not include any investigation that would normally be carried out by the Monitoring Officer as a Code of Conduct complaint.
Commissioning Manager:	Head of Paid Service
Date Commenced:	19.09.23
Date Concluded:	23.11.23

### 2.0 Schedule of Meetings Held

<b>Capacity</b> (employee, witness, manager)	<b>Date of meeting</b>	<b>Scope of Meeting</b>
Manager	20.09.23	Outline the processes involved in compiling the Draft Local Plan
Manager	22.09.23	Outline Constitution and Decision Making processes
Manager	22.09.23	Explain s.32 Localism Act processes and the three decisions made
Manager	09.10.23	Outline the changes to the New Local Plan and new Member Working Party arrangements
Manager	24.10.23	Local Plan process and political decisions made
Witness	27.10.23	To receive evidence of allegations of wrongdoing and how that impacts the scope of this review
Manager	01.11.23	Interim update meeting, to cover several outstanding questions

### 3.0 Findings

There has been considerable public interest in a Private Eye article about the inclusion of a site owned by councillors in the draft Local Plan and allegations that planning permission had been granted for that site, all without appropriate levels of transparency. As a result, EKAP is being asked to:

#### **3.1 Review the processes surrounding the inclusion of the Milton Manor site into the draft Local Plan and whether they complied with the Council's constitution and any other relevant Council procedures or guidance in place at the time;**

Meetings were held with relevant staff to gain an understanding of the overall process and the adopted procedures. The relevant requirements for local authorities is set out in [Section 3](#) of the [National Planning Policy Framework](#) (NPPF) which requires that each local planning authority should prepare a Local Plan for its area.

The Council's Constitution provides the framework for the rules for all decision making and delegations. In relation to the Local Plan process the stages for decision making were all in accordance with Council procedure. The key decision making points are listed on the Timeline at Appendix 1.

The call for sites is not limited to a certain stage in preparing a plan as nominations for land to be evaluated and considered may be received at any time. However an early step in the formal process is the advertisement to the 'world at large' for the call for sites. The digital form used by the Council for submissions to be made does not require a declaration to be made regarding whether the landowner of the submitted site is either an officer or member of the Council, or is related to one. This fact was benchmarked with other East Kent councils resulting with none of the councils requiring such a declaration at this stage. It was determined, this is not a requirement at a scoping stage or screening opinion or pre-planning advice stage either. In fact, of course any of these submissions may be made by an agent or developer at any time without the landowner yet 'being on board' or even aware.

In this specific case, the agent wrote (an email 15.07.20) separately to the planning team advising them of the ownership details of the land, with the clear intention to declare the ownership, stating: *"Whilst the form did not enquire as to the nature of the landowners and whether they have a connection to the Council, both Councillors are keen to ensure that their land ownership is known by officers to ensure disclosure"*. There was however a missed opportunity, as the information was not passed to the Monitoring Officer at that time.

#### Recommendation 1

Consideration should be given to adding a declaration (similar to that on a Planning Application) seeking confirmation whether the landowner is an Officer, Member or is related to one, adding a box for agents / developers with the option stating 'Not Known'. With a footnote to read, if this applies, to forward the information to the Monitoring Officer. The Monitoring Officer on receipt of such information may then ensure that any decisions made regarding the site are handled in accordance with the Constitution, and also will be prepared to provide advice regarding declaring interests, and briefing colleagues as necessary.

**3.2 Comment on whether improvements could practically be made to the Constitution or any other relevant Council procedures or guidance in order to improve transparency and public confidence in decision making on the Local Plan and sites allocated within it for development that are owned by councillors or officers;**

There is National Guidance for Councillors in respect of interests and the expectation of complying with the Seven Principles of Public Life, this includes a paragraph which reads;

***“What are pecuniary interests?”***

*A person’s pecuniary interests are their business interests (for example their employment, trade, profession, contracts, or any company with which they are associated) and wider financial interests they might have (for example trust funds, investments, and assets including land and property)”.*

This National Guidance also provides a link to a Model Code of Conduct for Members, and informs the reader that *“Within the requirements of the national rules it is for your council or authority to determine what is to be entered in its register of members’ interests”.*

The Council’s Code sets out clearly what is to be declared in the register of interests, and this is shown at Appendix 2. The only relevant difference identified as part of this review, between CCC’s current Members’ Code of Conduct, and the Model Code is at appendix B Table 2: Other Registerable Interests, where the Model Code states;

*“You must register as an Other Registerable Interest : a) any unpaid directorships”*

The remainder of the table is the same in both (see Appendix 2).

The Council’s Members’ Code of Conduct is a collaborative code discussed, and agreed via the Kent Secretaries network then adopted by each of the local authorities. The Monitoring Officer has confirmed that *“once the LGA Model Code was published the Kent Secretaries group set up an officer’s working group to consider the Model Code and propose an amended Kent Code accordingly. A lot of the Model code was added to the Kent Code, the bits that were not incorporated were ones that exceeded what legislation requires”.*

The circumstances of this case include an allegation that a company directorship was incorrectly omitted from the Register of Interests. However, a review of Companies House records confirmed that the specific circumstances were such that it did not need to be declared as the company did not operate *“for profit or gain”* - it did not trade nor hold any assets per the public record. After looking more closely at the provision under Part 8 however, it would appear that part b) (ii) does apply to this case as the shares held exceed 1/100th of the total issued share capital in CCH Milton Manor Park Ltd. Meaning that this should have been declared under 8 Part G. Whether this is a breach of the Localism Act 2011 or not, is outside the scope of this review .

If the Council were to adopt part a) above from the Model Code, into its own Members’ Code this would prevent any ‘uncertainty’ in future, as in future all positions of office would need to be declared.

### Recommendation 2

Consideration to adopt (in the next updated version) the wording of the Model Code to include the requirement to declare “a) any unpaid directorships”.

Alternatively to be discussed at Kent Secretaries regarding some additional wording added after the definition of Other Significant Interests (OSI's) in the Members' Code to provide some examples of OSI's which could include highlighting that members need to be alive to any directorship, even if they don't receive financial gain.

### **3.3 Similarly, review the processes around any planning applications and screening/scoping opinion requests relating to this site;**

The timeline at Appendix 1 records interactions with the Council by the agents acting for the landowners in respect of screening, scoping, pre planning advice, planning interactions; also summarised as follows:-

- 14.12.22 Screening report
- 02.03.23 Pre planning advice
- 26.05.23 EIA scoping report
- 20.09.23 Outline Planning Application

None of the first three stages require a declaration regarding whether the application is on behalf of a member or officer of the Council (or a close associate of one), by the time the Planning Application was submitted (September 2023), (which does require such a declaration) the landowners were no longer serving councillors and thus did not apply.

No recommendation for improvement needed, but cross reference this to the spirit of Recommendation 1.

### **3.4 Comment on whether improvements could practically be made to the constitution and any other relevant Council procedures or guidance in order to improve transparency and public confidence in consideration of planning applications/opinion requests by councillors or officers;**

The Constitution clearly sets out at Appendix E - its Planning Code of Practice. Paragraph 6 of which covers “development proposals submitted by councillors, officers and Council development”. There are no enhancements required at this time, the protocol and standing order is very clear.

<https://democracy.canterbury.gov.uk/documents/s117324/Appendix%20E%20-%20Planning%20Local%20Code%20of%20Good%20Practice.pdf>

No recommendation for improvement needed, but cross reference this to the spirit of Recommendation 1.

### **3.5 Comment on the submitted evidence supporting a request for anonymity under s32 of the Localism Act and seek assurance that the decision to grant anonymity was proportionate, consistent and justified on all three occasions. - to include a review of the MO's previous decisions in 2015 and 2019 (- while maintaining confidentiality over the details).**

The Monitoring Officer (MO) explained that the decision to permit anonymity under s.32 of the Localism Act had been taken three times, as follows;

- 2015 - Monitoring Officer Sarah B
- 2019 - Monitoring Officer Stephen B
- 2023 - Monitoring Officer JG

There was no documented file retained covering the evidence considered in 2015 or 2019 to agree to the request under s.32. Such a request remains in place until circumstances change and the Councillor updates that it may be removed, or is removed when the Councillor is no longer in office. It does not automatically expire or require annual review. The 2023 assessment was made on 07/02/2023 and was considered and granted by the Monitoring Officer the same day. The published interests therefore indicated that five properties had been disclosed to the MO, and that these were to remain undisclosed under s32. It is not for this review to challenge the decision of the Monitoring Officer, the 2023 decision is recorded and the outcome was shared with the senior governance colleagues via email.

The local news covered an article 21.09.23, claiming to be quoting the individual concerned, and the article expresses some detail regarding the personal safety of the individual.

<https://www.kentonline.co.uk/canterbury/news/nightclub-owner-s-manor-house-could-become-100-home-estate-293784/>

*“I am nervous about people knowing where I live because of what I do for a living”. “People know when we’re at work - our cars are parked outside the venue. They know when the house hasn’t got us in it. Our kids are here with a babysitter, and it scares the s\*\*\* out of me, to the point where sometimes I’ll be at work and I have to come home.” Mrs Jones-Roberts says over the years she has been the subject of intimidation and even “murder threats” while at work. “There are nasty, violent people about,” she said.”*

### Recommendation 3

Consideration given to adopting a ‘control sheet’ to record all s.32 requests received, the evidence reviewed and the outcome of the decision (whether granted or denied) to be retained by the Monitoring Officer (draft proposed at Appendix 3).



#### 4.0 Conclusion leading to Recommendations

- 4.1 Agreed processes for including the site into the Draft Local Plan were followed, an opportunity to enhance public confidence in compiling the Local Plan was identified in **Recommendation 1**.
- 4.2 The majority of required declarations of interest were made, but a directorship in a non trading company with shares of £25 value was not declared. To remove any uncertainty, consideration could be given to adopting the wording of the Model Code into the next version of the Council's Members' Code of Conduct to include as Other Registerable Interests "*any company with which they are associated including any unpaid directorships*", as set out in **Recommendation 2**.
- 4.3 Agreed processes for planning applications and screening/scoping opinion requests relating to this site were followed, an opportunity to enhance public confidence was identified in **Recommendation 1**.
- 4.4 Potential improvements to the Constitution or any other relevant Council procedures or guidance in order to improve transparency and public confidence in consideration of planning applications/opinion requests by councillors or officers were not identified; but as in 4.1 and 4.3 above one opportunity to ensure these circumstances are not ever repeated is set out in **Recommendation 1**.
- 4.5 The use of s.32 of the Localism Act was considered by three different Monitoring Officers, the records for which may be standardised and retained through the use of a control sheet as suggested in **Recommendation 3**.

#### 5.0 Summary of Appendices Attached

**Appendix 1** - Timeline

**Appendix 2** - Required Declarations from CCC Members' Code of Conduct

**Appendix 3** - Suggested Control Sheet for Recording s.32 Requests and their outcome

**Appendix 4** - Action Plan of Recommendations

## Timeline

  = Committee Process

Date	Relevant Event / Action	Outcome
08.05.19	New Member declarations to MO following Elections	5 private addresses correctly declared. Withheld from the public register under s.32. Directorships in several companies included but CCH MMP Ltd. was not declared. 25% shareholder after resignation until it was dissolved 14.09.21
30.06.20	Call for Sites submission submitted electronically to the Council <a href="#">Call For Sites 30.06.20 APZNA~1.PDF</a>	Iceni Projects agents submitted the form which covers more than this one site.
15.07.20	Email from Agents to Planning re Call For Sites alerting to MM being in the name of CCH Build Solutions Ltd. being owned by the Cllrs.	Received by the Planners undertaking the scoring for the land submitted as part of the call for sites assessment process. (ST advised the Planners to advise the Cllrs to update the MO- it was not passed on to the MO by officers).
<span style="background-color: #800080; color: white; padding: 2px;">27.05.21</span>	Policy Committee received the report: <i>Canterbury District Local Plan to 2040 - options consultation</i> - see minute 13 "The consultation did not include specific sites. However, at the next stage, when the draft Local Plan was published, a draft selection of sites would be included for public consultation." <a href="https://democracy.canterbury.gov.uk/documents/g12630/Printed%20minutes%2027th-May-2021%2019.00%20Policy%20Committee%20-%20Decommissioned%2019522.pdf?T=1">https://democracy.canterbury.gov.uk/documents/g12630/Printed%20minutes%2027th-May-2021%2019.00%20Policy%20Committee%20-%20Decommissioned%2019522.pdf?T=1</a>	Cllr LJ-R was in attendance declared a financial interest in one of the sites submitted in the call for sites in the Local Plan to 2040, and abstained from voting; as recorded in the minutes.
<span style="background-color: #800080; color: white; padding: 2px;">19.10.22</span>	Cabinet received the report: <i>Draft Local Plan - seeking approval to consult</i> <a href="https://democracy.canterbury.gov.uk/documents/s119631/Minutes.pdf">https://democracy.canterbury.gov.uk/documents/s119631/Minutes.pdf</a>	It was resolved to approve to enter into consultation under regulation 18. Cllr L J-R was not in

		attendance.
14.12.22	Overview & Scrutiny received the report: <i>Consultation on the draft Canterbury District Local Plan To 2045 and associated strategies and plans</i> <a href="https://democracy.canterbury.gov.uk/ielistDocuments.aspx?CId=756&amp;MId=13306&amp;Ver=4">https://democracy.canterbury.gov.uk/ielistDocuments.aspx?CId=756&amp;MId=13306&amp;Ver=4</a>	Opportunity for members of the Overview and Scrutiny Committee to gain a greater understanding of the key strategies within the draft Canterbury District Local Plan comments would be fed into the consultation process which closed 16 January 23. Cllr L J-R was not in attendance.
14.12.22	EIA Screening Report <a href="https://pa.canterbury.gov.uk/online-applications/applicationDetails.do?keyVal=RN4TDPEA05C00&amp;activeTab=summary">https://pa.canterbury.gov.uk/online-applications/applicationDetails.do?keyVal=RN4TDPEA05C00&amp;activeTab=summary</a>	Decided - Development could have significant effects on the environment, thus an EIA is required.
05.01.23	Council Agenda Item 14: <i>To receive the following minutes of the meetings specified and to receive questions and answers on any of the minutes</i> <a href="https://democracy.canterbury.gov.uk/ielistDocuments.aspx?CId=138&amp;MId=13110&amp;Ver=4">https://democracy.canterbury.gov.uk/ielistDocuments.aspx?CId=138&amp;MId=13110&amp;Ver=4</a>	Received by general assent the minutes of Cabinet 19.10.22 (which resolved to go out to consultation on the Draft Local Plan). Cllr L J-R was in attendance. As there was no debate or vote, there was no requirement to declare any interest in the Cabinet minutes.
07.02.23	The Monitoring Officer reconsidered and decided on a request under s.32 of the Localism Act.	The home address of both Cllrs L J-R and M J-R was not published on the register of interests.
02.03.23	Pre- Planning Advice was issued, the standard fee of £5,304 was paid.	Written Planning Advice issued regarding the site.
26.05.23	EIA Scoping Report <a href="https://pa.canterbury.gov.uk/online-applications/applicationDetails.do?keyVal=RV9W8UEA01U00&amp;activeTab=summary">https://pa.canterbury.gov.uk/online-applications/applicationDetails.do?keyVal=RV9W8UEA01U00&amp;activeTab=summary</a>	Decided - No Objection
20.09.23	Outline Planning Application ref; CA/23/01766 received by the Council <a href="https://pa.canterbury.gov.uk/online-applications/applicationDetails.do?keyVal=S19Y7MEA04Q00&amp;activeTab=summary">https://pa.canterbury.gov.uk/online-applications/applicationDetails.do?keyVal=S19Y7MEA04Q00&amp;activeTab=summary</a>	Validated and commenced processing. The applicants are no longer Councillors.



## Appendix 2

**Extract from the Constitution - Members' Code of Conduct**

DISCLOSABLE PECUNIARY INTERESTS, AS PRESCRIBED BY REGULATIONS, ARE AS FOLLOWS:

Interest	Description
Employment, office, trade, profession or vocation	Any employment, office, trade, profession, or vocation carried on for profit or gain.
Sponsorship	Any payment or provision of any other financial benefit (other than from the relevant authority) made or provided within the relevant period in respect of any expenses incurred by M in carrying out duties as a councillor, or towards the election expenses of M. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.
Contracts	Any contract which is made between the relevant person (or a body in which the relevant person has a beneficial interest) and the relevant authority: a) under which goods or services are to be provided or works are to be executed; and b) which has not been fully discharged.
Land	Any beneficial interest in land which is within the area of the relevant authority.
Licences	Any licence (alone or jointly with others) to occupy land in the area of the relevant authority for a month or longer.
Corporate Tenancies	Any tenancy where (to M's knowledge): a) the landlord is the relevant authority; and b) the tenant is a body in which the relevant person has a beneficial interest.

Securities	<p>Any beneficial interest in securities of a body where:</p> <p>a) that body (to M's knowledge) has a place of business or land in the area of the relevant authority; and</p> <p>b) either:</p> <p>(i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or</p> <p>(ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the relevant person has a beneficial interest exceeds one hundredth of the total issued share capital of that class.</p>
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The National Model Code goes further and also includes;

**Table 2: Other Registrable Interests**

<p>You must register as an Other Registrable Interest :</p> <p>a) any unpaid directorships</p> <p>b) any body of which you are a member or are in a position of general control or management and to which you are nominated or appointed by your authority</p> <p>c) any body</p> <ul style="list-style-type: none"> <li>(i) exercising functions of a public nature</li> <li>(ii) directed to charitable purposes or</li> <li>(iii) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union) of which you are a member or in a position of general control or management</li> </ul>
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**DRAFT s.32 Control Sheet**

Date Request Received:

Submitted By:

Date Decision Made and Issued:

Decision Made By:

Test	Consideration / Evidence	Outcome
Necessity/ Justification	list any evidence submitted / link to emails etc.	Met / Not Met
Proportionality		Met / Not Met
Searches Made	Internet searches / electoral role other sources checked to test what is already easily available to the 'world at large'.	Met / Not Met

The request for s.32 is **Granted** /or **Denied** (delete as appropriate)

Signed:

Dated:



Appendix 4

SUMMARY OF RECOMMENDATIONS AND ACTION PLAN

Priority	Main Control Risk	Audit Recommendation to mitigate risk	Proposed Action or Action Taken	Proposed Completion Date & Responsibility
High	A lack of shared / or siloed knowledge. may impair governance over Member's interests and the implications.	<p>1. Consideration should be given to adding a declaration (similar to that on a Planning Application) seeking confirmation whether the landowner is an Officer, Member or is related to one, adding a box for agents / developers with the option stating 'Not Known'. With a footnote to read, if this applies, to forward the information to the Monitoring Officer. The Monitoring Officer on receipt of such information may then ensure that any decisions made regarding the site are handled in accordance with the Constitution, and also will be prepared to provide advice regarding declaring interests, and briefing colleagues as necessary.</p> <p>2. Consideration to agree to adopt (in the next version) the wording of the Model Code to include the requirement to declare "a) any unpaid directorships".</p> <p>Alternatively, to be discussed at Kent Secretaries, regarding some additional wording added after the definition of Other Significant Interests (OSI's) in the Members' Code to provide some examples of OSI's which could include highlighting that members need to be alive to any directorship, even if they don't receive financial gain.</p>	Agreed	May 2024 Monitoring Officer
High	Councillors may overlook DPLs in error.	<p>3. Consideration given to adopting a 'control sheet' to record all s.32 requests received, the evidence reviewed and the outcome of the decision (whether granted or denied) to be retained by the Monitoring Officer (draft proposed at Appendix 3).</p>	Agreed	May 2024 Monitoring Officer
High	Lack of management trail leading to ineffective handover/ evidence.		Agreed	May 2024 Monitoring Officer

**Audit Committee**

24th January 2024

**Subject:** 2023-24 Half Year Treasury Management report**Director and Head of Service:**

Nicci Mills - Service Director Finance and Procurement

**Officer:**

Oksana Ivanova - Accountant

**Cabinet Member:**

Councillor Mike Sole - Cabinet Member for Finance

**Key or Non Key decision:** Non Key**Decision Issues:**

These matters are within the authority of the Committee

**Is any of the information exempt from publication:**

This report is open to the public

**CCC ward(s):** All**Summary and purpose of the report:***This report details the results of the council's treasury management activities in the first 6 months of financial year ending 31 March 2024***Note:**

That the report is noted

**Next stage in process:**

Report to Audit Committee next quarter

**DISCLAIMER: This report is intended for use solely in connection with Canterbury City Council's treasury management function and should not be used by other parties in connection with other investment or borrowing decisions.****Introduction**

In April 2016 the Authority adopted the Chartered Institute of Public Finance and Accountancy's *Treasury Management in the Public Services: Code of Practice* (the CIPFA Code) which requires the Authority to approve, as a minimum, treasury management semi-annual and annual outturn reports.

This report includes the new requirement in the 2021 Code, mandatory from 1<sup>st</sup> April 2023, of quarterly reporting of the treasury management prudential indicators.

The Authority's treasury management strategy for 2023/24 was approved at a meeting on the 9th February 2023. The Authority has borrowed and invested substantial sums of money and is therefore exposed to financial risks including the loss of invested funds and the revenue effect of changing interest rates. The successful identification, monitoring and control of risk remains central to the Authority's treasury management strategy.

### **External Context**

**Economic background:** UK inflation remained stubbornly high over much the period compared to the US and euro zone, keeping expectations elevated of how much further the Bank of England (BoE) would hike rates compared to the regions. However, inflation data published in the latter part of the period undershot expectations, causing financial markets to reassess the peak in BoE Bank Rate. This was followed very soon after by the BoE deciding to keep Bank Rate on hold at 5.25% in September, against expectation for another 0.25% rise.

Economic growth in the UK remained relatively weak over the period. In calendar Q2 2023, the economy expanded by 0.4%, beating expectations of a 0.2% increase. However, monthly GDP data showed a 0.5% contraction in July, the largest fall to date in 2023 and worse than the 0.2% decline predicted which could be an indication the monetary tightening cycle is starting to cause recessionary or at the very least stagnating economic conditions.

July data showed the unemployment rate increased to 4.3% (3mth/year) while the employment rate rose to 75.5%. Pay growth was 8.5% for total pay (including bonuses) and 7.8% for regular pay, which for the latter was the highest recorded annual growth rate. Adjusting for inflation, pay growth in real terms were positive at 1.2% and 0.6% for total pay and regular pay respectively.

Inflation continued to fall from its peak as annual headline CPI declined to 6.7% in July 2023 from 6.8% in the previous month against expectations for a tick back up to 7.0%. The largest downward contribution came from food prices. The core rate also surprised on the downside, falling to 6.2% from 6.9% compared to predictions for it to only edge down to 6.8%.

The Bank of England's Monetary Policy Committee continued tightening monetary policy over most of the period, taking Bank Rate to 5.25% in August. Against expectations of a further hike in September, the Committee voted 5-4 to maintain Bank Rate at 5.25%. Each of the four dissenters were in favour of another 0.25% increase.

Financial market Bank Rate expectations moderated over the period as falling inflation and weakening data gave some indication that higher interest rates were working. Expectations fell from predicting a peak of over 6% in June to 5.5% just ahead of the September MPC meeting, and to then expecting 5.25% to be the peak by the end of the period.

Following the September MPC meeting, Arlingclose, the authority's treasury adviser, modestly revised its interest forecast to reflect the central view that 5.25% will now be the peak in Bank Rate. In the short term the risks are to the upside if inflation increases again, but over the remaining part of the time horizon the risks are to the downside from economic activity weakening more than expected.

The lagged effect of monetary policy together with the staggered fixed term mortgage maturities over the next 12-24 months means the full impact from Bank Rate rises are still yet to be felt by households. As such, while consumer confidence continued to improve over the period, the GfK measure hit -21 in September, it is likely this will reverse at some point. Higher rates will also impact business and according to S&P/CIPS survey data, the UK manufacturing and services sector contracted during the quarter with all measures scoring under 50, indicating contraction in the sectors.

The US Federal Reserve increased its key interest rate to 5.25-5.50% over the period, pausing in September following a 0.25% rise the month before, and indicating that it may have not quite completed its monetary tightening cycle.

Having fallen throughout 2023, annual US inflation started to pick up again in July 2023, rising from 3% in June, which represented the lowest level since March 2021, to 3.2% in July and then jumping again to 3.7% in August, beating expectations for a rise to 3.6%. Rising oil prices were the main cause of the increase. US GDP growth registered 2.1% annualised in the second calendar quarter of 2023, down from the initial estimate of 2.4% but above the 2% expansion seen in the first quarter.

The European Central Bank increased its key deposit, main refinancing, and marginal lending interest rates to 4.00%, 4.50% and 4.75% respectively in September, and hinted these levels may represent the peak in rates but also emphasising rates would stay high for as long as required to bring inflation down to target.

Although continuing to decline steadily, inflation has been sticky, Eurozone annual headline CPI fell to 5.2% in August while annual core inflation eased to 5.3% having stuck at 5.5% in the previous two months. GDP growth remains weak, with recent data showing the region expanded by only 0.1% in the three months to June 2023, the rate as the previous quarter.

**Financial markets:** Financial market sentiment and bond yields remained volatile, with the latter generally trending downwards as there were signs inflation, while still high, was moderating and interest rates were at a peak.

Gilt yields fell towards the end of the period. The 5-year UK benchmark gilt yield rose from 3.30% to peak at 4.91% in July before trending downwards to 4.29%, the 10-year gilt yield rose from 3.43% to 4.75% in August before declining to 4.45%, and the 20-year yield from 3.75% to 4.97% in August and then fell back to 4.84%. The Sterling Overnight Rate (SONIA) averaged 4.73% over the period.

**Credit review:** Having completed a review of its credit advice on unsecured deposits at UK and non-UK banks following concerns of a wider financial crisis after the collapse of Silicon Valley Bank purchase of Credit Suisse by UBS, as well as other well-publicised banking sector issues, in March Arlingclose reduced the advised maximum duration limit for all banks on its recommended counterparty list to 35 days. This stance continued to be maintained at the end of the period.

During the second quarter of the period, Moody's revised the outlook on Svenska Handelsbanken to negative from stable, citing concerns around the Swedish real estate sector.

Having put the US sovereign rating on Rating Watch Negative earlier in the period, Fitch took further action in August, downgrading the long-term rating to AA+, partly around ongoing debt ceiling concerns but also an expected fiscal deterioration over the next couple of years.

Following the issue of a Section 114 notice, in September Arlingclose advised against undertaking new lending to Birmingham City Council, and later in the month cut its recommended duration on Warrington Borough Council to a maximum of 100 days.

Arlingclose continued to monitor and assess credit default swap levels for signs of ongoing credit stress and although no changes were made to recommended durations over the period, Northern Trust Corporation was added to the counterparty list.

Heightened market volatility is expected to remain a feature, at least in the near term and, as ever, the institutions and durations on the Authority's counterparty list recommended by Arlingclose remains under constant review.

### **Local Context**

On 31<sup>st</sup> March 2023, the Authority had net investments of £15.3m arising from its revenue and capital income and expenditure. The underlying need to borrow for capital purposes is measured by the Capital Financing Requirement (CFR), while balance sheet resources are the underlying resources available for investment. These factors are summarised in Table 1 below.

Table 1: Balance Sheet Summary

	<b>31.3.23 Actual £m</b>
General Fund CFR	190.52
HRA CFR	65.26
<b>Total CFR</b>	<b>255.78</b>
External borrowing**	<b>(177.53)</b>
<b>Internal (over) borrowing</b>	<b>78.25</b>
Less: Item A	<b>(2.53)</b>
Less: Usable reserves	<b>(46.96)</b>
Less: Working capital	<b>(44.08)</b>
<b>Net investments</b>	<b>(15.32)</b>

\* finance leases, PFI liabilities and transferred debt that form part of the Authority's total debt

\*\* shows only loans to which the Authority is committed and excludes optional refinancing

The treasury management position at 30<sup>th</sup> September and the change over the six months' is shown in Table 2 below.

Table 2: Treasury Management Summary

	<b>31.3.23 Balance £m</b>	<b>Movement £m</b>	<b>30.9.23 Balance £m</b>	<b>30.9.23 Rate %</b>
Long-term borrowing	163	(5)	158	2.75
Short-term borrowing	15	0	15	4.67
<b>Total borrowing</b>	<b>178</b>	<b>(5)</b>	<b>173</b>	
Long-term investments	0	0	0	
Short-term investments	15	(4)	12	4.65
Cash and cash equivalents	0	(0)	0	1.33
<b>Total investments</b>	<b>15</b>	<b>(4)</b>	<b>12</b>	
<b>Net borrowing</b>	<b>162</b>	<b>(2)</b>	<b>161</b>	

### **Borrowing**

CIPFA's 2021 Prudential Code is clear that local authorities must not borrow to invest primarily for financial return and that it is not prudent for local authorities to make any investment or spending decision that will increase the capital financing requirement and so may lead to new borrowing, unless directly and primarily related to the functions of the Authority. PWLB loans are no longer available to local authorities planning to buy investment assets primarily for yield unless these loans are for refinancing purposes.

The Authority has not invested in assets primarily for financial return or that are not primarily related to the functions of the Authority. It has no plans to do so in future.

The Authority currently holds £4.3m in commercial investments that were purchased prior to the change in the CIPFA Prudential Code. Before undertaking further additional borrowing the Authority will review the options for exiting these investments.

### **Borrowing strategy and activity**

As outlined in the treasury strategy, the Authority's chief objective when borrowing has been to strike an appropriately low risk balance between securing lower interest costs and achieving cost certainty over the period for which funds are required, with flexibility to renegotiate loans should the Authority's long-term plans change being a secondary objective. The Authority's borrowing strategy continues to address the key issue of affordability without compromising the longer-term stability of the debt portfolio.

There was a substantial rise in the cost of both short- and long-term borrowing over the last 18 months. Bank Rate rose by 1% from 4.25% at the beginning of April to 5.25% at the end of September. Bank Rate was 2% higher than at the end of September 2022.

UK gilt yields were volatile, mainly facing upward pressure since early April following signs that UK growth had been more resilient, inflation stickier than expected, and that the Bank of England saw persistently higher rates through 2023/24 as key to dampening domestic demand. Gilt yields, and consequently PWLB borrowing rates, rose and broadly remained at elevated levels. On 30<sup>th</sup> September, the PWLB certainty rates for maturity loans were 5.26% for 10-year loans, 5.64% for 20-year loans and 5.43% for 50-year loans. Their equivalents on 31<sup>st</sup> March 2023 were 4.33%, 4.70% and 4.41% respectively.

A new PWLB HRA rate which is 0.4% below the certainty rate was made available from 15th June 2023. Initially available for a period of one year, this discounted rate is to support local authorities borrowing for the Housing Revenue Account and for refinancing existing HRA loans, providing a window of opportunity for HRA-related borrowing during this time frame.

At 30<sup>th</sup> September the Authority held £173m of loans, a decrease of £5m from 31<sup>st</sup> March 2023, as part of its strategy for funding previous and current years' capital programmes. Outstanding loans on 30<sup>th</sup> September are summarised in Table 3 below.

Table 3: Borrowing Position

	<b>31.3.23 Balance £m</b>	<b>Net Moveme nt £m</b>	<b>30.9.23 Balance £m</b>	<b>30.9.23 Weighte d Average Rate %</b>	<b>30.9.23 Weighted Average Maturity (years)</b>
PWLB maturity Loans	21	(0)	21	4.80	24.6
PWLB fixed annuity loans	142	(5)	137	2.49	12
Local authority loans	15	(0)	15	4.38	1
Other loans	0	0	0		
<b>Total borrowing</b>	<b>178</b>	<b>(5)</b>	<b>173</b>		

The Authority's short-term borrowing cost has continued to increase with the rise in Bank Rate and short-dated market rates. The average rate on the Authority's short-term loans at 30<sup>th</sup> September 2023 of £15m was 4.67%, this compares with 3.56% on £15m loans 3 months ago.

The Authority's borrowing decisions are not predicated on any one outcome for interest rates and a balanced portfolio of short- and long-term borrowing was maintained.



### Treasury Investment Activity

The CIPFA Treasury Management Code now defines treasury management investments as those investments which arise from the Authority's cash flows or treasury risk management activity that ultimately represents balances that need to be invested until the cash is required for use in the course of business.

The Authority holds invested funds, representing income received in advance of expenditure plus balances and reserves held. During the half year, the Authority's investment balances ranged between £9 and £34 million due to timing differences between income and expenditure. The investment position is shown in table 4 below.

Table 4: Treasury Investment Position

	<b>31.3.23 Balance £m</b>	<b>Moveme nt £m</b>	<b>30.9.23 Balance £m</b>	<b>30.9.23 Rate %</b>	<b>31.3.23 Weighted Average Maturity days</b>
Banks (fixed/notice account)	0	0.00	0		
Banks (Call account)	0.2	(0.15)	0.05	1.33	1
Money Market Funds	15.12	(3.57)	11.55	4.65	1
<b>Total investments</b>	<b>15.31</b>	<b>(3.73)</b>	<b>11.60</b>		

Both the CIPFA Code and government guidance require the Authority to invest its funds prudently, and to have regard to the security and liquidity of its treasury investments before seeking the optimum rate of return, or yield. The Authority's objective when investing money is to strike an appropriate balance between risk and return, minimising the risk of incurring losses from defaults and the risk of receiving unsuitably low investment income.

As demonstrated by the liability benchmark in this report, the Authority expects to be a long-term borrower and new treasury investments are therefore primarily made to manage day-to-day cash flows using short-term low risk instruments. The existing portfolio of strategic pooled funds will be maintained to diversify risk into different asset classes and boost investment income.

Bank Rate increased by 1%, from 4.25% at the beginning of April to 5.25% by the end of September. Short-dated cash rates rose commensurately, with 3-month rates rising to around 5.25% and 12-month rates to nearly 6%. The rates on DMADF deposits also rose, ranging between 4.8% and 5.4% by the end of June and Money Market Rates between 4.34% and 4.5%.



**Non-Treasury Investments**

The definition of investments in the Treasury Management Code now covers all the financial assets of the Authority as well as other non-financial assets which the Authority holds primarily for financial return. Investments that do not meet the definition of treasury management investments (i.e. management of surplus cash) are categorised as either for service purposes (made explicitly to further service objectives) and or for commercial purposes (made primarily for financial return).

Investment Guidance issued by the Department for Levelling Up Housing and Communities (DLUHC) and Welsh Government also includes within the definition of investments all such assets held partially or wholly for financial return.

**Whitefriars**

The authority holds £73m of investments in the Whitefriars Development Unit Trust. This non-treasury investment has generated £6.2m of income for the Authority by the end of March 2023. The income profile continues to be impacted by the economic climate with rental payments not being received as originally budgeted, income has increased since the pandemic, but not back to pre-pandemic levels.. Rent renewals are continuing to reduce the rental income as retail rates are falling nationally. We are working with our asset management team to update business plans and maximise the use of the property space at the shopping centre.

The Authority holds one investment that has been held for many years of £2.3m for commercial purposes.

This investment generates £250,000 of income for the Authority after taking account of direct costs, representing a rate of return of 10.8%. This compares significantly better than the return earned on treasury investments over the last 2 years and forms part of the budgeted income generated by all property rentals. However is only a small part of the overall property income for non investment purposes.

**Compliance**

The Chief Finance Officer reports that all treasury management activities undertaken during the quarter complied fully with the principles in the Treasury Management Code and the Authority’s approved Treasury Management Strategy. Compliance with specific investment limits is demonstrated in table 5 below.

Table 5: Investment Limits

	<b>2023-24 Maximum</b>	<b>30.9.23 Actual</b>	<b>2023/24 Limit</b>	<b>Complied? Yes/No</b>
--	----------------------------	---------------------------	--------------------------	-----------------------------

Money Market Funds	34	11.60	50	Yes
Any single organisation, except the UK Government	0	0	10	Yes
Unsecured investments with building societies	0	0	5	Yes

Compliance with the Authorised Limit and Operational Boundary for external debt is demonstrated in table 8 below.

Table 6: Debt and the Authorised Limit and Operational Boundary

	H1 2023-24 Maximum	30.9.23 Actual	2023/24 Operational Boundary	2023/24 Authorised Limit	Complied? Yes/No
Borrowing	187.80	172.62	257.32	260.32	Yes
PFI and Finance Leases	0	0	0	0	Yes
<b>Total debt</b>	187.80	172.62	257.32	260.32	

Since the operational boundary is a management tool for in-year monitoring it is not significant if the operational boundary is breached on occasions due to variations in cash flow, and this is not counted as a compliance failure.

### Treasury Management Prudential Indicators

As required by the 2021 CIPFA Treasury Management Code, the Authority monitors and measures the following treasury management prudential indicators.

Maturity Structure of Borrowing: This indicator is set to control the Authority's exposure to refinancing risk. The upper and lower limits on the maturity structure of all borrowing were:

	Maturity year	30.9.23 Actual £m	30.9.23 Actual %	Upper Limit	Lower Limit
Under 12 months	2024-25	15.0	9%	50%	0%

12 to 24 months	2025-26	0.0	0%	25%	0%
2 to 5 years	2027-28	1.2	1%	25%	0%
5 to 10 years	2030-31	54.7	32%	25%	0%
10 years and above	2036-37 - £3.5m 2040-41 - £4.9m 2041-42 - £61.7m 2042-43 - £17.2m 2043-44 - £0.5m	87.8	50%	50%	5%
20 years and above	2046-47 - £2m 2051-52 - £2m 2052-53 - £6.25m 2056-57 - £1.5m 2057-58 - £1.25m 2058-59 - £1m	14.0	8%	50%	5%
		<b>172.6</b>			

The council has not needed to borrow the sums expected in the current financial year and so the actual position for loans due for repayment between 5 and 10 years appears to exceed the limit set in the Treasury Management strategy. However the actual position is that no new long term loans have been taken out in 2023/24. The repayments due within these timescales has not changed. It is the percentage distribution that has been affected by the reduction in the total loan position.

Time periods start on the first day of each financial year. The maturity date of borrowing is the earliest date on which the lender can demand repayment.

#### Additional indicators

**Security:** The Authority has adopted a voluntary measure of its exposure to credit risk by monitoring the value-weighted average credit rating of its investment portfolio. This is calculated by applying a score to each investment (AAA=1, AA+=2, etc.) and taking the arithmetic average, weighted by the size of each investment. Unrated investments are assigned a score based on their perceived risk.

	<b>30.9.2023 Actual</b>	<b>2023/24 Target</b>	<b>Complied?</b>
Portfolio average credit rating	A+	A	Yes

**Liquidity:** The Authority has adopted a voluntary measure of its exposure to liquidity risk by monitoring the amount of cash available to meet unexpected payments within a rolling three-month period, without additional borrowing.

	<b>30.9.2023 Actual</b>	<b>2023/24 Target</b>	<b>Complied?</b>
Total cash available within 3 months	11.59	5	Yes

Interest Rate Exposures: This indicator is set to control the Authority's exposure to interest rate risk. Bank Rate rose by 1.25% from 4.25% on 1<sup>st</sup> April to 5.25% by 30<sup>th</sup> September.

<b>Interest rate risk indicator</b>	<b>30.9.2023</b>	<b>2023/24 Limit</b>	<b>Complied?</b>
Upper limit on one-year revenue impact of a 1% rise in interest rates	£143,479	£385,000	Yes
Upper limit on one-year revenue impact of a 1% fall in interest rates	£39,000	£39,000	Yes

For context, the changes in interest rates during the quarter were:

	<u>31/3/23</u>	<u>30/9/23</u>
Bank Rate	4.25%	5.25%
1-year PWLB certainty rate, maturity loans	4.78%	5.69%
5-year PWLB certainty rate, maturity loans	4.31%	5.22%
10-year PWLB certainty rate, maturity loans	4.33%	5.26%
20-year PWLB certainty rate, maturity loans	4.70%	5.64%
50-year PWLB certainty rate, maturity loans	4.41%	5.43%

The impact of a change in interest rates is calculated on the assumption that maturing loans and investment will be replaced at new market rates.

## AUDIT COMMITTEE

24 January 2024

<b>Subject:</b>	<b>QUARTERLY INTERNAL AUDIT UPDATE REPORT</b>
<b>Director/Head of Service:</b>	Service Director - Finance & Procurement
<b>Officer</b>	Christine Parker - Head of Audit
<b>Cabinet Member</b>	Councillor Mike Sole
<b>Key / Non Key decision</b>	Non key decision
<b>Decision Issues:</b>	This matter is within the authority of the Audit Committee
<b>Classification:</b>	This report is open to the public.
<b>CCC Ward(s):</b>	All
<b>Summary &amp; purpose of report:</b>	This report informs members of progress against the audit plan that was approved by the Audit Committee in March 2023.
<b>To Resolve:</b>	That this committee accept the results of internal audit work and make comments, if required to Full Council.
<b>Next stage in process</b>	To receive the results of internal audit work and to make comments as considered appropriate.

### SUPPORTING INFORMATION

#### 1. Introduction

##### Issues for consideration

The Committee is asked to agree the options set out below because: In order to comply with best practice, the Audit Committee should independently contribute to the overall process for ensuring that an effective internal control environment is maintained. This report includes the summary of the work of the East Kent Audit Partnership since the last Audit Committee meeting.

#### 2. Detail

##### 2.1 AUDIT REPORTING

For each Audit review, management has agreed a report, and where appropriate, an Action Plan detailing proposed actions and implementation dates relating to each recommendation. Reports continue to be issued in full to the relevant Directors, as well as an appropriate manager for the service reviewed.

Follow-up reviews are performed at an appropriate time, according to the status of the recommendation, timescales for implementation of any agreed actions and the risk to the Council.

An Assurance Statement is given to each area reviewed. The assurance statements are linked to the potential level of risk, as currently portrayed in the Council's risk assessment process. The assurance rating given may be Substantial, Reasonable, Limited or No assurance.

Those services with either Limited or No Assurance are monitored and brought back to Committee until a subsequent review shows sufficient improvement has been made to raise the level of assurance to either Reasonable or Substantial. A list of those services currently with such levels of assurance is attached as Appendix 2 to the EKAP report.

Part of the remit of the Council's Audit Committee is to provide independent assurance of the adequacy of the risk management framework and the associated control environment, independent review of the Authority's financial and non-financial performance to the extent that it affects the Authority's exposure to risk and weakens the control environment, and to oversee the financial reporting process.

To assist the Committee meet its terms of reference with regard to the internal control environment an update report is regularly produced on the work of internal audit. The purpose of this report is to detail the summary findings of completed audit reports and follow-up reviews since the report submitted to the last meeting of this Committee.

## **2.2 SUMMARY OF WORK**

There have been six Internal Audit reports completed for the period. These have been allocated assurance levels of substantial to not applicable. Summaries of the report findings are detailed within Annex 1 to this report.

In addition, three follow up reviews have been completed during the period. It is usual to find when the follow up review is undertaken, that the vast majority of recommendations that were agreed by management have been implemented and that management are actively strengthening the internal control environment.

### **3. Relevant Council Policy/Strategies/Budgetary Documents**

None

### **4. Consultation planned or undertaken**

Management Team has considered this report.

### **5. Options available with reasons for suitability**

To consider the results of audit work and to make such observations and recommendations to the Council as the committee sees fit.

### **6. Reasons for supporting option recommended, with risk assessment**

N/A

### **7. Implications**

#### **(a) Financial Implications**

The lack of existence of sound financial and other controls could result in loss to the Authority (both financially and to its reputation). Internal Audit is one means of securing such controls.

#### **(b) Legal Implications**

The Council is responsible for designating an officer with responsibility for ensuring that satisfactory systems of accounting and internal control are maintained (s.151 Local

Government Act 1972). The Service Director - Finance & Procurement discharges this function, in part, through the work of Internal Audit and the East Kent Audit Partnership.

(c) Equalities - None identified.

(d) Environmental including carbon emissions and biodiversity - None identified.

8. **Conclusions**

The Council is ultimately responsible for the adequacy of internal controls for the effective management of its affairs and this committee acting in an audit role is one mechanism through which it can monitor and review the effectiveness of these controls.

**Contact Officer:**

Christine Parker Head of the East Kent Audit Partnership

**Telephone: Direct Dial: 01304 872160**

**Filename EKAP Update Report January 2024**

**Version 1 December 2023**

**Background documents and appendices.**

**Additional documents containing information exempt from publication - None.**



**Annex 1**

**QUARTERLY UPDATE REPORT FROM THE HEAD OF THE EAST KENT AUDIT PARTNERSHIP**

## 1. INTRODUCTION AND BACKGROUND

This report includes the summary of the work completed by the East Kent Audit Partnership since the last Audit Committee meeting together with details of the performance of the EKAP to the 30th September 2023.

## 2 SUMMARY OF REPORTS

Service / Topic		Assurance level	No of Recs *	
2.1	EKS - Housing Benefit Admin & Assessment	Substantial	Critical High Medium Low	0 0 0 0
2.2	Licensing	Substantial / Reasonable	Critical High Medium Low	0 1 3 2
2.3	Freedom of Information	Reasonable	Critical High Medium Low	0 0 8 7
2.4	Car Parking Income	Reasonable	Critical High Medium Low	0 4 2 4
2.5	Complaints Management Survey	Not Applicable	Critical High Medium Low	0 0 4 0
2.6	EKS - Housing Benefit testing 2022-23	Not Applicable	Critical High Medium Low	0 0 0 0

\*For Assurance and Recommendation priority definitions see Appendix 4

### 2.1 EKS – Housing Benefit Admin & Assessment - Substantial Assurance

#### 2.1.1 Audit Scope

To ensure that the processes and procedures established by CIVICA / EK Services are sufficient to provide the level of service required by the partner authorities of Canterbury CC, Dover DC and Thanet DC and incorporate relevant internal controls regarding the administration & assessment of Housing Benefit claims.



### **2.1.2 Summary of findings**

Between Civica and EK Services they are responsible for the administration and assessment of housing benefits on behalf of Canterbury City Council, Dover District Council and Thanet District Council. This ranges from the day to day processing of housing benefit claims to the installation of upgrades and data cleansing to the system and regular back ups to ensure that data is kept secure and is compliant with data security.

The primary findings giving rise to the Substantial Assurance opinion in this area are as follows:

- The performance of Civica is monitored very closely by EK Services Senior Management and the client officers from the partner authorities. Targets have been set (and met) to ensure that CIVICA meet the expectations set by each authority and the commitments agreed in the SLA.
- Established processes and supporting procedure notes are in place for the allocating of work and that the verification framework is complied with when processing housing benefit claims.
- Quality assurance checks ensure that claims are processed in a consistent manner and that any errors are fed back to Civica for correction but also are used to feed into training programmes / updates for the claim assessors.
- Established processes are in place for ensuring system access is controlled, backups are taken, data cleansing is carried out and that system upgrades are processed correctly.

## **2.2 Licensing – Substantial / Reasonable Assurance**

### **2.2.1 Audit Scope**

To ensure that the licence applications granted by the Council comply with the Council's policies and relevant legislation and all information is accurately recorded. Licence fees should be properly approved and all income efficiently received, reconciled and monitored. (Excluding Taxi and Hackney Carriages)

### **2.2.2 Summary of findings**

In 2022 there were 222,500 premises licences in England and Wales. Research estimates that the alcohol industry contributes £46 billion a year to national income and is responsible for around 2.5 per cent of all UK employment. At a local level, a vibrant and mixed night time economy can encourage tourism, boost the local economy and contribute to shaping places where people want to live.

Management can place Substantial Assurance on the system of internal controls in operation; with the exception of governance for which management may place Reasonable Assurance.

The primary findings giving rise to the Substantial Assurance opinion in this area are as follows:

- All licensing applications are processed in accordance with requirements.
- Income collection and accountancy processes are working effectively.
- Information on the website and correspondence with customers is good.
- There are sufficient lone working arrangements in place and staff are trained.
- There is a sufficient training regime in place for elected members.

Scope for improvement, and the reasons giving rise to the Reasonable Assurance were however identified in the following areas:

- The way in which the Licensing Committee is constituted should be reviewed for compliance.
- Governance arrangements are weakened by the absence of performance information being reported to senior management and to the Licensing Committee annually.

## 2.3 Freedom of Information – Reasonable Assurance

### 2.3.1 **Audit Scope**

To ensure that the Council complies with the Freedom of Information Act 2000 and the Environmental Information Regulations 2004 when it receives information requests from the public.

### 2.3.2 **Summary of findings**

The main principle behind freedom of information legislation is that people have a right to know about the activities of public authorities, unless there is a good reason for them not to.

The Freedom of Information Act 2000 (FOIA) provides public access to information held by public authorities. It does this in two ways:

- public authorities are obliged to publish certain information about their activities; and
- members of the public are entitled to request information from public authorities.

The Act covers all recorded information held by a public authority. It is not limited to official documents and it covers, for example, drafts, emails, notes, recordings of telephone conversations and CCTV recordings.

Requests for environmental information must be handled under the Environmental Information Regulations 2004 (EIR). The Regulations also require organisations to make environmental information available proactively by readily accessible electronic means.

A significant volume of requests are received and the processes in place work in the most part with the majority of cases dealt with within the prescribed deadline. There are however instances where either the service area/ subject matter and/or customer involved can result in the request becoming difficult to respond to and be dealt with.

As at 18 August 2023 395 requests were recorded as being received between 1 April 2023 and 14 August 2023. Of these 73 cases were open and 322 cases were closed. 130 requests received pre 1 April 2023 also remained overdue.

The primary findings giving rise to the Reasonable Assurance opinion in this area are as follows:

- The Council has a Publication Scheme in place, although this requires review.
- The majority of requests are dealt with within prescribed deadlines.
- The IG Team has a good knowledge of how to apply the relevant legislation correctly.
- Procedures and guidance to officers is in place, although this does require some updating to reflect current systems.

Scope for improvement was however identified in the following areas:

- Back office staff training needs improvement to ensure officers' awareness remains up to date and current.
- The backlog of outstanding requests must be dealt with.
- An FOI /EIR disclosure log is not published and therefore an opportunity lost that may reduce occurrences of the same request which may assist in freeing up limited resources.

## 2.4 Car Parking Income – Reasonable Assurance

### 2.4.1 **Audit Scope**

To provide assurance on the adequacy and effectiveness of the procedures and controls established to ensure that car parking income (on-street and off-street) including the ANPR

system, is adequately monitored and reconciled to expected income and that income trends are monitored for individual car parks for management information.

#### 2.4.2 **Summary of findings**

There were 48 off-street car parks in operation during the time of the audit across the district and the city. In 2022/23 the Council generated a total income of £9,188,554 from off-street parking, £658,334 from on-street parking and £758,250 from permits. All three income streams combined generated a positive variance against the budget of 2.12%, 24.55% and 13.64% respectively.

The primary findings giving rise to the Reasonable Assurance opinion in this area are as follows:

- ANPR Technology works well and is well managed.
- There are sufficient processes in place to respond to damage caused to ANPR car parks.
- Budget monitoring, income collection routines and reconciliations are effective.
- The management of permit applications is good.
- There are controls in place for the management of keys and barriers.
- Information made available to customers is good although there are some improvements that need to be made.

Scope for improvement was however identified in the following areas,

- Control over vehicle whitelists needs to be improved.
- The audit trail of cash collection from 19 car parking machines is insufficient and needs to be rectified and improved.
- The main strategic document (OSPPO) does not appear to include all car parks.
- This audit / data analysis has identified that there are certain ANPR car parks that keep getting damaged at certain entry and exit points which should be risk assessed and reviewed by management.

### **2.5 Complaints Management Survey – Not Applicable**

#### 2.5.1 **Audit Scope**

Management requested the EKAP to provide assistance in the form of a consultancy review in respect of the Council's current complaints process. The Council is embarking on a change programme which will include fundamentally changing the way complaints are managed to a single corporate process. Management are aware that current arrangements for managing complaints vary across teams and different systems are in use. EKAP was tasked with issuing a survey to identify how individual teams and services manage their complaints.

The review will be in two phases which will comprise of:

Phase 1 an assessment of the current complaints process in place by the use of a questionnaire, to be sent to all Heads of Service/ Managers and relevant officers who undertake complaints handling currently. The resulting information will help to ascertain how the current complaints process is working and what improvements can be made. Any questions regarding the procedures can be clarified by talking to the relevant officers.

Phase 2 a comparison of the results from the survey against the expected controls that should be in place and a discussion about what needs to be done by using the new CRM to set up a new system for the processing of the complaints going forward.

#### 2.5.2 **Summary of findings**

The key principles of an effective complaints procedure are to promote user satisfaction; to identify areas where services can be improved; to be accessible; and to reflect the organisation's desire to provide a high quality service. This means complaints should be

used as a source of intelligence to identify issues and introduce positive changes in service delivery.

The Council has in place a Complaints Policy however as the processing and monitoring is not centralised inconsistencies are apparent in their application and the level of records maintained, timeliness of responses and reporting undertaken.

An integrated system used to manage all complaints corporately would enable complaints to be processed consistently, promptly and fairly in line with Council policy and regulatory requirements; and provision of full management reporting and stats.

The recording of complaints and comments should allow for analysis of any patterns and/ or causes of complaints and these should be used to drive service improvements and thereby avoid similar complaints in the future.

Finally, further development of an effective complaints handling process once embedded could be to capture compliments. This would assist in highlighting recurring themes of good practice that could be disseminated across services to improve the customer experience and processes.

The outcome of the EKAP review concluded with four recommendations which management have accepted agreeing they will be taken into account as the new process is developed and the complaints policy is reviewed and updated.

**2.6 EKS – Housing Benefit Testing 2022-23 - Not Applicable**

**2.6.1 Audit Scope**

Over the course of the 2022-23 financial year the East Kent Audit Partnership will complete a sample check of Council Tax, Rent Allowance and Rent Rebate and Local Housing Allowance benefit claims.

**2.6.2 Summary of findings**

For the 2022-23 financial year (April 2022 to March 2023) 45 claims including new and change of circumstances of each benefit type were selected by randomly selecting the various claims for verification. Below is a summary table of the findings:-

A fail is now categorised as an error that impacts on the benefit calculation. However data quality errors are still to be shown but if they do not impact on the benefit calculation then for reporting purposes the claim will be recorded as a pass.

For 2022-23 a total of forty-five claims have been checked of which one (2.22%) had a financial error that impacted on the benefit calculation and one (2.22%) had a data quality error.

**FOLLOW UP OF AUDIT REPORT ACTION PLANS**

3.1 As part of the period's work, three follow up reviews have been completed of those areas previously reported upon to ensure that the recommendations previously made have been implemented, and the internal control weaknesses leading to those recommendations have been mitigated. Those completed during the period under review are shown in the following table.

Service / Topic	Original Assurance level	Revised Assurance level	Original Number of Recs.		No. of Recs. Outstanding *	
a) Recruitment	Reasonable	Substantial	C	0	C	0
			H	2	H	0
			M	2	M	0
			L	6	L	0
b) EKS Business Rates	Substantial	Substantial	C	0	C	0
			H	0	H	0
			M	2	M	0
			L	4	L	0
c) EKS Discretionary Housing Payments	Substantial	Substantial	C	0	C	0
			H	3	H	0
			M	2	M	0
			L	3	L	0

\*For Assurance and Recommendation priority definitions see Appendix 4

- 3.2 Details of each of any individual high priority recommendations outstanding after follow-up are included at Annex 1 and on the grounds that these recommendations have not been implemented by the dates originally agreed with management, they would be escalated for the attention of the s.151 Officer and Members of the Audit Committee. There are none for this period.

The purpose of escalating outstanding high-risk matters is to try to gain support for any additional resources (if required) to resolve the risk, or to ensure that risk acceptance or tolerance is approved at an appropriate level.

#### 4.0 WORK IN PROGRESS

- 4.1 During the period under review, work has also been undertaken on the following topics, which will be reported to this Committee at future meetings: Payroll, HMOs; Disabled Facilities Grants, and Absence Management.

#### 5.0 CHANGES TO THE AGREED AUDIT PLAN

- 5.1 The 2023-24 audit plan was agreed by Members at the meeting of the Audit Committee that was held on 15th March 2023.
- 5.2 The Head of the Audit Partnership meets on a quarterly basis with the Head of Finance & Procurement (Section 151 Officer) to discuss any amendments to the plan. Members of the Committee will be advised of any significant changes through these regular update reports. Minor amendments are made to the plan during the course of the year as some high-profile projects or high-risk areas may be requested to be prioritised at the expense of putting back or deferring to a future year some lower risk planned reviews. The detailed position regarding when resources have been applied and or changed are shown as Annex 3.

#### 6.0 FRAUD AND CORRUPTION

There were no new reported instances of suspected fraud or irregularity that required either additional audit resources or which warranted a revision of the audit plan at this point in time.

## **7.0 INTERNAL AUDIT PERFORMANCE**

- 7.1 For the period ended 30th September 2023 84.46 chargeable days were delivered against the planned target for the year of 230 days which equates to achievement of 36.72% of the original planned number of days.
- 7.2 The financial performance of the EKAP for 2023-24 is on target for Canterbury City Council.
- 7.3 The EKAP introduced an electronic client satisfaction questionnaire, which is used across the partnership. The satisfaction questionnaires are sent out at the conclusion of each audit to receive feedback on the quality of the service

### **Attachments**

- Appendix 1 Summary of high priority recommendations outstanding or in progress at follow up
- Appendix 2 Summary of services with Limited / No Assurance awaiting follow up
- Appendix 3 Progress to 30th September 2023 against the agreed 2023-24 Audit plan.
- Appendix 4 Assurance Statements
- Appendix 5 Balanced Scorecard

Appendix 1

SUMMARY OF CRITICAL/HIGH PRIORITY RECOMMENDATIONS OUTSTANDING AFTER FOLLOW-UP – APPENDIX 1		
Original Recommendation	Agreed Management Action, Responsibility and Target Date	Manager's Comment on Progress Towards Implementation.
None This Quarter		

## Appendix 2

<b>SERVICES GIVEN LIMITED / NO ASSURANCE LEVELS YET TO BE REVIEWED</b>			
<b>Service</b>	<b>Reported to Committee</b>	<b>Level of Assurance</b>	<b>Follow-up Action Due</b>
Counter Fraud Arrangements	July 2023	Limited	March 2024
Housing Responsive Repairs & Maintenance	October 2023	Limited	May 2024



## Appendix 3

**PROGRESS AGAINST THE AGREED 2023-24 AUDIT PLAN  
CANTERBURY CITY COUNCIL**

Review	Original Planned Days	Revised Budgeted Days	Actual days to 30/09/2023	Status and Assurance Level
<b>FINANCIAL SYSTEMS:</b>				
Car Parking	10	10	2.89	Work in progress
Creditors	10	10	0.12	Quarter 3
<b>HOUSING SYSTEMS: Social Housing</b>				
Housing Contract Letting	10	10	0.12	Quarter 4
New Build Capital	10	6	0	Quarter 4
<b>HOUSING SYSTEMS: General Fund Housing</b>				
HMOs	10	10	0.15	Work in progress
Homelessness	10	10	0.14	Quarter 3
Disabled Facilities Grants	10	10	0.11	Quarter 3
<b>INFORMATION GOVERNANCE:</b>				
Data Protection	10	10	0	Quarter 4
Freedom of Information	10	12	12.00	Finalised - Reasonable
<b>ICT RELATED:</b>				
ICT Controls	12	10	0.14	Quarter 3
<b>CORPORATE GOVERNANCE:</b>				
Complaints Monitoring	10	10	1.69	Finalised - N/A
Contract Monitoring / CSOs	10	10	0.42	Quarter 3
<b>OTHER:</b>				
Liaison with External Auditor	1	1	0.37	Ongoing
Audit Committee Reports / Meetings	10	10	7.52	Ongoing
Audit Plan Prep / Meetings	12	12	2.01	Ongoing
Corporate Advice / MT	2	2	2.67	Ongoing
Section 151 Meetings & Support	6	6	3.67	Ongoing
Whitstable Harbour Accounts	3	3	3.29	Finalised
Newspaper House	1	1	0	Quarter 3
<b>SERVICE LEVEL:</b>				
Climate Change	2	2	0	Quarter 4
Licensing	10	10	6.07	Finalised - Substantial / Reasonable
Market Income & Street trading	6	6	0	Quarter 4
CILs	10	0	0	Deferred

Review	Original Planned Days	Revised Budgeted Days	Actual days to 30/09/2023	Status and Assurance Level
<b>HR RELATED:</b>				
Absence management	10	10	0.14	Work in progress
Payroll	6	6	0.96	Work in progress
Follow Up	6	8	7.77	Ongoing
<b>FINALISATION OF 2022-23 AUDITS:</b>				
Counter Fraud Arrangements	23	10	9.90	Finalised - Limited
Recruitment / Leavers		1	1.14	Finalised - Reasonable
Housing Responsive Repairs & Mtc		10	9.17	Finalised - Limited
<b>RESPONSIVE ASSURANCE:</b>				
Elections	0	1	0.81	Completed - N/A
Active Life	0	10	9.13	Finalised - N/A
LUF Grant Assurance	0	1	0.10	Ongoing
Governance re Local Plan Interests	0	10	1.96	Finalised - N/A
<b>TOTAL</b>	<b>230</b>	<b>230</b>	<b>84.46</b>	<b>36.72%</b>

**PROGRESS AGAINST THE AGREED 2023-24 AUDIT PLAN  
EAST KENT SERVICES**

Review	Original Planned Days	Revised Planned Days	Actual days to 30/09/2023	Status and Assurance Level
<b>EKS REVIEWS:</b>				
Housing Benefits Administration	15	13	12.70	Finalised - Substantial
Housing Benefits Testing	20	14	13.55	Finalised - N/A
Council Tax Reduction Scheme	15	15	0.16	Quarter 3
Customer Services	15	8	0.06	Quarter 4
Transition Governance		15	0.14	Work in progress
<b>OTHER:</b>				
Corporate/Committee	4	4	3.10	Ongoing
Follow Up	2	2	0.11	Ongoing
<b>FINALISATION of 2022-23 AUDITS:</b>				
Debtors	2	2	1.45	Finalised - Substantial
Data Management Desegregation Project	1	1	1.55	Finalised - Reasonable
<b>Total</b>	<b>74</b>	<b>74</b>	<b>32.82</b>	<b>44.35%</b>

**Definition of Audit Assurance Statements & Recommendation Priorities**

**Cipfa Recommended Assurance Statement Definitions:**

Substantial assurance - A sound system of governance, risk management and control exists, with internal controls operating effectively and being consistently applied to support the achievement of objectives in the area audited.

Reasonable assurance - There is a generally sound system of governance, risk management and control in place. Some issues, non-compliance or scope for improvement were identified which may put at risk the achievement of objectives in the area audited.

Limited assurance - Significant gaps, weaknesses or non-compliance were identified. Improvement is required to the system of governance, risk management and control to effectively manage risks to the achievement of objectives in the area audited.

No assurance - Immediate action is required to address fundamental gaps, weaknesses or non-compliance identified. The system of governance, risk management and control is inadequate to effectively manage risks to the achievement of objectives in the area audited.

**EKAP - Priority of Recommendations Definitions:**

Critical – A finding which significantly impacts upon a corporate risk or seriously impairs the organisation's ability to achieve a corporate priority. Critical recommendations also relate to non-compliance with significant pieces of legislation which the organisation is required to adhere to and which could result in a financial penalty or prosecution. Such recommendations are likely to require immediate remedial action and are actions the Council must take without delay.

High – A finding which significantly impacts upon the operational service objective of the area under review. This would also normally be the priority assigned to recommendations relating to the (actual or potential) breach of a less prominent legal responsibility or significant internal policies; unless the consequences of non-compliance are severe. High priority recommendations are likely to require remedial action at the next available opportunity or as soon as is practical and are recommendations that the Council must take.

Medium – A finding where the Council is in (actual or potential) breach of - or where there is a weakness within - its own policies, procedures or internal control measures, but which does not directly impact upon a strategic risk, key priority, or the operational service objective of the area under review. Medium priority recommendations are likely to require remedial action within three to six months and are actions which the Council should take.

Low – A finding where there is little if any risk to the Council or the recommendation is of a business efficiency nature and is therefore advisory in nature. Low priority recommendations are suggested for implementation within six to nine months and generally describe actions the Council could take.

## Balanced Scorecard

<u>INTERNAL PROCESSES PERSPECTIVE :</u>	<u>2023-24 Actual</u>	<u>Target</u>	<u>FINANCIAL PERSPECTIVE:</u>	<u>2023-24 Actual</u>	<u>Original Budget</u>
Chargeable as % of available days	Quarter 2 87%	90%	Reported Annually	£	£403.37
Chargeable days as % of planned days	36.71%	50%	• Cost per Audit Day	£	£521,918
CCC	51.90%	50%	• Direct Costs	£	£10,530
DDC	47.27%	50%	• + Indirect Costs (Recharges from Host)	£	Zero
TDC	41.71%	50%	• - 'Unplanned Income'	£	
FHDC	44.34%	50%	• = Net EKAP cost (all Partners)		
EKS	44.91%	50%			
Overall					
Follow up/ Progress Reviews;					
• Issued	28	-			
• Not yet due	44	-			
• Now due for Follow Up	18	-			
Compliance with the Public Sector Internal Audit Standards (PSIAS) (see Annual Report for more details)	Partial	Partial			

<u>CUSTOMER PERSPECTIVE:</u>	<u>2023-24 Actual</u>	<u>Target</u>	<u>INNOVATION &amp; LEARNING PERSPECTIVE:</u>	<u>2023-24 Actual</u>	<u>Target</u>
<p>Number of Satisfaction Questionnaires Issued;</p> <p>Number of completed questionnaires received back;</p> <p>Percentage of Customers who felt that;</p> <ul style="list-style-type: none"> <li>Interviews were conducted in a professional manner</li> <li>The audit report was 'Good' or better</li> <li>That the audit was worthwhile.</li> </ul>	<p>Quarter 2</p> <p>36</p> <p>11</p> <p>= 31 %</p> <p>100%</p> <p>100%</p> <p>100%</p>	<p>100%</p> <p>90%</p> <p>100%</p>	<p>Quarter 2</p> <p>Percentage of staff qualified to relevant technician level</p> <p>Percentage of staff holding a relevant higher-level qualification</p> <p>Percentage of staff studying for a relevant professional qualification</p> <p>Number of days technical training per FTE</p> <p>Percentage of staff meeting formal CPD requirements (post qualification)</p>	<p>61%</p> <p>50%</p> <p>0%</p> <p>2.21</p> <p>50%</p>	<p>60%</p> <p>50%</p> <p>N/A</p> <p>3.5</p> <p>50%</p>

## CANTERBURY CITY COUNCIL

### AUDIT COMMITTEE

Minutes of a meeting held 24 Jan 2024,  
At 7.30 pm at The Guildhall, St. Peter's Place, Westgate, Canterbury

**Present:** Councillor Alister Brady (Chair)  
Councillor Dane Buckman  
Councillor Elizabeth Carr-Ellis  
Councillor Roben Franklin  
Councillor Andrew Harvey  
Councillor Robert Jones  
Councillor Peter Old (sub)

**In Attendance:** Councillor Michael Dixey\*

**Officers:** Tricia Marshall - Director of Corporate Services and Head of Paid Service  
Nicci Mills - Service Director, Finance and Procurement  
Jan Guyler - Head of Legal Services and Monitoring Officer  
Rob May - Head of Finance  
Christine Parker - Head of East Kent Audit Partnership  
Christopher Parker - Deputy Head of Audit  
Lauren Wheeler - Democratic Services Officer

(\*present for part of the meeting)

#### **475. Apologies for absence**

Apologies for absence were received from Councillor Dan Smith.

#### **476. Substitute members**

Councillor Peter Old was present for Councillor Dan Smith.

#### **477. Declarations of interest by Members or Officers**

There were no declarations of interest by Members or Officers.

#### **478. Minutes of the meeting held on 4 October 2023**

The minutes were confirmed as a record by general assent. Councillor Old was not present at the last meeting.

#### **479. Public participation**

There were no speakers present at the meeting.

#### **480. Councillor Interest Governance Review**

The Corporate Services Director and Head of Paid Service introduced the covering report, audit report and related action plan. They drew attention to the additional paragraphs in the covering report that addressed some of the areas of concern that had been raised that were not part of the Governance Review.

The Head of Audit Partnership presented an overview of the Governance Review they had undertaken. A summary of the report and the audit work included:

- The purpose of the review
- The five requirements of the terms of reference, signed off by political group leaders
- A timeline with key documents of interest to support the findings, including an email to the Planning Officers regarding the Call For Sites application alerting them to the site being owned by the councillors
- The conclusions against each of five tasks leading to three recommendations
- Action Plan

The recommendations agreed were to enhance the current governance arrangements considered during the review to be of a high standard, for example; the Constitution clearly sets out at Appendix E - its Planning Code of Practice. Paragraph 6 of which covers “development proposals submitted by councillors, officers and Council development”.

The Head of Legal Services and Monitoring Officer provided an update on the processes reviewed and the action taken so far to implement the recommendations:

Re: Recommendation 1

- A declaration section has been added by Planning to the site submission form to enable officers to identify if a landowner is a member, an officer or related to either of those.
- The process note has been reviewed and updated by Planning, the form and process note will be considered by Management Team shortly for approval, no amendments are required to the Constitution to the proposals.

Re: Recommendation 2

- Proposal to make amendments to the Members Code of Conduct to include under other registrable interests ‘any unpaid directorships’.
- Proposal for the Delegation of Authority to be granted to the Monitoring Officer to enable the necessary changes to the Members Code of Conduct and any other related sections of the Constitution (incl. DPI and OSI process).

### Re: Recommendation 3

- Proposal to introduce a S.32 control sheet (sensitive interest request - Appendix 3 of the review), for retaining by the Monitoring Officer once completed. The format will be considered by Management Team shortly for approval and for a subsequent review of any amendments required to the Constitution.

A further report on the recommendations will be taken to the Standards Committee, Governance Committee, and Full Council in February to consider the proposals above.

During the debate, the points discussed and additional details provided by officers included:

- The considerable public interest in the review
- The strong disappointment felt by (some) members to the lack of (in their opinion) a thorough and formal investigation
- A summary of the responses provided by officers to Freedom of Information requests and types of information provided and/or not available
- Reassurance required for residents that the matters have been satisfactorily and robustly handled
- Consideration of commissioning an independent investigation
- The point at which declarations and the purchase of property were made in relation to the draft Local Plan
- The members Code of Conduct, and the (very prescribed) process of making a complaint about a councillor's conduct including the screening tests and subsequent steps that may be taken
- Escalation/crossover of internal reviews with Police investigations
- Complaints about former councillors, inability to compel former councillors to co-operate with an investigation, lack of enforceable sanctions etc.
- The importance of transparency and openness and readily available information to the public in such cases
- Adherence to the Nolan Principles
- The current process of referring members of the public to report concerns to the Police if they have suspicion or evidence of criminality, and how this could be improved
- The planning process regarding land owned by councillors (their families, and/or associates), and the review of any declarations required should circumstances change or develop
- The disrepute to the council and lack of confidence this may have conveyed to residents that the right review has been undertaken
- The Kent wide Member Code of Conduct and arrangements currently adopted jointly across the county demonstrate that sound arrangements are in place, and all will jointly consider the enhancement to add "any unpaid directorships" to the Code.
- The Localism Act 2011 and the relevant section of the Constitution relating to these matters



It was clarified that:

- One complaint had been received by the Monitoring Officer in this instance
- The complaint was received in September 2023 and thus had failed the first “screening test”, as the subject Councillors were no longer Councillors.
- All FOI’s had been fully responded to in compliance with the legislation
- All councillors had the opportunity and responsibility to declare their interests at meetings and seek advice
- It was not possible to enforce sanctions on former councillors, nor compel them to take any part in attending interviews or answering questions
- Officers were unable to comment on (or if there is) any ongoing criminal matters arising from a councillor complaint

It was proposed, seconded and when put to a vote RESOLVED that;

**The committee RECOMMEND the constitution be amended to “If the complaint identifies potential criminal conduct or potential breach of other regulations by the Subject Councillor or any other person, then council officers should report the complaint to the police.”**

A record of the vote was taken as follows:

For: (7) Councillor Brady, Councillor Buckman, Councillor Carr-Ellis, Councillor Franklin, Councillor Harvey, Councillor Jones, Councillor Old

Against: None

Abstained from voting: None

**The committee RECOMMEND to Cabinet that an external investigation is carried out.**

A record of the vote was taken as follows:

For: (6) Councillor Brady, Councillor Buckman, Councillor Carr-Ellis, Councillor Franklin, Councillor Jones, Councillor Old

Against: None

Abstained from voting: (1) Councillor A Harvey

#### **481. 2023-24 Half Year Treasury Management Report**

The Service Director - Finance and Procurement presented the report and provided a summary.

The points discussed and raised by members included:

- Frequency of reporting
- Short term borrowing and interest rates
- Treasury activity
- Debt repayment levels in comparison to other authorities
- Format of tables contained in the report

The committee NOTED the report by general assent.

#### **482. East Kent Audit Partnership Internal Quarterly Audit Report**

The Deputy Head of the East Kent Audit Partnership presented the report asking members to accept the results of internal audit work, and make comments, if required, to full Council.

An update was provided on progress since the report to the last committee meeting and the main points were summarised. The following points were discussed:

- Licensing Key Performance Indicators (KPI's), circulated to management and to this committee
- Freedom of Information KPI's - up to date figures to be circulated to members and a follow-up provided to this committee at a later date
- Car parking Income - the Head of Service to circulate an update to members, the Head of Finance and Procurement confirmed that costs are covered with a slight positive variance
- The improvements to the Complaints process were welcomed. An update on the four recommendations agreed by management to be provided to this committee
- There are no recommendations outstanding from the Action plan
- Satisfaction survey rates, the current process and comparison to other authorities

It was proposed, seconded and when put to a vote unanimously RESOLVED that;

The Committee accepts the results of internal audit work.

#### **483. Update Report on Strategic Risk Register**

The Service Director – Finance and Procurement confirmed there was no update to the register since the last meeting.

The committee NOTED the update by general assent.

#### **484. Regulation of Investigatory Powers Act (RIPA) 2000**

The Head of Legal Services & Monitoring Officer provided an overview of RIPA framework and requirements. An annual report will be produced for the next meeting.

The Service Director – Finance and Procurement confirmed there were no incidents to

report since the last meeting.

The committee NOTED the update by general assent.

**485. Date of next meeting**

The date of the next meeting is 7pm on Wednesday 13 March 2024

**486. Any other urgent business to be dealt with in public**

There was no other urgent business to be dealt with public.

**487. Exclusion of the press and public**

It was proposed, seconded and when put to a vote unanimously RESOLVED that under Section 100(A)(4) of the Local Government Act 1972, the press and public be excluded from the meeting during consideration of the following items of business on the grounds that there would be disclosure of exempt information as defined in Part 1 of Schedule 12A of the Act or the Freedom of Information Act or both.

**488. Any other urgent business to be dealt with in private**

There was no urgent business.

There being no other business the meeting closed at 8:56pm

# **Agenda**

## **Council Meeting**

**Thursday 22 February 2024  
7.00 pm**

Lord Mayor: Councillor Jean Butcher  
Head of Paid Service: Tricia Marshall



Everyone is welcome to record meetings of the Council and its Committees using whatever non-disruptive methods you think are suitable. If you are intending to do this please mention it to the Democratic Services Officer and do not use flash photograph unless you have previously asked whether you may do so. If you have any questions about this please contact Democratic Services (members of the press please contact the Press Office).

Please note that the Chair of the meeting has the discretion to withdraw permission and halt any recording if in the Chair's opinion continuing to do so would prejudice proceedings at the meeting. Reasons may include disruption caused by the filming or recording or the nature of the business being conducted.

Anyone filming a meeting is asked to only focus on those actively participating but please also be aware that you may be filmed or recorded whilst attending a council meeting and that attendance at the meeting signifies your agreement to this if it occurs. You are also reminded that the laws of defamation apply and all participants whether speaking, filming or recording are reminded that respect should be shown to all those included in the democratic process.

Persons making recordings are requested not to put undue restrictions on the material produced so that it can be reused and edited by all local people and organisations on a non-commercial basis.

If a meeting passes a motion to exclude the press and public then, in conjunction with this, all rights to record the meeting are removed.

Canterbury City Council  
Military Road  
CANTERBURY  
CT1 1YW

14 February 2024 To: The Members of the CANTERBURY CITY COUNCIL

I hereby summon you to attend A MEETING OF THE CANTERBURY CITY COUNCIL to be held at THE GUILDHALL, ST PETER'S PLACE, CANTERBURY ON THURSDAY 22 FEBRUARY 2024 at 7.00 pm for the transaction of the business described in the following agenda.



Head of Paid Service

## **Agenda**

### **1 Apologies for absence**

### **2 Declaration of interests by councillors or officers**

TO RECEIVE any declarations for the following in so far as they relate to the business for the meeting:

- a. Disclosable Pecuniary Interests
- b. Other Significant Interests (what were previously thought of as non-pecuniary Prejudicial interests)
- c. Voluntary Announcements of Other Interests i.e. relevant memberships

Voluntary Announcements of Other Interests not required to be disclosed as DPI's or OSI's, i.e. announcements made for transparency reasons alone, such as:

- Membership of outside bodies that have made representations on agenda items, or
- Where a Councillor knows a person involved, but does not have a close association with that person,
- Where an item would affect the well-being of a Councillor, relative, close associate, employer, etc but not his/her financial position.

[Note: an effect on the financial position of a Councillor, relative, close associate, employer, etc; OR an application made by a Councillor, relative, close associate, employer, etc, would both probably constitute either an OSI or in some cases a DPI].

### **3 Petitions or questions from the public**

Any member of the public may present a petition or put a question, provided that it is supported by not less than 15 signatories, and provided that notification has been given to Democratic Services by 12.30pm the working day before the meeting.

The Head of Paid Service will report verbally any notifications received within the prescribed time limit regarding any petitions or questions for the meeting.

Other than in accordance with the Council's Petition Scheme, no debate shall take place upon any matter put before the Council by way of petition. No debate shall take place upon any matter put before the Council by way of question except at the discretion of the Lord Mayor, when the Leader or Chair of an appropriate committee may respond.

The Leader or the Chair may agree to a written response being sent on behalf of the Council. The Lord Mayor, at their discretion, may determine the order in which the petitions and / or questions are taken.

It is the usual practice to refer any petitions or questions to the relevant decision making body or, if there is a related item on the agenda, they will be considered at the meeting.

Under the Council's Petition Scheme - Duplicate Petitions will not be accepted (Where more than one petition is received in time for a particular meeting, each supporting the same outcome on one matter, each petition organiser will be treated as an independent organiser, but only the petition organiser of the first petition will be invited to address the relevant meeting).

Repeat Petitions will not be accepted (Where a petition will not normally be considered where they are received within six months of another petition being considered by the authority on the same matter).

The lead petitioner or their nominee will be invited to address the Council about the petitions for a maximum period of 3 minutes.

#### **(a) Submission of petition against the increases in parking charges**

The following petitions have been submitted separately with the intention that they be presented to full Council as a single petition -

- i) I support the petition to call on Canterbury City Council to reverse its proposal to increase parking rates to £2.70 per hour and remove the free evening parking in William St car park

- ii) I support the petition to call on Canterbury City Council to reverse its proposal to increase parking rates at Reculver car park.

TO RECEIVE a petition from Robert Johnson, Lead petitioner.

The petition will be discussed under the budget item which includes parking income forecasts.

#### **4 Announcements**

TO RECEIVE any announcements by the Lord Mayor, the Cabinet Members or the Head of Paid Service.

#### **5 Budget Proposals 2023/24 (up to 10 minutes shall be allowed for each speech)**

- i) The Leader (or nominee) to deliver their priorities speech.
- ii) Group Leader (or nominee) to reply on behalf of the Conservative Group.
- iii) Group Leader (or nominee) to reply on behalf of the Green Party Group.
- iv) The Leader (or nominee) to respond to the speeches under (ii) and (iii) at their discretion .

#### **6 Recommendations to Full Council from Cabinet**

(Councillors must read the relevant reports and appendices of the Cabinet meetings held on 8 February relating to these items. They can be viewed online [here](#))

(a) Pay Policy 2024/24

At its meeting on 8 February 2024 (minute 535) Cabinet RECOMMENDED to Full Council:

That the Pay Policy Statement for 2024/25 be adopted.

(b) Draft Housing Revenue and Capital Budget

At its meeting on 8 February 2024 (minute 541) Cabinet RECOMMENDED to Full Council:

That the draft housing revenue and capital budgets in Appendices A to C be approved.

(c) Financial outlook and draft budget 2024/25

At its meeting on 8 February 2024 (minute 540) Cabinet RECOMMENDED to Full Council:

a) that the Council approves the net revenue budget amount of £20,817,234 for 2024/25;

b) that the Council approves a Council Tax for Band D of £239.91 for 2024/25, an increase of 2.99% when compared with 2023/24;



- c) that the Council approves the Financial Plan for 2024/25 to 2025/26 set out in Appendix 1 as the basis for the budget in each of those years with the projected Council Tax increase being limited to not more than 2.99% each year;
- d) that, in order to deliver a robust budget in future years, the Council continues to identify further opportunities to generate additional savings;
- e) that the fees and charges set out in Appendix 3 be approved;
- f) that the movements in reserves set out in Appendix 4 be approved; and
- g) that authority be given to incur expenditure on schemes brought into the capital programme since the Council meeting in February 2023 for 2024/25 set out in Appendix 2;
- h) that, subject to any alterations necessary, the draft capital programme set out in Appendix 259 2 be adopted as the basis for planning the approved capital budget; and
- i) that authority be given to the Head of Paid Services, Director of People and Place, Director of Strategy and Improvement and Service Directors to incur expenditure and otherwise exercise the powers delegated to them in the Constitution in order to implement the Capital Programme.
- j) that for the cost recovery fees and charges (highlighted in amber in Appendix 3), officers are able to further increase or decrease charges during the year by up to 5% if costs vary, in consultation with the Chair of Cabinet.
- k) that authority is given to the Director of Finance & Procurement, Section 151 Officer to make any necessary amendments to individual budget lines following the final Local Government Finance Settlement in line with existing virement rules that does not alter the net revenue budget requirement

(d) Opportunity to purchase affordable housing near Canterbury

At its meeting on 8 February 2024 (minute 542) Cabinet RECOMMENDED to Full Council:

That Council resolves to approve the purchase of the new affordable homes for the price specified in the confidential annex.

(e) Council Tax 2024/25

At its meeting on 8 February 2024 (minute 536) Cabinet RECOMMENDED to Full Council:

That Council approves the formal resolution set out in Appendix B to set the Council Tax for 2024/25 and that, if any of the precepting authorities change their precept figures before Council on 22 February, the Service Director Finance and Procurement be authorised to present to Council a revised resolution.

(f) Non- Domestic rates (Business rates) Discretionary relief policy

At its meeting on 8 February 2024 (minute 534) Cabinet RECOMMENDED to Full Council:

- a) Approve a revised business rates discretionary relief policy, in two volumes
- b) Approve the automatic award of relief to certain business types
- c) Approve a revised process for making decisions on relief applications in non-automatic award cases, on a case-by-case basis, via a scoring matrix procedure.

**7 Recommendations to the Full Council from Committees and Boards.**

Councillors are asked to view the reports considered by the various committees at the hyperlinks provided before considering the following recommendations to Full Council.

**(a) Draft terms of reference for a community governance review of the parish boundary between the parished areas of Westbere and Hersden**

At its meeting on 29 January 2024 the General Purposes Committee (minute 508) recommended:

1. That a Community Governance Review be conducted, in accordance with the Local Government and Public Involvement in Health Act 2007, and the timetable and terms of reference set out in the appendices to this report be approved;
2. That the Head of Corporate Governance, in consultation with the Head of Paid Service be authorised to take all necessary steps in relation to the review;
3. That the CGR Task and Finish Advisory Group be invited to consider the review and make recommendations to the committee.

(The report that the Committee considered should be viewed [online.](#))

**(b) Updates to the Constitution**

At its meeting on 13 February 2024, the Governance Committee (minute number 553) recommended:

that the proposed changes to the constitution be recommended to Council for approval, as follows -

1. To agree the amendments to Part 5, terms of reference of committees outlined in the report.
2. In relation to the changes proposed to the Audit Committee -
  - i) To include separation between cabinet membership and those charged with oversight on the Audit Committee in the Audit Committee terms of reference.

- ii) To consider whether to invite nominations for an independent member to serve on the Audit Committee.
- 3. To confirm the arrangements in relation to the Planning Sub Committee, and to delegate to the Planning Committee the ability to devolve the monitoring of conditions on other major applications, as necessary, to the Planning Sub Committee.
- 4. To remove the Herne Bay Residents Association from the list of amenity groups with a reserved speaking slot at the Planning Committee.
- 5. To amend the call-in procedures to allow 15 clear working days from receipt of a valid call-in to convene a meeting of the Scrutiny Sub Committee.
- 6. i) That the webcasting and hybrid technology is piloted at Cabinet and then rolled out to Council and other committee meetings when we are confident with the use and reliability of the technology.  
ii) That the hybrid meeting protocol set out in Appendix D is adopted.
- 7. That the changes recommended to Article 12 (Statutory officer responsibilities) and Part 8.1 (Scheme of delegation from council to officers) outlined in the report are approved.
- 8. To amend the Financial Procedure Rules as set out in the report.

(The report that the Committee considered should be viewed [online.](#))

### **(c ) Councillor Interest Governance Review Recommendations**

**Please note that there is a separate report to Council to accompany the referrals made by the Audit, Standards and Governance Committees.**

At its meeting on 13 February 2024, the Governance Committee (minute number 554) recommended :

That delegated authority be given to the Monitoring Officer, in consultation with the Head of Paid Service, to:

- a) amend the Members Code of Conduct to include the requirement for Members to register all directorships as Other Registrable Interests, whether or not they include a pecuniary interest;
- b) make further changes to the constitution that relate to the proposed amendments to the Members' Code of Conduct, including for example, changes to procedure rules in terms of when members with a DPI and OSI may speak at a meeting to mirror the addition of Other Registrable Interests and in relation to sensitive interests;
- c) amend the Arrangements for dealing with Councillor Conduct Complaints to require the Monitoring Officer to refer a matter to the police where there is a potential criminal offence regarding the failure by a Councillor **\*or Former Councillor** to appropriately disclose a Disclosable Pecuniary Interest (Localism Act 2011).

\* In relation to recommendation (c), the Standards Committee recommended the inclusion of the words 'or Former Councillor' after the word 'Councillor'. This was

supported by the Governance Committee and is reflected in the recommendation above. Full details of the Standards Committee minutes can be found elsewhere in the council agenda.

(The report to the Governance Committee can be viewed [online](#) here, together with the [supplement](#))

## **8 Councillors questions**

To answer any questions from Councillors under Rule 10 of the Council Procedure Rules.

Details of any questions received will be reported at the meeting.

(Note: There is a time limit of one minute for asking a question and three minutes for its answer, with supplementary questions being allowed, with a total of 30 minutes for all questions).

## **9 Notices of Motion**

### a) Monitoring of S106 agreements

Proposed by Councillor Carnac  
Seconded by Howes.

This Council believes that residents should receive the infrastructure and amenities they are promised when they buy a new home and that developers and this Council should be held accountable for their legal obligations within S106 agreements.

This Council will produce a quarterly report detailing performance against financial, programme and other obligations of all parties within S106 agreements of which this Council is a party. The report will be issued to all members of this council.

Increasing transparency on performance against commitments will provide confidence to communities that promises will be delivered on.

(The Lord Mayor has been advised that this motion should be referred to the Cabinet without debate. Where a matter is referred to Cabinet, the Lord Mayor will permit the Leader or nominated Cabinet member to provide an initial response to the Motion. No further debate will be allowed.)

## **10 Changes to memberships of committees and boards and notification of changes to lead councillor roles**

TO ACCEPT the nomination(s) of the political group leaders.

## **11 Minutes**

TO CONFIRM as a true record the minutes of the meeting of the Council held on 4 January 2024.

(a) Council - Thursday, 4 January 2024 (Pages 55 to 69)

## **12 To receive the following minutes of the meetings specified and to receive questions and answers on any of the minutes**

(Note: By virtue of Article 17.03 of the Council Procedure Rules there shall be no amendment to resolved minutes, save on the written advice from the Monitoring Officer and/or the Chief Financial Officer).

- a. Audit Committee - Wednesday 24 January (to follow after publication)
- b. Cabinet - Thursday 8 February (to follow after publication)
- c. General Purposes Committee - 29 January 2024 (Pages 70 to 72)
- d. Governance Committee - 13 February 2024 (to follow after publication)
- e. Licensing Sub Committee - Wednesday 10 January 2024 (Pages 73 to 80)
- f. Overview and Scrutiny Committee - Thursday 25 January 2024 (Pages 81 to 88)
- g. Planning - Tuesday 9 January 2024 (Pages 89 to 93)
- h. Standards Committee - Wednesday 7 February 2024 (Pages 94 to 97)
- i. Whitstable Harbour Board - Friday 19 January 2024 (Pages 98 to 101)

## **13 Programme of meetings for 2024/25** (Pages 102 to 103)

TO CONSIDER the adoption of the draft programme of meetings 2024/25.

## **14 Notices of urgent decisions made by the Head of Paid Service under delegation**

There are no notices of decisions made by the Head of Paid Service under delegation for this meeting.

## **15 Any other urgent business to be dealt with on the night**

Council  
22 February 2024

**Subject: Councillor Interest Governance Review Recommendations**

**Director and Head of Service:**

Tricia Marshall - Director Corporate Services

Jan Guyler - Head of Legal Services and Monitoring Officer

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**Officer:**

Jan Guyler - Head of Legal Services and Monitoring Officer

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**Cabinet Member:**

Mike Sole

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**Key or Non Key decision:** Non Key

**Decision Issues:**

These matters are within the authority of full Council.

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**Is any of the information exempt from publication:**

This report is open to the public.

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**CCC ward(s):** All

**Summary and purpose of the report:**

**To consider proposed implementation of recommendations made by the Councillor Interest Governance Review, Audit Committee, Standards Committee and Governance Committee.**

**To Resolve**

**That delegated authority be given to the Monitoring Officer, in consultation with the Head of Paid Service, to:**

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- a) **amend the Members Code of Conduct to include the requirement for Members to register all directorships as Other Registrable Interests, whether or not they include a pecuniary interest;**
- b) **make further changes to the constitution that relate to the proposed amendments to the Members' Code of Conduct, including for example, changes to procedure rules in terms of when members with a DPI and OSI may speak at a meeting to mirror the addition of Other Registrable Interests and in relation to**

**sensitive interests;**

- c) amend the Arrangements for dealing with Councillor Conduct Complaints to require the Monitoring Officer to refer a matter to the police where there is a potential criminal offence regarding the failure by a Councillor or former Councillor to appropriately disclose a Disclosable Pecuniary Interest.**
- 

### **Next stage in process:**

Should full Council approve the proposed amendments to the Constitution and provide delegated authority to the Monitoring Officer to make those proposed amendments, the Monitoring Officer will prepare draft proposed amendments to the constitution which will then be referred to the Head of Paid Service.

The new forms/process note were noted by the Audit, Standards and Governance Committee. The Governance Committee requested a further amendment to the declaration in the Call for Sites Submission form. The Monitoring Officer will liaise with planning officers to update this form to include the need for a declaration from members / officers/ relations of where they have a directorship in a company which owns shares in land being put forward. This is an operational task and the form will be reconsidered by Management Team.

Following the recommendation from the Audit Committee there will be a report to the Cabinet to consider whether an external investigation should be carried out.

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## **1. Introduction**

There has been considerable public interest in a Private Eye article about the inclusion of a site owned by councillors in the draft local plan and allegations that planning permission had been granted for that site, all without appropriate levels of transparency. This prompted CCC to ask the East Kent Audit Partnership (EKAP) to undertake an investigation to review the adequacy and effectiveness of governance arrangements for potential parcels of land owned by officers or members to be considered for inclusion in the Local Plan. EKAP's work did not include an investigation regarding the conduct of Councillors that would normally be carried out by the Monitoring Officer in relation to Members' Code of Conduct complaint.

## **2. Detail**

The EKAP Governance Review report and covering report from the Audit Committee on 24 January 2024 are attached to this report as Appendix 1. The EKAP report makes three recommendations which are set out below together with an overview of how each will be implemented.

The Audit Committee on 24 January 2024 made two further recommendations.,

The Standards Committee made one further recommendation which the Governance Committee considered and recommended to council it be incorporated. These are also set out below. The Minutes of the Audit Committee and Standards Committee are available elsewhere in the agenda.

**EKAP R1**- Consideration should be given to adding a declaration (similar to that on a Planning Application) seeking confirmation whether the landowner is an Officer, Member or is related to one. With a footnote to read, if this applies, to forward the information to the Monitoring Officer. The Monitoring Officer on receipt of such information may then ensure that any decisions made regarding the site are handled in accordance with the constitution, and also will be prepared to provide advice regarding declaring interests, and briefing colleagues as necessary.

**Implementation** - Planning Officers have updated their Call for Sites Submission Form to include a Declaration by Employees or Members where they are putting forward sites to flag for the planners a potential conflict of interest. Planning Officers have also updated their Process Note to require them to record that any Authority Employee / Member declaration has been appropriately reviewed and that the Monitoring Officer has been contacted where necessary. The Form is attached as Appendix 2 and the Process Note as Appendix 3.

The form is used at the information gathering stage of the Strategic Land Availability Assessment (SLAA) process which is prescribed in national planning policy and guidance. No amendments to the constitution are required.

Following a recommendation at the Governance Committee that this declaration should also be completed where a member / officer / relation of is a director of a company that owns shares of land, the Monitoring Officer will liaise with the Planning Officers to update the form accordingly and refer it back to Management Team for consideration/approval as this is an operational matter.

**EKAP R2** - Consideration to adopt (in the next updated version) the wording of the Model Code to include the requirement to declare “a) any unpaid directorships”.

**Implementation** - The blanket requirement to register unpaid directorships as Other Registrable Interests as well as directorships that amount to DPI’s would provide further transparency and avoid the risk of misunderstanding the legislation in terms of what does and does not amount to a DPI.

It is therefore proposed that delegated authority be given to the Monitoring Officer to make the necessary amendments to CCC’s Members’ Code of Conduct to incorporate this requirement. The Members’ Code of Conduct forms part of the Council’s Constitution so will require the approval of full Council to make the proposed changes.

Further amendments to the Constitution are required in the Procedure Rules in terms of when a Member can speak on an agenda item, or not, when they have a Disclosable Pecuniary Interest (DPI), Other Significant Interest (OSI) and reference to Other Registrable interests will need to be added to this section. The Monitoring Officer will undertake a careful check of the Constitution as a whole to identify whether any other sections need to be updated to reflect this change and action the changes accordingly. The Monitoring Officer would usually make track changes to the relevant sections of the constitution but at present



is unable to gain access to the system to action this therefore the delegated authority is sought to enable the Monitoring Officer to make the changes once the system is available.

**EKAP R3** - Consideration given to adopting a 'control sheet' to record all s32 requests received, the evidence reviewed and the outcome of the decision (whether granted or denied) to be retained by the Monitoring Officer.

**Implementation** - It is proposed that the draft form proposed at Appendix 3 of the Councillor Interest Governance Review report be adopted with the addition of a summary of the provisions of S32 of the Localism Act 2011 provided on the second page of the form as a reminder of the legal test and the table setting out the evidence has been made larger to allow information to be added. This form will be completed by the Monitoring Officer and record the Member's reasons for seeking a s32 Sensitive interest, evidence to support the request and the MO's decision. It will then be stored in the Legal Services case management system, which has the facility to significantly limit access to the document so it remains confidential. The Constitution will be checked to identify any necessary amendments to reflect this change and changes made by the MO under this delegation.

**R4 - Proposed by the Audit Committee** - The Arrangements for dealing with Councillor Conduct Complaints, which form part of the Constitution, be amended so that if officers are aware of any possible criminal offences they report it to the police. The Arrangements currently provide that while assessing a councillor conduct complaint it transpires that there is a potential criminal offence in relation to a Councillor's failure to disclose a DPI then the Monitoring Officer should advise the complainant to refer the matter to the police.

**Implementation** - It is proposed that paragraph 4.4 of Annex 1 of the Arrangements be amended to read as follows: "If the complaint identifies potential criminal conduct or potential breach of other regulations by the Subject Councillor **or former Councillor** or any other person, the Monitoring Officer shall report the complaint to the police or other prosecuting or regulatory authority....."

**R5 - Proposed by the Audit Committee** - A recommendation to Cabinet that an external investigation is carried out.

Cabinet will consider this recommendation and if any issues arise for the Standards Committee and Governance Committee the matter will come to a future committee.

**R6 - Proposed by the Standards Committee** - that the Monitoring Officer reports any potential criminal offence to the police in relation to former Councillors as well as serving Councillors or any other person. This has been added in bold to the suggested wording of paragraph 4.4 of Annex 1 of the Arrangements as set out in the "implementation" paragraph regarding R4 above.

### **3. Further updating information**

The Council has been asked to clarify some information provided in the Audit Committee papers. Accordingly the following verbal update was provided by the Monitoring Officer at the Standards Committee meeting on 7 February and the Governance Committee on 13 February and has been included in the Minutes of those Committees, which are available

elsewhere in the agenda:

Christine Parker, who undertook the Governance Review presented to the Audit Committee on 24 January 2024 has asked me to make a correction regarding updated advice she had previously relied on in her report.

The former Councillor's directorship in the company CCH Milton Manor Park Limited does not amount to a Disclosable Pecuniary Interest and did not therefore need to be registered as an interest at the time.

Having reviewed the information available on Companies House and the relevant legislation (Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012/1464) it is noted that in order to be a DPI the company needs to be registered in or own land in Canterbury City Council's area PLUS the Councillor has shares over a set threshold.

In this case the company is registered to an address in Hythe and does not own any land. The shares being over the threshold is not enough in itself to amount to a DPI.

This clarification does not however have any impact on the recommendations made in the Governance Review and the suggested way forward to implement those recommendations set out in the report to the Standards Committee remains as set out in the report.

The EKAP Governance Review report at paragraph 3.2 (penultimate paragraph) states that the company referred to above did not trade nor hold any assets as per the public record.

For the avoidance of doubt the company is and always was a dormant company. It was registered to an address in Hythe and does not, nor did it ever, have a place of business or own any land in the City Council area.

Christine Parker, EKAP, has provided a supplementary report to clarify matters following further legal advice, which is attached as Appendix 4.

We have submitted this report for external legal opinion to ensure there are no other legal issues.

#### **4. Relevant Council policy, strategies or budgetary documents**

Where relevant, these have been referred to within this report.

#### **5. Consultation planned or undertaken**

The issues raised in this report do not require a consultation.

## **6. Options available with reasons for suitability**

Option 1 - To Resolve as set out in page 1.

Option 2 - To amend the recommendations

Option 3 - To reject the recommendations.

## **7. Reasons for supporting option recommended, with risk assessment**

Option 1 is recommended as it provides a resolution for all three recommendations of the EKAP audit, one of the two recommendations made by the Audit Committee and the one recommendation made by the Standards Committee (which was recommended to council by the Governance Committee). The forms are user friendly and provide more clarity and the suggested amendments to the Members' Code of Conduct and other sections of the Constitution will provide greater protection for members as the legislation on directorships as DPs is confusing.

Options 2 and 3 run the risk of not meeting the recommendations from the EKAP report and earlier Committee meetings.

## **8. Implications**

(a) Financial

None identified.

(b) Legal

None identified.

(c) Equalities

None identified.

(d) Environmental including carbon emissions and biodiversity

None identified.

### **Other implications**

Not applicable.

**Contact Officer: Jan Guyler, Head of Legal Services & Monitoring Officer**

**Background documents and appendices**

Appendix 1 - Audit Committee papers (Councillor Interest Governance Review and covering report)

Appendix 2 - New form to be used by Planning Officers when preparing a local plan

Appendix 3 - New Process Note to be used by Planning officers

Appendix 4 - Supplementary report by Christine Parker, EKAP

**Additional document(s) containing information exempt from publication:**

No

Audit Committee  
24 January 2024

**Subject: Governance Review - Local Plan Interests**

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**Director and Head of Service:**

Corporate Services Director and Head of Paid Service - Tricia Marshall

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**Officer:**

Head of Audit - East Kent Audit Partnership

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**Cabinet Member:** not applicable

**Key or Non Key decision:** not applicable

**Decision Issues:**

These matters are within the authority of the Committee

This report is open to the public.

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**CCC ward(s):** not applicable

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**Summary and purpose of the report:**

To report back on a special audit commissioned on governance arrangements around local plan interests.

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**To Note:**

The outcome of this audit report and the related action plan

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**Next stage in process:**

To implement the agreed actions arising from the audit review.

**1. Introduction**

In September a special audit review was commissioned from the East Kent Audit Partnership. The terms of reference for that review were signed off by the political group leaders and were to:

1. Review the processes surrounding the inclusion of the Milton Manor site into the draft Local Plan and whether they complied with the Council's constitution and any other relevant Council procedures or guidance in place at the time;
2. Comment on whether improvements could practically be made to the constitution or any other relevant Council procedures or guidance in order to improve transparency and public confidence in decision making on the Local Plan and sites allocated within it for development that are owned by councillors or officers;
3. Similarly, review the processes around any planning applications and screening/scoping opinion requests relating to this site;

4. Comment on whether improvements could practically be made to the constitution and any other relevant Council procedures or guidance in order to improve transparency and public confidence in consideration of planning applications/opinion requests by councillors or officers; and
5. Comment on the submitted evidence supporting a request for anonymity under s32 of the Localism Act and seek assurance that the decision to grant anonymity was proportionate, consistent and justified on all three occasions. - to include a review of the MO's previous decisions in 2015 and 2019 (- while maintaining confidentiality over the details).

The Audit report for the review is attached as an appendix to this report.

EKAP's work did not include any investigation that would normally be carried out by the Monitoring Officer as a Code of Conduct complaint as that was, appropriately, outside the scope of the audit.

Some questions have been raised about this matter that are outside the scope of the audit review.

In response some information is set out below to assist councillors' understanding of this matter.

## 2. Detail

### **Classification of Milton Manor as a sensitive interest**

1) The two councillors appropriately registered their interest in the property by including it in a Disclosable Pecuniary Interest (DPI) form submitted to the Monitoring Officer.

2) The address of that property was appropriately withheld from the published DPI form in accordance with s32 of the Localism Act 2011 due to the councillors being at risk of threats and intimidation. That is a decision for the Monitoring Officer to make.

Three consecutive Monitoring Officers assessed the risks and considered it appropriate to consider the property address to be a sensitive interest.

The test is whether the Councillors are at risk of threats and intimidation. The planning status of the property is not relevant.

### **Council decision making on the draft local plan**

3) Agents acting on behalf of the councillors put the site forward for the local plan and advised the planners that the site was owned by the two (now former) councillors.

4) The draft local plan was put together by CCC officers who are professional planning officers. The Leader had no active role in selecting one site above another.

5) There is no legal requirement to set up a cross party working group to develop a local plan; that is a matter of choice and the previous leader chose not to establish such a group.

6) The only decision taken by the Council in relation to the draft local plan was the decision of Cabinet on 19 October 2022 to put the draft local plan out for public consultation. LJR and MJR did not attend or take any part in that Cabinet meeting.

7) The meeting of full council held on 5 January 2023 received the minutes of the Cabinet meeting held on 19 October 2022. LJR and MJR were present at that council meeting. The Cabinet minutes had already been resolved by Cabinet at its meeting on 9 November 2022. Minutes of other meetings are “received” at Full Council only for the purpose of asking questions or making comments – the minutes have already been “approved” by the Meeting to which they relate as being a correct record of proceedings.

There was no discussion on the minutes so in the absence of any dissent they were received by general assent. As there was no discussion regarding the draft local plan at the full council meeting there was no need for LJR and MJR to disclose an interest in the property or abstain from voting by general assent.

8) There is no prohibition on councillors investing in property. If they do, they need to ensure that they do not gain an advantage from their position as councillor.

9) In light of the above declarations and no participation in council decision making there is no evidence that LJR and MJR gained an advantage due to their Councillor positions.

#### **Handling complaints about councillor conduct**

10) Any complaints about individual councillor conduct are referred to the Monitoring Officer for investigation.

11) The Council's arrangements for dealing with Councillor Conduct Complaints requires that any complaint regarding former councillors shall fail the first screening test (paragraph 1.2 (g) of Annex 1). This would apply to any conduct complaint about the former councillors Jones Roberts and Fitter-Harding.

If that was not the case, on the information available to date, the complaint would most likely fail the second screening test, the local assessment criteria test, on the basis that the complaint has been the subject of an investigation or other action and there is nothing more to be gained by further action being taken (paragraph 1.5(i), Annex 1).

12) In relation to whether LJR and MJR were “friends” of the former Leader, BFH, rather than merely colleagues as Councillors, that would be for BFH to consider at the Cabinet meeting stage and whether that amounted to an Other Significant Interest (OSI) which should have been declared at the Cabinet Meeting.

However, even if there was an OSI, the nature of the decision merely to go out to consultation would be unlikely to be so significant that it is likely to prejudice his

judgement of the public interest. The decision as to whether to include the site in the next draft local plan is yet to be considered and will require further planning decisions regarding that specific site going forward and would not therefore amount to an OSI.

13) Any allegation regarding a Councillor's failure to register/declare their pecuniary interests is a matter for the police to investigate. I understand that this has been reported to the police and it would not be appropriate for me to comment further.

### **Audit recommendations**

The report contains three recommendations for enhancements to current arrangements for declaring interests. All three recommendations are being actioned by officers and they will be taken to relevant committees where council approval is required for their implementation.

### **3. Relevant Council policy, strategies or budgetary documents**

None except those referred to in the appendix.

### **4. Consultation planned or undertaken**

For noting only, no consultation required.

### **5. Options available with reasons for suitability**

For noting only.

### **6. Reasons for supporting option recommended, with risk assessment**

For noting only.

### **7. Implications**

None identified.

(a) Financial

None

(b) Legal

None



(c) Equalities

None

(d) Environmental including carbon emissions and biodiversity

None

**Contact Officer: Tricia Marshall, Corporate Services Director and Head of Paid Service**

**Background documents and appendices**

Appendix - EKAP report Governance Review - Local Plan Interests

**Additional document(s) containing information exempt from publication:**

No

## Governance Review - Local Plan Interests

### 1.0 Information

Summary of Scope:	To review the adequacy and effectiveness of governance arrangements for potential parcels of land owned by officers or members to be considered for inclusion in the Local Plan.  EKAP's work will not include any investigation that would normally be carried out by the Monitoring Officer as a Code of Conduct complaint.
Commissioning Manager:	Head of Paid Service
Date Commenced:	19.09.23
Date Concluded:	23.11.23

### 2.0 Schedule of Meetings Held

<b>Capacity</b> (employee, witness, manager)	<b>Date of meeting</b>	<b>Scope of Meeting</b>
Manager	20.09.23	Outline the processes involved in compiling the Draft Local Plan
Manager	22.09.23	Outline Constitution and Decision Making processes
Manager	22.09.23	Explain s.32 Localism Act processes and the three decisions made
Manager	09.10.23	Outline the changes to the New Local Plan and new Member Working Party arrangements
Manager	24.10.23	Local Plan process and political decisions made
Witness	27.10.23	To receive evidence of allegations of wrongdoing and how that impacts the scope of this review
Manager	01.11.23	Interim update meeting, to cover several outstanding questions

### 3.0 Findings

There has been considerable public interest in a Private Eye article about the inclusion of a site owned by councillors in the draft Local Plan and allegations that planning permission had been granted for that site, all without appropriate levels of transparency. As a result, EKAP is being asked to:

#### **3.1 Review the processes surrounding the inclusion of the Milton Manor site into the draft Local Plan and whether they complied with the Council's constitution and any other relevant Council procedures or guidance in place at the time;**

Meetings were held with relevant staff to gain an understanding of the overall process and the adopted procedures. The relevant requirements for local authorities is set out in [Section 3](#) of the [National Planning Policy Framework](#) (NPPF) which requires that each local planning authority should prepare a Local Plan for its area.

The Council's Constitution provides the framework for the rules for all decision making and delegations. In relation to the Local Plan process the stages for decision making were all in accordance with Council procedure. The key decision making points are listed on the Timeline at Appendix 1.

The call for sites is not limited to a certain stage in preparing a plan as nominations for land to be evaluated and considered may be received at any time. However an early step in the formal process is the advertisement to the 'world at large' for the call for sites. The digital form used by the Council for submissions to be made does not require a declaration to be made regarding whether the landowner of the submitted site is either an officer or member of the Council, or is related to one. This fact was benchmarked with other East Kent councils resulting with none of the councils requiring such a declaration at this stage. It was determined, this is not a requirement at a scoping stage or screening opinion or pre-planning advice stage either. In fact, of course any of these submissions may be made by an agent or developer at any time without the landowner yet 'being on board' or even aware.

In this specific case, the agent wrote (an email 15.07.20) separately to the planning team advising them of the ownership details of the land, with the clear intention to declare the ownership, stating: *"Whilst the form did not enquire as to the nature of the landowners and whether they have a connection to the Council, both Councillors are keen to ensure that their land ownership is known by officers to ensure disclosure"*. There was however a missed opportunity, as the information was not passed to the Monitoring Officer at that time.

#### Recommendation 1

Consideration should be given to adding a declaration (similar to that on a Planning Application) seeking confirmation whether the landowner is an Officer, Member or is related to one, adding a box for agents / developers with the option stating 'Not Known'. With a footnote to read, if this applies, to forward the information to the Monitoring Officer. The Monitoring Officer on receipt of such information may then ensure that any decisions made regarding the site are handled in accordance with the Constitution, and also will be prepared to provide advice regarding declaring interests, and briefing colleagues as necessary.

**3.2 Comment on whether improvements could practically be made to the Constitution or any other relevant Council procedures or guidance in order to improve transparency and public confidence in decision making on the Local Plan and sites allocated within it for development that are owned by councillors or officers;**

There is National Guidance for Councillors in respect of interests and the expectation of complying with the Seven Principles of Public Life, this includes a paragraph which reads;

***“What are pecuniary interests?”***

*A person’s pecuniary interests are their business interests (for example their employment, trade, profession, contracts, or any company with which they are associated) and wider financial interests they might have (for example trust funds, investments, and assets including land and property)”.*

This National Guidance also provides a link to a Model Code of Conduct for Members, and informs the reader that *“Within the requirements of the national rules it is for your council or authority to determine what is to be entered in its register of members’ interests”.*

The Council’s Code sets out clearly what is to be declared in the register of interests, and this is shown at Appendix 2. The only relevant difference identified as part of this review, between CCC’s current Members’ Code of Conduct, and the Model Code is at appendix B Table 2: Other Registerable Interests, where the Model Code states;

*“You must register as an Other Registerable Interest : a) any unpaid directorships”*

The remainder of the table is the same in both (see Appendix 2).

The Council’s Members’ Code of Conduct is a collaborative code discussed, and agreed via the Kent Secretaries network then adopted by each of the local authorities. The Monitoring Officer has confirmed that *“once the LGA Model Code was published the Kent Secretaries group set up an officer’s working group to consider the Model Code and propose an amended Kent Code accordingly. A lot of the Model code was added to the Kent Code, the bits that were not incorporated were ones that exceeded what legislation requires”.*

The circumstances of this case include an allegation that a company directorship was incorrectly omitted from the Register of Interests. However, a review of Companies House records confirmed that the specific circumstances were such that it did not need to be declared as the company did not operate *“for profit or gain”* - it did not trade nor hold any assets per the public record. After looking more closely at the provision under Part 8 however, it would appear that part b) (ii) does apply to this case as the shares held exceed 1/100th of the total issued share capital in CCH Milton Manor Park Ltd. Meaning that this should have been declared under 8 Part G. Whether this is a breach of the Localism Act 2011 or not, is outside the scope of this review .

If the Council were to adopt part a) above from the Model Code, into its own Members’ Code this would prevent any ‘uncertainty’ in future, as in future all positions of office would need to be declared.

Recommendation 2

Consideration to adopt (in the next updated version) the wording of the Model Code to include the requirement to declare “a) any unpaid directorships”.

Alternatively to be discussed at Kent Secretaries regarding some additional wording added after the definition of Other Significant Interests (OSI's) in the Members' Code to provide some examples of OSI's which could include highlighting that members need to be alive to any directorship, even if they don't receive financial gain.

**3.3 Similarly, review the processes around any planning applications and screening/scoping opinion requests relating to this site;**

The timeline at Appendix 1 records interactions with the Council by the agents acting for the landowners in respect of screening, scoping, pre planning advice, planning interactions; also summarised as follows:-

- 14.12.22 Screening report
- 02.03.23 Pre planning advice
- 26.05.23 EIA scoping report
- 20.09.23 Outline Planning Application

None of the first three stages require a declaration regarding whether the application is on behalf of a member or officer of the Council (or a close associate of one), by the time the Planning Application was submitted (September 2023), (which does require such a declaration) the landowners were no longer serving councillors and thus did not apply.

No recommendation for improvement needed, but cross reference this to the spirit of Recommendation 1.

**3.4 Comment on whether improvements could practically be made to the constitution and any other relevant Council procedures or guidance in order to improve transparency and public confidence in consideration of planning applications/opinion requests by councillors or officers;**

The Constitution clearly sets out at Appendix E - its Planning Code of Practice. Paragraph 6 of which covers “development proposals submitted by councillors, officers and Council development”. There are no enhancements required at this time, the protocol and standing order is very clear.

<https://democracy.canterbury.gov.uk/documents/s117324/Appendix%20E%20-%20Planning%20Local%20Code%20of%20Good%20Practice.pdf>

No recommendation for improvement needed, but cross reference this to the spirit of Recommendation 1.

**3.5 Comment on the submitted evidence supporting a request for anonymity under s32 of the Localism Act and seek assurance that the decision to grant anonymity was proportionate, consistent and justified on all three occasions. - to include a review of the MO's previous decisions in 2015 and 2019 (- while maintaining confidentiality over the details).**

The Monitoring Officer (MO) explained that the decision to permit anonymity under s.32 of the Localism Act had been taken three times, as follows;

- 2015 - Monitoring Officer Sarah B
- 2019 - Monitoring Officer Stephen B
- 2023 - Monitoring Officer JG

There was no documented file retained covering the evidence considered in 2015 or 2019 to agree to the request under s.32. Such a request remains in place until circumstances change and the Councillor updates that it may be removed, or is removed when the Councillor is no longer in office. It does not automatically expire or require annual review. The 2023 assessment was made on 07/02/2023 and was considered and granted by the Monitoring Officer the same day. The published interests therefore indicated that five properties had been disclosed to the MO, and that these were to remain undisclosed under s32. It is not for this review to challenge the decision of the Monitoring Officer, the 2023 decision is recorded and the outcome was shared with the senior governance colleagues via email.

The local news covered an article 21.09.23, claiming to be quoting the individual concerned, and the article expresses some detail regarding the personal safety of the individual.

<https://www.kentonline.co.uk/canterbury/news/nightclub-owner-s-manor-house-could-become-100-home-estate-293784/>

*“I am nervous about people knowing where I live because of what I do for a living”. “People know when we’re at work - our cars are parked outside the venue. They know when the house hasn’t got us in it. Our kids are here with a babysitter, and it scares the s\*\*\* out of me, to the point where sometimes I’ll be at work and I have to come home.” Mrs Jones-Roberts says over the years she has been the subject of intimidation and even “murder threats” while at work. “There are nasty, violent people about,” she said.”*

### Recommendation 3

Consideration given to adopting a ‘control sheet’ to record all s.32 requests received, the evidence reviewed and the outcome of the decision (whether granted or denied) to be retained by the Monitoring Officer (draft proposed at Appendix 3).

#### 4.0 Conclusion leading to Recommendations

- 4.1 Agreed processes for including the site into the Draft Local Plan were followed, an opportunity to enhance public confidence in compiling the Local Plan was identified in **Recommendation 1**.
- 4.2 The majority of required declarations of interest were made, but a directorship in a non trading company with shares of £25 value was not declared. To remove any uncertainty, consideration could be given to adopting the wording of the Model Code into the next version of the Council's Members' Code of Conduct to include as Other Registerable Interests "*any company with which they are associated including any unpaid directorships*", as set out in **Recommendation 2**.
- 4.3 Agreed processes for planning applications and screening/scoping opinion requests relating to this site were followed, an opportunity to enhance public confidence was identified in **Recommendation 1**.
- 4.4 Potential improvements to the Constitution or any other relevant Council procedures or guidance in order to improve transparency and public confidence in consideration of planning applications/opinion requests by councillors or officers were not identified; but as in 4.1 and 4.3 above one opportunity to ensure these circumstances are not ever repeated is set out in **Recommendation 1**.
- 4.5 The use of s.32 of the Localism Act was considered by three different Monitoring Officers, the records for which may be standardised and retained through the use of a control sheet as suggested in **Recommendation 3**.

#### 5.0 Summary of Appendices Attached

**Appendix 1** - Timeline

**Appendix 2** - Required Declarations from CCC Members' Code of Conduct

**Appendix 3** - Suggested Control Sheet for Recording s.32 Requests and their outcome

**Appendix 4** - Action Plan of Recommendations

## Timeline

  = Committee Process

Date	Relevant Event / Action	Outcome
08.05.19	New Member declarations to MO following Elections	5 private addresses correctly declared. Withheld from the public register under s.32. Directorships in several companies included but CCH MMP Ltd. was not declared. 25% shareholder after resignation until it was dissolved 14.09.21
30.06.20	Call for Sites submission submitted electronically to the Council <a href="#">Call For Sites 30.06.20 APZNA~1.PDF</a>	Iceni Projects agents submitted the form which covers more than this one site.
15.07.20	Email from Agents to Planning re Call For Sites alerting to MM being in the name of CCH Build Solutions Ltd. being owned by the Cllrs.	Received by the Planners undertaking the scoring for the land submitted as part of the call for sites assessment process. (ST advised the Planners to advise the Cllrs to update the MO- it was not passed on to the MO by officers).
<span style="background-color: #800080; color: white; padding: 2px;">27.05.21</span>	Policy Committee received the report: <i>Canterbury District Local Plan to 2040 - options consultation</i> - see minute 13 "The consultation did not include specific sites. However, at the next stage, when the draft Local Plan was published, a draft selection of sites would be included for public consultation." <a href="https://democracy.canterbury.gov.uk/documents/g12630/Printed%20minutes%2027th-May-2021%2019.00%20Policy%20Committee%20-%20Decommissioned%2019522.pdf?T=1">https://democracy.canterbury.gov.uk/documents/g12630/Printed%20minutes%2027th-May-2021%2019.00%20Policy%20Committee%20-%20Decommissioned%2019522.pdf?T=1</a>	Cllr LJ-R was in attendance declared a financial interest in one of the sites submitted in the call for sites in the Local Plan to 2040, and abstained from voting; as recorded in the minutes.
<span style="background-color: #800080; color: white; padding: 2px;">19.10.22</span>	Cabinet received the report: <i>Draft Local Plan - seeking approval to consult</i> <a href="https://democracy.canterbury.gov.uk/documents/s119631/Minutes.pdf">https://democracy.canterbury.gov.uk/documents/s119631/Minutes.pdf</a>	It was resolved to approve to enter into consultation under regulation 18. Cllr L J-R was not in



		attendance.
14.12.22	<p>Overview &amp; Scrutiny received the report: <i>Consultation on the draft Canterbury District Local Plan To 2045 and associated strategies and plans</i></p> <p><a href="https://democracy.canterbury.gov.uk/ielistDocuments.aspx?CId=756&amp;MId=13306&amp;Ver=4">https://democracy.canterbury.gov.uk/ielistDocuments.aspx?CId=756&amp;MId=13306&amp;Ver=4</a></p>	<p>Opportunity for members of the Overview and Scrutiny Committee to gain a greater understanding of the key strategies within the draft Canterbury District Local Plan comments would be fed into the consultation process which closed 16 January 23. Cllr L J-R was not in attendance.</p>
14.12.22	<p>EIA Screening Report</p> <p><a href="https://pa.canterbury.gov.uk/online-applications/applicationDetails.do?keyVal=RN4TDPEA05C00&amp;activeTab=summary">https://pa.canterbury.gov.uk/online-applications/applicationDetails.do?keyVal=RN4TDPEA05C00&amp;activeTab=summary</a></p>	<p>Decided - Development could have significant effects on the environment, thus an EIA is required.</p>
05.01.23	<p>Council Agenda Item 14: <i>To receive the following minutes of the meetings specified and to receive questions and answers on any of the minutes</i></p> <p><a href="https://democracy.canterbury.gov.uk/ielistDocuments.aspx?CId=138&amp;MId=13110&amp;Ver=4">https://democracy.canterbury.gov.uk/ielistDocuments.aspx?CId=138&amp;MId=13110&amp;Ver=4</a></p>	<p>Received by general assent the minutes of Cabinet 19.10.22 (which resolved to go out to consultation on the Draft Local Plan). Cllr L J-R was in attendance. As there was no debate or vote, there was no requirement to declare any interest in the Cabinet minutes.</p>
07.02.23	<p>The Monitoring Officer reconsidered and decided on a request under s.32 of the Localism Act.</p>	<p>The home address of both Cllrs L J-R and M J-R was not published on the register of interests.</p>
02.03.23	<p>Pre- Planning Advice was issued, the standard fee of £5,304 was paid.</p>	<p>Written Planning Advice issued regarding the site.</p>
26.05.23	<p>EIA Scoping Report</p> <p><a href="https://pa.canterbury.gov.uk/online-applications/applicationDetails.do?keyVal=RV9W8UEA01U00&amp;activeTab=summary">https://pa.canterbury.gov.uk/online-applications/applicationDetails.do?keyVal=RV9W8UEA01U00&amp;activeTab=summary</a></p>	<p>Decided - No Objection</p>
20.09.23	<p>Outline Planning Application ref; CA/23/01766 received by the Council</p> <p><a href="https://pa.canterbury.gov.uk/online-applications/applicationDetails.do?keyVal=S19Y7MEA04Q00&amp;activeTab=summary">https://pa.canterbury.gov.uk/online-applications/applicationDetails.do?keyVal=S19Y7MEA04Q00&amp;activeTab=summary</a></p>	<p>Validated and commenced processing. The applicants are no longer Councillors.</p>



## Appendix 2

**Extract from the Constitution - Members' Code of Conduct**

DISCLOSABLE PECUNIARY INTERESTS, AS PRESCRIBED BY REGULATIONS, ARE AS FOLLOWS:

Interest	Description
Employment, office, trade, profession or vocation	Any employment, office, trade, profession, or vocation carried on for profit or gain.
Sponsorship	Any payment or provision of any other financial benefit (other than from the relevant authority) made or provided within the relevant period in respect of any expenses incurred by M in carrying out duties as a councillor, or towards the election expenses of M. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.
Contracts	Any contract which is made between the relevant person (or a body in which the relevant person has a beneficial interest) and the relevant authority: a) under which goods or services are to be provided or works are to be executed; and b) which has not been fully discharged.
Land	Any beneficial interest in land which is within the area of the relevant authority.
Licences	Any licence (alone or jointly with others) to occupy land in the area of the relevant authority for a month or longer.
Corporate Tenancies	Any tenancy where (to M's knowledge): a) the landlord is the relevant authority; and b) the tenant is a body in which the relevant person has a beneficial interest.

Securities	Any beneficial interest in securities of a body where:  a) that body (to M's knowledge) has a place of business or land in the area of the relevant authority; and  b) either:  (i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or  (ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the relevant person has a beneficial interest exceeds one hundredth of the total issued share capital of that class.
------------	---

The National Model Code goes further and also includes;

**Table 2: Other Registrable Interests**

You must register as an Other Registrable Interest :  a) any unpaid directorships b) any body of which you are a member or are in a position of general control or management and to which you are nominated or appointed by your authority c) any body (i) exercising functions of a public nature (ii) directed to charitable purposes or (iii) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union)of which you are a member or in a position of general control or management
---

**DRAFT s.32 Control Sheet**

Date Request Received:

Submitted By:

Date Decision Made and Issued:

Decision Made By:

Test	Consideration / Evidence	Outcome
Necessity/ Justification	list any evidence submitted / link to emails etc.	Met / Not Met
Proportionality		Met / Not Met
Searches Made	Internet searches / electoral role other sources checked to test what is already easily available to the 'world at large'.	Met / Not Met

The request for s.32 is **Granted** /or **Denied** (delete as appropriate)

Signed:

Dated:

Appendix 4

SUMMARY OF RECOMMENDATIONS AND ACTION PLAN

Priority	Main Control Risk	Audit Recommendation to mitigate risk	Proposed Action or Action Taken	Proposed Completion Date & Responsibility
High	A lack of shared / or siloed knowledge. may impair governance over Member's interests and the implications.	1. Consideration should be given to adding a declaration (similar to that on a Planning Application) seeking confirmation whether the landowner is an Officer, Member or is related to one, adding a box for agents / developers with the option stating 'Not Known'. With a footnote to read, if this applies, to forward the information to the Monitoring Officer. The Monitoring Officer on receipt of such information may then ensure that any decisions made regarding the site are handled in accordance with the Constitution, and also will be prepared to provide advice regarding declaring interests, and briefing colleagues as necessary.	Agreed	May 2024 Monitoring Officer
High	Councillors may overlook DPLs in error.	2. Consideration to agree to adopt (in the next version) the wording of the Model Code to include the requirement to declare "a) any unpaid directorships".  Alternatively, to be discussed at Kent Secretaries, regarding some additional wording added after the definition of Other Significant Interests (OSI's) in the Members' Code to provide some examples of OSI's which could include highlighting that members need to be alive to any directorship, even if they don't receive financial gain.	Agreed	May 2024 Monitoring Officer
High	Lack of management trail leading to ineffective handover/ evidence.	3. Consideration given to adopting a 'control sheet' to record all s.32 requests received, the evidence reviewed and the outcome of the decision (whether granted or denied) to be retained by the Monitoring Officer (draft proposed at Appendix 3).	Agreed	May 2024 Monitoring Officer



## Canterbury District Call for Sites Submission Form

You will need to provide:

- Details about who you are;
- A location plan;
- Information about the availability and ownership of the site; and
- Information about what you think it could be developed for

### About you

*The contact details provided will be used as the main contact for the site submission.*

*If you are completing this form on behalf of a client or an organisation, you will also be required to provide their details later in the form.*

*All questions with an asterix (\*) are required fields.*

First name\*

.....

Last name\*

.....

Email\*

*Please enter a valid email address*

.....

Phone number

.....

Address line 1\*

.....

.....  
Town\*

.....  
Postcode\*

.....  
In what capacity are you completing this form?\*

Personal/An individual

On behalf of a client

An organisation

**Client address**

If applicable please provide us with the address of the organisation that is submitting a site.

Client/Organisation name\*

.....  
Address line 1\*

.....  
Town\*

.....  
Postcode\*



**Authority Employee / Member Declaration**

It is an important principle of decision-making that the process is open and transparent. For the purposes of this question, "related to" means related, by birth or otherwise, closely enough that a fair-minded and informed observer, having considered the facts, would conclude that there was bias on the part of the decision-maker in the local planning authority.

Do any of the following statements apply to you and/or client and/or landowner?  
With respect to the authority, I am: (a) a member of staff (b) an elected member (c) related to a member of staff (d) related to an elected member

YES / NO

If Yes, please provide details of their name, role and how you are related to them.

.....

## About the site

### Site details

Site name\*

.....

Site address\*

.....

Site postcode

.....

**Please attach a site location plan to the end of the form\***

Site area (Hectares)

.....

Please choose the option that best describes the site from the options below\*

Previously developed land

Not previously developed land

Mixed

Don't know

What is the current land use?\*

*If vacant, what was the last known use?*

.....

### Site ownership

What is your interest in the site?\*

Landowner

Parish Council

Agent

Developer

Housing Association

Other

If Other please specify

Are you, or your client, Sole or Part owner of the site?\*

Sole owner

Part owner

Not land owner

Other

Is the site being marketed?\*

Yes

No

If Yes please provide details

.....

.....

.....

.....

.....

Are there any legal restrictions such as covenants or ransom areas?\*

Yes

No

If Yes please provide details

.....

.....

.....

.....

.....

**Planning History**

Has the site previously been submitted to the council in a previous Call for Sites?\*

Yes

No

Please specify the relevant Site Reference number if known\*

.....

Are there any previous planning consents or applications? Please provide details of any previous planning consents or refusals\*

.....



.....  
Are there any trees on your site subject to a Tree Preservation Order?\*

Yes

No

If Yes please provide details

.....  
.....  
.....  
.....  
.....

Is vehicular access to the site possible?\*

Yes

No

If Yes please provide details

.....  
.....  
.....  
.....  
.....

Does the site front a road or highway?\*

Yes

No

If Yes please provide details

.....  
.....  
.....  
.....  
.....

Is the site in close proximity to a footpath or cyclepath?\*

Yes

No

If Yes please provide details

.....

.....

.....

.....

.....

Is the site directly accessible by foot or bicycle?\*

Yes

No

If Yes please provide details

.....

.....

.....

.....

.....

Is the site accessible by public transport?\*

Yes

No

If Yes please provide details

.....

.....

.....

.....

.....

Is mains water available to the site?\*

Yes

No

Don't know

Is mains wastewater available to the site?\*

Yes

No

Don't know

Is mains electricity available to the site?\*

Yes

No

Don't know

Is mains gas available to the site?\*

Yes

No

Don't know

Is broadband internet available to the site?\*

Yes

No

Don't know

Is mobile network available to the site?\*

Yes

No

Don't know

If Yes please provide details

.....

.....

.....

.....

.....

Is the site affected by or in close proximity to uses which may impact how the site might be developed, such as power lines, pylons, railway lines, major highways or industrial and other noisy uses?\*

Yes

No

If Yes please provide details

.....

.....

.....

.....

.....

Please tell us anything else about the location of the site and the physical features?  
E.g. topography, severe slope, vegetation cover etc.

.....

.....

.....

.....

.....

**Your proposal**

*The following questions are an opportunity for you to tell us what you think the site is suitable for.*

Please give details of the proposal\*  
*Please provide a high-level description of your proposal*

.....

.....

.....

.....

.....

What is your proposed use?\*

*You can select more than one choice*

- |                                |  |
|--------------------------------|--|
| Housing                        | Affordable Housing                                 |
| Student Accommodation          | Older Persons Housing (C2 and wider)               |
| Employment                     | Research and Development/sciences                  |
| Offices                        | Light Industrial                                   |
| Storage and Distribution       | General Industry                                   |
| Retail                         | Sports and Leisure (incl Hotels)                   |
| Gypsy/Traveller Pitch          | Community and Cultural facilities (incl Education) |
| Wildlife/Biodiversity Habitats | Other  |

If other please provide details



.....

If applicable, what is the estimated capacity of floorspace (sqm)?

.....

If applicable, what is the estimated number of dwellings?

.....

What type of dwellings are proposed?

*You can select more than one option*

Housing (including bungalows)

Flats/apartments

Student bed spaces/studios

**Affordable Housing**

If the site is 11 dwellings or over can the site provide 30% affordable housing?\*

Yes

No

Not applicable

What tenure are you proposing?\*

*You can select more than one option*

Social rent

Affordable rent

Shared ownership

Other intermediate product

Don't know

**Deliverability**

What are the timescales for the delivery of your proposal?\*

0 - 5 years

6 -10 years

11 years+

Please explain why you think the site can be developed within the selected timescale\*

.....

.....

.....

.....

.....

**Supporting evidence**

Which of the following choices apply to your proposal\*

*We have set out the supporting evidence required depending on the size of the site in our technical guidance. We recommend you follow this guidance.*

LESS than 10 dwellings

MORE than 11 dwellings

MORE than 100 dwellings

Over 0.25 hectares non-residential use

Not yet defined

If you are submitting any a Landscape and Visual Impact Assessment please attached this to the end of the form.

If you are submitting any a Transport Assessment or Transport Statement please attached this to the end of the form.

Have discussions with Highways England or KCC Highways taken place?\*

Yes

No

If Yes please provide details

.....

.....

.....

.....

.....

Have any discussions taken place with the Environment Agency?\*

Yes

No

If Yes please provide details

.....

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.....

.....

.....

If you are submitting any a Flood Risk Assessment please attached this to the end of the form.

Have discussions taken place with any utilities providers?\*

Yes

No

If Yes please provide details

.....

.....

.....

.....

.....

### Viability

Are you submitting evidence to support the deliverability of the site?\*

If the site is not previously developed land, can you confirm that the benchmark land value of the site does not exceed £150,000 per gross acre?\*

Yes

No

Don't know

**Please note** - As part of the local plan review, we will expect development proposals to clearly identify how they can achieve land values in line with the local plan review viability work. Benchmark land values for previously developed land will be considered as part of this process.

Are there any known significant abnormal development costs?\*

Yes

No

If Yes please provide details

.....

.....

.....

.....

.....  
Does the site require significant new infrastructure investment to be developed?\*

Yes

No

If Yes please provide details

.....  
.....  
.....  
.....  
.....  
.....

Are there any issues that may influence the economic viability, delivery rates or the timing of the development?\*

Yes

No

If Yes please provide details

.....  
.....  
.....  
.....  
.....  
.....

Have any design or master planning work been undertaken?\*

Yes

No

If Yes please provide details

.....  
.....  
.....  
.....  
.....  
.....

**Additional information**

Is there anything else you would like to tell us?

.....

.....

.....

.....

.....

If you would like to submit any additional information please attached this to the end of the form.

**By submitting this form you agree to our privacy notice which can be found on the website.**

We will publish the results of the Call for Sites in due course.

## **Call for Sites Authority Employee / Member Declaration - Process Note**

- The Call for Sites questionnaire is saved on an internal system, and can be accessed by the Policy Team.
- The team periodically checks for new survey submissions. Once a new submission has been received, the data is downloaded in .xlsx format. An officer then undertakes an assessment of the site, reviewing all the information submitted.
- All assessments are reviewed by a Principal Policy Officer. A tick box and date column have been added to the Call for Sites assessment spreadsheet to record that the authority employee / member declaration has been appropriately reviewed and the Monitoring Officer has been contacted where necessary.

## Supplementary File Note 12.02.24

A further query regarding the requirement to declare CCH MM Ltd was received and additional advice obtained. This file note clarifies the findings of the Governance Review given the new legal advice received. The existing requirement in the CCC Members' Code regarding Directorships (office) and securities (shares) is;

Interest	Description
Employment, office, trade, profession or vocation	Any employment, office, trade, profession, or vocation carried on for profit or gain.

Securities	<p>Any beneficial interest in securities of a body where:</p> <ul style="list-style-type: none"><li>a) that body (to M's knowledge) has a place of business or land in the area of the relevant authority; <b>and</b></li><li>b) either:<ul style="list-style-type: none"><li>(i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or</li><li>(ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the relevant person has a beneficial interest exceeds one hundredth of the total issued share capital of that class.</li></ul></li></ul>
------------	--

Previously it was thought that b) ii) did apply due to the public record of the ownership of £25 shares at the time.

A further legal interpretation has concluded that **both a) and b)** need to be satisfied before it applies. The word "and" highlighted having a far greater meaning than first thought.

### How does this change the Governance Review?

Paragraph 3.2 penultimate paragraph reads as follows

*"The circumstances of this case include an allegation that a company directorship was incorrectly omitted from the Register of Interests. However, a review of Companies House records confirmed that the specific circumstances were such that it did not need to be declared as the company did not operate "for profit or gain" - it did not trade nor hold any assets per the public record. After looking more closely at the provision under Part 8 however, it would appear that part b) (ii) does apply to this case as the shares held exceed*

*1/100th of the total issued share capital in CCH Milton Manor Park Ltd. Meaning that this should have been declared under 8 Part G. Whether this is a breach of the Localism Act 2011 or not, is outside the scope of this review.”*

Whilst factual and correct at the time of writing, and the shares were held, a supplementary update is that a legal opinion has now determined that it was not necessary to declare this Directorship as the company was dormant, was not registered in the Canterbury area; nor did it hold any land assets; nor did it have a place of business in the Canterbury area.

A full list of Directorships (publicly available from Companies House) is shown in Annex 1.

Paragraph 4.2 reads as follows

*“4.2 The majority of required declarations of interest were made, but a directorship in a non trading company with shares of £25 value was not declared. To remove any uncertainty, consideration could be given to adopting the wording of the Model Code into the next version of the Council’s Members’ Code of Conduct to include as Other Registerable Interests “any company with which they are associated including any unpaid directorships”, as set out in **Recommendation 2.**”*

This is factually correct, however may now be updated that there was no requirement upon the councillor under CCC existing Members' Code to declare this as a DPI, the recommendation is sensible and agreed (throughout Kent) and (once adopted) will ensure there is no uncertainty in future.

Mrs C Parker

Head of Audit

07.02.24



## Companies House Information as at November 2023

Directorships held by Louise Anne Jones-Roberts

<https://find-and-update.company-information.service.gov.uk/officers/IWwwK9KnG2gkxX8DMjtCpuGSDF8/appointments>

Company Number	Name	Shares / Status	Declared
11540395	CCH Milton Manor Park Ltd	Appointed Director -28.08.18 Resigned - 01.09.20 25% - Shareholder until Dissolved 14.09.21	No- Not required to be declared
14888113	Athena Festivals Ltd	Not Incorporated till August 2023	N/A
11528859	Distinctive Bars Ltd	50%	Yes
06880189	Athena Hospitality Ltd	Not appointed till August 2023	N/A
08058873	Athena Property Ltd	50%	Yes
07542955	49 St Peters Street Ltd	Dissolved February 2016	N/A
06455110	Canterbury District Watch Ltd	Resigned November 2019	N/A
10600019	Beats Events Ltd	Dissolved October 2017	N/A

## CANTERBURY CITY COUNCIL

### Minutes of a meeting of the CANTERBURY CITY COUNCIL duly convened and held on Thursday, 4th January 2024 at 7.00 pm in The Guildhall, St Peter's Place, Canterbury

**Present:** Councillor Jean Butcher (Mayor)

Councillor Baldock, Councillor Bland, Councillor Bothwell, Councillor Brady, Councillor Buckman, Councillor Carnac, Councillor Carr-Ellis, Councillor Castle, Councillor Charlotte Cornell, Councillor Chris Cornell, Councillor Dawkins, Councillor Dixey, Councillor Edwards, Councillor Flanagan, Councillor Franklin, Councillor A Harvey, Councillor L Harvey, Councillor Hazelton, Councillor Jones, Councillor Jupe, Councillor McKenzie, Councillor Mellish, Councillor Moses, Councillor Nolan, Councillor Old, Councillor Prentice, Councillor Ricketts, Councillor I Stockley, Councillor J Stockley, Councillor D Smith, Councillor N Smith, Councillor Sole, Councillor Thomas, Councillor Turnbull, Councillor Watkins, and Councillor Wheeler

#### 427 **Apologies for absence**

Apologies for absence were received from Councillors Simon Warley and Joe Howes.

#### 428 **Declaration of Councillors' Interests**

Councillors Baldock, Dixey, Carnac and Turnbull each made a statement that any declarations of interests by councillors in their respective groups that were recorded in the minutes presented to the meeting were deemed to be declared again by any of those councillors present at the meeting.

#### 429 **Petitions or questions from the public**

There were no petitions or questions from the public for the meeting.

#### 430 **Announcements**

The Lord Mayor announced the recent death of former councillor and Lord Mayor (2002) Mary Jeffries, who passed away on 26th December. Deputy Leader Michael Dixey also said a few words in memory of the former councillor.

The Lord Mayor then announced that the council would be holding its first Civic Service at the Cathedral on 6 February at 5.30pm. The service was open to the public and thanks were extended to the Dean of Canterbury and his team for providing this for the City. All councillors should have received their invitations before Christmas.

The Leader remarked that six months had now passed since the new administration had come into place, and thanked the senior management team and all the council's officers for their hard work and support during this period of significant learning. He

also thanked the residents of the district for trusting the Labour / LibDem coalition to lead the Council, and all his fellow councillors for their hard work and positive cooperation.

The Head of Paid Service, Tricia Marshall, announced that, under s91 of the LGA 1972, she has used her delegated powers to appoint temporary councillors to the Womenswold Parish Council to ensure it is quorate and able to conduct business.

The appointees were Councillors Mike Sole and Lee Castle, and former councillors Georgina Glover, Valerie Kenny and Pat Todd. They had been appointed initially for six months. During that period it was hoped that new permanent members would be elected or co-opted to the parish council.

The Deputy Leader and Leader recorded their thanks to those councillors and former councillors for stepping in.

#### 431 **Recommendations to Full Council from Cabinet**

##### **1. Draft General Fund Revenue and Capital Budgets 2024/25 and Financial Outlook**

Councillor Baldock proposed, Councillor Dixey seconded, and when put to a vote it was

RESOLVED

- that the Capital Programme for the current year be amended as shown in Appendix 3.

Record of voting:

For the proposal (31): Baldock, Bland, Bothwell, Brady, Buckman, Butcher, Carr-Ellis, Castle, Charlotte Cornell, Chris Cornell, Dawkins, Dixey, Edwards, Flanagan, Franklin, A Harvey, L Harvey, Hazelton, Jupe, McKenzie, Mellish, Moses, Nolan, Old, Prentice, Ricketts, D Smith, N Smith, Sole, Turnbull, Wheeler.

Against (1): Councillor J Stockley

Abstained (5): Councillors Carnac, Jones, I Stockley, Thomas, Watkins

##### **2. The Creation of a New City Public Space Protection Order - following consultation**

The councillors debated the proposal.

An Amendment to replace point 3 'No begging' with 'No begging with antisocial behaviour' was proposed, seconded, and when put to the vote, FELL.

Record of voting:

For the proposal (8): Councillors Bland, Brady, Edwards, Flanagan, Franklin, Jupe, Old, D Smith

Against (26): Baldock, Bothwell, Buckman, Butcher, Carnac, Charlotte Cornell, Chris Cornell, Dawkins, Dixey, A Harvey, L Harvey, Hazelton, Jones, McKenzie, Mellish, Nolan, Prentice, Ricketts, N Smith, Sole, I Stockley, J Stockley, Thomas, Turnbull, Watkins, Wheeler.

Abstained (3): Councillors Carr-Ellis, Castle, Moses

An Amendment to replace point 3 'No begging' with wording taken from the previous PSPO, which referred to 'Persistently begs. Persistently begging involves begging on more than one occasion and includes all passive and active methods used to receive alms' was proposed, seconded, and when put to the vote, AGREED.

Record of voting:

For the proposal (31): Baldock, Bland, Bothwell, Brady, Buckman, Butcher, Carr-Ellis, Castle, Charlotte Cornell, Chris Cornell, Dawkins, Dixey, Edwards, Flanagan, Franklin, A Harvey, L Harvey, Hazelton, Jupe, McKenzie, Mellish, Moses, Nolan, Old, Prentice, Ricketts, D Smith, N Smith, Sole, Turnbull, Wheeler.

Against (1): Councillor J Stockley

Abstained (5): Councillors Carnac, Jones, I Stockley, Thomas, Watkins

The councillors then further debated the proposal.

A proposal to take each of the items in the proposal one by one, rather than en bloc, was made, seconded and when put to the vote, FELL.

Record of voting:

For the proposal (12): Councillors Buckman, Carnac, Carr-Ellis, A Harvey, L Harvey, Jones, McKenzie, Moses, I Stockley, J Stockley, Thomas, Watkins

Against (24): Councillors Baldock, Bland, Bothwell, Brady, Castle, Charlotte Cornell, Chris Cornell, Dawkins, Dixey, Edwards, Flanagan, Franklin, Hazelton, Jupe, Mellish, Nolan, Old, Prentice, Ricketts, D Smith, N Smith, Sole, Turnbull, Wheeler

Abstained (1): Councillor Butcher

Councillor Baldock then proposed, and Councillor Dixey seconded, the proposal as amended, and when put to the vote it was

RESOLVED:

- The adoption of a new city PSPO, which includes the following activities:

1. Someone drinking in public areas causing alarm, harassment or distress
2. Shouting, swearing or causing other alarm, distress or harassment to others - whether in the area or living nearby
3. Persistent begging
4. Urinating or defecating in any public place
5. Graffitiing, fly posting and affixing notices, pictures or signs to property without the owner's permission
6. The anti-social behaviour of delivery riders:
  - Aggressive driving/riding
  - Dangerous manoeuvres
  - Excessive noise
  - Danger to other road users (including pedestrians)
  - Damage or risk of damage to private property
  - Harassment of individuals from vehicles

Record of voting:

For the proposal (19): Baldock, Bland, Brady, Castle, Dawkins, Dixey, Edwards, Flanagan, Franklin, Hazelton, Jupe, Mellish, Moses, Nolan, Old, Prentice, Ricketts, D Smith, Sole

Against (9): Councillors Carnac, L Harvey, Jones, I Stockley, J Stockley, Thomas, Turnbull, Watkins, Wheeler

Abstained (9): Councillors Bothwell, Buckman, Butcher, Carr-Ellis, Charlotte Cornell, Chris Cornell, A Harvey, McKenzie, N Smith

#### 432 **Recommendations from other committees**

##### 432.1 **Community Governance Review in the unparished area of Whitstable**

An amendment, that there be added a second Conservative group representative on the Task and Finish Advisory Group, was proposed, seconded and, by general assent, AGREED.

Councillor James Flanagan then proposed, Councillor Alister Brady seconded and when put to the vote it was

RESOLVED:

1. That a Community Governance Review be conducted, in accordance with the Local Government and Public Involvement in Health Act 2007, and the timetable and terms of reference set out in the appendices to the report be approved;
2. That the Head of Corporate Governance, in consultation with the Head of Paid Service, be authorised to take all necessary steps in relation to the review;
3. That a Task and Finish Advisory Group be appointed to consider the review and make recommendations to the Council, comprising eight councillors (three Labour, two LibDem, two Conservative and one Green Party).
4. Consideration to be given to a third meeting venue to ensure that the priorities of residents in different parts of Whitstable be taken into account.

Record of voting:

For the proposal (37): Baldock, Bland, Bothwell, Brady, Buckman, Butcher, Carnac, Carr-Ellis, Castle, Charlotte Cornell, Chris Cornell, Dawkins, Dixey, Edwards, Flanagan, Franklin, A Harvey, L Harvey, Hazelton, Jones, Jupe, McKenzie, Mellish, Moses, Nolan, Old, Prentice, Ricketts, I Stockley, J Stockley, D Smith, N Smith, Sole, Thomas, Turnbull, Watkins, Wheeler.

Against (0): none

Abstained (0): none

##### 432.2 **Polling District Review**

Councillor James Flanagan proposed, Councillor Alister Brady seconded and when put to the vote it was

RESOLVED

1. That the changes to polling districts and places as set out in section 4 of the report be agreed.

2. That subject to incorporating the changes in 1 above, that the Council agree the polling districts and places set out in Appendix 2.

Record of voting:

For the proposal (37): Baldock, Bland, Bothwell, Brady, Buckman, Butcher, Carnac, Carr-Ellis, Castle, Charlotte Cornell, Chris Cornell, Dawkins, Dixey, Edwards, Flanagan, Franklin, A Harvey, L Harvey, Hazelton, Jones, Jupe, McKenzie, Mellish,

Moses, Nolan, Old, Prentice, Ricketts, I Stockley, J Stockley, D Smith, N Smith, Sole, Thomas, Turnbull, Watkins, Wheeler.

Against (0): none

Abstained (0): none

#### 433 **Setting the Council Tax Base and the Council Tax Reduction Scheme 2024/25**

Councillor Alan Baldock proposed, Councillor Michael Dixey seconded, and when put to the vote it was

RESOLVED

That Council:

1. Determine that for the financial year 2024/25, the empty homes discount for properties unoccupied and unfurnished ('Class C' properties) remains at 0%, so that Council Tax will be payable in full on these properties.
2. Approve the District's Council Tax Base for 2024/25 as 53,348.27 and the tax base for the towns and parishes in the Council's administrative area, as set out in the table at Appendix 2.
3. Determines the "Long Term Empty Premium" for properties that have been left empty and substantially unfurnished:
  - (a) for periods of 1 year but less than 5 years, a Long Term Empty premium to be charged at 100%; and
  - (b) for periods of 5 years but less than 10 years, a Long Term Empty premium to be charged at 200%; and
  - (c) for periods of 10 years or more a Long Term Empty premium to be charged at 300%.
4. Formally approves the discontinuation of the council Tax 'Class D' discount, for properties undergoing structural alteration and/or major repair, effective from 1 April 2024.
5. Formally approves the CTRS as set out in this report, effective from 1 April 2024.
6. Formally approves the application of the 100% Council Tax premium on properties empty for 1 year but less than 5 years, applicable from 1 April 2024, in line with the Levelling-Up and Regeneration Act 2023.
7. Formally approves the application of a 100% Council Tax premium on properties that are unoccupied and furnished, often referred to as 'second homes' ('Class B' properties), applicable from 1 April 2025, in line with the Levelling-Up and Regeneration Act 2023.

Record of voting:

For the proposal (36): Baldock, Bland, Bothwell, Brady, Buckman, Butcher, Carnac, Carr-Ellis, Castle, Charlotte Cornell, Chris Cornell, Dawkins, Dixey, Edwards, Flanagan, Franklin, A Harvey, L Harvey, Hazelton, Jones,, McKenzie, Mellish, Moses, Nolan, Old, Prentice, Ricketts, I Stockley, J Stockley, D Smith, N Smith, Sole, Thomas, Turnbull, Watkins, Wheeler.

Against (0): none

Abstained (1): Councillor Jupe

## 434 Councillor questions

(a) Councillor Keith Bothwell asked the following question:

As a preface to my question, I would like to say that in my experience, this council's officers are always helpful, considerate and highly competent. In the months since I was elected I have been most impressed by their capabilities and professionalism.

However, I do feel that I am sometimes working in the dark, because I do not have a measure of the staff who work here - I am not aware of the full range of talents employed by Canterbury City Council.

Wanting to know more about the council's capabilities and skills, I have requested previously to see a list of staff with their respective roles et cetera but this has not been forthcoming. The response given is that this is not yet available because staff are leaving and arriving and that therefore the staff list is not up-to-date. However, this will always be the case – there will never be a complete and accurate list of staff in any organisation of this size.

My question is: Will a staff list, including respective departments, roles, and responsibilities, be made available to councillors at any stage soon?

Councillor Mike Sole, the Cabinet Member for Finance, replied as follows:

Can I start by endorsing your comments about the capabilities and professionalism of our staff? They are a credit to the organisation. I would also like to take the opportunity to acknowledge how staff at every level have adapted to the new administration, its priorities and ethos, and the challenges that a change in so many councillors brings.

I sympathise with this question. As councillors we receive emails from residents on hundreds of different issues, and there are hundreds of council officers with thousands of responsibilities between them. Knowing how to get information and swiftly resolve issues is essential.

All councillors should be aware officers provided all councillors with a comprehensive guide to services as part of the induction programme. The guide provides details of the services provided and explains how to raise issues.

Councillors are encouraged to use dedicated email addresses, as shown on the cover of this guide, which are closely monitored by our teams to ensure correspondence is tracked, monitored and responded to as quickly as possible in order to help our residents. As a reminder there is a dedicated email for Waste Issues, and everything Canenco related, and another for Service issues, which includes housing.

Dedicated rather than individual email addresses increases resilience, and every part of the team is willing to help.

As you mentioned in the question, in a large organisation, where staff change, there are either short or long-term absences, and responsibilities and roles change from time to time, any staff directory would be out of date on the day that it was published. The current approach negates the need for a comprehensive staff directory and



ensures queries are routed appropriately.

If you wish to know more about the roles performed by the officers within any particular department then the service directors and heads of service are always available and willing to talk to you and any councillors, and within the guide to services document there is a detailed list of the responsibilities of the senior staff.

If councillors ever experience any issues with receiving prompt replies when using the dedicated service email addresses, please let me know.

Finally, I have requested that a reminder of those service email addresses and a link to the guide to services are sent out again to councillors.

There will not be an additional staff list published for councillors.

(b) Councillor Rachel Carnac asked the following question:

Has the land for the revised layout for the A2 slip road at Wincheap, which includes the Park & Ride, been transferred to KCC? Is this administration committed to delivering the new offslip and any changes that may be required to the park and ride?

Councillor Alex Ricketts, Cabinet Member for Tourism, Movement and Rural Development, answered as follows:

Committee resolved in 2017 to transfer to KCC and Highways England an appropriate parcel of land at the Wincheap Park and Ride to facilitate the delivery of the previously designed off slip scheme. A delegation was also made to officers to make minor changes to the land transfer.

That scheme of 2017 was withdrawn following concerns from Highways England over the design of the off slip. Therefore, in answer to the question of whether the land has been transferred, no it hasn't.

Regarding the second part of your questions, as to whether we remain committed to it: well, the current Local Plan and the draft Local Plan both contain an off slip. I don't want to second-guess the work of the Local Plan Working Group, but should that also contain an A2 off slip, which I think is very likely, then obviously the council would be committed to delivering that.

There are several plans that have been submitted, and this is where it gets slightly complicated, in that the council has two roles here; 1 - we're the planning authority that has to agree any of those plans, and 2 - we're also the landowner. So there will be two separate decisions, one by the planning authority - either the planning committee or by officer decision under delegated powers. Should the planning permission be agreed, the council would have to consider the land requirement needs of the new design and what impact that would have on park and ride spaces, and that might then come back to councillors again in terms of the land disposal and we'd probably go back through that same process that we went through in 2017.

Councillor Carnac then asked one supplementary question as follows: There has been speculation in the local press about this recently, and this has caused angst to many people. So I wanted to ask for a commitment that we would carefully consider the impact of any changed land request, with special focus on the implications for the Park & Ride and the River Stour.



Councillor Ricketts responded that the council would consider the issue very seriously. It would probably be a planning decision. It was unlikely the Council would decide to build on water meadows, but he couldn't pre-judge. Both the river and the Park & Ride, a pillar of the Transport Strategy, were very important and all considerations would be taken into account. The A2 slip off remained a very important issue.

(c) Councillor Robert Jones asked the following question:

Our windmill in Herne and Broomfield, which is several hundred years old, is under threat of being sold off as Kent County Council looks to give up ownership and therefore responsibility for it, along with the rest of the mills in Kent.

Can I ask our Council heritage team if they will work with the friends of the mill in whatever way possible to ensure we keep and maintain our very important heritage asset.

Councillor Charlotte Cornell, Cabinet Member for Heritage, Open Space, Waste and Recycling, replied as follows:

Yes, the financial pit that Kent County Council finds itself in means the windmills, youth services and indeed county hall itself are all being sold off by KCC to try to raise funds to fill those coffers.

The Friends of Herne Mill group has nominated it as an Asset of Community Value (ACV). That has now been considered by our senior officers and, as of 18 December, Herne Mill is listed as an ACV. This is a way of community groups protecting assets from being sold.

So if the owner decides to sell, they have to notify us and we would then notify local organisations. If a community interest group or a charity puts in an expression of interest, the sale has to pause for six months, to give it time to raise the money to acquire the asset.

As you know, KCC is currently consulting on its proposal to sell eight windmills across the county. The consultation, if people wish to express their views, closes on 26 January.

Of course, as the Cabinet Member for Heritage, I would give full support to a community group that wishes to preserve the mill, a key part of our economic heritage, a key learning resource and geographical marker. I'd be very happy to meet with such a group, and I hope that you might set up that meeting for me so we can progress this further.

Councillor Jones responded that yes, he would set up that meeting.

(d) With the Lord Mayor's permission, Councillor Rachel Carnac read out the following question on behalf of Councillor Joe Howes, who had given apologies:

I have been contacted by many residents in my ward who currently opt into the garden waste service, but are now considering opting out due to the change in payment methods. Can I ask the Leader to explain how those unwilling to make card payments for security reasons will be able to pay.

Councillor Charlotte Cornell, Cabinet Member for Heritage, Open Space, Waste and Recycling, replied as follows:

The council has always provided alternative payment methods for the garden waste service for those unwilling or unable to use card payments or without internet access. These options are unaffected by the move away from direct debits to card payments.

To discuss alternative payment options residents can call the Bins and Waste team on 01227 947860. We will make sure that alternative payment options are picked up in any future comms on garden waste subscriptions and we make it more accessible. We at Cabinet were reassured by the team that those methods of payment would be available for years to come for those that need them. Card payments represent a more secure method of collecting payments, but that doesn't mean that they will be the only way people can pay for services.

Councillor Carnac then asked that, in addition to sending out that information in letters to residents, that relevant information be added to other communications, posters etc so that the alternative payments phone number was more widely known.

Councillor Charlotte Cornell replied that a review of communications around waste and recycling was currently underway and that the alternative methods of payment would be highlighted front and centre on the new website. She also said that she would make sure all councillors were sent the phone number and list of payment method options in the next week or so.

#### **435 Notices of Motion**

##### **435.1 Notice of Motion regarding Homelessness & Temporary Accommodation**

Councillor Rachel Carnac (in Councillor Howes' absence) proposed, and Councillor Robert Jones seconded, the following Motion

The council welcomes the Conservative government's announcement in the Autumn Statement that it will increase Local Housing Allowance rates to cover 30% of local market rents, along with an additional £120m to combat homelessness across the UK.

But as we know there are significant ongoing challenges in ensuring that everyone can live in a home that meets their current and future needs – challenges that encompass availability, affordability, security, and quality.

Government data published in July 2023 shows that more than 104,000 households were in temporary accommodation at the end of March 2023 – the highest figures since records began in 1998.

Almost daily we hear from families living in cramped and inappropriate accommodation in Canterbury district. Young parents sofa surfing with their children or having to share beds with their youngest children because there just isn't enough room. We are hearing that the nearest temporary accommodation being offered to single people is now in the northeast of England – too far from friends and family.

This council shares the collective national ambition to tackle local housing challenges and create great places for current and future generations. Housing consistently appears in the top ten priorities for British residents. It is mentioned as a key issue almost three times as frequently by 18 to 34 year-olds than older age groups.

We all know that bringing our social housing service back in-house came at a significant cost as we are trying to make up for years of under-investment. While the council's housing team has worked extremely hard and delivered real improvements in a short time, we believe that there are other actions this council must take to tackle the shortage of temporary accommodation and to help those in our community who have given up hope of ever having a suitable place to live that they can call home.

1/ As Canterbury City Council prepares to put its Local Plan back out to Section 18 consultation early this year, this council must resolve to ensure that it contributes to the delivery of homelessness prevention schemes and providing an adequate housing supply for the district through producing and delivering on an up-to-date Local Plan in late 2025/early 2026. The Local Plan must not be delayed any further and this council's priority must be to deliver new homes and affordable housing for local people.

2/ Licensed caravan parks are used as temporary accommodation and provide a very helpful stop-gap locally. However, Canterbury City Council only licenses sites for 10 months of the year. We ask that we resolve to change this policy and license sites for 12 months to allow accommodation to be used all year around. We suggest this scheme is reviewed annually. This would remove the uncertainty for many people who are living in caravans on licensed sites and take the pressure off the council from the short-term uptick in homelessness during the closure periods.

3/ That the council takes a tougher approach to allowing unlicensed caravan sites to be used as temporary accommodation. As a council we should not be allowing families to live on sites that do not meet safety standards and where basic amenities are not provided. We should not be encouraging such accommodation by paying council tax and housing benefit to unlicensed site owners. The council should be using enforcement and other pertinent powers to ensure that any caravan that is used for temporary accommodation is on a licensed site.

4/ The findings of the Older Persons Working Group must be considered very seriously and a decision on implementation taken as swiftly as possible. This piece of work is already delayed.

5/ A councillor workshop or working group (to follow on from the Older Persons Working Group) is established to focus on tackling homelessness in the district and improve provision of temporary accommodation. As a council we need cross-party working to resolve what can be done locally and what we need to lobby government to do, including:

a/ ensuring the council is bidding on every available funding pot from the government for homelessness, temporary accommodation and affordable housing;

b/ working with local developers and landlords to identify available and empty housing that can be used for temporary and permanent accommodation;  
c/ asking the government to roll-out five-year local housing deals to all areas of the country that want them by 2025;  
d/ asking the government to provide a long-term rent deal for council landlords to allow a longer period of annual rent increases for a minimum period of at least 10 years, providing certainty for investment. This should include flexibility for councils to address the historic anomalies in their rents as a result of the ending of the rent convergence policy in 2015.

The Lord Mayor indicated that the Motion would be referred to Cabinet without debate, so that a report could be prepared by the officers.

The Leader and the Cabinet Member for Housing, Councillor Pip Hazelton, gave an initial response and confirmed that the Motion would be referred to Cabinet as it contained issues outside the Council's existing policy and budget framework.

#### 435.2 **Herne Bay Seafront Regeneration 2024**

Councillor Rachel Carnac proposed, and Councillor Dan Watkins seconded, the following Motion

Council recognises the important role Whitstable Harbour Board has played in ensuring the success of the harbour and the impact that has had on the rest of the town. It is now a top destination in Britain. The Canterbury Tales of England Board has been fundamental in ensuring that Canterbury City Council had a masterplan that formed the basis for it securing Levelling-Up Bid Funding of just under £20m. The strategic partnership board supports the design, delivery and oversight of the Canterbury's Tales of England masterplan, and "provides strategic input and advice into the development of bids, including establishing and producing evidence-based insight into the needs of the city that ensures continued growth and prosperity".

We call on this council to recognise that Herne Bay would benefit from a similar driving force and strategic board to give impetus and foresight to regeneration of its seaside heritage assets from Studd Hill to Reculver, just as Whitstable Harbour Board has delivered for Whitstable and as the Canterbury, Tales of England Board is now for the city. The seafront is to Herne Bay as the harbour is to Whitstable: vital, historic and economically important. It is the town's focal point providing the magnet for visitors, investment and regeneration that benefits the whole town.

Herne Bay's seafront needs significant investment to restore its faded glory and to encourage visitors to stay longer and see it return as a holiday destination. It has all the ingredients for success, but it needs oversight, promotion, focus and drive to find the investment and then ensure work is carried out. It demands its own masterplan with Canterbury City Council as the accountable body – similar to the way the boards in Whitstable and Canterbury are run.

The town has many fantastic hard-working volunteers and groups involved in different aspects of town life – much as Whitstable and Canterbury do too – but it is

unrealistic and unreasonable for council to believe that these groups have the means to raise the millions in investment required to undertake the capital projects required on the seafront.

Council notes that Herne Bay was not awarded any funding through the government's Levelling-Up funding scheme. Nor has the council been successful in attracting other grant funding either through The Towns Fund or The Community Ownership Fund. We are therefore disappointed that the £40,000 voted through by cabinet a few months ago was not invested in undertaking the further research into how to upgrade our coastal assets which was not only necessary to make a fresh LUF bid, but indeed is required for any other bids for public monies to be successful. This clearly demonstrates a lack of oversight and a rudderless approach to Herne Bay.

Even where we were successful in getting funding, scheme implementation has been shockingly slow. Last year, the council was successfully awarded £250,000 from the Brownfield Land Release Fund to demolish the Tivoli site in 2023. It was important to get work under way quickly in order to ensure the existent planning application for regeneration of the site was still applicable. Council notes that this work has still not been undertaken despite assurances that it would be in the first half of 2023.

The pier has £300,000 earmarked in the capital budget for much-needed repairs. This work should no longer be delayed. The historic Clocktower is missing a hand, has weeds growing out of it which is compromising the structure, and is suffering from rainwater ingress. The investment needed for the King's Hall and the Bandstand is well documented, but they will both fade and fail unless action is taken urgently. In addition, the statues of Barnes Wallace and of Amy Johnson are in need of repair. The toilets at St George's and in the Bandstand are a disgrace plus there isn't a Changing Places facility along the seafront. The toilet building at Hampton is crying out for a great regeneration scheme – just look at the location! The slopes from Hampton to Reculver are looking forlorn with broken steps, railings and a lack of grounds maintenance blighting what again should be heritage assets. This is far too much work and far too ambitious for existing voluntary groups in Herne Bay, such as the Coastal Community Team to take on. Although they do their best to undertake small schemes in Herne Bay, they would be the first to admit this needs an overarching board that can take a strategic view to drive the regeneration and improvement that is needed.

We propose that a similar scheme to the successful board models run in both Whitstable and more recently in Canterbury should be rolled out in Herne Bay. This should be made up of cross-party members, relevant officers, and independent experts who would be able to advise, guide and inform on the regeneration of Herne Bay's heritage assets and historic seafront from Studd Hill to Reculver. Primarily, providing the design, delivery and oversight which will ensure Herne Bay's continued growth and prosperity.

We propose that the £40,000 that was not utilised to rework a Herne Bay bid in round 3 of the government's Levelling-Up Fund (and that was agreed by cabinet) should be repurposed to establish a Herne Bay Seaside Board from April 2024.

The Lord Mayor indicated that this motion would be referred to Cabinet without debate.

The Leader then deferred to the Cabinet Member for the Coast, Councillor Chris Cornell, who gave an initial response.

**436 Changes to memberships of committees and sub-committees for the remainder of the council year**

Councillor Alan Baldock proposed, Councillor Michael Dixey seconded, and when put to a vote it was

RESOLVED

to approve the changes to membership of committees and sub-committees as contained within the agenda, and additionally to approve the membership of the Governance Review (CGR) Task and Finish Advisory Group as follows:

Councillors Chris Cornell, Harry McKenzie, Naomi Smith, Michael Dixey, Peter Old, Clare Turnbull, Ian Stockley and Rachel Carnac.

Record of voting:

For the proposal (37): Baldock, Bland, Bothwell, Brady, Buckman, Butcher, Carnac, Carr-Ellis, Castle, Charlotte Cornell, Chris Cornell, Dawkins, Dixey, Edwards, Flanagan, Franklin, A Harvey, L Harvey, Hazelton, Jones, Jupe, McKenzie, Mellish, Moses, Nolan, Old, Prentice, Ricketts, I Stockley, J Stockley, D Smith, N Smith, Sole, Thomas, Turnbull, Watkins, Wheeler.

Against (0): none

Abstained (0): none

**437 Council minutes**

Councillor Baldock proposed, Councillor Dixey seconded, and when put to the vote it was

RESOLVED

that the minutes of the previous meetings be confirmed as a true record.

Record of voting:

For the proposal (36): Baldock, Bland, Bothwell, Brady, Buckman, Butcher, Carnac, Carr-Ellis, Castle, Charlotte Cornell, Chris Cornell, Dawkins, Dixey, Edwards, Flanagan, Franklin, A Harvey, L Harvey, Hazelton, Jones, Jupe, McKenzie, Mellish, Moses, Nolan, Old, Prentice, Ricketts, I Stockley, J Stockley, D Smith, N Smith, Sole, Thomas, Turnbull, Watkins, Wheeler.

Against (0): none

Abstained (1): Councillor A Harvey



438 **To receive the following minutes of the meetings specified**

The Head of Paid Service indicated that the minutes would be dealt with in turn and that the Lord Mayor would first invite the relevant Chair to propose the receipt of the minutes and to ask for a seconder for the proposal.

She explained that the purpose of this item was to formally receive each set of minutes and respond to any questions arising from those minutes, and that councillors were not voting on whether they are a true record of each meeting; that was for the relevant committee to decide.

She also said that in future, If a meeting was cancelled, it would be listed here together with the reason for the cancellation.

(a) Audit Committee - 4 October 2023 -

It was proposed by Councillor Brady and seconded by Councillor D Smith and AGREED by general assent that the minutes of the above meeting be received.

(b) Cabinet - 6 November 2023 -

It was proposed by Councillor Baldock and seconded by Councillor Dixey and AGREED by general assent that the minutes of the above meeting be received.

(c) Cabinet - 4 December 2023 -

It was proposed by Councillor Baldock and seconded by Councillor Dixey and AGREED by general assent that the minutes of the above meeting be received.

(d) Cabinet Committee - 30 November 2023 -

It was proposed by Councillor Carr-Ellis and seconded by Councillor Jupe and AGREED by general assent that the minutes of the above meeting be received.

(e) Overview & Scrutiny - 21 November 2023 -

It was proposed by Councillor Prentice and seconded by Councillor Flanagan and AGREED by general assent that the minutes of the above meeting be received.

(f) Planning Committee - 17 October 2023 -

It was proposed by Councillor Edwards and seconded by Councillor D Smith and AGREED by general assent that the minutes of the above meeting be received.

(g) Scrutiny Sub Committee - 22 November 2023 - Cllr Carnac

It was proposed by Councillor Carnac and seconded by Councillor Turnbull and AGREED by general assent that the minutes of the above meeting be received.

(h) Standards Committee - 21 November 2023 -

It was proposed by Councillor Moses and seconded by Councillor Ricketts and AGREED by general assent that the minutes of the above meeting be received.

(i) Whitstable Harbour Board - 13 October 2023 -

It was proposed by Councillor Chris Cornell and seconded by Councillor Jones and AGREED by general assent that the minutes of the above meeting be received.

Additionally, the Lord Mayor stated that the minutes of the meeting of the General Purposes Committee, 13 December 2023, had been published in the Agenda Supplement. The Lord Mayor invited Councillor Flanagan to propose these minutes, and Councillor Brady to second, and the minutes were therefore AGREED by general assent.

**439 To receive any notices of urgent decisions made by the Head of Paid Service under delegation**

There were no notices of urgent decisions made by the Head of Paid Service to report.

**440 Any other urgent business to be dealt with on the night**

The Lord Mayor referred to the supplement to the agenda, Item 14 - any other business to be dealt with on the night - Report to Council, Non-attendance by Councillor.

Councillor Alan Baldock proposed, Councillor Michael Dixey seconded and when put to a vote it was

RESOLVED

That Council:

- approve the reason for non-attendance and grant an extension to the six month period of non-attendance allowed, up to the next Full Council meeting on 22nd February 2024.

Record of voting:

For the proposal (37): Baldock, Bland, Bothwell, Brady, Buckman, Butcher, Carnac, Carr-Ellis, Castle, Charlotte Cornell, Chris Cornell, Dawkins, Dixey, Edwards, Flanagan, Franklin, A Harvey, L Harvey, Hazelton, Jones, Jupe, McKenzie, Mellish, Moses, Nolan, Old, Prentice, Ricketts, I Stockley, J Stockley, D Smith, N Smith, Sole, Thomas, Turnbull, Watkins, Wheeler.

Against (0): none

Abstained (0): none

**441 Exclusion of press and public**

This was not required.

**442 Any other urgent business to be dealt with under exempt provisions**

This item was not required.



## CANTERBURY CITY COUNCIL

### GENERAL PURPOSES COMMITTEE

Minutes of a meeting held on Monday, 29 January, 2024  
at 7.00 pm in The Guildhall, St Peter's Place, Westgate, Canterbury

Present: Councillor James Flanagan (Chair)  
Councillor Alister Brady (Vice Chair)  
Councillor Dane Buckman  
Councillor Peter Old  
Councillor Naomi Smith  
Councillor Ian Stockley  
Councillor Jeanette Stockley  
Councillor Steven Wheeler

In attendance: Councillor Keji Moses  
Councillor Harry McKenzie

Officers:

Matthew Archer- Head of Corporate Governance  
VanessaMontgomery - Senior Democratic Services Manager

#### **504. Apologies for absence**

Apologies were received from Councillor Edwards

#### **505. Substitute members**

There were no substitutes present.

#### **506. Declarations of interest by Members or Officers**

There was a voluntary announcement made on behalf of all committee members that the public speaker was likely to be known to the committee as he was a former councillor.

#### **507. Public participation**

There was one public speaker regarding item 5.

#### **508. DRAFT TERMS OF REFERENCE FOR A COMMUNITY GOVERNANCE REVIEW OF THE PARISH BOUNDARY BETWEEN THE PARISHED AREAS OF WESTBERE AND HERSDEN**

(There was a voluntary announcement made on behalf of all committee members that the public speaker was likely to be known to the committee as he was a former councillor.)

The Head of Corporate Governance introduced the report that was asking the committee to recommend to Council to approve the terms of reference, timetable and consultation plan for a Community Governance Review (CGR) of the parish boundary between the Westbere and

Hersden parished area.

There were two options detailed in the report:

Option 1 - To agree the terms of reference, timetable and consultation plan

Option 2 - To suggest amendments to the terms of reference and timetable, which will be referred to Council for consideration.

The Committee discussed the recommendations and the following points were made, with the Head of Corporate Governance giving clarification where necessary:

- A question would be amended in the consultation to read should the Westbere parish boundary be moved to incorporate the Bread and Cheese field green space.
- It was clarified that the second part of the petition, which called for the Field to be designated as protected green space, was a planning policy matter and therefore beyond the scope of this review. It had been explained to the petitioner that comments could be submitted in response to the local plan consultation which was due to start in March 2024.
- A query was raised regarding the capacity of the Task and Finish Group who were already looking at the Whitstable Community Governance review (CGR). It was acknowledged that capacity could be an issue. An extended period had been allowed to prepare the recommendations to account for the overlap with the boundary review and the Whitstable CGR.
- It was clarified that the second phase of the Whitstable consultation would occur after the conclusion of this review so it would be staggered which should help with capacity.
- The consultation was open to all residents in the district, although as part of data gathering, addresses would be asked for and so the location of the resposdee would form part of the analysis.
- The ward boundary review was due to conclude in July. The findings would be considered before concluding this review.

It was proposed, seconded and when put to vote recommended to Council:

1. That a Community Governance Review be conducted, in accordance with the Local Government and Public Involvement in Health Act 2007, and the timetable and terms of reference set out in the appendices to this report be approved;
2. That the Head of Corporate Governance, in consultation with the Head of Paid Service be authorised to take all necessary steps in relation to the review;
3. That the CGR Task and Finish Advisory Group be invited to consider the review and make recommendations to the committee.

Record of the voting:

For (8): Brady, Buckman, Flanagan, Old, N.Smith, I.Stockley, J.Stockley and Wheeler

Against: None

Abstained: None

**509. Any other urgent business to be dealt with in public**

There was no urgent business

**510. Exclusion of the press and public**

Not required

**511. Any other urgent business which falls under the exempt provisions of the Local Government Act 1972 or the Freedom of Information Act 2000 or both**

There was no urgent business

There being no other business the meeting closed at 7:20pm.

**CANTERBURY CITY COUNCIL**  
**LICENSING SUB-COMMITTEE**

**Minutes of a meeting held on Wednesday 10 January 2024**  
**at 10.30 am in The Guildhall, St Peter's Place, Westgate Canterbury**

**Present:** Councillors Mike Bland (Chair)  
Councillor Buckman  
Councillor Naomi Smith

**In attendance:** Councillor Harry McKenzie (reserve)

**Officers -** Anton Walden, Licensing Officer  
Pippa Tritton, Democratic Services Officer  
Olivia Davies - Legal Advisor

### **1 Apologies for absence**

An apology for absence was received from Councillor Howes.

### **2 Substitute Councillors**

Councillor Naomi Smith was present as a substitute for Councillor Howes.

### **3 Declaration of any Interests by Councillors or Officers**

No declarations of interest were made.

The Chair advised that Councillor Cornell, the Other Person, was known to the Panel and officers.

#### **4 Minutes of the meeting held on 8 November 2023 and 20 December 2023**

The minutes of the meetings held on 8 November and 20 December 2023 were agreed as a true record.

#### **5 Order of business**

The Order of Business was NOTED.

#### **6 Licensing Act 2003 - Review of the Premises Licence for A La Turka, 13 High Street, Whitstable CT5 1AP**

Present at the meeting were Susan Newman, Mr and Mrs Tuckwood, Mick Steward and Ms Holmes, all Applicants for the Review. Also present was Councillor Chris Cornell, an 'Other Person'.

A La Turka, Whitstable was represented at the Hearing by Duncan Craig - Barrister, Michael Kheng - Licensing Consultant and Madalina Soava - Manager and Designated Premises Supervisor.

The Licensing Officer introduced the application for a review of the premises licence in accordance with Section 51 of the Licensing Act 2003 for A La Turka, 13 High Street, Whitstable CT5 1AG. He explained that a site visit had been conducted earlier in the day and assured those present that no discussion had taken place regarding the application at that meeting. He added that the agenda had been prepared and published in accordance with the relevant legislation and the council's constitution.

Mick Steward made the application as spokesperson for those calling the Review and others added relevant points as required when necessary:

1. He recorded his dissatisfaction that Mr Dari was absent from the Hearing and noted that he had also been absent from the Hearing when the licence had been granted.
2. He asked if he could submit a short, written statement from local resident Anne Davies.

It was noted that Mr Dari's father was seriously ill in Turkey and that is why he was not present.

With regards to the written statement, the Licensing Officer advised that the statement had been considered by the council's Legal Officer and had been rejected for not being served in accordance with the regulations.

3. In response to a question, it was confirmed that Madalina Soava was the Designated Premises Supervisor (DPS) for the premises.

4. The application for the review had not been submitted lightly, but due to countless breaches of conditions over the past 12 months.
5. They simply wished to ask that the conditions be adjusted and adhered to.
6. There was a failure to have a notice asking customers to leave quietly.
7. Residents had tried to engage with Mr Dari since January 2023 but had been unsuccessful. Lots of weight had been placed on this condition at the Sub-Committee where the Licence had been granted.
8. Susan Newman had called at the restaurant on a number of occasions and had not always been treated with respect.
9. Mr Dari would have been aware that the lights and noise from the door would be issues, but nothing had been done despite the issues being raised.
10. Susan Newman reported that she was disturbed on a daily basis between 11:00 and 23:00 hours due to various reasons including flue noises and visitors to the garden.
11. Her property was 12 yards from the bin area and store. There was noise from the back gate opening, trundling noises as large and heavy items were dragged along the street. There was additional noise from young staff filling bins with waste, including a 'Sunday night bin dance' when staff would jump up and down on the bins to compact the rubbish.
12. She was aware that she lived close to a busy high street, but her property was in an exceptionally quiet area so noise was amplified.
13. She had spent £2,000 on secondary glazing to mitigate the noise but the flue system was still audible and obviously wasn't effective when the windows were open.
14. The lights were on from 06:30 until 23:00 hours and beyond. All activities in the dark, including the bins and storage area, triggered both the restaurant's lights and her security light and she felt that the impact could significantly be reduced by simple measures such as adjusting the angle of the security light and installing curtains on the bifold doors.
15. Costa did not use the 'ransom land' at the rear of the businesses.
16. On the whole, issues raised by Mrs Newman had been received sympathetically but some visits had been less than amicable. She now felt unable to visit and effectively that route of communication had been closed.
17. It was never the aim of residents to close the restaurant.
18. The Licensing Sub-Committee had originally promised that there would be no commercial activity in the garden.
19. Some diners were unruly in the summer, with children noisy and undisciplined.
20. Staff smoked by the bins, made considerable noise and had loud conversations in the garden.
21. Staff would fill bins and then take them through the emergency gate to be emptied. Supplies should be taken through the building and the emergency gate should be kept locked.
22. Cooking should cease by 22:00 hours.
23. A condition of 21:00 hours in the garden area would help.
24. There was impact on children in nearby premises and the disallowed submission would have shown the impact on nearby residents.
25. There should be no light pollution from the premises at any time.
26. The licensee should meet with residents every two months to discuss any concerns. There had been no engagement so far and the only attempts had

- come from residents.
27. The residents sought the following conditions - the rear door of the restaurant to be closed at 21:00 hours and no use of the rear gate at any time. Residents would be content if these conditions were imposed and monitored effectively by the council.
  28. Residents had only brought the review as Mr Dari had refused to follow conditions or to engage with them.
  29. None of the representations were as the result of racism, and this was refuted strongly.
  30. The shed pictured in the agenda pack required planning permission.
  31. Mr Dari was happy to engage with the press but not with residents.

Sub-Committee members had the opportunity to ask questions of the applicants and responses or clarification were provided:

32. Light issues were from the upper storey of the restaurant itself as well as from the garden. This could be addressed by adding blinds.
33. The Sub-Committee was not able to deal with planning matters.
34. If the gate was to be secured when premises were open, and bins were not to be removed between 10:00 and 19:00 hours, this left a very short window when bins could be taken out.
35. Complaints, primarily related to the flue, had been made to Environmental Health but had been dismissed.
36. Councillors hoped to see a satisfactory resolution to the issues raised.

The Premises Licence Holder's representatives had no questions of the review applicants.

Councillor Chris Cornell, an 'Other Person' had no questions. He made his representations as follows:

37. He had 15 licenced premises within his ward and was not a 'NIMBY'.
38. He had lived in the High Street and whilst appreciating there would be some noise, considered that rules were needed for how shops and businesses operated.
39. He wished to see the business succeed.
40. One of the issues with this establishment was that it had fallen between licensing and planning regulations.
41. Conditions had been added due to worries about the restaurant's location within a densely populated area.
42. The original application was refused.
43. The acoustic report presented to planning was twice the decibel rating agreed.
44. The existing licence did have some difficulties, for example the licensing condition was subjective and not helpful.
45. There was evidence that the existing conditions had not been adhered to.
46. He had tried to contact Mr Dari but had received no response.
47. A series of promises had been made to local residents that had not been adhered to.
48. It was noted that some concerns raised were outside the realms of licensable

activities, but reminded the panel that some of the conditions had been added due to the close proximity of some of the houses.

49. It was acknowledged that there were difficulties in deliveries to the location.

Sub-Committee members were given the opportunity to ask questions of the Other Person:

50. The current condition stated the back doors should be locked at 22:00 hours.

51. The restaurant was limited to 36 covers outside but had seating for 40.

The Premises Holder's representatives did not wish to ask questions of the other person and made their submission. Points included:

52. They do not accept that any conditions had been breached.

53. Conditions on a licence should not duplicate other conditions imposed on a business.

54. Signage was displayed in the frame by the front door and any suggestion that condition had not been complied with was incorrect. However, they would look at wall mounting the signage to ensure it could not be moved or hidden.

55. With regards to the rear gate, any condition could only be enforced within licensable activities time. There was no evidence that condition had ever been breached.

56. The condition relating to the doors being shut specified customers, staff were allowed to use them.

57. The suggestion of 21:00 shut off time for the garden would effectively mean that customers needed to be seated by 19:00/19:30 hours which would be burdensome. Under the Licensing Act, the nighttime economy commenced at 23:00. The existing condition of 22:00 hours was already a compromise.

58. No condition had been breached with regards to the number of customers in the garden (36) or external lighting.

59. The festoon lights had been turned off, and one of the external lights had been disabled so it could not intrude in the way that had been described.

60. No empty bottles were removed from the premises between 22:00 and 07:00 hours. Highways had stated that bins could not be put out before 17:00 hours and it was not possible for bins to be taken through the restaurant when customers were present.

61. The passageway at the rear of the property was too narrow for a bin lorry to go down. Deliveries to the rear of the property had ceased.

62. Engagement was not sustainable as a condition. It would mean that those bringing the Review would be given more consideration than other residents who had not made representations.

63. Engagement had taken place on a number of occasions. On the exception of one occasion where voices were raised on both sides, the DPS had been courteous and respectful. However, some of the review applicants had been rude to staff and made customers uncomfortable which was unacceptable.

64. Staff were just doing their jobs and should not be approached in this way.

65. This was not a planning hearing.

66. The restaurant was previously derelict and empty and was now a fantastic addition to the High Street with an investment of £½ million. Approximately 20 people were employed.



67. The property had previously been a job centre and a pub.
68. The current conditions should continue as they were fair and balanced.
69. Complaints made by the applicants to Environment Health had been dismissed, and they also had no issues with the planning application which was recently granted.
70. Environmental Health had also had the opportunity to make a representation to the review hearing but had declined.

Sub-Committee members were given the opportunity to ask questions of the Premises Licence Holder's representatives and comments and responses included:

71. Councillors welcomed the suggestion of clear signage relating to noise in the garden.
72. Was there a way to stop children from running around, could a sign be installed asking children not to play near the bin areas? It was noted that not everybody found the sound of children a negative thing and that any sign could only be an advisory one.
73. Mr Dari would be asked regarding the possibility of angling the garden lights and it may be possible to provide a shade. However it was noted that lots of people had security lights, including Mrs Newman.
74. The restaurant lights were dimmed at night and the upstairs of the restaurant did already have some film on the windows. Curtains or blinds would not be practical in the restaurant.
75. The restaurant was situated on a very busy High Street and every other property had deliveries to the front.
76. Staff could be asked to be quieter when on a break, but this was subjective and there was no other rest space for them.

The Other Person had the opportunity to ask questions of the Premises Licence Holder's representatives and comments and responses included:

77. There was no proof that the business was operating outside of its conditions.
78. A retrospective application for planning permission for the flue had been granted, with Environmental Health agreeing it was better than the original one.
79. All deliveries come via the front of the property.
80. There were no restrictions for entry/egress for staff.

The Applicants for the Review were given the opportunity to ask questions of the Premises Licence Holder's representative.

81. In response to being asked about deliveries to the rear of the property on certain dates, the DPS advised that supplies were only delivered to the front of the building which could be proved by camera footage.
82. The reference to Costa deliveries had come from a third party and not the premises licence holder.
83. The signage in reception had always been present but would be fixed to the wall going forward to avoid any confusion.
84. Mediation meetings had not happened.
85. The DPS advised that she was not unhappy to communicate with the review

applicants but meetings must be respectful and civilised. She stated that there had been racist comments made in the past and staff had been upset. All queries should be addressed through herself or Mr Dari, not any other staff.

At this point in the proceedings, Mr Stewart summed up the Application for the Review:

86. They wished to review the conditions to see if further consideration was needed.
87. It was never their intention for the suspension or revocation of the licence.
88. The DPS said customers were brought into the restaurant at 21:30 hours, they would like 21:00 hours to be considered.
89. If the conditions requested were imposed, together with no deliveries from the rear, this would be a way forward.

The Licensing Sub-Committee members then retired with the Legal Advisor to make their decision. Under the Panel's return, the Legal Advisor advised that they had considered the licensing objectives and in particular, the objective of preventing public nuisance. The Sub-Committee had also considered the guidance issued under section 182 of the Licensing Act 2003 and its own statement of licensing policy.

The Licensing Sub-Committee had considered all the representations made to it by: all six applicants, the single "other person" who made representations, and the premises licence holder. The Licensing Sub-Committee had given careful consideration to the written submissions and evidence and the oral representations made to it at the hearing.

That having considered these matters, and having deliberated in private, it was

RESOLVED - that the Licensing Sub-Committee had decided to vary the condition in Annex 2 of the premises licence which required signage, so that it now read:

"signage shall be affixed to the wall at the entrance to the premises and on both sides of the outdoor area asking customers to leave quietly and to respect the neighbours and nearby residents."

It is considered that this variation was appropriate and proportionate to promote the licensing objectives.

The Sub-Committee had determined that no other alterations to the licence were appropriate or proportionate.

The Legal Advisor reminded those present of the right of appeal under section 181 of, and schedule 5 to, the Licensing Act 2003. Under paragraph 9 of Schedule 5 there was a strict 21-day period within which the appeal must be made.

### **7 Any other urgent business**

There was no business for this item.

### **8 Exclusion of the press and public**

### **9 Any other urgent business which falls under the exempt provisions of the local government act 1972 or the freedom of information act 2000 or both**

There was no business for this item.

There being no other business the meeting closed at 2.16 pm.

# Canterbury City Council

## Overview & Scrutiny Committee

### Minutes of a meeting held on Thursday, 25 January 2024 at 7.00 pm in The Guildhall, St Peter's Place, Westgate, Canterbury

**Present:** Cllr Paul Prentice (Chair)  
Cllr James Flanagan (Vice Chair)  
Cllr Dane Buckman  
Cllr Elizabeth Carr-Ellis  
Cllr Roben Franklin (substitute)  
Cllr Liz Harvey  
Cllr Keji Moses  
Cllr Harry McKenzie  
Cllr Peter Old  
Cllr Naomi Smith  
Cllr Jeanette Stockley  
Cllr David Thomas (substitute)  
Cllr Clare Turnbull

**In attendance** Councillor Alan Baldock - Leader of the Council  
Councillor Pip Hazelton - Cabinet Member for Housing  
Councillor Mike Sole - Cabinet Member for Finance  
Councillor Mel Dawkins - Cabinet Member for Climate Change  
and Biodiversity  
Councillor Michael Dixey - Deputy Leader of the Council

**Officers:** Suzi Wakeham - Director of People and Place  
Tricia Marshall - Corporate Services Director and Head of Paid  
Service  
Bill Hicks - Service Director Place  
Marie Royle - Service Director People  
Nicci Mills - Service Director of Finance and Procurement  
Richard Moore- Head of Transportation and Environment  
Gary Peskett - Housing Strategy Manager  
Pippa Tritton - Democratic Services Officer  
Rob May - Head of Finance

#### 489. Apologies for absence

Apologies for absence were received from Councillor Dan Smith and  
Councillor Rachel Carnac.

**490. Substitute members**

Councillor Roben Franklin was present as a substitute for Councillor Dan Smith and Councillor David Thomas was present for Councillor Rachel Carnac.

**491. Declarations of interest by Members or Officers**

The Chair advised that one of the speakers was known to him and to other Labour councillors.

Councillors James Flanagan and Jeanette Stockley also advised that a speaker was known to them.

In relation to Item 8, Councillor David Thomas made a voluntary announcement that his brother was a taxi driver.

In relation to the Draft Housing Revenue and Capital Budget item, Councillor James Flanagan made a voluntary announcement that he was a co-opted member of Canterbury Housing Advice Centre.

**492. Public participation**

The Chair advised that there were two public speakers for the meeting who would be heard directly before the relevant items.

**493. MINUTES OF THE MEETING HELD ON 21 NOVEMBER 2023**

The minutes of the meeting held on 21 November 2023 were agreed as a true record.

**494. LUF HIGHWAYS PROJECTS - DECISION TO IMPLEMENT**

(Oliver Waldron, representing Spokes, spoke after the officer introduction.)

The Head of Transport and Environment introduced the report which set out the main improvements to the public highway that were included in the Levelling up Fund (LUF) bid. The report also provided a summary of the public consultation responses to the outline designs and set out the proposed changes and sought a recommendation for project implementation.

Councillors debated the proposal and made comments including the following, with the Head of Transport and Environment providing clarification where necessary:

- In response to a question, the officer explained that root balls of planted trees would be contained in cells that have space to allow roots to grow.
- The use of permeable surfaces was difficult in highways areas, but officers were looking at catching as much rain runoff as possible in

landscaped areas, and sustainable urban drainage would be used on pathways where possible.

- There was concern over congestion in Pound Lane following busy Marlowe performances or other events. The officer explained that the majority of respondents, including residents, supported the proposal but at busy times there would be increased congestion there. It was possible to control traffic flow within the car park ANPR to an extent, but not once on The Causeway.
- With regards to landscaping, the species used must be fit for purpose and conform to Kent County Council standards. These would be included in future drawings once known.
- Councillors did not want the planters to be used as bins and asked if bins could be installed at the same time to prevent that from happening. This would be looked at.
- In response to a question, the officer explained that accessible toilets were not included as part of the current LUF objective.
- When the separate consultation on the bus station was considered, accessible toilets and signage for accessible toilets could be considered.

The Head of Transport and Environment and Director of Corporate Services also made comments including:

- The intention was to move cycle parking and to increase capacity, not to remove it. A cycle hire scheme with a docking system was currently being considered.
- A key point in the draft specification for cycle hire was to ensure that hired bikes were returned to a docking hub and not dumped.
- There was no room to put in a cycle contraflow in St George's Lane.
- There would be two new changing places toilets opening in the Spring this year, one at the Beaney and one at Kingsmead Leisure Centre, improving accessibility within the city centre.

It was proposed, seconded and agreed by general assent to:

Recommend (to Cabinet):

- That the detailed designs shown on the drawings in Appendices 2-5 relating to the following projects : Westgate Square, St Georges Square, St Georges Lane, Dane John to Castle (via Castle Row car park), are agreed.
- That a Section 278 agreement is entered into with Kent County Council for the implementation of these projects.
- That the Cabinet Member for Tourism, Movement and Rural Development, in consultation with the Head of Transport and Environment, is given delegated authority to make any changes required by KCC.

495. **PROPOSED CHANGES TO CHARGES AND CONDITIONS IN COUNCIL CAR PARKS (pages 47-102) (7.27pm)**

(Clare Millett, a member of the public, spoke prior to the discussion.)

The Head of Transport and Environment introduced the report setting out the proposed changes to charges and conditions in the Off Street Parking Places Order (OSPPO) for the financial year 2024/25, and provided a summary of the public consultation response.

Councillors debated the report and comments included:

- There was a reluctant acknowledgement from some councillors that changes were needed in order to make the budget balance.
- There was concern for areas where sustainable transport was not available to residents.
- Was charging for parking at Faversham Road worth it, was the council making any money with such limited parking?
- A councillor asked how much money the increases would generate and asked if the parking increases would be permanent or would they be reduced once the council was in a better financial position?
- A councillor stated that Herne Bay and Whitsable were not a 12 month economy and were disappointed to see seasonal parking removed.
- The high parking charges at destinations like Reculver were putting people off from visiting and it was very important that seasonal charges remained. If charges were too high, nobody would use the parking.
- A councillor asked if museums that were free for example, had seen a decrease in visitor donations due to the cost of parking. The officer stated that although he had concerns from businesses previously, he had never heard from the museums.
- Was there any help for businesses with the cost of parking?
- The free parking period for blue badge holders would increase.
- Why should transport be cheaper than for those who could not afford a car?
- With regards to females having to park further away at night, a councillor suggested that the city should be made safer, not car parks cheaper.
- Giving residents somewhere in the evening would encourage the night time economy.
- Residents would not pay to park in car parks overnight, when they could park on the streets for free.
- A councillor claimed that Herne Bay residents were paying for the reopening of Sturry Road Park and Ride.

The Head of Transport and Environment and the Director of Finance made comments and provided points of clarification including:

- The revenue for the Faversham Road car park was above what was estimated when introduced a couple of years ago.
- It was easier to give an EV discount than to charge other vehicles a higher amount.
- There were understandable concerns about sustainable transport and the current bus service, but these formed a key component of the Bus Strategy, part of the forthcoming Transport Strategy, and it was hoped that there would be more bus services at night and weekends.
- The proposed changes would raise in the region of £650k.
- The council had to provide a balanced budget and parking fees were



taken into consideration as part of the whole budget.

- It was acknowledged that if prices continued to increase, there was an eventual tipping point where people would stop using the car parks. Officers would monitor usage through the ANPR data and this would be reviewed next year.
- Abstraction figures had been included on all financial spreadsheets.
- Parking at the park and ride with a resident discount would be £3.20 and was probably the cheapest in the country. For regular visitors, who were residents, every fifth visit in a calendar month was free which represented a saving of 20%.
- The council offered business permits which could be purchased on a pay monthly basis. Although they sounded expensive at £1000 per annum in Canterbury, they represented excellent value compared to the hourly rate.
- The reopening of Sturry Road park and ride would not be directly funded by Herne Bay residents. However it would primarily be used by Herne Bay, Sturry and Thanet residents.
- William Street car park had been free between 6pm-9pm for residents with online accounts for a number of years but usage was still low.
- Comments were appreciated and all would be taken into account.

It was proposed, seconded and when put to a vote agreed to:

Recommend (to Cabinet):

(1) That changes are made to the advertised proposals in respect to item numbers 3, 6, 13, 14, 35 as set out in the report

(2) That item numbers 1-54 (which include the changes above), as set out in Appendix 1, and the proposed permit charges, item number 55 as set out in Appendix 2 are implemented on 1 April 2024.

(3) That the financial impact of items 56-61 are taken into account in the 24/25 budget.

Record of voting:

For(10): Councillors Dane Buckman, Elizabeth Carr-Ellis, James Flanagan, Roben Franklin, Keji Moses, Harry McKenzie, Peter Old, Naomi Smith, Clare Turnbull

Against (3): Councillors Liz Harvey, Jeanette Stockley and David Thomas

Abstained (0):

#### **496. GENERAL FUND REVENUE AND CAPITAL BUDGET**

(Councillor David Thomas made a voluntary announcement that his brother was a taxi driver.)

The Service Director, Finance introduced the report which set out the key financial issues facing the council from 2023 to 2025 and advises councillors in key budget assumptions and puts forward budget recommendations for 2024/25 for consultation.

The Service Director, Place explained the markets and licensing



consultation contained within the report.

Councillors were asked for their comments on the report, specifically on the three consultations for markets, licensing and the general fund consultation and advised that these would be passed to Cabinet for consideration.

Councillors debated the report and made comments including:

- Could anything be done to stop the sale of vapes on market stalls, or to increase the rates for those selling vapes. The officer explained that illegal products would not be permitted. Vapes were currently still legal and unless that guidance changed it would not impact the sale of such products. The situation would be monitored.
- A councillor applauded the return of the market and market manager and stated that they would like to explore bringing a market back to Whitstable too.

Comments and points of clarification were provided by both the Service Director, Finance and the Service Director, Place:

- Although concentrating on Canterbury at the outset, the market manager's role would be district wide.

Comments were noted.

#### **497. HOUSING REVENUE AND CAPITAL BUDGET**

(Councillor James Flanagan make a voluntary announcement that he was a co-opted member of Canterbury Housing Advice Centre.)

The Housing Strategy Manager introduced the report which presented the responses to the public consultation on the Housing Revenue Account (HRA) budget 2024/25. The report noted that the HRA budget was for one year only (2024/25) and did not contain any projections for the following years because of uncertainty about Government rent policy and the need to keep many elements of the budget under constant review.

Councillors were asked for their comments which would then be passed to Cabinet for consideration when making their recommendation to Council.

Councillors debated the report and made comments.

- There was concern regarding the large increases in service charges, particularly heating, and a councillor asked if this could be spread out so that the impact was not so large.
- Was the council keeping energy contracts under review to ensure best value for money and was renewable energy included in that in order to meet the climate emergency carbon neutral targets?
- As there was very little money to deal with the energy efficiency of the housing stock, it was important to take advantage of any government schemes to help residents with energy costs.

- Were figures for damp and mould included within the report?

Where required, clarification was made by the Housing Strategy Manager and the Service Director, People:

- Officers were also concerned about the proposed increase, particularly in regards to utilities. Some of the figures received through the contract were huge but if they were not passed on it would mean some tenants were subsidising other tenants' heating which would not be fair. The council could be subject to a legal challenge if a proper scheme was not put in place.
- It would be possible to spread payments out over a long period, but that would mean under recovering costs this year and next and the fear was that the costs would constantly outstrip the increases.
- Officers were collating data in order to prepare bids for government schemes, however the biggest issue was having the right level of data to submit.
- Every case of damp and mould was reported, along with the investigations carried out, repairs and solutions but overall the cost was included in the day to day repairs maintenance budget.

**498. OPPORTUNITY TO PURCHASE AFFORDABLE HOUSING NEAR CANTERBURY**

The Housing Strategy Manager introduced the report explaining that the council had an opportunity to purchase a number of new affordable homes for rent to help meet local housing needs.

Councillors were asked for their comments on this item, which would be passed to Cabinet. Due to the nature of the confidential appendix, the Chair advised that the discussion would take place following the exclusion of the press and public and the item would be taken later in the meeting.

**499. Date of next meeting**

7pm, Thursday 29 February 2024

**500. Any other urgent business to be dealt with in public**

There was no business under this item.

**501. Exclusion of the press and public**

RESOLVED - That under Section 100(A)(4) of the Local Government Act 1972, the press and public were excluded from the meeting during consideration of the following items of business on the grounds that there would be disclosure of exempt information as defined in Part 3 of Schedule 12A of the Act or the Freedom of Information Act or both.)

**502 OPPORTUNITY TO PURCHASE AFFORDABLE HOUSING NEAR  
CANTERBURY - CONFIDENTIAL APPENDIX**

Councillors welcomed the report and made comments as relevant which would be passed on to the Cabinet.

**503. Any other urgent business which falls under the exempt provisions of the Local Government Act 1972 or the Freedom of Information Act 2000 or both**

There was no business under this item.

The meeting closed at 9.04 pm

## CANTERBURY CITY COUNCIL

### PLANNING COMMITTEE

Minutes of a meeting held on 9 Jan 2024,  
At 7.00 pm in The Guildhall, St. Peter's Place, Westgate, Canterbury

Present: Councillor Pat Edwards (Chair)  
Councillor Dan Smith (Vice Chair)  
Councillor Keith Bothwell  
Councillor Dane Buckman  
Councillor Roben Franklin  
Councillor Robert Jones  
Councillor Harry McKenzie  
Councillor Tom Mellish  
Councillor Peter Old  
Councillor Paul Prentice  
Councillor Naomi Smith  
Councillor Ian Stockley  
Councillor David Thomas

#### Officers:

Stevie Andrews - Planning Manager (Development Manager)  
Cath Wallen - Principal Solicitor  
Christian DeGrussa - Planning Officer  
Kelly Tonkin - Planning Officer  
Lauren Wheeler - Democratic Services Officer

#### **451. Apologies**

Apologies were received from Councillor Elizabeth Carr-Ellis.

#### **452. Substitute members**

Councillor Naomi Smith was present as a substitute for Councillor Carr-Ellis.

#### **453. Declarations of any interests by councillors or officers**

A generic announcement was made on behalf of all committee members, as follows:

All or some councillors may have received correspondence from or spoken with applicants, agents, supporters or objectors, and some of the public speakers may also be known to members of the committee due to their work as councillors. Neither circumstance prevents councillors from participating in the meeting. However, any

councillor who considers that they do not have an open mind, in respect of any item on the agenda, should not participate in the meeting when the relevant item is to be discussed.

The following interests were also declared at the meeting:

In respect of Item 7, Application No CA/23/01658/LBC, Councillor Jones made an announcement that he works opposite the application.

**454. Public Participation**

The public speakers for the meeting were heard immediately before the consideration of the relevant application below

**455. Minutes of the meeting held on 12 December 2023**

The minutes of the above meeting were agreed as a true record and signed by the Chair.

**456. LIST OF APPLICATIONS AND PROPOSALS**

The Committee considered the planning applications, received the observations thereon of interested parties, the reports and recommendations of the Head of Planning, and the comments at the meeting from the public speakers on the applications referred to below. At the commencement of the consideration of the applications, the Committee received a presentation about each application, which included a display of plans, drawings and photographs.

Planning Application No. / Site / Page Nos.	Speakers
Item 6  Application No.CA/23/01733/FUL The Brambles, Hawthorn Corner, Herne Bay  (pages 10 - 21)	
Item 7  Application No.CA/23/01658/LBC 18-21 Stour Street, Canterbury  (pages 22 - 27)	

Planning Application No. / Site / Page Nos.	Speakers
Item 8  Application No. CA/23/00044/VAR 13 High Street, Whitstable  (pages 28 - 36)	<ol style="list-style-type: none"> <li>1. Mick Steward (objector)</li> <li>2. Evelyn Tuckwood (objector)</li> <li>3. Mrs Newman (objector)</li> </ol>

**456.1 Application No.CA/23/01733/FUL The Brambles, Hawthorn Corner, Herne Bay**

Two-storey detached dwelling following demolition of existing outbuildings

A proposal was put that planning permission be GRANTED for the development described in the above application.

When put to a vote, the proposal was AGREED by the committee.

A record of the vote was taken as follows:

For the proposal: Councillors Bothwell, Buckman, Edwards, Franklin, Jones, McKenzie, Mellish, Old, Prentice, D Smith, N Smith, I Stockley, Thomas (13)

Against the proposal: None (0)

Abstained from voting: None (0)

**456.2 Application No.CA/23/01658/LBC 18-21 Stour Street, Canterbury**

[Councillor Jones made an announcement that he works opposite the application.]

Application for Listed Building Consent for external alterations including renewal of Kent Peg roofs and associated lead work and rainwater goods, brickwork repairs and repointing, stone repairs and repointing, Joinery repairs and repainting external joinery.

A proposal was put that Listed Building Consent be GRANTED for the development described in the above application.

When put to a vote, the proposal was AGREED by the committee.

A record of the vote was taken as follows:

For the proposal: Councillors Bothwell, Buckman, Edwards, Franklin, Jones, McKenzie, Mellish, Old, Prentice, D Smith, N Smith, I Stockley, Thomas (13)

Against the proposal: None (0)

Abstained from voting: None (0)

### **456.3 Application No. CA/23/00044/VAR 13 High Street, Whitstable**

Variation of condition 2 of planning permission CA/21/01038 for Single storey rear extension, extractor flue to rear elevation, awning to front elevation and alterations to fenestration to front elevation, to allow alteration to the height and positioning of extraction system

A proposal was made that planning permission be GRANTED under section 101 for the Variation of condition described in the above application, subject to safeguarding conditions, implementation and verification (required prior to permission being granted) of noise mitigation measures set out in 'Noise Survey - Addendum by Peak Acoustics dated 25 October 2023', with the addition of a Condition requiring the flue to be painted matt black and thereafter retained as such.

When put to a vote, the proposal was AGREED by the committee.

A record of the vote was taken as follows:

For the proposal: Councillors Bothwell, Buckman, Edwards, Franklin, Jones, McKenzie, Mellish, Old, Prentice, D Smith, N Smith (11)

Against the proposal: Councillors Stockley, Thomas (2)

Abstained from voting: None (0)

### **457. Planning Appeals Report**

There were no planning appeals decisions to report.

### **458. Any urgent business to be dealt with in public**

There was no other urgent business to be dealt with in public.

### **459. ANY OTHER URGENT BUSINESS WHICH FALLS UNDER THE EXEMPT PROVISIONS OF THE LOCAL GOVERNMENT ACT 1972 OR THE FREEDOM OF INFORMATION ACT 2000 OR BOTH**

There was no other urgent business which fell under the exempt provisions

**460. Date of next meeting**

The date of the next meeting was Tuesday 6th Feb 2024

There being no other business the meeting closed at 8.36 pm



Standards Committee  
7 pm Wednesday 7 February 2024  
The Guildhall, St Peters Place

DRAFT minutes

Present:

Councillor Keji Moses (Chair)  
Councillor Alex Ricketts (Vice Chair)  
Councillor Pat Edwards  
Councillor Andrew Harvey (substitute for Councillor Steven Wheeler)  
Councillor Robert Jones  
Councillor Harry McKenzie  
Councillor Peter Old  
Councillor Ian Stockley

In attendance:

Barnaby Riggs (PC representative)  
Alan Atkinson (PC representative)

Officers:

Matthew Archer- Head of Corporate Governance  
Jan Guylar - Head of Legal and Monitoring Officer  
Andrea James - Democratic Services Officer

520. Apologies for absence

Apologies were received from Councillors Steven Wheeler and Elizabeth Carr-Ellis, Independent Person Jacquie Dabnor, and PC representative Dr Andrea Nicholson]

521. Substitute members

Councillor Andrew Harvey was present as a substitute for Councillor Steven Wheeler.

522. Declarations of interest by members or officers

Councillor Ian Stockley made a voluntary announcement that at least two people present knew the former councillor who was involved in the complaint that led to the governance review.

523. Councillor Interest Governance Review Recommendations

The Head of Legal and Monitoring Officer introduced the report, which asked the Committee to consider proposed solutions to address recommendations made by the Councillor Interest Governance Review.

She also gave a verbal update as follows:

Christine Parker, who undertook the Governance Review presented to the Audit Committee on 24 January 2024, has asked me to make a correction regarding updated advice she had previously relied on in her report.

The former Councillor's directorship in the company CCH Milton Manor Park Limited does not amount to a Disclosable Pecuniary Interest and did not therefore need to be registered as an interest at the time.

Having reviewed the information available on Companies House and the relevant legislation (Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012/1464) it is noted that in order to be a DPI the company needs to be registered in or own land in Canterbury City Council's area PLUS the Councillor has shares over a set threshold.

In this case the company is registered to an address in Hythe and does not own any land. The shares being over the threshold is not enough in itself to amount to a DPI.

This clarification does not however have any impact on the recommendations made in the Governance Review and the suggested way forward to implement those recommendations set out in the report to the Standards Committee remains as set out in the report.

The Legal Officer then talked through the recommendations at page 4 of the agenda and the recommended changes.

Members discussed the report, asked questions and made recommendations including the following:

- There needed to be some measure considered so that former councillors could be held accountable for failure to uphold the Code of Conduct during their time in office, even if they became former councillors before the issue came to light.
- The Council was limited in how it could deal with former councillors, as when they became former councillors, they were no longer subject to the Code of Conduct.
- Disclosures had to be made because people were councillors: when they ceased being councillors, that necessity also ceased.
- When a Subject Councillor was no longer a councillor, the Council had no way of requiring them to cooperate with any investigations and could not sanction them. However, if the matter in question was potentially criminal, the police would have the power to investigate.
- Parish councils operated under the Code of Conduct too. Unless the Council could prevent councillors committing substantial breaches and then walking away, it and every parish might become a laughing stock.
- How could the current circumstances be avoided in the future so that residents could have trust in the Council?
- Members of the public could refer councillors and former councillors to the police, but evidence would be needed of wrongdoing during their time as councillors.
- Robust measures needed to be put in place
- Additional time would be needed to consider the proposal that the Monitoring Officer reports former councillors to the police.
- Perhaps elements of the Code of Conduct should continue to be requirements even after councillors became former councillors.
- Amendments would be made as quickly as possible once approved by Full Council, but due to problems with the Council's online systems, the Head of Legal could not give a firm date by which agreed changes would be made.

It was proposed, seconded and when put the vote

AGREED

To recommend to Governance Committee / Full Council an amendment under recommendation 2) c) by adding the words 'or former councillor' after the words '...of other regulations by the Subject Councillor-' so that paragraph 4.4 of Annex 1 of the Arrangements would read as follows:

'If the complaint identifies potential criminal conduct or potential breach of other regulations by the Subject Councillor or Former Councillor, or any other person, the Monitoring Officer shall report the complaint to the police or other prosecuting or regulatory authority...'

Record of the voting:

For (5): Councillors Harvey, Jones, Moses, Old, Ricketts

Against (3): Edwards, McKenzie, I Stockley

Abstained (0): none

It was then proposed, seconded and when put to the vote

AGREED

To recommend to Governance Committee:

1) to note the adoption by Management Team of the new forms/processes listed below:

a) Call for Sites Submission Form (attached as Appendix 2) which includes an Authority Employee / Member Declaration to be completed by employees or members putting forward sites to alert Planners of a potential conflict of interest so the Monitoring Officer can be informed;

b) Call for Sites Authority Employee / Member Declaration - Process Note (attached as Appendix 3) requiring planning colleagues to record on a spreadsheet that the authority employee / member declaration has been appropriately reviewed and the Monitoring Officer has been contacted where necessary

c) Sensitive Interests form (see Appendix 3 of the Councillor Interest Governance Review) for use by the Monitoring Officer to record applications for a sensitive interest in accordance with s32 Localism Act

and

2) to recommend to the Governance Committee a recommendation to Full Council that delegated authority be given to the Monitoring Officer, in consultation with the Head of Paid Service, to:

a) amend the Members Code of Conduct to include the requirement for Members to register all directorships as Other Registrable Interests, whether or not they include a pecuniary interest;

b) make further changes to the constitution that relate to the proposed amendments to the Members' Code of Conduct, including for example, changes to procedure rules in terms of when members with a DPI and OSI may speak at a meeting to mirror the addition of Other Registrable Interests and in relation to sensitive interests;

c) amend the Arrangements for dealing with Councillor Conduct Complaints to require the Monitoring Officer to refer a matter to the police where there is a potential criminal offence regarding the failure by a Councillor or Former Councillor to appropriately disclose a Disclosable Pecuniary Interest.

Record of the voting:

For (8): Councillors Edwards, Harvey, Jones, McKenzie, Moses, Old, Ricketts, I Stockley

Against (0): none

Abstained (0): none

524. Any other urgent business to be dealt with in public

There was no other urgent business to be dealt with in public.

525. Exclusion of the press and public

This item was not required.

526. Any other urgent business which falls under the exempt provisions of the Local Government Act 1972 or the Freedom of Information Act 2000 or both

There was no other urgent business which fell under the exempt provisions.

The meeting ended at 19:33.

## CANTERBURY CITY COUNCIL

### WHITSTABLE HARBOUR BOARD

Minutes of a meeting held on 19 Jan 2024,  
At 3.00 pm in the Mallandain Room, Whitstable Castle, Whitstable

Present: Councillor Chris Cornell (Chair)

Councillor Michael Dixey

Councillor Andrew Harvey (sub)

Councillor Joe Howes

Councillor Naomi Smith

Councillor David Thomas (sub)

Councillor Clare Turnbull

Councillor Simon Warley

Councillor Joe Howes

Independent Member Peter Steen\*

Independent Member Sandy Lynam

Independent Member Neil Webster

Officers:

Liam Woollorton - Head of Engineering

Jan Guylor - Head of Legal Services & Monitoring Officer

Adam Wright - Lead Surveyor

Matthew Young - Harbour and Foreshore Manager

Lauren Wheeler - Democratic Services Officer

#### **461. Apologies**

Apologies for absence were received from Councillor Robert Jones and Councillor Keith Bothwell.

#### **462. Substitute Members**

Councillor David Thomas was present for Cllr Jones, Councillor Andrew Harvey was present for Cllr Bothwell.

#### **463. Declaration of interests by board members or officers**

The following declarations were made:

Councillor Dixey made a voluntary announcement that he is Cabinet Portfolio Holder for Property, Performance and Oversight in relation to Item 13 Property Action Plan Updates re: concessionary rates.

#### **464. Public Participation**

There were no speakers present at the meeting.

#### **465. Minutes of the meeting held on 13 October 2023**

The minutes were confirmed as a true record by general assent.

Action points:

- The Harbour and Foreshore Manager will follow-up the British Ports Association for links to appropriate Port Marine Safety Code introduction (online training) and awareness days, and circulate details to all members once available.
- The Head of Culture, Leisure and External Development provided an update to members at the Strategic Plan Workshop. A report on the South Quay Shed will be included at the next Harbour Board meeting in March.

#### **466. Harbour Strategy Update**

The Head of Engineering provided a summary and confirmed that the timescales in the original timetable are still realistic. There has been a good level of feedback, and a consultation report will be prepared for circulation before the next Strategic Plan Workshop on 2 February to further review and prioritise the goals as required.

The aim is for the Strategic Plan to be considered for approval at the next Harbour Board meeting in March and publication is planned by the end of April.

Thanks was given to the Head of Engineering and the team for a well managed process.

The Board NOTED the update.

#### **467. Harbour and Foreshore Manager's Report**

The Harbour and Foreshore Manager introduced the report and provided additional detail where required. Further discussion included:

- Completion of the Port Facility Security Officer (PFSO) Training Course, vetting process is to be completed.
- The Fishermen's memorial bench is now in situ. A date will be proposed for an 'official' opening. Invites are to be circulated in February and thanks was given for the support from the Harbour Board.
- Commencement of extensive repairs to the lighting on East Quay.
- Installation of safety signage on West Quay.
- A review of the Navigational Risk Assessment (NRA) is currently being completed. It is anticipated that this will be considered for approval at the next Harbour Board meeting in March.

- Commencement of a review of the tenancy terms and conditions of the beach huts. Clarity was provided re: subletting clauses, occupation rates and current charges in relation to other areas.
- Signage and Fixed Penalty Notices in Beach Walk car park.
- Shipping statistics and an amendment to the reporting period from calendar year to financial year

The expiry date of the Port Waste Management Plan in Part 2 of the report was confirmed as June 2024 (not 2023).

The Board NOTED the report.

#### **468. Engineer's report**

The Technician Engineer presented the report and provided a summary to the Board of key points and forthcoming works.

The Harbour Board members discussed the report including the following:

- Further detail and frequency of harbour dredging, potential updates on social media.
- Effects of a challenging winter/storms.
- Installation of lighting columns at South Quay, and potential for easy installation of any additional lighting.
- Positive feedback from the Whitstable Fishermans Association re: works to the South Quay fenders.
- Completion of an additional electrical feeder box at the South Quay Shed.

The Board NOTED the report.

#### **469. Date of next meeting**

The date of the next meeting is 3pm, Friday 15th March 2024

#### **470. Any other urgent business to be dealt with in public**

None advised

#### **471. Exclusion of the press and public**

It was proposed, seconded and RESOLVED unanimously:

That under Section 100(A)(4) of the Local Government Act 1972, the press and public be excluded from the meeting during consideration of the following items of business on the grounds that there would be disclosure of exempt information as defined in Part 1 of Schedule 12A of the Act or the Freedom of Information Act or both.

#### **472. Memorandum of Understanding**

Independent Member, Neil Webster updated the board on initial conversations held between the Executive Management Team and board members on the Memorandum of Understanding.

The Board discussed the size of the board, the role of independent members, who the Harbour Board reports to and financial reporting.

The views and priorities from members during the discussions will be raised with relevant officers and taken forward as appropriate.

#### **473. Property Action Plan Updates**

(Councillor Dixey made a voluntary announcement that he is Cabinet Portfolio Holder for Property, Performance and Oversight.)

(Councillor Thomas made a voluntary announcement that he has a relative with a business on the Harbour.)

The Lead Surveyor presented the report. The Harbour Board members and officers discussed the report and ongoing tenant related matters in detail.

It was RESOLVED by general assent that all recommendations to grant lease (or other), or to proceed with action by the Lead Surveyor in terms of the matters detailed in the report, or as discussed in the session, were agreed.

The Board NOTED the report and verbal updates.

Action points to take forward by the Lead Surveyor:

- Proceed as discussed re: former Harbour Office
- Proceed as discussed re: Harbour Garden Cafe

#### **474. Any other business which falls under the exempt provisions**

There was no urgent business.

There being no other business the meeting closed at 4:55pm.



## Draft Programme of meetings 2024-2025

Colours indicate reporting cycles. Dates in brackets are reserve dates indicating meetings to which regular business is not expected to be scheduled.

	Day of meeting	2024												2025					
		May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May					
Council	Thursday 7pm	15 Annual Meeting Wed		18				17						9	24 (Mon) Budget				7 15 Wed Annual meeting
Cabinet	Monday 7pm		10	8				7	4 Budget	9					10 Budget	24	21		
Overview and Scrutiny Committee	Thursday 7pm	23	13					5	7					23 Budget	27	27			
Whitstable Harbour Board	Friday 3pm			5				11#						10		7			
Joint Transportation Board	Tuesday 7pm		18													18			
Scrutiny Sub-Committee	Weds 7pm		26	(3) (25) Thurs				11	27*	(19) Thurs						5*	(10) Thu		(8) Thurs
Audit Committee	Weds 7pm			10				2					22			12			
Cabinet Committee (Companies)	Thursday 7pm								28						30				
Governance Committee	Tuesday 7pm														25				

Regulatory Committees, Boards and other Panels and Groups	Day and time of meeting	2024												2025												
		May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May												
Licensing Sub-Committee	Wednesday 10.30 am	Provisionally every Wednesday, except Christmas week																								
Licensing Committee	Monday 10am	20		8 Annual Meeting																						
Planning Committee	Tuesday 7pm	28	25	23	20	17	15	12	10	7	4	4	1	29											27	
Planning Sub-Committee	Thursday 7pm	1 (Wed)				12																				
Standards Committee	Monday 7pm			15																						
Councillor Briefings (subject to change)	Wednesday 5.30pm online		12	3	4	9	20	15	12	19	30 Budget														30	
South Thames Gateway Building Control Joint Committee	Thursday 10am		27 AGM		26				12																	13

**Meeting locations:**

Most meetings will be held at The Guildhall, Westgate, Canterbury CT1 2DB. Members of the public can listen to the audio live stream at [democracy.canterbury.gov.uk](https://democracy.canterbury.gov.uk)

Meetings of the Whitstable Harbour Board are normally held in The Mallandain Room, Whitstable Castle, Tower Hill, Whitstable CT5 2BW

**Please note:**

#Meeting to include the AGM to be held immediately prior to the start of the WHB meeting

\*Meeting includes hold date for call in

() Meeting is a hold date and will only be held if there is a call in

\*\*Council Meeting - Reserve date, if required, for any additional decisions required for the Budget

Democratic Services Team - 01227 862009, [democracy@canterbury.gov.uk](mailto:democracy@canterbury.gov.uk)

## CANTERBURY CITY COUNCIL

### Minutes of a meeting of the CANTERBURY CITY COUNCIL duly convened and held on Thursday 22 February 2024 at 7.00 pm in The Guildhall, St Peter's Place, Canterbury

**Present:** Councillor Jean Butcher (Lord Mayor)

Councillor Baldock, Councillor Bland, Councillor Brady, Councillor Buckman, Councillor Carnac, Councillor Carr-Ellis, Councillor Castle, Councillor Charlotte Cornell, Councillor Chris Cornell, Councillor Dawkins, Councillor Dixey, Councillor Edwards, Councillor Flanagan, Councillor Franklin, Councillor A Harvey, Councillor L Harvey, Councillor Hazelton, Councillor Howes, Councillor Jones, Councillor McKenzie, Councillor Mellish, Councillor Moses, Councillor Nolan, Councillor Old, Councillor Prentice, Councillor Ricketts, Councillor D Smith, Councillor N Smith, Councillor Sole, Councillor Thomas, Councillor Turnbull, Councillor Watkins and Councillor Wheeler.

#### **566. Apologies for absence**

Apologies for absence were received from Councillors Bothwell, Jupe, Ian Stockley, Jeanette Stockley and Warley.

#### **567. Declaration of councillors' interests**

Councillors Baldock, Dixey, Carnac and Turnbull each made a statement that any declarations of interests by councillors in their respective groups that were recorded in the minutes presented to the meeting were deemed to be declared again by any of those councillors present at the meeting.

#### **568. Petitions or questions from the public**

Three related petitions were presented and the lead petitioner, Robert Johnson, spoke.

The Lord Mayor advised the petition would be discussed under the budget item which included parking income forecasts.

#### **569. Announcements**

The Lord Mayor gave thanks to all those involved in the recent cyber incident that had affected not just our authority but others nearby. Particular thanks were given to the Digital, Data and Improvement team. A round of applause was given to them and other officers who had worked tirelessly to keep council services running.

There were no other announcements from other cabinet members or officers.

### **570. Budget proposals 2024/25**

A. Councillor Sole delivered the Labour/Liberal Democrat leadership coalition budget priorities speech.

B. Councillor Carnac replied on behalf of the Conservative Group.

C. Councillor Turnbull replied on behalf of the Green Party Group

D. Councillor Baldock replied to the speeches by Councillors Carnac and Turnbull.

### **571. Recommendations to Full Council from Cabinet**

#### **(a) Pay Policy 2024/25**

Councillor Baldock proposed and Councillor Dixey seconded the recommendations from the Cabinet meeting of 8 February 2024 relating to the Pay Policy Statement 2024/25 (minute ) and it was

RESOLVED: That the Pay Policy Statement for 2024/25 be adopted.

Record of voting:

For the vote (34): Councillors Baldock, Bland, Brady, Buckman, Butcher, Carnac, Carr-Ellis, Castle, Charlotte Cornell, Chris Cornell, Dawkins, Dixey, Edwards, Franklin, Andrew Harvey, Liz Harvey, Hazelton, Howes, Jones, McKenzie, Mellish, Moses, Nolan, Old, Prentice, Ricketts, Dan Smith, Naomi Smith, Sole, Thomas, Turnbull, Watkins and Wheeler.

Against the vote (0):

Abstained (0):

#### **(b) Draft Housing Revenue and Capital Budget**

(A)Councillors debated the proposal.

(B)Councillor Carnac proposed and Councillor Howes seconded, the following amendment:

To propose increasing garage charges – adding to the HRA income – so that charges are £13.50 per week for locals and £16.50 per week for non-tenants.

(C)This was subject to a debate and put to a vote and was LOST. Record of the voting on the amendment:

Record of voting:

For the vote (7): Councillors Carnac, Andrew Harvey, Liz Harvey, Howes, Jones, Thomas and Watkins.

Against the vote (26): Councillors Baldock, Bland, Brady, Buckman, Butcher, Carr-Ellis, Castle, Charlotte Cornell, Chris Cornell, Dawkins, Dixey, Edwards, Flanagan, Franklin, Hazelton, McKenzie, Mellish, Moses, Nolan, Old, Prentice, Ricketts, Dan Smith, Naomi Smith, Sole, Turnbull and Wheeler.

Abstained (1): Councillor Butcher

(D)Councillor Baldock proposed and Councillor Dixey seconded the recommendations from the Cabinet meeting of 8 February 2024 relating to the Draft Housing Revenue Account budget and it was RESOLVED:

That the draft housing revenue and capital budgets in Appendices A to C be approved.

Record of voting:

For the vote (34): Councillors Baldock, Bland, Brady, Buckman, Butcher, Carnac, Carr-Ellis, Castle, Charlotte Cornell, Chris Cornell, Dawkins, Dixey, Edwards, Flanagan, Franklin, Andrew Harvey, Liz Harvey, Hazelton, Howes, Jones, McKenzie, Mellish, Moses, Nolan, Old, Prentice, Ricketts, Dan Smith, Naomi Smith, Sole, Thomas, Turnbull, Watkins and Wheeler.

Against the vote (0): Councillors

Abstained (0): Councillors

### **(c) Financial outlook and draft budget 2024/25**

(A) Councillor Thomas proposed and Councillor L Harvey seconded, the following amendment:

Parking Amendments – that the free parking in William St car park from 6-9pm is reinstated by taking £5,000 from the parking discounts/incentives for events budget

(B)This was subject to a debate and put to a vote and was LOST. Record of the voting on the amendment:

Record of voting:

For the vote (7): Councillors Carnac, Andrew Harvey, Liz Harvey, Howes, Jones, Thomas and Watkins.

Against the vote (24): Councillors Baldock, Bland, Brady, Buckman, Butcher, Carr-Ellis, Castle, Charlotte Cornell, Chris Cornell, Dawkins, Dixey, Edwards, Flanagan, Franklin, Hazelton, McKenzie, Moses, Nolan, Old, Prentice, Ricketts, Dan Smith, Naomi Smith and Sole.

Abstained (3): Councillors Mellish, Turnbull and Wheeler.

(C)Councillor Jones proposed and Councillor Howes seconded, the following amendment:

Remove the increases for all the leisure car parks in band A (4) – this amounts to £1,642 which can be taken from the one-off marketing budget.

Leave the parking charges as they are in School Lane, Herne – this accounts for £1,628 In total that leaves £3,546 in the parking discounts/incentives for events budget

(D)This was subject to a debate and put to a vote and was LOST. Record of the voting on the amendment:

Record of voting:

For the vote (7): Councillors Carnac, Andrew Harvey, Liz Harvey, Howes, Jones, Thomas and Watkins.

Against the vote (26): Councillors Baldock, Bland, Brady, Buckman, Butcher, Carr-Ellis, Castle, Charlotte Cornell, Chris Cornell, Dawkins, Dixey, Edwards, Flanagan, Franklin, Hazelton, McKenzie, Mellish, Moses, Nolan, Old, Prentice, Ricketts, Dan Smith, Naomi Smith, Sole and Wheeler.

Abstained (1): Councillor Turnbull.

(E)Councillor Howes proposed and Councillor Carnac seconded, the following amendment:

To delete the market manager as a cost-saving to the council – and tender instead for an independent market specialist to run the markets on a commercial basis

(F)This was subject to a debate and put to a vote and was LOST. Record of the voting on the amendment:

Record of voting:

For the vote (6): Councillors Carnac, Liz Harvey, Howes, Jones, Thomas and Watkins.

Against the vote (27): Councillors Baldock, Bland, Brady, Buckman, Butcher, Carr-Ellis, Castle, Charlotte Cornell, Chris Cornell, Dawkins, Dixey, Edwards, Flanagan, Franklin, Hazelton, McKenzie, Mellish, Moses, Nolan, Old, Prentice, Ricketts, Dan Smith, Naomi Smith, Sole, Turnbull and Wheeler.

Abstained (1): Councillor A Harvey.

(G)Councillor Carnac proposed and Councillor Watkins seconded, the following amendment:

To restore £250 each in the opportunity fund – splitting the grants pot differently so that £9750 is for the opportunity fund and £6250 is left in the grants pot.

(H)This was subject to a debate and put to a vote and was LOST. Record of the voting on the amendment:

Record of voting:

For the vote (8): Councillors Carnac, Andrew Harvey, Liz Harvey, Howes, Jones, Thomas, Turnbull and Watkins.

Against the vote (25): Councillors Baldock, Bland, Brady, Buckman, Butcher, Carr-Ellis, Castle, Charlotte Cornell, Chris Cornell, Dawkins, Dixey, Edwards,

Flanagan, Franklin, Hazelton, McKenzie, Mellish, Moses, Nolan, Old, Prentice, Ricketts, Naomi Smith, Sole and Wheeler.  
Abstained (1): Councillor D Smith.

(l)Councillor Baldock proposed and Councillor Dixey seconded the recommendations from the Cabinet meeting of 8 February 2024 relating to the Draft General Fund revenue and capital budgets 2024/25 and it was RESOLVED:

- a) that the Council approves the net revenue budget amount of £20,817,234 for 2024/25;
- b) that the Council approves a Council Tax for Band D of £239.89 for 2024/25, an increase of 2.99% when compared with 2023/24 (as set out in the supplement to the agenda);
- c) that the Council approves the Financial Plan for 2024/25 to 2025/26 set out in Appendix 1 as the basis for the budget in each of those years with the projected Council Tax increase being limited to not more than 2.99% each year;
- d) that, in order to deliver a robust budget in future years, the Council continues to identify further opportunities to generate additional savings;
- e) that the fees and charges set out in Appendix 3 be approved;
- f) that the movements in reserves set out in Appendix 4 be approved; and
- g) that authority be given to incur expenditure on schemes brought into the capital programme since the Council meeting in February 2023 for 2024/25 set out in Appendix 2;
- h) that, subject to any alterations necessary, the draft capital programme set out in Appendix 2 be adopted as the basis for planning the approved capital budget; and
- i) that authority be given to the Head of Paid Services, Director of People and Place, Director of Strategy and Improvement and Service Directors to incur expenditure and otherwise exercise the powers delegated to them in the Constitution in order to implement the Capital Programme.
- j) that for the cost recovery fees and charges (highlighted in amber in Appendix 3), officers are able to further increase or decrease charges during the year by up to 5% if costs vary, in consultation with the Chair of Cabinet.
- k) that authority is given to the Director of Finance & Procurement, Section 151 Officer to make any necessary amendments to individual budget lines following the final Local Government Finance Settlement in line with existing virement rules that does not alter the net revenue budget requirement

Record of voting:

For the vote (25): Councillors Baldock, Bland, Brady, Buckman, Butcher, Carr-Ellis, Castle, Charlotte Cornell, Chris Cornell, Dawkins, Dixey, Edwards, Flanagan, Franklin, Hazelton, McKenzie, Mellish, Moses, Nolan, Old, Prentice, Ricketts, Dan Smith, Naomi Smith and Sole.

Against the vote (6): Councillors Carnac, L Harvey, Howes, Jones, Thomas and Watkins.

Abstained (3): Councillors A Harvey, Turnbull and Wheeler.



There was a short 10 minute adjournment at this point.

**(d) Opportunity to purchase affordable housing near Canterbury**

Councillor Baldock proposed and Councillor Dixey seconded the recommendations from the Cabinet meeting of 8 February 2024 relating to the Opportunity to purchase affordable housing near Canterbury and it was

RESOLVED: That Council resolves to approve the purchase of the new affordable homes for the price specified in the confidential annex.

Record of voting:

For the vote (34): Councillors Baldock, Bland, Brady, Buckman, Butcher, Carnac, Carr-Ellis, Castle, Charlotte Cornell, Chris Cornell, Dawkins, Dixey, Edwards, Franklin, Andrew Harvey, Liz Harvey, Hazelton, Howes, Jones, McKenzie, Mellish, Moses, Nolan, Old, Prentice, Ricketts, Dan Smith, Naomi Smith, Sole, Thomas, Turnbull, Watkins and Wheeler.

Against the vote (0):

Abstained (0):

**(e) Council Tax 2024/25**

Councillor Baldock proposed and Councillor Dixey seconded the recommendations from the Cabinet meeting of 8 February 2024 relating to the Council Tax 24/25 and it was

RESOLVED: That Council approves the formal resolution set out in Appendix B to set the Council Tax for 2024/25

Record of voting:

For the vote (34): Councillors Baldock, Bland, Brady, Buckman, Butcher, Carnac, Carr-Ellis, Castle, Charlotte Cornell, Chris Cornell, Dawkins, Dixey, Edwards, Franklin, Andrew Harvey, Liz Harvey, Hazelton, Howes, Jones, McKenzie, Mellish, Moses, Nolan, Old, Prentice, Ricketts, Dan Smith, Naomi Smith, Sole, Thomas, Turnbull, Watkins and Wheeler.

Against the vote (0):

Abstained (0):

**(f) Non- Domestic rates (Business rates) Discretionary relief policy**

Councillor Baldock proposed and Councillor Dixey seconded the recommendations from the Cabinet meeting of 8 February 2024 relating to the Non-domestic rates (Business rates) Discretionary relief policy and it was

RESOLVED:

- a) Approve a revised business rates discretionary relief policy, in two volumes
- b) Approve the automatic award of relief to certain business types



c) Approve a revised process for making decisions on relief applications in non-automatic award cases, on a case-by-case basis, via a scoring matrix procedure.

Record of voting:

For the vote (34): Councillors Baldock, Bland, Brady, Buckman, Butcher, Carnac, Carr-Ellis, Castle, Charlotte Cornell, Chris Cornell, Dawkins, Dixey, Edwards, Franklin, Andrew Harvey, Liz Harvey, Hazelton, Howes, Jones, McKenzie, Mellish, Moses, Nolan, Old, Prentice, Ricketts, Dan Smith, Naomi Smith, Sole, Thomas, Turnbull, Watkins and Wheeler.

Against the vote (0):

Abstained (0):

## **572. Recommendations to the Full Council from Committees and Boards**

### **(a) Draft terms of reference for a community governance review of the parish boundary between the parished areas of Westbere and Hersden**

Councillor Flanagan proposed and Councillor Brady seconded the recommendations from the General Purposes meeting on 29 January 2024 relating to draft terms of reference for a community governance review of the parish boundary between the parished areas of Westbere and Hersden and it was

RESOLVED:

1. That a Community Governance Review be conducted, in accordance with the Local Government and Public Involvement in Health Act 2007, and the timetable and terms of reference set out in the appendices to this report be approved;
2. That the Head of Corporate Governance, in consultation with the Head of Paid Service be authorised to take all necessary steps in relation to the review;
3. That the CGR Task and Finish Advisory Group be invited to consider the review and make recommendations to the committee.

Record of voting:

For the vote (34): Councillors Baldock, Bland, Brady, Buckman, Butcher, Carnac, Carr-Ellis, Castle, Charlotte Cornell, Chris Cornell, Dawkins, Dixey, Edwards, Franklin, Andrew Harvey, Liz Harvey, Hazelton, Howes, Jones, McKenzie, Mellish, Moses, Nolan, Old, Prentice, Ricketts, Dan Smith, Naomi Smith, Sole, Thomas, Turnbull, Watkins and Wheeler.

Against the vote (0):

Abstained (0):

## **(b) Updates to the Constitution**

Councillor Baldock proposed and Councillor Dixey seconded the recommendations from the Governance Committee meeting of 13 February 2024 relating to updates of the constitution and it was

### RESOLVED

1. The amendments to Part 5, terms of reference of committees, outlined in the report were agreed.
2. In relation to the changes proposed to the Audit Committee - i) To include separation between cabinet membership and those charged with oversight on the Audit Committee in the Audit Committee terms of reference. ii) To invite nominations for an independent member to serve on the Audit Committee.
3. To confirm the arrangements in relation to the Planning Sub Committee, and to delegate to the Planning Committee the ability to devolve the monitoring of conditions on other major applications, as necessary, to the Planning Sub Committee.
4. To remove the Herne Bay Residents Association from the list of amenity groups with a reserved speaking slot at the Planning Committee.
5. To amend the call-in procedures to allow 15 clear working days from receipt of a valid call-in to convene a meeting of the Scrutiny Sub Committee.
6. i) That the webcasting and hybrid technology is piloted at Cabinet and then rolled out to Council and other committee meetings when we are confident with the use and reliability of the technology. ii) That the hybrid meeting protocol set out in Appendix D is adopted.
7. That the changes recommended to Article 12 (Statutory officer responsibilities) and Part 8.1 (Scheme of delegation from council to officers) outlined in the report are approved.
8. To amend the Financial Procedure Rules as set out in the report.

### Record of voting:

For the vote (34): Councillors Baldock, Bland, Brady, Buckman, Butcher, Carnac, Carr-Ellis, Castle, Charlotte Cornell, Chris Cornell, Dawkins, Dixey, Edwards, Franklin, Andrew Harvey, Liz Harvey, Hazelton, Howes, Jones, McKenzie, Mellish, Moses, Nolan, Old, Prentice, Ricketts, Dan Smith, Naomi Smith, Sole, Thomas, Turnbull, Watkins and Wheeler.

Against the vote (0):

Abstained (0):

## **(c ) Councillor Interest Governance Review Recommendations**

Councillor Baldock proposed and Councillor Ricketts seconded the recommendations from the Governance Committee meeting of 13 February 2024 relating to councillor interest governance review recommendations and asked council to to note the separate report to accompany the referrals made by the Audit, Standards and Governance Committees.

## RESOLVED

That delegated authority be given to the Monitoring Officer, in consultation with the Head of Paid Service, to:

a) amend the Members Code of Conduct to include the requirement for Members to register all directorships as Other Registrable Interests, whether or not they include a pecuniary interest;

b) make further changes to the constitution that relate to the proposed amendments to the Members' Code of Conduct, including for example, changes to procedure rules in terms of when members with a DPI and OSI may speak at a meeting to mirror the addition of Other Registrable Interests and in relation to sensitive interests;

c) amend the Arrangements for dealing with Councillor Conduct Complaints to require the Monitoring Officer to refer a matter to the police where there is a potential criminal offence regarding the failure by a Councillor or Former Councillor to appropriately disclose a Disclosable Pecuniary Interest (Localism Act 2011).

Record of voting:

For the vote (34): Councillors Baldock, Bland, Brady, Buckman, Butcher, Carnac, Carr-Ellis, Castle, Charlotte Cornell, Chris Cornell, Dawkins, Dixey, Edwards, Franklin, Andrew Harvey, Liz Harvey, Hazelton, Howes, Jones, McKenzie, Mellish, Moses, Nolan, Old, Prentice, Ricketts, Dan Smith, Naomi Smith, Sole, Thomas, Turnbull, Watkins and Wheeler.

Against the vote (0):

Abstained (0):

### **573. Councillor questions**

Councillor Howes asked the following question:

Will the leader ensure the implementation of an immediate recovery plan to return Curtis Woods to a site of natural beauty, rather than its current state of resembling a building site following work organised by Canenco?

Councillor Charlotte Cornell the Cabinet Member for Heritage, Open Space, Waste and Recycling replied as follows:

The works at Curtis Wood were undertaken by Canenco's sub contractor Elite to address a health and safety issue relating to dead and dying trees (Ash and Elm) within falling distance of the Curtis Wood Road.

The issues were identified as part of the independent inspection carried out on council trees and woodlands every two years.

A Hymac excavator, fitted with a harvesting head, was used to fell 92 trees.

This is accepted to be the safest and best value for money means of felling the trees.

The Hymac, which is a tracked vehicle, has created ruts within the wood and has left the worked area looking damaged.

Curtis Wood Park is a Local Nature Reserve and is managed as such.

The felled trees will regrow from the coppice stools, albeit they will sadly still be suffering from the Ash dieback or Dutch Elm disease.

The woodland ride created through the removal of the diseased trees will grow into a biodiversity rich area known as a woodland edge habitat.

This more open part of the wood will be suitable for invertebrates (Speckled Wood butterfly), ground nesting birds and also woodland plants.

Regarding the need for a restoration plan, the best restoration plan for the site is to let nature respond to the opening up of this woodland ride.

The planting of trees is not required. There are many locally indigenous native trees waiting for such an opportunity to grow and to become part of the new canopy.

Also, the disturbed soil supports a seed bank that will immediately colonise the cleared area.

Council officers will be working with the Kentish Stour Countryside Project to monitor the wood's response to the clearance and will be reporting back to both Ward and Parish councillors on nature's recovery.

Our usual practice when any tree felling is to occur, is for officers to inform the ward councillors well in advance.

Unfortunately on this occasion we didn't do this and apologise to you and your fellow ward councillors for this error. We will ensure this doesn't happen again.

Councillor Howes asked the following supplementary question.

I have received correspondence from a local resident regarding climate emergency is clearly just words on a page. Following the example at Curtis Woods, what can we do to reassure her?

Councillor Charlotte Cornell responded.

I was copied into the same correspondence. The same resident talks about the removal of species that weren't removed, I can give you a breakdown of the species that were removed and the type of tree that was there. It is not

ideal to ever remove so many trees, but it is a health and safety issue and we were working to protect the highways at the request of other partners. We have a duty in a nature reserve to keep the space safe. We are watching to ensure other biodiverse opportunities are maximised.

Due to the lateness of the meeting, Councillors A Harvey (on behalf of Councillor Bothwell), Flanagan and Turnbull agreed that they would receive a written response to their submitted questions.

#### **574. Notices of Motion**

Councillor Carnac proposed, and Councillor Howes seconded, the following Motion:

This Council believes that residents should receive the infrastructure and amenities they are promised when they buy a new home and that developers and this Council should be held accountable for their legal obligations within S106 agreements. This Council will produce a quarterly report detailing performance against financial, programme and other obligations of all parties within S106 agreements of which this Council is a party. The report will be issued to all members of this council. Increasing transparency on performance against commitments will provide confidence to communities that promises will be delivered on.

The Lord Mayor indicated that the Motion would be referred to Cabinet without debate. The Leader gave an initial response and confirmed that the Motion would be referred to Cabinet.

#### **575. Changes to memberships of committees and sub-committees for the remainder of the council year**

There were no changes to memberships.

#### **576. Council Minutes**

Councillor Baldock proposed, and Councillor Dixey seconded, the approval of the minutes of the previous meeting, and they were RESOLVED by general assent.

#### **577. To receive the following minutes of the meetings specified**

a. Audit Committee - Wednesday 24 January 2024

It was proposed by Councillor Brady and seconded by Councillor Carr-Ellis and AGREED by general assent that the minutes of the above meeting be received.

b. Cabinet - Thursday 8 February 2024

It was proposed by Councillor Baldock and seconded by Councillor Dixey and AGREED by general assent that the minutes of the above meeting be received.

c. General Purposes Committee - 29 January 2024

It was proposed by Councillor Flanagan and seconded by Councillor Brady and AGREED by general assent that the minutes of the above meeting be received.

d. Governance Committee - 13 February 2024

It was proposed by Councillor Baldock and seconded by Councillor Ricketts and AGREED by general assent that the minutes of the above meeting be received.

e. Licensing Sub Committee - 10 January 2024

It was proposed by Councillor Bland and seconded by Councillor Castle and AGREED by general assent that the minutes of the above meeting be received.

f. Overview and Scrutiny Committee - 25 January 2024

It was proposed by Councillor Prentice and seconded by Councillor Flanagan and AGREED by general assent that the minutes of the above meeting be received.

g. Planning Committee - 9 January 2024

It was proposed by Councillor Edwards and seconded by Councillor D Smith and AGREED by general assent that the minutes of the above meeting be received.

h. Standards Committee - 7 February 2024

It was proposed by Councillor Moses and seconded by Councillor McKenzie and AGREED by general assent that the minutes of the above meeting be received.

i. Whitstable Harbour Board - 19 January 2024

It was proposed by Councillor Baldock and seconded by Councillor N Smith and AGREED by general assent that the minutes of the above meeting be received.

**578. Programme of meetings for 2024/25**

It was proposed by Councillor Baldock and seconded by Councillor Dixey to approve the adoption of the programme of meetings for 2024/25

It was AGREED by general assent to approve the adoption of the programme of meetings for 2024/25.

**579. Notices of urgent decisions made by the Head of Paid Service under delegation**

No urgent decisions had been taken by the Head of Paid Service under delegation

**580. Any other urgent business to be dealt with on the night**

There was no business under this item.

Meeting closed 22.43

Item 15

Confidential report