

# Public Document Pack



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2 June 2017

Dear Councillor

NOTICE IS HEREBY GIVEN THAT a meeting of the **CABINET** will be held at these offices (Council Chamber) on Monday 12 June 2017 at 11.00 am when the following business will be transacted.

Members of the public who require further information are asked to contact Kate Batty-Smith on (01304) 872303 or by e-mail at [kate.batty-smith@dover.gov.uk](mailto:kate.batty-smith@dover.gov.uk).

Yours sincerely

A handwritten signature in black ink, appearing to read "Kate Batty-Smith", written over a white background.

Chief Executive

## Cabinet Membership:

P A Watkins	Leader of the Council
M D Conolly	Deputy Leader of the Council
T J Bartlett	Portfolio Holder for Property Management and Public Protection
P M Beresford	Portfolio Holder for Housing, Health and Wellbeing
N J Collor	Portfolio Holder for Access and Licensing
N S Kenton	Portfolio Holder for Environment, Waste and Planning
K E Morris	Portfolio Holder for Skills, Training, Tourism, Voluntary Services and Community Safety

## AGENDA

### 1 **APOLOGIES**

To receive any apologies for absence.

### 2 **DECLARATIONS OF INTEREST** (Page 5)

To receive any declarations of interest from Members in respect of business to be transacted on the agenda.

3 **RECORD OF DECISIONS** (Pages 6-23)

The Decisions of the meeting of the Cabinet held on 8 May numbered CAB 180 to CAB 199 (inclusive) are attached.

4 **NOTICE OF FORTHCOMING KEY DECISIONS** (Pages 24-26)

The Notice of Forthcoming Key Decisions is included in the agenda to enable the Cabinet to identify future agenda items of public interest that should be subject to pre-Cabinet scrutiny.

**ISSUES ARISING FROM OVERVIEW AND SCRUTINY OR OTHER COMMITTEES**

To consider any issues arising from Overview and Scrutiny or other Committees not specifically detailed elsewhere on the agenda.

5 **PERFORMANCE REPORT - FOURTH QUARTER 2016/17**

To consider the recommendations from the Scrutiny (Policy and Performance) Committee (to follow).

6 **ADOPTION OF WATERLOO CRESCENT, DOVER CONSERVATION AREA CHARACTER APPRAISAL**

To consider the recommendations from the Scrutiny (Policy and Performance) Committee (to follow).

7 **EXTENSIONS TO THE NELSON STREET, DEAL CONSERVATION AREA**

To consider the recommendations from the Scrutiny (Policy and Performance) Committee (to follow).

8 **APPROPRIATION OF LAND FOR PLAY AREAS**

To consider the recommendations from the Scrutiny (Policy and Performance) Committee (to follow).

9 **ST RADIGUND'S PLAY AREA PROJECT**

To consider the recommendations from the Scrutiny (Policy and Performance) Committee (to follow).

10 **LOCAL PLAN ENGAGEMENT STRATEGY**

To consider the recommendations from the Scrutiny (Community and Regeneration) Committee (to follow).

11 **'BANKSY' ARTWORK**

To consider the recommendation from the Scrutiny (Community and Regeneration) Committee (to follow).

## **BUDGET AND POLICY FRAMEWORK - NON-KEY DECISIONS**

12 **ANNUAL GOVERNANCE ASSURANCE STATEMENT 2016/17 AND REVISED CORPORATE GOVERNANCE LOCAL CODE** (Pages 27-88)

To consider the attached report of the Director of Governance.

Responsibility: Portfolio Holder for Corporate Resources and Performance

## **EXECUTIVE - KEY DECISIONS**

13 **OLDSTAIRS BAY TO SANDWICH BAY BEACH MANAGEMENT PLAN** (Pages 89-92)

To consider the attached report of the Director of Environment and Corporate Assets.

Responsibility: Portfolio Holder for Environment, Waste and Planning

## **EXECUTIVE - NON-KEY DECISIONS**

14 **ACCOMMODATION CHARTER FOR DOVER DISTRICT** (Pages 93-99)

To consider the attached report of the Director of Environment and Corporate Assets.

Responsibility: Portfolio Holder for Skills, Training, Tourism, Voluntary Services and Community Safety

15 **LOCAL PLAN PROJECT ADVISORY GROUP: APPOINTMENT OF SCRUTINY REPRESENTATIVE**

At its meeting held on 8 May 2017, Cabinet considered a report on the membership of the Local Plan Project Advisory Group which recommended that a representative from the Scrutiny (Policy and Performance) Committee be appointed. A nomination from the Committee was not available at the meeting, but Cabinet is now advised that the Committee has nominated Councillor Kevin Mills.

16 **DECISION NOTICES** (Pages 100-103)

To note the attached decision between meetings taken by the Portfolio Holder for Property Management and Public Protection

DPH01 Replacement of Fender Piles at Sandwich Quay

### **Access to Meetings and Information**

- Members of the public are welcome to attend meetings of the Council, its Committees and Sub-Committees. You may remain present throughout them except during the consideration of exempt or confidential information.

- All meetings are held at the Council Offices, Whitfield unless otherwise indicated on the front page of the agenda. There is disabled access via the Council Chamber entrance and a disabled toilet is available in the foyer. In addition, there is a PA system and hearing loop within the Council Chamber.
- Agenda papers are published five clear working days before the meeting. Alternatively, a limited supply of agendas will be available at the meeting, free of charge, and all agendas, reports and minutes can be viewed and downloaded from our website [www.dover.gov.uk](http://www.dover.gov.uk). Minutes will be published on our website as soon as practicably possible after each meeting. All agenda papers and minutes are available for public inspection for a period of six years from the date of the meeting.
- If you require any further information about the contents of this agenda or your right to gain access to information held by the Council please contact Kate Batty-Smith, Democratic Support Officer, telephone: (01304) 872303 or email: [kate.batty-smith@dover.gov.uk](mailto:kate.batty-smith@dover.gov.uk) for details.

Large print copies of this agenda can be supplied on request.

**Declarations of Interest**

Disclosable Pecuniary Interest (DPI)

Where a Member has a new or registered DPI in a matter under consideration they must disclose that they have an interest and, unless the Monitoring Officer has agreed in advance that the DPI is a 'Sensitive Interest', explain the nature of that interest at the meeting. The Member must withdraw from the meeting at the commencement of the consideration of any matter in which they have declared a DPI and must not participate in any discussion of, or vote taken on, the matter unless they have been granted a dispensation permitting them to do so. If during the consideration of any item a Member becomes aware that they have a DPI in the matter they should declare the interest immediately and, subject to any dispensations, withdraw from the meeting.

Other Significant Interest (OSI)

Where a Member is declaring an OSI they must also disclose the interest and explain the nature of the interest at the meeting. The Member must withdraw from the meeting at the commencement of the consideration of any matter in which they have declared a OSI and must not participate in any discussion of, or vote taken on, the matter unless they have been granted a dispensation to do so or the meeting is one at which members of the public are permitted to speak for the purpose of making representations, answering questions or giving evidence relating to the matter. In the latter case, the Member may only participate on the same basis as a member of the public and cannot participate in any discussion of, or vote taken on, the matter and must withdraw from the meeting in accordance with the Council's procedure rules.

Voluntary Announcement of Other Interests (VAOI)

Where a Member does not have either a DPI or OSI but is of the opinion that for transparency reasons alone s/he should make an announcement in respect of a matter under consideration, they can make a VAOI. A Member declaring a VAOI may still remain at the meeting and vote on the matter under consideration.

Note to the Code:

Situations in which a Member may wish to make a VAOI include membership of outside bodies that have made representations on agenda items; where a Member 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 Member, relative, close associate, employer, etc. but not his/her financial position. It should be emphasised that an effect on the financial position of a Member, relative, close associate, employer, etc OR an application made by a Member, relative, close associate, employer, etc would both probably constitute either an OSI or in some cases a DPI.

Record of the decisions of the meeting of the **CABINET** held at the Council Offices, Whitfield on Monday, 8 May 2017 at 11.00 am.

Present:

Chairman: Councillor M D Conolly

Councillors: P M Beresford  
N J Collor  
N S Kenton  
K E Morris

Also Present: Councillor S F Bannister  
Councillor P M Brivio  
Councillor B Gardner  
Councillor S J Jones  
Councillor P Walker

Officers: Chief Executive  
Director of Environment and Corporate Assets  
Director of Finance, Housing and Community  
Director of Governance  
Head of Regulatory Services  
Policy and Projects Manager  
Public Protection Manager  
Principal Heritage Officer  
Senior Planner  
Democratic Support Officer

**The formal decisions of the executive are detailed in the following schedule.**

### Record of Decisions: Executive Functions

Decision Status	Record of Decision	Alternative options considered and rejected (if any)	Reasons for Decision	Conflicts of interest (if any) declared by decision maker(s) or consultees (if any)
CAB 180 8.5.17 Open  <b>Key Decisions</b> No  <b>Call-in to apply</b> Yes  <b>Implementation Date</b> 16 May 2017	<u>APOLOGIES</u>  It was noted that apologies for absence had been received from Councillors P A Watkins and T J Bartlett.	None.	To note any apologies for absence.	

Decision Status	Record of Decision	Alternative options considered and rejected (if any)	Reasons for Decision	Conflicts of interest (if any) declared by decision maker(s) or consultees (if any)
CAB 181 8.5.17 Open  <b>Key Decisions</b> No  <b>Call-in to apply</b> Yes  <b>Implementation</b>	<u>DECLARATIONS OF INTEREST</u>  It was noted that there were no declarations of interest.	None.	To note any declarations of interest.	

<b>Date</b> 16 May 2017				
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<b>Decision Status</b>	<b>Record of Decision</b>	<b>Alternative options considered and rejected (if any)</b>	<b>Reasons for Decision</b>	<b>Conflicts of interest (if any) declared by decision maker(s) or consultees (if any)</b>
CAB 182 8.5.17 Open  <b>Key Decisions</b> No  <b>Call-in to apply</b> Yes  <b>Implementation Date</b> 16 May 2017	<u>RECORD OF DECISIONS</u>  It was agreed that the decisions of the meeting of the Cabinet held on 3 April be approved, subject to CAB 179 being amended as follows:  'It was agreed that the key targets, as set out at Appendix 1 of the report, be approved, subject to the 2017/18 target for WAS010 ('Residual household waste per household') being amended to 430 kg; the retention of the existing Regeneration and Development Performance Indicators PLA004 and PLA001 (provided for information purposes only) and the Director of Governance making any minor changes, in consultation with the Portfolio Holder for Corporate Resources and Performance.'	None.	Cabinet is required to approve the Record of Decisions of the Cabinet meeting held on 3 April 2017.	

<b>Decision Status</b>	<b>Record of Decision</b>	<b>Alternative options considered and rejected (if any)</b>	<b>Reasons for Decision</b>	<b>Conflicts of interest (if any) declared by decision maker(s) or consultees (if any)</b>
CAB 183 8.5.17 Open  <b>Key Decisions</b> No  <b>Call-in to apply</b>	<u>NOTICE OF FORTHCOMING KEY DECISIONS</u>  It was agreed that there were no forthcoming Key Decisions identified for pre-Cabinet scrutiny at this stage.	None.	Cabinet is requested to identify any Key Decisions that it considers would be beneficial to refer to one of the Scrutiny	



Yes			Committees before the matter comes before Cabinet for formal decision.	
<b>Implementation Date</b> 16 May 2017				

Decision Status	Record of Decision	Alternative options considered and rejected (if any)	Reasons for Decision	Conflicts of interest (if any) declared by decision maker(s) or consultees (if any)
CAB 184 8.5.17 Open  <b>Key Decisions</b> Yes  <b>Call-in to apply</b> Yes  <b>Implementation Date</b> 16 May 2017	<u>REVIEW OF ON AND OFF-STREET PARKING CHARGES</u>  It was agreed:  (a) That the Scrutiny (Policy and Performance) Committee's endorsement of Cabinet decision CAB 177, made at its meeting held on 18 April 2017 (Minute No 183), be acknowledged.  (b) That the Scrutiny (Policy and Performance) Committee's recommendation (v) be approved, subject to details on how a scheme for free parking at Tides Leisure Centre would operate being submitted to Cabinet for further consideration.  (c) That Cabinet decision CAB 177 be reaffirmed.	None.	The Scrutiny (Policy and Performance) Committee, at its meeting held on 18 April 2017, endorsed Cabinet decision CAB 177 of 3 April 2017 and made an additional recommendation that parking at Tides Leisure Centre should be free for leisure centre users only.	

Decision Status	Record of Decision	Alternative options considered and rejected (if any)	Reasons for Decision	Conflicts of interest (if any) declared by decision maker(s) or consultees (if any)
CAB 185 8.5.17	<u>DDC HEALTH AND SAFETY STREET-LIGHTING WORKS</u>	None.	The Scrutiny (Policy and	

Open	It was agreed:		Performance) Committee, at its meeting held on 18 April 2017, endorsed Cabinet decision CAB 178 of 3 April 2017.	
<b>Key Decisions</b> Yes	(a) That the Scrutiny (Policy and Performance) Committee's endorsement of Cabinet decision CAB 178, made at its meeting held on 18 April 2017 (Minute No 184), be acknowledged.			
<b>Call-in to apply</b> Yes	(b) That Cabinet decision CAB 178 be reaffirmed.			
<b>Implementation Date</b> 16 May 2017				

Decision Status	Record of Decision	Alternative options considered and rejected (if any)	Reasons for Decision	Conflicts of interest (if any) declared by decision maker(s) or consultees (if any)
CAB 186 8.5.17 Open	<u>PERFORMANCE TARGETS 2017/18</u>	None.	The Scrutiny (Policy and Performance) Committee, at its meeting held on 18 April 2017, endorsed Cabinet decision CAB 179 of 3 April 2017 and made an additional recommendation.	
<b>Key Decisions</b> No	It was agreed:			
<b>Call-in to apply</b> Yes	(a) That the Scrutiny (Policy and Performance) Committee's endorsement of Cabinet decision CAB 179, made at its meeting held on 18 April 2017 (Minute No 185), be acknowledged.			
<b>Implementation Date</b> 16 May 2017	(b) That the Scrutiny (Policy and Performance) Committee's recommendation (b) be acknowledged, noting that outturn comparison information is already included in Performance Reports.			
	(c) That Cabinet decision CAB 179 be reaffirmed.			

Decision Status	Record of Decision	Alternative options considered and	Reasons for Decision	Conflicts of interest (if any) declared by
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		<b>rejected (if any)</b>		<b>decision maker(s) or consultees (if any)</b>
<p>CAB 187 8.5.17 Open</p> <p><b>Key Decisions</b> No</p> <p><b>Call-in to apply</b> Yes</p> <p><b>Implementation Date</b> 16 May 2017</p> <p>⇒</p>	<p><u>SOUTHERN WATER</u></p> <p>It was agreed that the Scrutiny (Community and Regeneration) Committee's recommendation, made at its meeting held on 18 April 2017 (Minute No 95), be acknowledged. However, it was noted that there was already a process in place for consulting Southern Water on flood risk. Furthermore, Officers were addressing the quality of this advice directly with Southern Water, and it was intended to introduce a Planning 'validation checklist' which could require major development (greater than 10 units) to be submitted with evidence regarding the capacity in the foul sewer network. The final version of the checklist would be brought to Cabinet for approval in due course, at which point Cabinet would be able to review the measures proposed.</p>	None.	<p>The Scrutiny (Community and Regeneration) Committee, at its meeting held on 15 March 2017, received a briefing from Southern Water and made a recommendation to Cabinet regarding the flood risk from developments of more than 20 houses. Cabinet requested further clarification from the Committee regarding its recommendation which it provided at its meeting held on 19 April 2017 (Minute No 95).</p>	

<b>Decision Status</b>	<b>Record of Decision</b>	<b>Alternative options considered and rejected (if any)</b>	<b>Reasons for Decision</b>	<b>Conflicts of interest (if any) declared by decision maker(s) or consultees (if any)</b>
<p>CAB 188 8.5.17 Open</p>	<p><u>REVIEW OF ON AND OFF-STREET PARKING CHARGES - MAISON DIEU CAR PARK, DOVER</u></p> <p>It was agreed that the Schedule of On and Off-Street Parking Charges be</p>	None.	A typographical error has been identified in the report on parking	

<b>Key Decisions</b> Yes	corrected to indicate that the fee for parking at Maison Dieu Car Park should be £2.20 for 2 hours.		charges that was considered and approved by Cabinet at its meeting held on 3 April 2017 (CAB 177). Cabinet agreement is sought to correct this error.	
<b>Call-in to apply</b> Yes				
<b>Implementation Date</b> 16 May 2017				

Decision Status	Record of Decision	Alternative options considered and rejected (if any)	Reasons for Decision	Conflicts of interest (if any) declared by decision maker(s) or consultees (if any)
CAB 189 8.5.17 Open <b>Key Decisions</b> Yes <b>Call-in to apply</b> Yes <b>Implementation Date</b> 16 May 2017	<u>DOVER DISTRICT COUNCIL LOCAL PLAN ENGAGEMENT STRATEGY</u>  It was agreed that the Local Plan Engagement Strategy, as set out at Appendix 1 to the report, be approved and made available on the Council's website.	None.	At its meeting held on 1 March 2017, Cabinet agreed that there should be a review of the Dover District Local Plan (CAB 157). The Engagement Strategy sets out how and when the Council will consult residents, businesses and key stakeholders during the Local Plan preparation process.	

Decision Status	Record of Decision	Alternative options considered and	Reasons for Decision	Conflicts of interest (if any) declared by
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		<b>rejected (if any)</b>		<b>decision maker(s) or consultees (if any)</b>
<p>CAB 190 8.5.17 Open</p> <p><b>Key Decisions</b> No</p> <p><b>Call-in to apply</b> Yes</p> <p><b>Implementation Date</b> 16 May 2017</p> <p>↪</p>	<p><u>ADOPTION OF WATERLOO CRESCENT, DOVER CONSERVATION AREA CHARACTER APPRAISAL</u></p> <p>It was agreed:</p> <p>(a) That the proposed responses to the representations received and the resulting modifications to the Waterloo Crescent Conservation Area Character Appraisal, as set out at Appendix 1 to the report, be approved.</p> <p>(b) That the adoption of the Waterloo Crescent Conservation Area Character Appraisal as a Local Development Document, as set out at Appendix 2 to the report, be approved.</p> <p>(c) That the Head of Regeneration and Development be authorised, in consultation with the Portfolio Holder for Environment, Waste and Planning, to make any necessary editorial changes to the Waterloo Crescent Conservation Area Character Appraisal to assist with clarity, consistency, explanation and presentation.</p>	None.	At its meeting held on 1 March 2017, Cabinet agreed that there should be a review of the Dover District Local Plan (CAB 157). The Engagement Strategy sets out how and when the Council will consult residents, businesses and key stakeholders during the Local Plan preparation process.	

<b>Decision Status</b>	<b>Record of Decision</b>	<b>Alternative options considered and rejected (if any)</b>	<b>Reasons for Decision</b>	<b>Conflicts of interest (if any) declared by decision maker(s) or consultees (if any)</b>
<p>CAB 191 8.5.17 Open</p> <p><b>Key Decisions</b> Yes</p>	<p><u>EXTENSIONS TO NELSON STREET, DEAL CONSERVATION AREA</u></p> <p>It was agreed that the three proposed extensions of the Nelson Street, Deal Conservation Area boundary, as set out at Appendix 1 of the report, be approved.</p>	None.	At its meeting held on 9 January 2017, Cabinet approved the Nelson Street Conservation Area Character Appraisal which	

<p><b>Call-in to apply</b> Yes</p> <p><b>Implementation Date</b> 16 May 2017</p>			<p>proposed that there should be three extensions to the existing Conservation Area boundary (CAB 123). Public consultation on the proposed extensions ran from 7 February to 23 March and two favourable responses were received.</p>	
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<p>→ Decision Status</p>	<p>Record of Decision</p>	<p>Alternative options considered and rejected (if any)</p>	<p>Reasons for Decision</p>	<p>Conflicts of interest (if any) declared by decision maker(s) or consultees (if any)</p>
<p>CAB 192 8.5.17 Open</p> <p><b>Key Decisions</b> No</p> <p><b>Call-in to apply</b> Yes</p> <p><b>Implementation Date</b> 16 May 2017</p>	<p><u>APPROPRIATION OF LAND FOR PLAY AREAS</u></p> <p>It was agreed:</p> <p>(a) That land at Barwick Road, Dover (as shown on the map at Appendix 1 of the report) be appropriated, to be held for the purposes of Part II of the Housing Act 1985.</p> <p>(b) That the Director of Environment and Corporate Assets be authorised to give statutory notice of the Council's intention to appropriate land at Cowdray Square, Deal (as shown on the map at Appendix 2 of the report), to be held for the purposes of Part II of the Housing Act 1985, to consider any objections received in response to that notice, and to make the appropriation or not, as he considers appropriate.</p>	<p>None.</p>	<p>Cabinet is requested to agree that two areas of land in Dover and Deal be appropriated under the Housing Act 1985 in order to provide play areas in connection with social housing accommodation.</p>	

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Decision Status	Record of Decision	Alternative options considered and rejected (if any)	Reasons for Decision	Conflicts of interest (if any) declared by decision maker(s) or consultees (if any)
CAB 193 8.5.17 Open  <b>Key Decisions</b> No  <b>Call-in to apply</b> Yes  <b>Implementation Date</b> 16 May 2017	<u>PERFORMANCE REPORT - FOURTH QUARTER 2016/17</u>  It was agreed that the Council's Performance Report and Actions for the Fourth Quarter 2016/17 be noted.	None.	Monitoring the Council's performance against key objectives is essential to the achievement of those aims and objectives. The Performance Report provides a summary of the Council's performance for the 12-month period to 31 March 2017.	

Decision Status	Record of Decision	Alternative options considered and rejected (if any)	Reasons for Decision	Conflicts of interest (if any) declared by decision maker(s) or consultees (if any)
CAB 194 8.5.17 Open  <b>Key Decisions</b> No	<u>APPOINTMENT OF MEMBER REPRESENTATIVES TO OUTSIDE BODIES 2017/18</u>  It was agreed:  (a) That the following appointments to outside bodies for 2017/18 be	To not defer the nomination of a trustee for the Municipal Charities of Dover.	On an annual basis, Cabinet appoints Members (and sometimes others) to outside bodies to represent	

<b>Call-in to apply</b> Yes  <b>Implementation Date</b> 16 May 2017  16	approved:				the Council's interests on those bodies or, in some cases, to act solely on behalf of the bodies.
	Action with Rural Communities in Kent	1 Year	Councillor M Ovenden Councillor F Scales		
	Age Concern Deal (Liaison Committee)	1 Year	Councillor P Heath		
	Aylesham & District Workshop Trust	1 Year	Councillor G Cowan		
	Canterbury and Coastal Health and Wellbeing Board	1 Year	Councillor S Chandler		
	Deal Fairtrade Steering Group	1 Year	Councillor P Hawkins		
	Dover Bronze Age Boat Trust	1 Year	Mr A Richardson		
	Dover, Deal and District Citizens' Advice Bureau	1 Year	Councillor P Beresford Councillor R Frost		
	Dover District Volunteering Centre	1 Year	Councillor K Morris		
	Dover Fairtrade Steering Group	1 Year	Councillor D Hannent		
East Kent Housing Board	1 Year	Councillor S Chandler			
East Kent Housing Dover Area Tenants'	1 Year	Councillor P Beresford Councillor M Rose			The appointments are of a strategic or community nature, and Cabinet has the option not to appoint representatives where they are fulfilling a community role.



	Board				
	East Kent Spatial Development Co.	1 Year	Councillor P Watkins		
	Industrial Communities Alliance	1 Year	Councillor S Manion		
	JAC Kent Downs AONB Partnership	1 Year	Councillor N Kenton		
	Kent County Playing Fields Association	1 Year	Councillor P Beresford		
	Kent Forum	1 Year	Councillor P Watkins		
	Local Enterprise Partnership Board and Executive	1 Year	Councillor P Watkins		
	Local Government Association – General Assembly	1 Year	Councillor P Watkins		
	Mary Hougham Almshouses	4 Years	Councillor A Friend		
	Police and Crime Panel for Kent	1 Year	Councillor K Morris		
	River Dour Partnership	1 Year	Councillor N Collor		
	River Stour (Kent) Internal Drainage Board	1 Year	Councillor M Conolly Councillor M Ovenden		
	Sandwich and Pegwell Bay	1 Year	Councillor M Ovenden		

18	National Nature Reserve Management Committee				
	South East England Councils (SEEC)	1 Year	Councillor P Watkins (sub: M Conolly)		
	South Kent Coast Health and Wellbeing Board	1 Year	Councillor P Watkins Councillor P Beresford		
	Tourism South East	1 Year	Councillor K Morris		
	Stagecoach Bus Users' Group	1 Year	Mrs S Nicholas		
	(b) That the nomination of a trustee to Municipal Charities of Dover be deferred until the views of the charity regarding the re-appointment of Mr J M Smith are known.				
(c) That the Leader of the Council be requested to nominate an alternative Member to substitute at meetings on an ad hoc basis when the appointed Member is unavailable (and where the constitution of the body allows this).					
(d) That the appointment of the Chief Executive to the Kent Forum be approved.					

Decision Status	Record of Decision	Alternative options considered and rejected (if any)	Reasons for Decision	Conflicts of interest (if any) declared by decision maker(s) or consultees (if any)
CAB 195 8.5.17 Open  <b>Key Decisions</b>	<u>APPOINTMENT OF PROJECT ADVISORY GROUPS 2017/18</u>  It was agreed:  (a) That the membership of the Local Plan Project Advisory Group for the	None.	Cabinet is requested to determine the membership of the following Project	

<p>No</p> <p><b>Call-in to apply</b> Yes</p> <p><b>Implementation Date</b> 16 May 2017</p> <p>19</p>	<p>Council year 2017/18 be established as follows:</p> <p>Portfolio Holder for Environment, Waste and Planning (Chairman); Councillor D P Murphy; Councillor B Gardner; the Chairman of the Planning Committee; a representative from the town and parish councils (Mr Keith Gowland representing Kent Association of Local Councils and nominated substitute); three representatives from the voluntary sector (Mr Pat Sherratt – The Dover Society; Mr Robin Green – The Deal Society; and Mr Richard Ralph – Sandwich Town Team); representatives from the Business Forum (including Mr Gareth Doodes, Mr Matthew or Mr Stuart Jaenicke and a representative from Megger) and the Chief Executive/Head of Regeneration and Development.</p> <p>(b) That the membership of the Dover Town Centre and Waterfront Project Advisory Group for the Council year 2017/18 be established as follows: Portfolio Holder for Property Management and Public Protection (Chairman) and Councillors P M Beresford, N J Collor, P A Watkins, P M Brivio, M R Eddy and P Walker.</p> <p>(c) That the membership of the Dover Leisure Centre Project Advisory Group for the Council year 2017/18 be established as follows: Portfolio Holders for Property Management and Public Protection (Chairman); Access and Licensing; Corporate Resources and Performance; Housing, Health and Wellbeing; Councillor P Walker and Mr Peter Ward.</p> <p>(d) That the membership of the Commercial Investment Project Advisory Group for the Council year 2017/18 be established as follows: Portfolio Holder for Corporate Resources and Performance (Chairman); Leader of the Council; Portfolio Holder for Property Management and Public Protection and Leader and Deputy Leader of the Opposition Group.</p> <p>(e) That the membership of the Residential Investment Project Advisory</p>		<p>Advisory Groups for 2017/18: Local Plan; Dover Town Centre and Waterfront; Dover Leisure Centre; Commercial Investment; Residential Investment and Investment Advisory.</p>	
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	<p>Group for the Council year 2017/18 be established as follows: Portfolio Holder for Corporate Resources and Performance (Chairman); Leader of the Council; Portfolio Holder for Housing, Health and Wellbeing; Leader of the Opposition Group and Shadow Portfolio Holder for Housing, Health and Wellbeing.</p> <p>(f) That the membership of the Investment Advisory Group for the Council year 2017/18 be established as follows: Portfolio Holder for Corporate Resources and Performance (Chairman); Chairman of the Governance Committee; Chairman of the Scrutiny (Policy and Performance) Committee and Councillors P I Carter and M R Eddy.</p>			
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Decision Status	Record of Decision	Alternative options considered and rejected (if any)	Reasons for Decision	Conflicts of interest (if any) declared by decision maker(s) or consultees (if any)
<p>CAB 196 25.17 Open</p> <p><b>Key Decisions</b> No</p> <p><b>Call-in to apply</b> Yes</p> <p><b>Implementation Date</b> 16 May 2017</p>	<p><u>APPOINTMENT OF DEVELOPER CONTRIBUTIONS EXECUTIVE COMMITTEE</u></p> <p>It was agreed:</p> <p>(a) That the membership of the Developer Contributions Executive Committee for the Council year 2017/18 be established as follows:</p> <p>Leader of the Council (Chairman) and the Portfolio Holders for Housing, Health and Wellbeing; Environment, Waste and Planning (Vice-Chairman) and Skills, Training, Tourism, Voluntary Services and Community Safety.</p> <p>(b) That a (non-voting) representative from the Labour Group (Councillor B Gardner) be invited to attend and participate at meetings of the Developer Contributions Executive Committee.</p>	<p>None.</p>	<p>The Developer Contributions Executive Committee was established by Cabinet in 2007. Cabinet is requested to determine the membership of the Committee for the Council year 2017/18.</p>	

Decision Status	Record of Decision	Alternative options considered and rejected (if any)	Reasons for Decision	Conflicts of interest (if any) declared by decision maker(s) or consultees (if any)
<p>CAB 197 8.5.17 Open</p> <p><b>Key Decisions</b> No</p> <p><b>Call-in to apply</b> Yes</p> <p><b>Implementation Date</b> 16 May 2017</p> <p>21</p>	<p><u>APPOINTMENT OF DOVER JOINT TRANSPORTATION BOARD VICE-CHAIRMAN</u></p> <p>It was agreed that the Leader of the Council be requested to appoint the Vice-Chairman once the membership of the Dover Joint Transportation Board for 2017/18 has been determined by Council on 17 May 2017.</p>	<p>To appoint the Vice-Chairman.</p>	<p>To comply with the terms of reference of the Dover Joint Transportation Board, which require that the chairmanship and vice-chairmanship of the Board alternates annually between Kent County Council and Dover District Council, Cabinet is required to appoint a vice-chairman for 2017/18.</p>	

Decision Status	Record of Decision	Alternative options considered and rejected (if any)	Reasons for Decision	Conflicts of interest (if any) declared by decision maker(s) or consultees (if any)
<p>CAB 198 8.5.17 Open</p> <p><b>Key Decisions</b> No</p>	<p><u>EXCLUSION OF THE PRESS AND PUBLIC</u></p> <p>That, in accordance with the provisions of the Local Authorities (Executive Arrangements) (Access to Information) (England) Regulations 2000, the press and the public be excluded during consideration of the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 3 of Schedule</p>	<p>None.</p>		

<b>Call-in to apply</b> Yes  <b>Implementation Date</b> Immediate	12A of the Local Government Act 1972.			
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Decision Status	Record of Decision	Alternative options considered and rejected (if any)	Reasons for Decision	Conflicts of interest (if any) declared by decision maker(s) or consultees (if any)
CAB 199 8.5.17 Open  <b>Key Decisions</b> No  <b>Call-in to apply</b> Yes  <b>Implementation Date</b> 16 May 2017	<u>ST RADIGUND'S PLAY AREA PROJECT</u>  It was agreed that a new play area facility be provided at St Radigund's, and the contract for the development be awarded to Wicksteed Leisure Ltd for the consideration set out in the report, subject to satisfying planning conditions.	None.	Following Cabinet's approval of the Council's Review of Play Area Provision 2012-2026 in March 2012 (in which it was identified that play area provision in St Radigund's ward was deficient), progress has been made in delivering new play areas in the district.  A competitive tender exercise was undertaken for the development of a new play area within the grounds of the Triangles Community Centre, and two tenders	

			were received.	
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The meeting ended at 11.52 am



# Notice of Forthcoming Key Decisions

24

[This updated version of the Notice supersedes all other versions issued in previous months]

Publication Date: 2 June 2017



## Notice of Forthcoming Key Decisions which will be made on behalf of the Council

Key Decisions 2017/18	Item	Date of meeting at which decision will be taken by Cabinet (unless specified otherwise)
1	Neighbourhood Plans	June 2013 and ongoing (see entry)
2	Dover Town Centre Regeneration: To consider progress on the Compulsory Purchase Order and any issues arising which may go beyond the scope of the resolutions incorporated in Minute CAB 87	8 September 2014/24 April 2015/7 March 2016 and ongoing
3	Approval to develop detailed plans for replacement of Dover Leisure Centre	25 July/20 September and 15 December 2016 (special Cabinet meetings) and 11 September 2017 (special Cabinet meeting)
4	Statutory Brownfield Register	4 December 2017
5	Review of Tenancy Strategy and Tenancy Policy	October/November 2017
6	Review of Local Plan	1 March 2017 and dates to be confirmed
7	Property Acquisitions	Ongoing (decisions to be taken by Portfolio Holder for Corporate Resources and Performance)
8	Approval for public consultation on draft South Barracks Conservation Area Appraisal	3 July 2017 and date to be confirmed
9	To consider the results of public consultation on the Waterloo Crescent Conservation Area Appraisal and approve public consultation on proposed boundary extensions	8 May 2017
10	To consider the results of public consultation on the extension of the Nelson Street Conservation Area boundary and the introduction of an Article 4 Direction	8 May and 6 November 2017
11	Approval to cease providing a face-to-face customer service function at Aylesham, Deal and Sandwich area offices	3 July 2017
12	Approval of revisions to the 2012 Housing Assistance Policy	3 July 2017
13	Approval of amended Dover District Council Events Policy and Land Hire Agreement	3 July 2017
14	Approval to release funding and carry out regular beach maintenance works between Oldstairs Bay and Sandwich Bay	12 June 2017
15	Local Plan Review – Engagement Strategy	8 May 2017

Key Decisions 2017/18	Item	Date of meeting at which decision will be taken by Cabinet (unless specified otherwise)
16	Appointment of contractor to carry out building extension and repair works at Kearsney Abbey and Russell Gardens as part of the Heritage Lottery Funded 'Parks for People' project	3 July 2017 (subject to confirmation)
17	Appointment of contractor to carry out landscape and watercourse restoration works at Kearsney Abbey and Russell Gardens as part of DDC's Heritage Lottery Funded 'Parks for People' project	3 July 2017 (subject to confirmation)
18	To approve the policy on civil penalties and rent repayment orders for private landlords	4 September 2017
19	To seek approval for wet and dryside improvements to Tides Leisure and Indoor Tennis Centre, Deal	3 July or 4 September 2017
20	Dover Waterfront Masterplan and Dover Public Realm Improvements	4 September 2017 and dates to be confirmed
21	Planning Enforcement Plan	4 September 2017 and dates to be confirmed
22	Representations on the Thanet District Council Local Plan	To be confirmed
23	Fit-out of Aylesham retail units and related funding	3 July 2017
24	Project approval for development of land at Foxborough Close, Woodnesborough to provide affordable housing	3 July 2017

- Note: (1) Key Decisions which are shaded have already been taken and do not appear in this updated version of the Notice of Forthcoming Key Decisions.
- (2) The Council's Corporate Management Team reserves the right to vary the dates set for consultation deadline(s) and for the submission of reports to Cabinet and Council in respect of Key Decisions included within this version of the notice. Members of the public can find out whether any alterations have been made by looking at the Council's website ([www.dover.gov.uk](http://www.dover.gov.uk)).

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<b>Subject:</b>	<b>2016/17 ANNUAL GOVERNANCE ASSURANCE STATEMENT AND REVISED CORPORATE GOVERNANCE LOCAL CODE</b>
<b>Meeting and Date:</b>	<b>Cabinet – 12 June 2017 Governance Committee – 29 June 2017 Council – 19 July 2017</b>
<b>Report of:</b>	<b>David Randall, Director of Governance</b>
<b>Portfolio Holder:</b>	<b>Councillor Michael Conolly, Portfolio Holder for Corporate Resources and Performance.</b>
<b>Decision Type:</b>	<b>Non-Key</b>
<b>Classification:</b>	<b>Unrestricted</b>

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**Purpose of the report:** To approve the Annual Governance Assurance Statement 2016/17 and the revised Corporate Governance Local Code

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- Recommendation:**
- (1) Cabinet approve the Annual Governance Assurance Statement and request that the Leader and the Head of Paid Service sign this statement on behalf of the Council.
  - (2) Governance Committee are asked to accept the Annual Governance Assurance Statement alongside the 2016/17 Statement of Accounts.
  - (3) Cabinet and Governance Committee recommend to Council that the revised Corporate Governance Local Code, which reflects the Delivering Good Governance in Local Government Framework (2016 Edition), is adopted.
  - (4) Council adopts the revised Corporate Governance Local Code.
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## 1. Summary

- 1.1 Annually, the Council is required to conduct a review of the effectiveness of our system of internal control and also report on the extent to which we comply with our own Local Code of Corporate Governance. This must be conducted in accordance with the Delivering Good Governance in Local Government Framework 2016 Edition and is reported as the Annual Governance Assurance Statement. Cabinet are asked to accept the Annual Governance Assurance Statement for 2016/17, as recommended by the Corporate Management Team and request that the Leader and the Head of Paid Service sign this statement on behalf of the Council.
- 1.2 The Governance Committee is asked to accept the Annual Governance Assurance Statement alongside the 2016/17 Accounts.
- 1.3 A revised Delivering Good Governance in Local Government Framework (2016 Edition) has recently been published. This Council has reaffirmed its commitment to the principles of good governance in this new framework and these are reflected in a revised Corporate Governance Local Code. Cabinet and Council are requested to recommend this revised Local Code to Council for adoption.

## **2. Introduction and Background**

- 2.1 The Accounts and Audit Regulations 2015, require that the Council conducts at least annually, a review of the effectiveness of its System of Internal Control and also report on the extent to which we comply with our own Local Code of Corporate Governance. The Council's Annual Governance Assurance Statement is prepared to meet these requirements and will be provided alongside the published Statement of Accounts in accordance with the Accounts and Audit Regulations 2015.
- 2.2 The Chartered Institute of Public Finance and Accountancy (CIPFA) produced a revised Delivering Good Governance in Local Government Framework in 2016 Edition and the requirements of the new Framework are reflected in this year's Annual Governance Assurance Statement and in a revised Corporate Governance Local Code (Appendices 1 and 4).
- 2.3 The statement is to be signed by the Leader and the Chief Executive, having paid due regard to any matters raised by the Section 151 Officer and the Monitoring Officer. In particular, the opinion of the Director of Governance and Monitoring Officer on the level of assurance that the governance arrangements can provide and that the arrangements continue to be regarded as fit for purpose in accordance with the governance framework.
- 2.4 The Annual Governance Assurance Statement for 2016/17 is attached. Corporate Management Team agreed to its acceptance in May 2017. The statement has been prepared taking into account the following information:
- A detailed review of the Council's performance measured against the new Core and Sub Principles as detailed in the Delivering Good Governance in Local Government Framework 2016 Edition.
  - The service review work performed by Internal Audit during the year.
  - Internal Audit's review of Corporate Governance arrangements.
  - Assurance Statements produced by individual Directors of Service.
  - The information gathered as a result of risk assessment and management.
  - The annual reports of the Scrutiny, Governance and Standards Committees
- 2.5 The Action plan will be monitored during the year and progress reported to Governance Committee.

## **3. Identification of Options**

- 3.1 Agree the Annual Governance Assurance Statement including the key actions identified for signature by the Leader and then inclusion in the 2016/17 Accounts and adopt the revised Corporate Governance Local Code.
- 3.2 Do not agree the Annual Governance Assurance Statement and Corporate Governance Local Code as provided and require further analysis and clarification.

#### 4. **Evaluation of Options**

- 4.1 Option 1 is the preferred option, as in preparing the Annual Governance Assurance Statement and revising the Council's Corporate Governance Local Code. This fully meets the requirements of the Accounts and Audit Regulations 2015. Delivering Good Governance in Local Government Framework (2016 Edition) states:

*"The preparation and publication of an Annual Governance Statement in accordance with Delivering Good Governance in Local Government: Framework (2016) would fulfil the statutory requirements across the United Kingdom for a local authority to conduct a review at least once in each financial year of the effectiveness of its system of internal control and to include a statement reporting on the review with its Statement of Accounts. In England the Accounts and Audit Regulations 2015 stipulate that the Annual Governance Statement must be "prepared in accordance with proper practices in relation to accounts". Therefore a local authority in England shall provide this statement in accordance with Delivering Good Governance in Local Government: Framework (2016)".*

#### 5. **Resource Implications**

None.

#### 6. **Corporate Implications**

- 6.1 Comment from the Section 151 Officer: Finance have been consulted and have nothing further to add (VB).
- 6.2 Comment from the Solicitor to the Council: The Solicitor to the Council has been consulted in the preparation of this report and has no further comments to make.
- 6.3 Comment from the Equalities Officer: This report does not specifically highlight any equalities implications, however in discharging their responsibilities members are required to comply with the public sector equality duty as set out in section 149 of the Equality Act 2010 <http://www.legislation.gov.uk/ukpga/2010/15>

#### 7. **Appendices**

Appendix 1 – Annual Governance Assurance Statement

Appendix 2 – Action Plan – Backward Looking

Appendix 3 – Action Plan – Forward Looking

Appendix 4 – Revised Corporate Governance Local Code

#### 8. **Background Papers**

Accounts and Audit Regulations 2015

CIPFA Delivering Good Governance in Local Government Framework 2016 Edition

Contact Officer: David Randall, Director of Governance

# Dover District Council Annual Governance Assurance Statement

1 APRIL 2016 TO 31 MARCH 2017

## 1. WHAT WE ARE RESPONSIBLE FOR

We are responsible for ensuring that our business is conducted in line with the law and proper accounting standards, and for using public money economically, efficiently and effectively. We have a duty under the Local Government Act 1999 to continually review and improve the way we work and at the same time have regard to a combination of economy, efficiency and effectiveness.

In order to meet our responsibility we have in place proper arrangements for overseeing what we do and this is called Governance. These arrangements make sure that we do the right things in the right way, that our services reach the right people and that we are open, honest and accountable in the way that we deliver those services. This all contributes to our sound system of governance

We have approved and adopted a Local Code of Corporate Governance and a copy of this is available on our website at <http://www.dover.gov.uk/Corporate-Information/CorporateGovernance.aspx>.

## 2. THE AIM OF THE GOVERNANCE FRAMEWORK

The Governance Framework details the systems, processes, culture and values that we are controlled by and which we are answerable to. It also shows what we get involved with and how we engage with the community. It also shows how we monitor what we are achieving so that we can deliver services that are appropriate and value for money.

The system of internal control is an important part of the framework and is designed to manage risk to a reasonable level. It cannot remove all risk of failure to achieve policies and aims and can only provide reasonable protection. The system of internal control is based on an ongoing process designed to:

- Identify and prioritise anything that could prevent us from achieving our policies and aims
- Assess how likely it is that identified risks might happen and what the result would be if they did
- Manage those risks efficiently, effectively and economically

The Governance Framework describes what has been in place at Dover District Council for the year ended 31 March 2017 and up to the date of approval of the Council's accounts.

### 3. **OUR GOVERNANCE FRAMEWORK**

Our Governance Framework is underpinned by seven core principles and supported by our Corporate Plan as well as many systems, policies, procedures and operations, which together ensure that the intended outcomes for our community and stakeholders are defined and achieved. Good governance is dynamic, and Dover District Council is committed to improving governance on a continuing basis through a process of evaluation and review.

The key features are:

#### (a) **Our Core and Supporting Principles**

The seven core principles are taken from the International Framework: *Good Governance in the Public Sector* and help this Council demonstrate good governance. Each of these principles translates into a range of specific requirements and they are also reflected in this Corporate Governance Local Code:

- A. Behaving with integrity, demonstrating strong commitment to ethical values, and respecting the rule of law.
- B. Ensuring openness and comprehensive stakeholder engagement.
- C. Defining outcomes in terms of sustainable economic, social, and environmental benefits.
- D. Determining the interventions necessary to optimise the achievement of the intended outcomes.
- E. Developing the entity's capacity, including the capability of its leadership and the individuals within it.
- F. Managing risks and performance through robust internal control and strong public financial management.
- G. Implementing good practices in transparency, reporting, and audit to deliver effective accountability.

#### (b) **Our Corporate Plan**

This is our main strategic document providing a framework for the delivery of our services and providing context for all the other strategies and plans that we have. The Corporate Plan for 2016-2020 is published and is available on the Council's website. The Council approved a new Corporate Plan in March 2016 which continues with the overall direction of travel as the previous version.

The following strategic priorities have been identified in the 2016-2020 Corporate Plan:

- Thriving Economy
- Clean, Green and Safe Environment
- Healthier People and Communities
- Smarter Council

(c) **Business Plans**

The Business Plan is one of the central mechanisms for each Head of Service managing their own area of activity and therefore sits at the centre of the Corporate Governance process. The business plans support the aims of the Corporate Plan which include performance indicators that are used to measure our achievements.

(d) **Our Constitution**

Our Constitution details how we operate, how decisions are made and the procedures, which are to be followed. It also ensures that we work in an efficient and transparent way and that we are accountable to local people. The Monitoring Officer and Solicitor to the Council are responsible for keeping the Constitution under review.

(e) **The Executive**

The Executive are responsible for most decisions and is made up of the Leader and a Cabinet. Major decisions to be taken are published in advance in the Executive's Notice of Forthcoming Key Decisions, and will generally be discussed in a meeting open to the public. All decisions must be in line with our overall policies and budget. Any decisions the Executive wishes to take outside the budget or policy framework must be referred to Council as a whole to decide.

(f) **Corporate Management Team**

The Corporate Management Team comprises the Chief Executive (and Head of Paid Service) with responsibility for Regeneration and Development; Director of Governance (and Monitoring Officer); Director of Finance, Housing and Community (and S151 Officer) and Director of Environment and Corporate Assets.

Members of Corporate Management Team have a responsibility for the day to day running of each Division of the Council. They must regularly assess their Division's assurance arrangements and provide the Council with the opportunity to keep check on the adequacy of its overall arrangements.

(g) **Governance Committee**

The six (seven from May 2017) appointed members of the Council provide independent assurance of the adequacy of the risk management framework and the associated control environment together with independent review of the Council's financial and non-financial performance to the extent that it affects the Council's exposure to risk and weakens the control environment. The Committee also oversees the financial reporting process by considering the final Statement of Accounts. The Chairman provides an Annual Report of the Governance Committee to the Annual Council Meeting

(h) **Overview and Scrutiny**

There are two overview and scrutiny committees who support and monitor the work of the Executive. A "call-in" procedure or addition to the work programme allows scrutiny to review Executive decisions before they are implemented, thus presenting challenge and the opportunity for a decision to be reconsidered. The Monitoring



Officer provides an Annual Report of the Scrutiny Committees to the Annual Council Meeting.

(i) **Standards**

The standards of conduct and personal behaviour expected of our members and our officers, our partners and the community are defined in codes of conduct and protocols. These include:

- Members' code of conduct
- Officer Code of Conduct
- An effective performance management system
- Regular performance appraisals for staff linked to corporate and service objectives
- A fraud and corruption policy
- Member/officer protocols
- A Standards Committee. This committee wasn't reappointed from May 2017. The work of this committee has been transferred to the Governance Committee.

The relevant Chairman and the Director of Governance and Monitoring Officer jointly provide an Annual Report of the Standards Committee (ceases for 17/18) and of the Governance Committee to the Annual Council Meeting.

We have effective formal and informal complaints procedures. Complaints of service maladministration are investigated and reported to the Standards Committee and from May 2017 to the Governance Committee. Lessons learned from these complaints are reviewed and acted on.

The Monitoring Officer is responsible for considering allegations of Members breaches of the codes of conduct.

(j) **Our Solicitor**

The Solicitor to the Council provides his opinion on our compliance with our legal obligations.

(k) **Financial procedures and Contract Standing Orders**

We have to ensure that we act in accordance with the law as well as various other regulations. We have developed policies and procedures for our officers to ensure that, as far as are possible, they understand their responsibilities both to the Council and to the public. Two key documents are the Financial Procedure Rules and the Contract Standing Orders, which are available to all officers via the Council's Intranet, as well as available to the public as part of the Constitution. The Responsibility for Functions (Scheme of Officer Delegations) were reviewed during 2016/17 and the changes were considered and approved by the Governance Committee and Council.

(l) **Financial Management**

Our financial management arrangements conform with the requirements of the CIPFA Statement on the Role of the Chief Financial Officer in Local Government. In addition to the Financial and Contractual procedure rules contained within the

constitution, in order to maintain its financial management the Council operates budgetary control procedures which are used in conjunction with a Medium Term Financial Plan (MTFP).

Responsibility for ensuring that an effective system of internal financial control is maintained rests with the Section 151 Officer. The systems of internal financial control provide reasonable and not absolute assurance that assets are safeguarded, that transactions are authorised and properly recorded, and that material errors or irregularities are either prevented or would be detected quickly.

Internal financial control is based on a framework of management information, financial regulations and administrative procedures, which include the segregation of duties, management supervision and a system of delegation and accountability. On-going development and maintenance of the various processes may be the responsibility of other managers.

In particular, the process includes:

- The setting of annual budgets;
- Producing the Medium Term Financial Plan
- Monitoring of actual income and expenditure against the annual budget;
- A mid-year review of the annual budget;
- Setting of financial and performance targets, including the use of the prudential code and associated indicators;
- Quarterly reporting of the Council's financial position to Members;
- Clearly defined capital expenditure guidelines;
- Treasury Management Strategy
- The monitoring of finances against a Medium Term Financial Plan;
- Managing risk in key financial service areas.
- A continuous and effective internal audit.

Through our budget monitoring processes we are able to ensure that financial resources are being used to their best advantage, this includes quarterly management reporting to the Corporate Management Team and Members.

Financial planning is underpinned by business planning. Increased expenditure in any service area has to be justified to the Corporate Management Team, and where necessary approved by the Executive. Corporate Management Team is tasked with prioritising resources to ensure that the objectives within Corporate Plan are supported by the individual business plans, and that improvements are in line with corporate objectives.

(m) **Policies**

Corporate policies on a range of topics such as Equality, Information Governance and Data Protection are all subject to internal review. We keep all staff aware of changes in policy, or documentation through a system called NETconsent. The corporate training needs are identified each year and appropriate training for all or key members of staff is provided.

(n) **Risk**

The risk management strategy, which forms part of the Corporate Governance Local Code, shows the role both Members and Officers have in the identification and

minimisation of risk. Risks are recorded in a Corporate Risk Register and are then subject to regular review.

(o) **Service Assurance**

A Service Assurance Statement is produced annually by all Directors of this Council and of Shared Services detailing their assessment of their services. They are required to give assurance that risks have been identified, that sound business arrangements operate in their service areas, and that the service is subject to monitoring and review in order to assess performance.

(p) **Performance Management Framework**

Progress towards the achievement of our objectives is monitored through our Performance Management Framework. A quarterly Performance Report is produced and reviewed by Corporate Management Team, by Cabinet and by the Scrutiny (Policy and Performance) Committee.

(q) **Internal Audit**

The East Kent Audit Partnership Internal Audit Team reports to the Director of Finance, Housing and Community. They operate under a Charter, which defines their relationship with our officers, and the Governance Committee. Their main responsibility is to provide assurance and advice on our internal control systems to the Corporate Management Team and Members. Internal Audit reviews the adequacy, reliability and effectiveness of internal control and recommends improvements where appropriate. It also supports the development of systems, providing advice on risk and control. Effective internal controls are an important part of the Corporate Governance process. Through their audit assurance work, internal audit provide an opinion on the effectiveness of the systems of internal control.

As part of the annual review of governance arrangements and in particular the System of Internal Control, we undertake an annual review of the effectiveness of the system of internal audit.

(r) **External Audit**

The work is currently undertaken by Grant Thornton, who are required to deliver their audit work in line with Local Audit and Accountability Act 2014 and in accordance with the Code of Practice issued by the National Audit Office (NAO) on behalf of the Comptroller and Auditor General in April 2015.

(s) **Core Strategy and Local Plan**

The Core Strategy is the overarching statutory planning document for the District and was adopted by the Council in February 2010. The Core Strategy identifies the overall economic, social and environmental objectives for the District and the amount, type and broad location of development that is needed to fulfil those objectives. The 2014/2015 Authority Monitoring Report signalled the need to review key parts of the Council's Adopted Core Strategy evidence base. Two important studies have been completed: The Strategic Housing Market Assessment (SHMA) and the Economic Development Needs Assessment (EDNA); both of these studies have indicated that there is a strong case to review the Council's Adopted Core Strategy and the Adopted Land Allocations Local Plan (LALP). On 1 March 2017, Cabinet approved the commencement of a Local Plan Review.

(t) **State of the District Report**

This report is the annual backward look at the state of the district, highlighting key information under the headings of: Population Profile; Housing; Economy, Business and Employment; Budget, Funding and Investment; Education and Skills; Regeneration Delivery, Transport and Infrastructure; Health and Wellbeing; Deprivation and Poverty; Community Safety and Quality of Life.

Some national information is not collected annually. In addition, periodically the process of capturing information is changed, this in turn makes year-on-year comparisons and trends difficult to assess. The report is published on our website and revised annually (or as soon as the relevant information is made available to the Council).

(u) **Communication and Consultation**

Strategies are in place. We have active Twitter and Facebook accounts, enabling the Council to communicate effectively with our communities and also enabling members of the public to communicate their views on a wide range of matters. In 2015 the Council launched its 'Keep Me Posted' email alert service which enables members of the public to subscribe to email messages from the Council on a wide range of topics. Subscribers to the service can choose from as many topics as they wish and can update their preferences as often as they like.

(v) **Equality**

As part of our equalities responsibilities, we publish our equality objectives and progress against the targets to ensure that all groups in our community have a voice, can be heard and know how we make our decisions. A revised equality policy was adopted by Cabinet in March 2016 and our latest performance update was published on our website in March 2017.

(w) **Whistleblowing**

A confidential reporting hotline is in place to enable internal and external whistleblowing. Informants are requested to be open in their disclosure, but it is recognised that on occasions informants will wish to remain anonymous. There are also processes in place for staff to report through their line managers or East Kent Audit.

(x) **Employment Management**

The Employment Management Group considers all requests to fill staff vacancies. The group is chaired by the Director of Governance and supported by the Head of Finance, Head of Community Services and the EK Human Resources Business Partner. Their recommendations are considered by the Head of Paid Service who provides the final decision as to which posts can be filled.

(y) **Partnerships**

Partnership evaluation criteria have been established to help ensure that all key governance criteria are incorporated into new and existing partnerships.

#### **4. REVIEW OF EFFECTIVENESS OF THE GOVERNANCE FRAMEWORK**

We have a responsibility for conducting, at least annually, a review of the effectiveness of our governance framework including the system of internal control. This review is informed by the ongoing monitoring and review by the Director of Governance, EK Internal Audit Partnership and the Head of the Audit Partnership's Annual Report, the work of our Directors and Heads of Services and their managers who have responsibility for the development and maintenance of the governance environment. This review is also informed by the findings and reports of our external auditors together with any other review agencies or inspectorates.

**(a) The Director of Governance and Monitoring Officer has responsibility for:**

- Monitoring the Constitution and keeping it up to date
- Overseeing and monitoring the Corporate Governance Local Code
- Maintaining and updating the code if required by best practice
- Reporting annually to members on performance and compliance with the code
- Ensuring ethical standards and conduct are met

**(b) The Director of Finance, Housing and Community has responsibility for:**

- Publishing financial information and statements accurately and reliably.
- Confirmation that resources are managed efficiently and effectively.

**(c) The Director of Governance and Monitoring Officer and the Director of Finance, Housing and Community have responsibility for:**

- The overall review of the internal control opinion and framework evidence, including service assurance statements, the audit review of Corporate Governance, the Constitutional review, Performance reporting, Risk management arrangements and the individual audit and risk management assessments.
- Review of the Effectiveness of Internal Audit.
- The External Auditor's Annual Audit and Inspection Letter, service assessments and other associated reviews and ensuring that they are acted upon.

**(d) All Directors have responsibility via a Service Assurance Statement to ensure that:**

- Risks have been identified. They are recorded and monitored in accordance with the Councils Risk Management Strategy.
- Staff are fully aware of the requirements of their job, and have access to the appropriate Council rules and policies to assist them.
- Internal and External Audit reports and recommendations have been acted on.
- Reports from other review agencies have been acted on.
- Business arrangements are conducted in accordance with the law and proper standards.
- Public money is safeguarded and properly accounted for, and used economically, efficiently and effectively.

- The service has in place appropriate management and reporting arrangements to enable it to satisfy itself that its approach to Corporate Governance is both adequate and effective.
  - A statement of assurance that improvement plans exist to rectify any acknowledged deficiency.
- (e) **Solicitor to the Council has responsibility:**
- Via his annual statement to give his opinion on the Council's compliance with relevant laws and regulations, and its legal obligations and requirements
- (f) **Cabinet has responsibility for:**
- All Executive Decisions in respect of functions delegated to it by the Leader of the Council
  - Setting robust and challenging targets and
  - Monitoring the achievement of key priorities
- (g) **Council has responsibility for:**
- Agreeing or amending the Policy Framework
  - Agreeing or amending the budget, including the borrowing or capital expenditure strategy and setting the Council Tax
- (h) **Scrutiny (Policy and Performance) Committee has responsibility for:**
- Scrutiny of budgets and major policies
  - Monitoring the achievement of key priorities
  - Scrutiny co-ordination
- (i) **The Governance Committee has a responsibility for:**
- Ensuring effective internal audit and internal control arrangements
  - Receiving the annual Internal Audit Programme of work
  - Receiving quarterly updates from the Head of the Audit Partnership on the assurance which can be placed against various systems and processes during the year
  - Reviewing the annual assessment at the year end.
  - Receiving the annual review of internal control
  - Receiving the annual constitutional review
  - Reviewing risk management arrangements
  - Receiving Quarterly Treasury Management Reports
  - Receiving the Annual Statement of Accounts
- (j) **Internal Audit has responsibility to:**
- Provide an independent annual statement on the systems of internal control, highlighting areas of concern
  - Report on the level of assurance in respect of the Council's internal control systems
  - Provide an overall Assurance Statement from the Head of the Audit Partnership. This is compiled from the Internal Audit work programme and a review of this Council's Corporate Governance arrangements.

## 5. **THIS YEAR'S REVIEW**

### (a) **Council**

Article 15 of the Council's Constitution makes provision for the regular review of the Constitution by the Monitoring Officer. During 2016/17 the Responsibility for Functions and Proper Officer Appointments were reviewed. The key focus of the next review due in 2017/18 will be improving transparency and accessibility reflecting changes to the Council's organisational structure and the collation of changes made by decision making bodies such as Cabinet or council during the course of the previous year.

### (b) **Cabinet**

Key Executive decisions were considered by the Cabinet, in particular relating to the budget and medium term financial plan, and the delivery of key regeneration priorities.

The Council's Quarterly Performance Report was received and reviewed quarterly. This examines our performance against agreed performance targets and our key priorities.

### (c) **Scrutiny**

The Council's key priorities and Performance Indicators were reviewed regularly and challenged if necessary.

The Annual Report of the work of the Scrutiny Committees for 2016/17 was presented to the Annual Council Meeting on 17 May 2017. This identified sound governance arrangements, including an effective scrutiny process, which underpins the achievement of all the Council's corporate objectives.

### (d) **Governance Committee**

The Governance Committee received quarterly updates from the Head of East Kent Audit Partnership on the assurance which can be placed against various systems and processes during the year, including reviews of internal controls, along with the annual assessment. The Committee kept a check on those areas that have not achieved expected levels of audit assurance.

This Committee also reviewed the effectiveness of the Council's risk management arrangements.

The Director of Governance and Solicitor to the Council are responsible for ensuring that the Constitution is reviewed regularly. It is not practical to undertake a full yearly review, so specific areas are selected each year. During 2016/17 a review was undertaken of the Responsibility for Functions and Proper Officer Appointments parts of the Constitution. The Governance Committee recommended the changes for approval by the Council. All are documented on our website.

The Annual Report of the work of the Governance Committee for 2016/17 was presented to the Annual Council Meeting on 17 May 2017. This gave a positive opinion on the system of internal control. The Governance Committee continued to be assured of the integrity and reliability of data held in financial statements. The

work undertaken by Internal and External Audit provided detailed assurance on those areas of the Council's work which were the subject of reports.

The assurances from the Director of Finance, Housing and Community, Director of Governance and Director of Environment and Corporate Assets and the work of Internal and External Audit together supported the Committee in forming their opinion of the financial statements, enabling them to agree to sign the 2015/16 accounts in accordance with the regulations. For this year, the same process provides the committee with the necessary assurances to approve the 2016/17 accounts at its meeting on 29 June 2017.

The submission of this Annual Report continues to enhance the effective communication of our governance processes.

(e) **Standards Committee**

The Standards Committee received quarterly reports on the progress of formal service complaints against the Council and lessons learned from those complaints.

There were no findings against Dover District Council from the Local Government Ombudsman in 2016/17.

Changes adopted by Council in January 2014, included a provision which allows Members to declare non-financial interests. The Kent Model Code of Conduct continues to be regularly reviewed in order to ensure that it remains fit for purpose. The ability to declare a non-financial interest has been welcomed by Members and has been utilised on several occasions to ensure transparency in decision-making.

During 2016/17 the Monitoring Officer received twelve complaints, ten cases related to Parish Councillors and two related to a District Councillor. No cases were subject to further investigation and the Standards Committee Hearing Panel did not meet during 2016/17 to conduct a hearing into a complaint that had been the subject of an investigation.

During the municipal year 2016/17 there were no requests for dispensation.

At the Annual Meeting of the Council on 17 May 2017, it was resolved that the Council no longer appoints a separate Standards Committee and that the functions of the Standards Committee are transferred to the Governance Committee and the revised functions of the Governance Committee are incorporated into the Council's Constitution.

(f) **Review of Internal Audit**

The effectiveness of internal audit is monitored jointly by the Monitoring Officer and the Section 151 Officer through:

- Quarterly review meetings with the Head of Internal Audit
- Sign off of the Audit Plan
- Review of the internal audit annual report
- Attendance at Governance Committee
- Review of individual audit reports
- Meetings with the S151 officers of the other partners



(g) **The Work of Internal Audit**

Based on their work undertaken during the year, the Head of the Audit Partnership considers that there are no major areas of concern, which would give rise to a qualified audit statement regarding the systems of internal control.

The report also considers that the Council can have very good level of assurance in respect of all of its main financial systems and a good level of assurance in respect of the majority of its Governance arrangements.

Many of the main financial systems, which feed into the production of the Council's Financial Statements, have achieved a substantial assurance following audit reviews. The report goes on to state that the Council can be very assured in these areas and that this position is the result of improvements to the systems and procedures over recent years and the willingness of management to address areas of concern that have been raised.

There was one audit review where only a limited assurance level was given, with 94% of the reviews accounting for substantial or reasonable assurances on the system of internal control in operation at the time of the review. There were no reviews assessed as having no assurance. During 2016/17 Internal Audit raised and reported to the quarterly Governance Committee meetings 70 recommendations, and whilst 77% were in the High or Medium Risk categories, none were so significant that they needed to be escalated at the time.

There were no fraud investigations carried out during 2016/17.

(h) **External Reviews**

There were no external reviews held this year. However, the Chartered Institute of Public Finance and Accountancy developed and then published in April 2017 a new 2016 Edition of the Delivering Good Governance in Local Government Framework. This Council has set out its commitment to the core and sub principles in a revised Corporate Governance Local Code which Council will be requested to adopt on 19 July 2017.

(i) **Training**

Comprehensive Training is provided at the outset for the new Council and this is refreshed during the four year term, to ensure that the councillors have the skills and expertise to make sound and effective decisions.

The officer performance appraisal includes a personal Improvement plan, where training and development needs are discussed and agreed. These are provided annually to the Director of Governance to help inform the training needs of the organisation, some of which will be delivered corporately via the Corporate Training Plan. In 2017/18 Heads of Service, Managers and Team Leaders are being offered the opportunity to gain an Institute of Learning and Management qualification, to help enhance their skills and knowledge as leaders in the organisation.

(j) **Members Code of Conduct**

The Principles of Good Conduct are contained within the Member Code of Conduct, minor changes including the inclusion of the provision for Voluntary Announcements of Other Interests were adopted by the Council in February 2014. During 2016/17

arrangements were made to advertise for the position of Independent Member, as the term of office for the current incumbent is due to expire in July 2017.

6. **SIGNIFICANT GOVERNANCE ISSUES DURING THE YEAR**

- (a) This Council has set out its commitment to the core and sub principles in a revised Corporate Governance Local Code. A detailed review of the actions taken to comply with the new principles has been undertaken and fully documented.
- (b) The Annual Reports of the Scrutiny, Governance and Standards Committees, provide a positive statement and opinion regarding the governance arrangements and the effectiveness of the internal control environment operating across this Council.
- (c) There were eight cases reviewed by the Local Government Ombudsman during 2016/17 but no maladministration was found.
- (d) The East Kent Corporate Information Governance Group finalised the Information Governance Framework and the associated suite of Information Governance Policies (16 in total). The new and revised policies were subject to staff consultation in the autumn of 2016, before adoption by the Cabinet on behalf of this Council in January 2017. These will be kept under regular review by the group.
- (e) The Notice of Forthcoming Key Decisions continues to publish key decisions to be taken by the Cabinet. Cabinet Reports are considered by Finance, Legal and Equalities Officers and then by CMT to ensure that outcomes are consistent with the Council's corporate direction.
- (f) Elections for the Police and Crime Commissioner were held on 5 May 2016 with the Chief Executive again being appointed as the Police Acting Returning Officer for Kent. This appointment meant that the Dover was responsible for compiling and the results across the whole County.
- (g) The EU Referendum was held on 23 June 2017 with a high turnout that impacted on the polling stations and election counts. To successfully deliver the election and referendum efficiently and effectively required the involvement of most Council staff on the days, whilst a significant number of key staff were seconded to election duties, before the dates. In addition to these two major elections, there were 12 District and/or Parish by-elections that were held during 2016/17.
- (h) A suite of performance indicator targets were approved by Cabinet at the start of the 2016/17 financial year and were then measured via the quarterly performance reports.
- (i) Following a service review, Cabinet approved that the Parks and Open Spaces service be brought back in house from 1 April 2017 to provide a more focused, efficient and effective service that delivers the priority outcomes required by the Council.
- (j) As part of the review of the East Kent Services Collaboration Agreement, the delegations to the East Kent Services Committee were amended to establish revised governance arrangements for East Kent Services and East Kent Human Resources.

- (k) The Council accepted an invitation from Public Sector Auditor Appointments (PSAA) to become a 'opted in authority'. PSAA will appoint an auditor for the Council for each of the five financial years from 1 April 2018.
- (l) The Council approved a Property Investment Strategy together with a supplementary capital budget of £200 million for the acquisition of commercial and residential assets for the economic regeneration and well-being of the District, for investment purposes.
- (m) In September 2016 the Court of Appeal held that the Council had acted unlawfully in its planning committee's failure to give legally adequate reasons in approving a planning application contrary to the recommendation of the planning officer. This is a somewhat obscure area of the law and the public interest in clarifying it is such that the Supreme Court has granted permission for the Council to appeal the decision. The hearing in the Supreme Court will take place in October 2017.

7. **IMPROVEMENTS DURING THE YEAR**

- (a) The Council obtained Public Sector Network (PSN) Compliance for 2016. This included IT Equipment, systems and software upgrades to ensure PSN compliance. Staff and members can work safely and securely from any location.
- (b) The revised East Kent Services Collaboration Agreement with Canterbury City Council and Thanet District Council for EKS and EKHR has been completed.
- (c) The revised Statement of Particulars and a Conditions of Service Handbook, including new and revised policies, was the subject of formal consultation with all staff during the autumn of 2016 and was formally approved by the General Purposes Committee in December 2016. The new policies and procedures came into force on 1 January 2017 and will be kept under review by the Conditions of Service Officer Group.
- (d) A forward looking action plan has been prepared for 2017/18 and this will be kept under regular review by the Director of Governance and reviewed by the Governance Committee at its December 2017 meeting.

8. **OPINION OF THE DIRECTOR OF GOVERNANCE**

I can confirm that the governance arrangements provide and continue to be regarded as fit for purpose in accordance with the governance framework and will ensure that that the implementation is monitored as part of the next annual review.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**David Randall**  
Director of Governance

9. **STATEMENT OF THE LEADER OF THE COUNCIL AND THE CHIEF EXECUTIVE**

We have reviewed the effectiveness of the Council's governance framework and noted the opinion and commitment of the Director of Governance. We sign this Annual Governance Assurance Statement on behalf of the Council.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
**Councillor Paul Watkins**  
Leader of the Council

Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
**Nadeem Aziz**  
Chief Executive

### Governance Assurance Statement Action Plan – Backward Looking

Action Description	Evidenced by	Completed
The corporate plan to be been kept up to date and any necessary update is published	Corporate plan is up to date and published on the website	31/03/17
The Constitution and Code of Conduct are subject to an annual review and updated where applicable	The constitution has been reviewed and amendments agreed by Council	31/03/17
Business Plans prepared and published for each division	Business plans for the forthcoming year completed and returned to Corporate Services	31/03/17
Quarterly performance reports all reviewed by Cabinet and Scrutiny.	Performance reports published on the website.	31/03/17
	Performance reports reviewed by Cabinet and Scrutiny as per minutes published on the Website	31/03/17
Audit reports reviewed quarterly by Governance Committee and follow up reviews undertaken where the audit review show the expected levels of assurance had not been achieved.	Actions in Audit reports followed up	31/03/17
	The Audit Programme is approved by the Governance Committee and quarterly audit reports of the reviews and follow up audit undertaken are all reviewed by Governance Committee	31/03/17
Standards Committee have received reports on the progress of formal service complaints against the Council and lessons learned from those complaints	Standards committee review progress on all formal service complaints at least half yearly. Reports published on website.	31/03/17
Alleged breaches of the Members' Code of Conduct by District, Town and Parish Councillors are considered by the Monitoring Officer in a timely manner	Breaches of the Member Code of Conduct have been considered in a timely manner by the Monitoring Officer throughout the year.	31/03/17
Audit undertake their annual review of the effectiveness of systems of internal control	Audit have completed their annual review of the system of internal control and this forms part of their annual report	31/03/17
All digital service reviews that are planned are undertaken	Digital service reviews were held during the year as planned and changes implemented.	31/03/17
Governance Framework reviewed and any amendments approved	All amendments approved	31/03/17
The provision for clawback of MMI insurance claims is reviewed and is adequate	No further claim, the MMI provision is as per the MMI annual statement	31/03/17
Employee Code of Conduct Developed	Employee code of conduct was developed as part of the revised Conditions of Service and was adopted by the General Purposes Committee in	01/01/17

Action Description	Evidenced by	Completed
	December 2016 and launched on 1 January 2017.	
Officer Training Plan Developed	Corporate Training Needs 2016/17 was developed and delivered	31/03/17
Corporate Information Governance	Development of corporate information and security governance framework and policies for East Kent was delivered by the East Kent Corporate Information Governance Group and adopted by this Council in January 2017.	09/01/17
Audit Panel	At the Governance Committee on 3 December 2015, it was resolved that the Council would opt in to the sector lead approach in accordance with the Local Audit (Appointing Person) Regulations 2015. The Council will be asked to approve this approach during 2016/17.	30/11/16

### Governance Assurance Statement Action Plan – Forward Looking

Action Description	Evidenced by	Due
The corporate plan to be been kept up to date and any necessary update is published	Corporate plan is up to date and published on the website	31/03/18
The Constitution and Code of Conduct are subject to an annual review and updated where applicable	The constitution has been reviewed and changes and amendments are agreed by the Governance Committee and Council	31/03/18
Business Plans prepared and published for each division	Business plans for the forthcoming year completed and returned to Corporate Services.	31/03/18
Quarterly performance reports all reviewed by Cabinet and Scrutiny.	Performance reports published on the website.	31/03/18
	Performance reports reviewed by Cabinet and Scrutiny as per minutes published on the Website.	31/03/18
Audit reports reviewed quarterly by Governance Committee and follow up reviews undertaken where the audit review show the expected levels of assurance had not been achieved.	Agreed high risk recommendations following audit reviews are followed up in a timely manner by management	31/03/18
	Quarterly audit reports covering audit reviews and follow up reviews are received by Governance Committee	31/03/18
Governance Committee have received reports on the progress of formal service complaints against the Council and lessons learned from those complaints.	Governance committee review progress on all formal service complaints at least half yearly. Reports published on website.	31/03/18
Alleged breaches of the Members' Code of Conduct by District, Town and Parish Councillors are considered by the Monitoring Officer in a timely manner.	Breaches of the Member Code of Conduct have been considered by the Monitoring Officer throughout the year.	31/03/18
Audit undertake their annual review of the effectiveness of systems of internal control.	Audit have completed their annual review of the system of internal control and the results are built in to their annual report	31/03/18
Governance Framework reviewed and any amendments approved.	All amendments approved by the Governance Committee and Council.	31/03/18
The provision for clawback of MMI insurance claims is reviewed and is adequate.	MMI provision is as per the MMI annual statement	31/03/18
Officer Training Plan Developed	Corporate Training Needs agreed and training plan delivered.  ILM Training delivered for middle and senior management  Induction Training for new starters.	31/03/18

Action Description	Evidenced by	Due
Corporate Information Governance	Periodic review of the corporate information and security governance framework and policies for East Kent.	31/03/18
Apprenticeship Levy	Compliance with the new Government requirements, including procurement of appropriate training for new apprentices.	31/03/18





# **Corporate Governance Local Code**

Revised: May 2017

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# Introduction

## What Do We Mean By Governance?

Governance is about how we ensure that we are doing the right things, in an open, honest and accountable manner.

The International Framework: Good Governance in the Public Sector defines governance as:

*Governance comprises the arrangements put in place to ensure that the intended outcomes for stakeholders are defined and achieved.*

*To deliver good governance in the public sector, both governing bodies and individuals working for public sector entities must try to achieve their entity's objectives while acting in the public interest at all times.*

*Acting in the public interest implies primary consideration of the benefits for society, which should result in positive outcomes for service users and other stakeholders.*

For Dover District Council, good governance comprises the systems, processes, cultures and values we follow so that we can pursue our vision and objectives effectively, delivering intended outcomes for our communities, whilst minimising the risks involved. We aim to meet the standards of the best and ensure that our governance arrangements are sound.

Good Governance runs through every level of the Council, it is owned by all stakeholders, including senior management and members. It forms the essential core values of the Council and should remain embedded in the culture of the Council.

## Purpose of This Corporate Governance Local Code

Our Corporate Governance Local Code brings together legislative requirements, governance principles and management processes, providing a governance framework for the proper conduct of our business in a transparent and accountable way.

## Delivering Good Governance

Good governance is important to all officers and members of this council. It is a key responsibility of our Leader, our Chief Executive, the Cabinet, the Corporate Management Team and the full Council, in particular the Governance Committee who are responsible for monitoring and providing assurance on our governance arrangements.

The Council has in place a process of continual review of its internal control arrangements. Rules are embedded into the Constitution of the Council, under the term Corporate Governance. Good Corporate Governance underpins credibility and confidence in the Council and this Code of Corporate Governance promotes accountability, effectiveness, openness, integrity and inclusivity in all of our business.

This statement, the systems that support it and the overall Corporate Governance arrangements are all subjected to an annual audit inspection by the Council's external auditors.

This Local Code also provides a mechanism for the continued development of Corporate Governance arrangements, summarising the principles and how this Council will comply with

the Corporate Governance Framework, with Risk Management and with Performance Management.

### **Testing our Arrangements**

We test our arrangements by:

- Maintaining an up-to-date and effective local code of governance.
- Regular review of our existing governance arrangements against this code.
- Preparing an annual governance statement in order to report publicly on compliance with this code, over the past year.
- Reporting any planned changes in the coming period.

In order to review our current arrangements, we:

- Collect evidence of systems, processes and documentation that provide evidence of compliance;
- Collect evidence of the individuals and committees responsible for monitoring and reviewing systems, processes and documentation.
- Ensure management and reporting arrangements are in place to monitor governance effectiveness.
- Identify the issues that have not been addressed adequately and consider how they should be addressed.
- Prepare an action plan to address issues with responsibilities listed
- Prepare an action plan for the forthcoming year's evidence collection.
- Ensure appropriate risk and performance management arrangements are in place and are operating effectively.
- Ensure systems of control are working effectively.

### **Key elements of our Governance Arrangements**

#### Compliance

- With relevant laws, regulations, policies and procedures
- Financial management requirements, including the role of the Chief Financial Officer (section 151 Officer)
- Effective arrangements to discharge the roles of Head of Paid Service, Monitoring Officer and Section 151 Officer
- Effective counter fraud and anti-corruption arrangements
- Governance/audit committee

#### Performance

- Clear channels of communication
- Commitment to openness and transparency
- Effective decision making, including the scheme of officer delegations
- Performance management and reporting
- Clear roles and responsibilities for officers and members
- Effective Overview and Scrutiny function
- Induction and development of members and officers

# Background

## The Principles of Conduct

The Committee for Standards in Public Life, the seven "Nolan" Principles form an important part of the Governance Framework for Members, Officers and partners.

The principles are:

- **Selflessness:** Holders of public office should take decisions solely in terms of the public interest. They should not do so in order to gain financial or other material benefits for themselves, their family, or their friends.
- **Integrity:** Holders of public office should not place themselves under any financial or other obligation to outside individuals or organisations that might influence them in the performance of their official duties.
- **Objectivity:** In carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards and benefits, holders of public office should make choices on merit.
- **Accountability:** Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.
- **Openness:** Holders of public office should be as open as possible about all the decisions and actions that they take. They should give reasons for their decisions and actions and restrict information only when the wider public interest clearly demands.
- **Honesty:** Holders of public office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.
- **Leadership:** Holders of public office should promote and support these principles by leadership and example.

## Dover District Council's Member Code of Conduct

This Council's Code of Conduct incorporates the principles outlined above and also covers:

- General principles in relation to behaviour and equal treatment of people.
- Confidentiality and openness – the treatment of confidential information and access to information
- Criminal offences and bringing the authority into serious disrepute.
- The use of the authority's resources – the prohibition of members from using their office/position to obtain advantage or from using local authority resources for the benefit of political parties
- Decision making – the requirement for members to act reasonably
- Disclosable Pecuniary Interest– restrictions on participation in meetings by members with an interest in matters under consideration
- The registration of members' interest – and gifts and/or hospitality received.
- Other significant interest

## Code of Conduct for Officers

The Council's Code of Conduct for employees provides staff with an effective ethical framework within which to work and aims to give the Council's communities confidence that the staff are working on their behalf in an appropriate manner. The Council's Conditions of

Service require all officers to abide with the Code of Conduct for employees. Officers should be aware and comply with all policies of the Council.

The public is entitled to expect the highest standards of conduct from all local government employees. The role of employees is to serve the Council in providing advice, implementing its policies and delivering services to the local community. In performing their duties, they must act with integrity, honesty, impartiality and objectivity, complying with the Seven Principles of Public Life.

# Governance Principles

## Development of the Principles of Governance

In 2007 the CIPFA/SOLACE joint working group issued a framework called *Delivering Good Governance in Local Government* together with an accompanying guidance note. This was aimed at helping Local Authorities develop and maintain their own codes of governance.

The guidance was updated in 2011 and 2012 to reflect the latest Accounts and Audit regulations. The Framework was further reviewed in 2016 and a revised edition published in April 2017.

The Framework positions the attainment of sustainable economic, societal and environmental outcomes as a key focus of governance processes and structures. The framework defines the principles that underpin the governance of this local authority.

## Core and Supporting Principles

The seven core principles are taken from the International Framework: *Good Governance in the Public Sector* and help local authorities demonstrate good governance through their local codes.

Each of these principles translates into a range of specific requirements and they are reflected in this Corporate Governance Local Code in the following pages.

- A. Behaving with integrity, demonstrating strong commitment to ethical values, and respecting the rule of law
- B. Ensuring openness and comprehensive stakeholder engagement

Principles A and B permeate implementation of principles C to G.

- C. Defining outcomes in terms of sustainable economic, social, and environmental benefits
- D. Determining the interventions necessary to optimise the achievement of the intended outcomes
- E. Developing the entity's capacity, including the capability of its leadership and the individuals within it
- F. Managing risks and performance through robust internal control and strong public financial management
- G. Implementing good practices in transparency, reporting, and audit to deliver effective accountability

Good governance is dynamic, and Dover District Council is committed to improving governance on a continuing basis through a process of evaluation and review.

Core Principle	Sub Principles
<p><b>A. Behaving with integrity, demonstrating strong commitment to ethical values, and respecting the rule of law</b></p> <p>Local government organisations are accountable not only for how much they spend, but also for how they use the resources under their stewardship. This includes accountability for outputs, both positive and negative, and for the outcomes they have achieved. In addition, they have an overarching responsibility to serve the public interest in adhering to the requirements of legislation and government policies. It is essential that, as a whole, they can demonstrate the appropriateness of all their actions across all activities and have mechanisms in place to encourage and enforce adherence to ethical values and to respect the rule of law.</p>	<p><b>Behaving with Integrity</b></p> <ul style="list-style-type: none"> <li>• Ensuring members and officers behave with integrity and lead a culture where acting in the public interest is visibly and consistently demonstrated thereby protecting the reputation of the organisation</li> <li>• Ensuring members take the lead in establishing specific standard operating principles or values for the organisation and its staff and that they are communicated and understood. These should build on the seven Principles of Public Life</li> <li>• Leading by example and using the standard operating principles or values as a framework for decision making and other actions</li> <li>• Demonstrating, communicating and embedding the standard operating principles or values through appropriate policies and processes which are reviewed on a regular basis to ensure that they are operating effectively</li> </ul> <p><b>Demonstrating strong commitment to ethical values</b></p> <ul style="list-style-type: none"> <li>• Seeking to establish, monitor and maintain the organisation's ethical standards and performance</li> <li>• Underpinning personal behaviour with ethical values and ensuring they permeate all aspects of the organisation's culture and operation</li> <li>• Developing and maintaining robust policies and procedures which place emphasis on agreed ethical values</li> <li>• Ensuring that external providers of services on behalf of the organisation are required to act with integrity and in compliance with ethical standards expected by the organisation</li> </ul> <p><b>Respecting the rule of law</b></p> <ul style="list-style-type: none"> <li>• Ensuring members and staff demonstrate a strong commitment to the rule of the law as well as adhering to relevant laws and regulations</li> <li>• Creating the conditions to ensure that the statutory officers, other key post holders, and members, are able to fulfil their responsibilities in accordance with legislative and regulatory requirements</li> <li>• Striving to optimise the use of the full powers available for the benefit of citizens, communities and other stakeholders</li> <li>• Dealing with breaches of legal and regulatory provisions effectively</li> <li>• Ensuring corruption and misuse of power are dealt with effectively</li> </ul>



Core Principle	Sub Principles
<p><b>B. Ensuring openness and comprehensive stakeholder engagement</b></p> <p>Local government is run for the public good, organisations therefore should ensure openness in their activities. Clear, trusted channels of communication and consultation should be used to engage effectively with all groups of stakeholders, such as individual citizens and service users, as well as institutional stakeholders.</p>	<p><b>Openness</b></p> <ul style="list-style-type: none"> <li>• Ensuring an open culture through demonstrating, documenting and communicating the organisation's commitment to openness</li> <li>• Making decisions that are open about actions, plans, resource use, forecasts, outputs and outcomes. The presumption is for openness. If that is not the case, a justification for the reasoning for keeping a decision confidential should be provided</li> <li>• Providing clear reasoning and evidence for decisions in both public records and explanations to stakeholders and being explicit about the criteria, rationale and considerations used. In due course, ensuring that the impact and consequences of those decisions are clear</li> <li>• Using formal and informal consultation and engagement to determine the most appropriate and effective interventions/ courses of action</li> </ul> <p><b>Engaging comprehensively with institutional stakeholders</b></p> <ul style="list-style-type: none"> <li>• Effectively engaging with institutional stakeholders to ensure that the purpose, objectives and intended outcomes for each stakeholder relationship are clear so that outcomes are achieved successfully and sustainably</li> <li>• Developing formal and informal partnerships to allow for resources to be used more efficiently and outcomes achieved more effectively</li> <li>• Ensuring that partnerships are based on: trust, a shared commitment to change, a culture that promotes and accepts challenge among partners and that the added value of partnership working is explicit</li> </ul> <p><b>Engaging with individual citizens and service users effectively</b></p> <ul style="list-style-type: none"> <li>• Establishing a clear policy on the type of issues that the organisation will meaningfully consult with or involve communities, individual citizens, service users and other stakeholders to ensure that service (or other) provision is contributing towards the achievement of intended outcomes</li> <li>• Ensuring that communication methods are effective and that members and officers are clear about their roles with regard to community engagement</li> <li>• Encouraging, collecting and evaluating the views and experiences of communities, citizens, service users and organisations of different backgrounds</li> </ul>

Core Principle	Sub Principles
	<p>including reference to future needs</p> <ul style="list-style-type: none"> <li>• Implementing effective feedback mechanisms in order to demonstrate how views have been taken into account</li> <li>• Balancing feedback from more active stakeholder groups with other stakeholder groups to ensure inclusivity</li> <li>• Taking account of the impact of decisions on future generations of tax payers and service users</li> </ul>

Core Principle	Sub Principles
<p><b>C. Defining outcomes in terms of sustainable economic, social, and environmental benefits</b></p> <p>The long-term nature and impact of many of local government's responsibilities mean that it should define and plan outcomes and that these should be sustainable. Decisions should further the organisation's purpose, contribute to intended benefits and outcomes, and remain within the limits of authority and resources. Input from all groups of stakeholders, including citizens, service users, and institutional stakeholders, is vital to the success of this process and in balancing competing demands when determining priorities for the finite resources available.</p>	<p><b>Defining Outcomes</b></p> <ul style="list-style-type: none"> <li>• Having a clear vision, which is an agreed formal statement of the organisation's purpose and intended outcomes containing appropriate performance indicators, which provide the basis for the organisation's overall strategy, planning and other decisions</li> <li>• Specifying the intended impact on, or changes for, stakeholders including citizens and service users. It could be immediately or over the course of a year or longer</li> <li>• Delivering defined outcomes on a sustainable basis within the resources that will be available</li> <li>• Identifying and managing risks to the achievement of outcomes</li> <li>• Managing service users' expectations effectively with regard to determining priorities and making the best use of the resources available</li> </ul> <p><b>Sustainable economic, social and environmental benefits</b></p> <ul style="list-style-type: none"> <li>• Considering and balancing the combined economic, social and environmental impact of policies and plans when taking decisions about service provision</li> <li>• Taking a longer-term view with regard to decision making, taking account of risk and acting transparently where there are potential conflicts between the organisation's intended outcomes and short-term factors such as the political cycle or financial constraints</li> <li>• Determining the wider public interest associated with balancing conflicting interests between achieving the various economic, social and environmental benefits, through consultation where possible, in order to ensure appropriate trade-offs</li> <li>• Ensuring fair access to services</li> </ul>

Core Principle	Sub Principles
<p><b>D. Determining the interventions necessary to optimise the achievement of the intended outcomes</b></p> <p>Local government achieves its intended outcomes by providing a mixture of legal, regulatory, and practical interventions (courses of action). Determining the right mix of these courses of action is a critically important strategic choice that local government has to make to ensure intended outcomes are achieved. They need robust decision-making mechanisms to ensure that their defined outcomes can be achieved in a way that provides the best trade-off between the various types of resource inputs while still enabling effective and efficient operations. Decisions made need to be reviewed frequently to ensure that achievement of outcomes is optimised.</p>	<p><b>Determining the interventions</b></p> <ul style="list-style-type: none"> <li>• Ensuring decision makers receive objective and rigorous analysis of a variety of options indicating how intended outcomes would be achieved and associated risks. Therefore ensuring best value is achieved however services are provided</li> <li>• Considering feedback from citizens and service users when making decisions about service improvements or where services are no longer required in order to prioritise competing demands within limited resources available including people, skills, land and assets and bearing in mind future impacts</li> </ul> <p><b>Planning interventions</b></p> <ul style="list-style-type: none"> <li>• Establishing and implementing robust planning and control cycles that cover strategic and operational plans, priorities and targets</li> <li>• Engaging with internal &amp; external stakeholders in determining how services and other courses of action should be planned and delivered</li> <li>• Considering and monitoring risks facing each partner when working collaboratively, including shared risks</li> <li>• Ensuring arrangements are flexible and agile so that the mechanisms for delivering goods and services can be adapted to changing circumstances</li> <li>• Establishing appropriate key performance indicators as part of the planning process in order to identify how the performance of services and projects is to be measured</li> <li>• Ensuring capacity exists to generate the information required to review service quality regularly</li> <li>• Preparing budgets in accordance with objectives, strategies and the medium term financial plan</li> <li>• Informing medium and long term resource planning by drawing up realistic estimates of revenue and capital expenditure aimed at developing a sustainable funding strategy</li> </ul> <p><b>Optimising achievement of intended outcomes</b></p> <ul style="list-style-type: none"> <li>• Ensuring the medium term financial strategy integrates and balances service priorities, affordability and other resource constraints</li> <li>• Ensuring the medium term financial strategy sets the context for ongoing decisions on significant delivery issues or responses to changes in the external environment that may arise during the budgetary period in order for outcomes to be achieved while optimising resource usage</li> </ul>

Core Principle	Sub Principles
	<ul style="list-style-type: none"> <li>• Ensuring the budgeting process is all-inclusive, taking into account the full cost of operations over the medium and longer term</li> <li>• Ensuring the achievement of 'social value' through service planning and commissioning.</li> </ul>

Core Principle	Sub Principles
<p><b>E. Developing the entity's capacity, including the capability of its leadership and the individuals within it</b></p> <p>Local government needs appropriate structures and leadership, as well as people with the right skills, appropriate qualifications and mind-set, to operate efficiently and effectively and achieve intended outcomes within the specified periods. A local government organisation must ensure that it has both the capacity to fulfil its own mandate and to make certain that there are policies in place to guarantee that its management has the operational capacity for the organisation as a whole. Because both individuals and the environment in which an organisation operates will change over time, there will be a continuous need to develop its capacity as well as the skills and experience of individual staff members. Leadership in local government is strengthened by the participation of people with many different types of backgrounds, reflecting the structure and diversity of communities.</p>	<p><b>Developing the entity's capacity</b></p> <ul style="list-style-type: none"> <li>• Reviewing operations, performance and use of assets on a regular basis to ensure their continuing effectiveness</li> <li>• Improving resource use through appropriate application of techniques such as benchmarking and other options in order to determine how resources are allocated so that defined outcomes are achieved effectively and efficiently</li> <li>• Recognising the benefits of partnerships and collaborative working where added value can be achieved</li> <li>• Developing and maintaining an effective workforce plan to enhance the strategic allocation of resources</li> </ul> <p><b>Developing the capability of the entity's leadership and other individuals</b></p> <ul style="list-style-type: none"> <li>• Developing protocols to ensure that elected and appointed leaders negotiate with each other regarding their respective roles early on in the relationship and that a shared understanding of roles and objectives is maintained</li> <li>• Publishing a statement that specifies the types of decisions that are delegated and those reserved for the collective decision making of the governing body</li> <li>• Ensuring the leader and the chief executive have clearly defined and distinctive leadership roles within a structure whereby the chief executive leads in implementing strategy and managing the delivery of services and other outputs set by members and each provides a check and a balance for each other's authority</li> <li>• Developing the capabilities of members and senior management to achieve effective leadership and to enable the organisation to respond successfully to changing legal and policy demands as well as economic, political and environmental changes and risks by: <ul style="list-style-type: none"> <li>○ ensuring members and staff have access to appropriate induction tailored to their role and that ongoing training and development matching individual and organisational requirements is available and encouraged</li> <li>○ ensuring members and officers have the appropriate skills, knowledge, resources and support to fulfil their roles and responsibilities and ensuring that they are able to update their knowledge on a continuing basis</li> </ul> </li> </ul>

Core Principle	Sub Principles
	<ul style="list-style-type: none"> <li>○ ensuring personal, organisational and system-wide development through shared learning, including lessons learnt from governance weaknesses both internal and external</li> <li>• Ensuring that there are structures in place to encourage public participation</li> <li>• Taking steps to consider the leadership's own effectiveness and ensuring leaders are open to constructive feedback from peer review and inspections</li> <li>• Holding staff to account through regular performance reviews which take account of training or development needs</li> <li>• Ensuring arrangements are in place to maintain the health and wellbeing of the workforce and support individuals in maintaining their own physical and mental wellbeing</li> </ul>

Core Principle	Sub Principles
<p><b>F. Managing risks and performance through robust internal control and strong public financial management</b></p> <p>Local government needs to ensure that the organisations and governance structures that it oversees have implemented, and can sustain, an effective performance management system that facilitates effective and efficient delivery of planned services.</p> <p>Risk management and internal control are important and integral parts of a performance management system and are crucial to the achievement of outcomes. Risk should be considered and addressed as part of all decision making activities. A strong system of financial management is essential for the implementation of policies and the achievement of intended outcomes, as it will enforce financial discipline, strategic allocation of resources, efficient service delivery and accountability. It is also essential that a culture and structure for scrutiny are in place as a key part of accountable decision making, policy making and review. A positive working culture that accepts, promotes and encourages constructive challenge is critical to successful scrutiny and successful service delivery. Importantly, this culture does not happen automatically, it requires repeated public commitment from those in authority.</p>	<p><b>Managing risk</b></p> <ul style="list-style-type: none"> <li>• Recognising that risk management is an integral part of all activities and must be considered in all aspects of decision making</li> <li>• Implementing robust and integrated risk management arrangements and ensuring that they are working effectively</li> <li>• Ensuring that responsibilities for managing individual risks are clearly allocated</li> </ul> <p><b>Managing performance</b></p> <ul style="list-style-type: none"> <li>• Monitoring service delivery effectively including planning, specification, execution and independent post implementation review</li> <li>• Making decisions based on relevant, clear objective analysis and advice pointing out the implications and risks inherent in the organisation's financial, social and environmental position and outlook</li> <li>• Ensuring an effective scrutiny or oversight function is in place which provides constructive challenge and debate on policies and objectives before, during and after decisions are made thereby enhancing the organisation's performance and that of any organisation for which it is responsible</li> <li>• Providing members and senior management with regular reports on service delivery plans and on progress towards outcome achievement</li> <li>• Ensuring there is consistency between specification stages (such as budgets) and post implementation reporting (eg financial statements)</li> </ul> <p><b>Robust internal control</b></p> <ul style="list-style-type: none"> <li>• Aligning the risk management strategy and policies on internal control with achieving objectives</li> <li>• Evaluating and monitoring risk management and internal control on a regular basis</li> <li>• Ensuring effective counter fraud and anti-corruption arrangements are in place</li> <li>• Ensuring additional assurance on the overall adequacy and effectiveness of the framework of governance, risk management and control is provided by the internal auditor</li> <li>• Ensuring an audit committee or equivalent group/ function, which is independent of the executive and accountable to the governing body: <ul style="list-style-type: none"> <li>○ provides a further source of effective assurance regarding arrangements for managing risk and maintaining an effective control environment</li> </ul> </li> </ul>



Core Principle	Sub Principles
	<ul style="list-style-type: none"> <li>○ that its recommendations are listened to and acted upon</li> </ul> <p><b>Managing data</b></p> <ul style="list-style-type: none"> <li>• Ensuring effective arrangements are in place for the safe collection, storage, use and sharing of data, including processes to safeguard personal data</li> <li>• Ensuring effective arrangements are in place and operating effectively when sharing data with other bodies</li> <li>• Reviewing and auditing regularly the quality and accuracy of data used in decision making and performance monitoring</li> </ul> <p><b>Strong public financial management</b></p> <ul style="list-style-type: none"> <li>• Ensuring financial management supports both long term achievement of outcomes and short-term financial and operational performance</li> <li>• Ensuring well-developed financial management is integrated at all levels of planning and control, including management of financial risks and controls</li> </ul>

Core Principle	Sub Principles
<p><b>G. Implementing good practices in transparency, reporting, and audit to deliver effective accountability</b></p> <p>Accountability is about ensuring that those making decisions and delivering services are answerable for them. Effective accountability is concerned not only with reporting on actions completed, but also ensuring that stakeholders are able to understand and respond as the organisation plans and carries out its activities in a transparent manner. Both external and internal audit contribute to effective accountability.</p>	<p><b>Implementing good practice in transparency</b></p> <ul style="list-style-type: none"> <li>• Writing and communicating reports for the public and other stakeholders in a fair, balanced and understandable style appropriate to the intended audience and ensuring that they are easy to access and interrogate</li> <li>• Striking a balance between providing the right amount of information to satisfy transparency demands and enhance public scrutiny while not being too onerous to provide and for users to understand</li> </ul> <p><b>Implementing good practices in reporting</b></p> <ul style="list-style-type: none"> <li>• Reporting at least annually on performance, value for money and stewardship of resources to stakeholders in a timely and understandable way</li> <li>• Ensuring members and senior management own the results reported</li> <li>• Ensuring robust arrangements for assessing the extent to which the principles contained in this Framework have been applied and publishing the results on this assessment, including an action plan for improvement and evidence to demonstrate good governance (the annual governance statement)</li> <li>• Ensuring that this Framework is applied to jointly managed or shared service organisations as appropriate</li> <li>• Ensuring the performance information that accompanies the financial statements is prepared on a consistent and timely basis and the statements allow for comparison with other, similar organisations</li> </ul> <p><b>Assurance and effective accountability</b></p> <ul style="list-style-type: none"> <li>• Ensuring that recommendations for corrective action made by external audit are acted upon</li> <li>• Ensuring an effective internal audit service with direct access to members is in place, providing assurance with regard to governance arrangements and that recommendations are acted upon</li> <li>• Welcoming peer challenge, reviews and inspections from regulatory bodies and implementing recommendations</li> <li>• Gaining assurance on risks associated with delivering services through third parties and that this is evidenced in the annual governance statement</li> </ul>

Core Principle	Sub Principles
	<ul style="list-style-type: none"><li data-bbox="683 262 1374 383">• Ensuring that when working in partnership, arrangements for accountability are clear and the need for wider public accountability has been recognised and met</li></ul>

# The Annual Governance Process

To be effective a governance framework needs to demonstrate that the Core and Supporting Principles are underpinned by evidence. This local code demonstrates how we will collect our evidence as part of an on-going process. Evidence is collected and held on the council's performance monitoring system throughout the year. This includes a detailed assessment against the core and sub principles identified in this code.

Annually, there is a review of the effectiveness of the Council's system of internal control and this informs the Annual Governance Statement. Dover District Council is required to prepare its annual governance statement to report publicly on the extent to which we comply with this local code of corporate governance.

This includes how we have monitored and evaluated the effectiveness of our governance arrangements in the year, and on any planned changes in the coming period. The annual governance statement is a valuable means of communication. It enables the Council to explain to the community, service users, tax payers and other stakeholders its governance arrangements and how the controls it has in place manage risks of failure in delivering its outcomes

The Director of Governance and Monitoring Officer provides an opinion on the level of assurance that the governance arrangements can provide and that the arrangements continue to be regarded as fit for purpose in accordance with the governance framework

The Leader and Chief Executive sign the statement on behalf of the Council.

The outcome of the annual review is reported internally to Cabinet and Governance Committee, and externally in the Annual Report with the published accounts.

## Completing the Assurance Statement

The annual governance assurance statement will include the following information:

- An acknowledgement of our responsibility for ensuring there is a sound system of governance
- A description of the key elements of our governance framework.
- A description of the key elements of the review of effectiveness
- What the current year's review involved including a description of the processes that were applied.
- Significant governance issues, including an agreed action plan to deal with any issues.
- Improvements made during the year and how issues identified in the previous year's action plan have been addressed and resolved.
- An opinion by the Director of Governance and Monitoring Officer on the level of assurance that the systems and processes that comprise our governance arrangements provide.
- Statement of approval of the Leader and Chief Executive of the Council, including a commitment to monitor implementation as part of the next year's review.

The Completion Process provides the detailed stages of the Annual Assessment. The Chief Executive, Statutory Officers, other Directors, Internal Audit and managers across the authority all have a role to play in this assessment. The overall assurance given is not a

pass or fail. It is a narrative statement pointing to the Council's strengths and weaknesses and any areas for improvement.

### Principles Adopted

Completion of the statement should flow from the normal business planning, review and reporting processes of the Council, its Governance Committee and the planned work of Internal Audit.

The Business Plan is one of the central mechanisms for each Head of Service managing their own area of activity and therefore sits at the centre of the Corporate Governance process.

Corporate Governance uses existing documents, procedures and frameworks. It also links to performance and risk reporting as poor service performance can reflect a failure of governance.

Effective internal controls are an important part of the Corporate Governance process. Through their audit assurance work, internal audit will provide an opinion on the effectiveness of the systems of internal control.

### **Preparation of the Annual Governance Statement**

Data is collected throughout the year, including where relevant supporting documents. The action plan is prepared and monitored.

The opinion provided by the Director of Governance on the level of assurance that the governance arrangements provide and the Statement that the Leader and Chief Executive sign will be compiled from the evidence held:

### Internal Control Opinion

- An Assurance Statement from the Head of the Audit Partnership. This is compiled from the Internal Audit review of this Council's Corporate Governance arrangements.
- The Director of Governance and Monitoring Officer and the Director of Finance, Housing and Community (S151 Officer) will review the internal control opinion and framework evidence, including service assurance statements, the audit review of Corporate Governance, the Constitutional review, Performance reporting, Risk management arrangements and the individual audit and risk management assessments.

### Governance and Internal Control

- Comment and recommendations from the Director of Governance and Monitoring Officer, Director of Finance, Housing and Community (Section 151 Officer) and Solicitor to the Council, who have responsibility for overseeing the operation of the Governance Framework and the Corporate Governance Local Code.
- The Director of Governance's (Monitoring Officer) review of the Council's performance against the Governance Framework.
- The Director of Governance (Monitoring Officer) and Director of Finance, Housing and Community's (Section 151 Officer) review of the Effectiveness of Internal Audit.

- Confirmation from other Directors via a Service Assurance Statement that:
  - Risks have been identified. They are recorded and monitored in accordance with the Councils Risk Management Strategy.
  - Staff are fully aware of the requirements of their job, and have access to the appropriate Council rules and policies to assist them.
  - Internal and External Audit reports and recommendations have been acted on.
  - Reports from other review agencies have been acted on.
  - Business arrangements are conducted in accordance with the law and proper standards.
  - Public money is safeguarded and properly accounted for, and used economically, efficiently and effectively.
  - The service has in place appropriate management and reporting arrangements to enable it to satisfy itself that its approach to Corporate Governance is both adequate and effective.
  - A statement of assurance that improvement plans exist to rectify any acknowledged deficiency.
  
- The Annual Report of the Chairman of the Standards Committee (to May 2017) on the ethical conduct of the Council.
  
- The Director of Governance (Monitoring Officer) and Solicitor to the Council's annual review of the Constitution.
  
- The Solicitor to the Council's annual statement giving his opinion on the Council's compliance with relevant laws and regulations, and its legal obligations and requirements.
  
- The Head of Paid Service annual statement giving his opinion on officers' compliance with the seven general principles of good conduct.
  
- The Head of Corporate Services annual statement giving his opinion on compliance with the Council's Risk Management Strategy.
  
- The Director of Shared Services annual statement giving his opinion of the Robustness of IT Systems.

#### Other processes and reviews

- Confirmation that Council policies are fully implemented.
- The annual Constitutional review has been undertaken.
- Checking that Council values and ethical standards are met.
- Ensuring Laws and regulations are complied with
- Publishing financial statements and performance information accurately and reliably.
- Confirmation that resources are managed efficiently and effectively.

- The External Auditor's Annual Audit and Inspection Letter, service assessments and other associated reviews.
- Confirmation that internal reviews are undertaken and findings are acted upon.
- Performance Reporting being seen to drive improvement.
- The Director of Governance and Monitoring Officer and the Director of Finance, Housing and Community (Section 151 Officer) will prepare a Draft Annual Governance Statement which will be considered by CMT and Cabinet who will provide the final review, evaluation and approval.
- The Governance Committee, acting as the Audit Committee will monitor the overall governance process and ensure that the process is robust and agreed actions identified are properly implemented.
- The final statements will then be signed before the end of June by the Leader and Chief Executive based on a clear evidence trail.

On-going monitoring and review is co-ordinated by the Director of Governance

- The contents of this code will be reviewed annually alongside the Annual Governance Assurance Statement and will be kept up to date in the light of changing circumstances. The Director of Governance (Monitoring Officer) will maintain the documentation but Members and Officers must own the whole process.
- In addition, review and monitoring will be undertaken during the course of the year. This will be co-ordinated by the Director of Governance (Monitoring Officer) and includes:
  - Monitoring the Corporate Governance arrangements and recommended courses of action by the Section 151 Officer, Monitoring Officer and Solicitor to the Council.
  - Internal Audit review of Corporate Governance arrangements and auditable activities identified through risk based audit plans.
  - Ensuring management ownership for the delivery of agreed objectives, within a Corporate Governance Framework, whilst managing effectively their identified opportunities and risks.
  - Performance measurement of governance arrangements through the collection of Governance data on the Performance Management System.
  - Performance measurement of key objectives and associated risks using agreed key and local performance indicators.
  - On-going review of Risk Management arrangements and recommended courses of action by the Head of Corporate Services, Section 151 Officer and Head of the Audit Partnership.
  - On-going monitoring and review of compliance with the Seven Principles of Conduct by the Monitoring Officer, Head of EK Human Resources, Solicitor to the Council, Head of Democratic Services and the Standards Committee.

- Ad hoc reviews initiated by the Chief Executive and/or Service Directors.
- Planned service reviews through a rolling programme of review.
- External Audit review of Corporate Governance arrangements and other auditable activities.
- The External Auditors will inspect the Annual Governance Assurance Statement, the evidence and position statements that support the statement, the risk management process and this Council's overall Corporate Governance arrangements.
- Mid-year updates are given to Governance Committee on progress in implementing actions identified in the annual statement.

The Director of Governance and Monitoring Officer, Director of Finance, Housing and Community (Section 151 Officer) and Solicitor to the Council have responsibility for overseeing the implementation and monitoring of the operation of the Local Code. The Head of the Audit Partnership has been given the responsibility for periodically reviewing the arrangements. Each of these officers also contributes to the annual assessment process and a clear separation of duties is required for these complementing but distinct roles.

Disagreements and differing opinions on the areas of non-compliance will be included within the assurance statement. They will be discussed and wherever possible agreement will be reached between signatories. An important part of the process is to develop an Action Plan to address any significant internal control issues disclosed in the statement. If agreement is not reached the Chief Executive and Leader will ultimately determine what is included, after taking advice as appropriate from the Monitoring Officer, Section 151 Officer, Solicitor to the Council and Head of the Audit Partnership.



## **EXAMPLE DIRECTOR'S STATEMENT - Dover District Council – Annual Governance Process**

### **Director's Assurance Statement**

The Council is required by law to include with the final accounts an Annual Governance Assurance Statement (AGAS). This statement also forms part of the Annual Governance Process.

The statement is intended to demonstrate to the public that the Council has sound governance arrangements in place including a sound system of internal control, designed to help manage and control business risk. It is considered to be an important way to demonstrate that the Council has good business practices in place, high standards of conduct and sound governance. It links to all the principles of good governance.

In support of the AGAS all Directors are required to complete, certify and return a statement of corporate responsibility. It is acknowledged that your divisions and their systems and processes can provide only reasonable and not absolute assurance that all risks have been identified, all assets safeguarded, all transactions properly authorised and recorded, and all material errors or irregularities either prevented or detected within a timely period.

The statement attached should therefore be completed 'to the best of your knowledge' and formally agreed with your Portfolio Holder.

Please return the certified statements, preferably in electronic format

Please ensure that the form is also signed by the relevant Portfolio Holder.

It is advised that you also keep securely a copy of 'the statement' made, together with a file of documentary evidence where possible. It is likely that the External Auditors will make further enquiries in connection with how the statement can be supported.

Thank you for your assistance.

David Randall  
Director of Governance (and Monitoring Officer)

Mike Davis  
Director of Finance, Housing and Community (and S151 Officer)

Question	Agreement Yes/No	Examples and Exceptions
In my department risks have been identified. They are recorded and monitored in accordance with the Councils Risk Management Strategy.		
Staff are fully aware of the requirements of their job, and have access to the appropriate Council rules and policies to assist them.		
The department has appropriate management and staff to enable objectives to be delivered. Performance is reviewed regularly.		
Resources at my disposal are used to achieve the Council's objectives. The level of resource is reviewed regularly.		
Suitable controls are in place to protect the Council's assets.		
Internal and External Audit reports and recommendations have been acted on. Reports from other review agencies have been acted on.		
Business arrangements are conducted in accordance with the law and proper standards		
The service has in place appropriate management and reporting arrangements to ensure effective Governance.		
Improvement plans exist to rectify deficiencies.		
Key performance targets and indicators are linked to the Corporate Plan.		

## **FINANCIAL STATEMENT**

This statement is given in respect of the Council's (insert year) final accounts and refers to the state of my Division's operations up to the date of signature.

The information provided is given to the best of my knowledge in connection with the service areas for which I have responsibility. I have made appropriate enquiries with other officials of the Council and of information systems and records maintained and can confirm the following statements as detailed in the column below headed 'Accounts – Financial and Legal Implications'. However, where I am aware of such circumstances, I am able to provide further relevant information in the column headed 'Details and Action Plan':

<b>Accounts - Financial and Legal Implications</b>	<b>Confirmation (Yes /No) and Evidence</b>	<b>Details and Any Actions Planned</b>
In my division there are no contingent liabilities (see footnote 1 below) that are likely to have a significant effect on the finances or operations of the Council.		
In my division, there are no instances of non-compliance with laws or regulations that are likely to have a significant effect on the finances or operations of the Council.		
In my division, there are no post balance sheet events (see footnote 2 below) that have occurred that are likely to have a significant effect on the finances or operations of the Council.		
In my division, there are no pending claims, proceedings or litigation that are likely to have a significant effect on the finances or operations of the Council.		
In my division, there are no other significant transactions with related parties other than those already disclosed.		
In my division, there are no instances of known error, irregularity, including fraud, which are likely to have a significant effect on the finances or operations of the Council.		

Footnotes:

1. A contingent liability is in effect a possible obligation at the balance sheet date arising from past events whose existence will be confirmed only by the occurrence of one or more uncertain future events which may not be within the Council's control
2. A post-balance sheet event is an event, both favourable and unfavourable, which occurs between the balance sheet date and the date on which the financial statements are approved by the Council.

Certified by, Signature:	
Name:	
Designation:	
Date:	

# Risk Management

## Introduction

Risk is the threat that an event or action will adversely affect the Council's ability to achieve its objectives successfully. Although risk is generally associated with the possibility of suffering harm, loss or liability, in some situations confrontation of risk might also enable us to capitalise on opportunities.

Risk management is the process by which risks are identified, evaluated and controlled and is a key element of the framework of governance. It is about identifying, analysing, evaluating, responding and monitoring threats and opportunities with a view to minimising the chances of failure and maximising the chances of success. Risk management is about being risk aware and not risk averse.

Following the Priority Service Review during 2010, it was agreed that this Council would apply its Risk Management Strategy to monitoring risks at Corporate and Project levels. Corporate priorities will continue to be risk assessed as a fundamental part of the Governance process. Service/Day to Day risks are monitored as appropriate by individual departments.

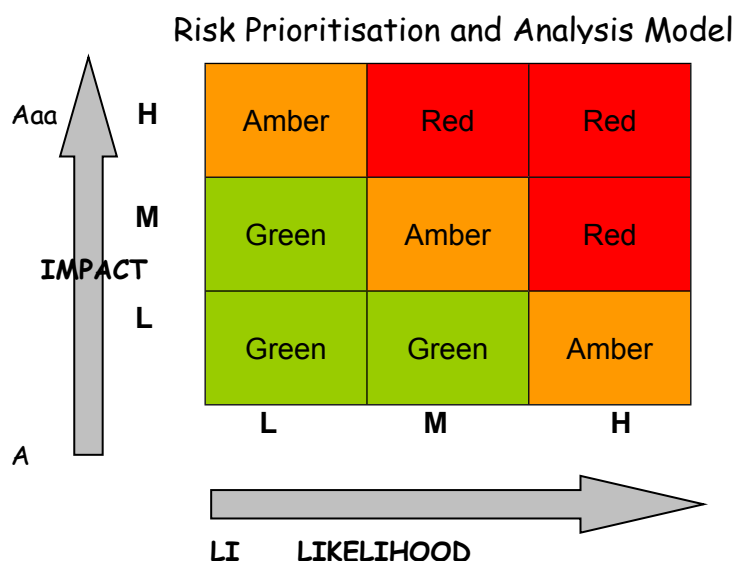
## Risk Strategy and Approach

- Project Managers identify risks linked to the project objectives
- Heads of Service and Directors identify risks associated with corporate priorities within their service.
- Heads of Service and Directors identify risks arising from and within partnerships and other joint working arrangements.
- The Corporate Risk Register will comprise of Corporate and project risks.
- Ownership and responsibility is assigned to each risk identified.
- Each risk is recorded as an **inherent risk**, the management action necessary or already taken to mitigate the risk are recorded together with the subsequent **residual risk**.
- It is recognised that the risks will change over time as projects and Corporate Priorities develop, evolve and change. Through regular review of risk management arrangements it enables us to respond to these changes. The process is not a one-off exercise, but an ongoing task.
- Effective risk management helps us to deliver an appropriate balance between risk and control, ensure effective decision making, the better use of limited resources, greater innovation and consideration of positive risks (opportunities) as well as negative risks (threats) to the project.

## Risk Management in Practice

- Risk Management is a five stage on-going process as follows:-
  - Identification
  - Analysis
  - Evaluation
  - Mitigation and control
  - Monitoring

- As part of risk analysis, an assessment should be undertaken of the impact and likelihood of risks occurring. Risks can then be plotted onto the following evaluation model:



- The following scoring guidance is provided to simplify the assessment process, provide consistency and assist in determining where on the grid various risks should be plotted:

IMPACT			
Key Risk Areas	High	Medium	Low
Communication and publicity	<ul style="list-style-type: none"> <li>Remembered long term.</li> <li>Adverse national publicity</li> </ul>	<ul style="list-style-type: none"> <li>Adverse headlines in social and local media</li> </ul>	<ul style="list-style-type: none"> <li>Letters of complaint</li> </ul>
Corporate Governance	<ul style="list-style-type: none"> <li>Project will fail to be implemented.</li> <li>Governance Committee identify significant governance failings.</li> <li>Significant levels of fraud</li> </ul>	<ul style="list-style-type: none"> <li>Project will be delayed.</li> <li>Adverse governance findings by the Cabinet/Scrutiny and Governance Committee.</li> <li>Extraordinary Review by External Auditors</li> </ul>	<ul style="list-style-type: none"> <li>Limited Assurance following Audit</li> </ul>
Efficiency and Savings	<ul style="list-style-type: none"> <li>Failure to meet all anticipated efficiency targets</li> <li>Inability to recover shortfall on budget overspend</li> </ul>	<ul style="list-style-type: none"> <li>Failure to exploit benefits of partnership working</li> <li>Budget pressures with poor performance</li> </ul>	<ul style="list-style-type: none"> <li>Budget managed but performance is below that originally planned</li> </ul>
Financial/Funding	<ul style="list-style-type: none"> <li>Budget Overspend &gt; £10k or 10%</li> </ul>	<ul style="list-style-type: none"> <li>Budget Overspend up to £10k or 10%</li> </ul>	<ul style="list-style-type: none"> <li>Budget Overspend up to £10k</li> </ul>

<b>IMPACT</b>			
<b>Key Risk Areas</b>	<b>High</b>	<b>Medium</b>	<b>Low</b>
	<ul style="list-style-type: none"> <li>Property loss or damage &gt; £50k.</li> <li>Lack of external funding due to concerns over service delivery or project management</li> <li>Substantial loss or failure of investments</li> </ul>	<ul style="list-style-type: none"> <li>Unaccountable short falls in stock/inventories or other assets.</li> <li>Property loss/damage in excess of £50k.</li> <li>Lack of provision when funding stream ends</li> </ul>	
Health & Safety	<ul style="list-style-type: none"> <li>Potential for loss of life</li> <li>Large scale major illness</li> <li>Forced closure of offices/leisure facilities/block of flats due to H&amp;S legislation</li> <li>HSE Investigation with Fine</li> </ul>	<ul style="list-style-type: none"> <li>Major illness</li> <li>Serious injury - including disablement</li> <li>Forced close of smaller office/facility due to failure to comply with H&amp;S legislation</li> </ul>	<ul style="list-style-type: none"> <li>Broken bones/illness</li> <li>Partial closure of offices/facility</li> </ul>
IT	<ul style="list-style-type: none"> <li>Complete failure of IT system.</li> <li>Breach of licence.</li> </ul>	<ul style="list-style-type: none"> <li>Temporary failure of IT system.</li> <li>Software problems.</li> </ul>	<ul style="list-style-type: none"> <li>Minor problems with new software.</li> </ul>
Project aims	<ul style="list-style-type: none"> <li>Objectives of project not achieved.</li> <li>Time/costs greatly exceeded.</li> </ul>	<ul style="list-style-type: none"> <li>Key Milestone missed.</li> </ul>	<ul style="list-style-type: none"> <li>Minor delays/problems.</li> </ul>
Personnel resourcing	<ul style="list-style-type: none"> <li>Critical staff resignations.</li> <li>Inability to attract new staff</li> </ul>	<ul style="list-style-type: none"> <li>Industrial action</li> </ul>	<ul style="list-style-type: none"> <li>Some hostile relationships, minor non-co-operation</li> </ul>
Service delivery	<ul style="list-style-type: none"> <li>Long-term suspension of service.</li> <li>Failure of service.</li> <li>High level of public dissatisfaction.</li> </ul>	<ul style="list-style-type: none"> <li>Short term reduction in service provision.</li> <li>Pockets of dissatisfaction.</li> </ul>	<ul style="list-style-type: none"> <li>Low standard of service provision evidenced by messages of complaint</li> </ul>
Statutory Responsibilities	<ul style="list-style-type: none"> <li>Failure to enforce regulatory powers.</li> <li>Major fraud.</li> <li>Criminal Proceedings against the Council.</li> <li>Public Inquiry to review substantial</li> </ul>	<ul style="list-style-type: none"> <li>Adverse finding by the Local Authority Ombudsman.</li> <li>Failure to test emergency plans.</li> </ul>	<ul style="list-style-type: none"> <li>Minor breach</li> </ul>

<b>IMPACT</b>			
<b>Key Risk Areas</b>	<b>High</b>	<b>Medium</b>	<b>Low</b>
	failure of a Council Service. Adverse findings of Standards Committee. No contingency planning.		

<b>LIKELIHOOD</b>			
	<b>High</b>	<b>Medium</b>	<b>Low</b>
Timing	Imminent	Next 12 months	After 12 months
Probability	<75%	25-75%	>25%

### **Risk Methodology**

- Project and corporate risks are identified in line with the project and corporate priorities and objectives. Associated risks, threats and opportunities are determined for each objective and priority.
- Risks are evaluated in terms of likelihood and impact, which will determine where the axes or parameters on the model will be drawn. This will determine the categories each risk falls into.
- Each significant risk will be considered in context. The potential impact will be measured against the possible benefits and it will then be assessed as to whether it is worthwhile to continue with a particular objective if the risk outweighs the reward.
- Risk mitigation is the stage of the process when action can be taken to minimise the likelihood of risks occurring, or to reduce the severity of the consequences should it occur.
- The final stage of the risk management process will be the effective monitoring and review of the identified risks to ensure the successful delivery of the project or corporate priority. This process will also assess whether the nature of risk has changed over time.



# Risk Management Strategy

The risk management policy of Dover District Council is to adopt cost-effective practices in the assessment of risks to ensure that they are eliminated or reduced to an acceptable level. This will help safeguard assets, employees, customers and the delivery of services to the local community.

The Council pursues a forward-looking and dynamic approach to delivering services to the local community and will not be averse to taking a degree of commercial risk. However, it will always exercise a prudent approach to risk taking and decisions will be made within the parameters of the Council's internal control arrangements. Of particular importance are the Financial and Contract Procedure Rules which ensure that the Council does not expose itself to risks above an acceptable level.

The risk management objectives of the Council are to:

- Help ensure that the Council's key corporate priorities are delivered
- Manage and mitigate project risk
- Be responsive to changing social, environmental and legislative requirements whilst being aware of the related risks and opportunities
- Take reasonable steps to prevent injury, damage and loss and reduce the cost of risk

These objectives will be achieved by:

- Defining roles and responsibilities of Officers and Members within the organisation in relation to risk management.
- Providing relevant training on risk management to relevant officers and Members of the authority
- Encouraging officers participating in other professional discipline groups to consider risk management.
- Making sure officers are made aware of risk management information received from insurers and other related sources.
- Maintaining a risk management framework to provide for:-
  - A useful and meaningful Corporate risk register
  - Appropriate incident recording to enable the analysis of risk data
  - The annual review of the risk management framework

## Roles and Responsibilities

### Members

- The Governance Committee has specific responsibility included in its terms of reference for providing independent assurance on the adequacy of the control and risk management framework and the associated control environment.
- The Governance Committee also has responsibility for the independent scrutiny 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.

### Executive and Corporate Management Team

- Corporate Management Team is responsible for identifying key risks as part of their strategic responsibilities.
- The Director of Governance will undertake an annual strategic risk review
- The Director of Governance, supported by the Head of Corporate Services has overall responsibility for ensuring the minimum agreed level of risk management is undertaken.

### Directors/Head of Service

- Directors and Heads of Service in conjunction with members of their teams and other parties/partners (where applicable), will review and monitor project and corporate risks relating to their services.

### Employees Generally

- Employees will be expected in the first instance, to refer risk management concerns to their line managers. Should such concerns remain outstanding, then employees can refer their concerns elsewhere as prescribed in the Council's Whistleblowing Guide.

### Insurance

- The Director of Governance in consultation with the Corporate Services (Insurance Team) will:
  - Regularly review and advise upon the Council's insurance requirements and arrangements, and arrange insurance cover as necessary
  - Annually review the adequacy of the Council's internal Insurance Provisions and Reserves, and advise on action to be taken
  - Advise Officers and Members on insurance covers available and/or in place and advise Officers on claims procedures, and process claims arising
  - Assist in the development and provision of claims data to aid future risk control

# Performance Management

## Introduction

Dover District Council recognises that to achieve its corporate objectives and to deliver efficient services for the community, there is the need for effective performance management, supporting Council priorities and informing decision making, with links to the service planning and budget setting processes.

## Performance Management Framework

### Performance Planning

- Translates corporate objectives into targets for financial and Business plans.
- Drives performance by developing the most efficient working practices and sharing them across the Council.
- Preparation of plans and targets should engage all staff.

### Performance Monitoring

- Links strategies, plans, people and performance and assess how well and efficiently we are performing.
- Helps us be transparent.
- Monitoring enables employees to see how their actions impact on the corporate plan, strategic objectives, Business plans and individual objectives by linking these all together.
- Converts plans into measurable goals and shows where we are providing good value.

### Performance Reporting

- Reports on outcomes and gives early warning of potential failures
- Provides an opportunity to capture and share information and ideas
- Increases operational efficiency.
- Helps manage services effectively.
- Increases accountability to the community.
- Increases cross service awareness
- Recognises individuals' roles in the process and their contribution.

The steps involved in the performance planning process are:

<b>Timescale</b>	<b>Activity</b>
Continuous	The Corporate Plan is a continuously evolving document which includes the latest high level strategic priorities and priority actions for the Council.
September	Each September, Directors and Heads of Service identify their objectives for the next financial year. These will be closely aligned to those shown in the Corporate Plan. Interim Personal Performance Reviews held. Objectives and targets are adjusted if necessary.
October	Revenue Budget estimates are prepared for the coming year.

<b>Timescale</b>	<b>Activity</b>
November/December	Draft Business plans and service budgets are reviewed/finalised making sure that they align with the Corporate Plan and the budget. Business plans include service objectives; these can be measured by performance indicators where necessary. Shared services develop plans and targets ready for agreement by the respective Directors, DDC Client Officers and the relevant Portfolio Holder.
December	Business Plans and Budgets are agreed.
April	Personal Performance Reviews are also undertaken, reviewing individual performance against objectives. New personal targets are agreed. Corporate and Business Plans become live documents

## **The Corporate Plan**

The Corporate Plan is a continuously evolving document which includes the latest high level strategic priorities and actions for the Council. It covers a 3 – 5 year span.

Top level, objectives and targets emanate from the corporate plan, cascading down to service divisions as a starting point for the preparation of service plans.

## **Service Strategies**

The Council is responsible for a number of service strategies and plans. These are not annual documents but have a longer lifespan. Any targets and objectives resulting from these strategies are incorporated into the relevant Business Plan.

## **Business Plans**

The Business Plan is one of the central mechanisms for each Director and Head of Service managing their own area of activity and therefore sits at the centre of the Corporate Governance process. It links corporate objectives, business objectives and personal objectives.

The Business Plan is the document that translates the strategic aims of the Council into service objectives and an annual programme of appropriately resourced activities. These are managed and monitored by the relevant Director and Heads of Service.

Each year Directors and Heads of Service are required to identify and review their key service objectives; these should also support and reflect corporate priorities. In developing objectives directors should consult with all their team members as well as portfolio holders. Service objectives need to be measurable using milestones or performance indicators.

Completed Business plans are forwarded to the corporate services team where targets are collated, ready for monitoring and publishing in the quarterly performance report. Corporate management team identify key service objectives and indicators for the Council, for Cabinet/Council consideration and endorsement.

## **Shared Services**

Shared services also develop plans and targets which are agreed by their respective Directors, DDC Client Officers and the relevant Portfolio Holder. These are agreed by

Cabinet and in case of dispute the East Kent Services Board (Chief Executives Group) will mediate.

### **Performance Monitoring**

Performance results are collated by Corporate Services into the Performance Report and reported quarterly to CMT and Cabinet. The report is then available for full scrutiny by the Scrutiny (Policy and Performance) Committee. It provides an up to date picture of the Council's current performance with commentary from the relevant Director.

### **Partnership Evaluation Criteria**

The Council has adopted partnership evaluation criteria as part of this framework. The objective of the evaluation is to measure the effectiveness of partnerships from the Council's perspective. It is used to evaluate new partnerships, and as an annual review of high risk/profile partnerships.

### **The Performance Report**

On a quarterly basis the following key areas of performance are monitored and reported via the performance report:

#### Service Delivery

This section reviews performance against key service targets. These are the indicators that are considered as key to the achievement of Corporate and Service objectives. If any are showing weakness or failure, details of the proposed recovery action will be provided.

#### Director's comments

A short summary by the Director of each division and from the Directors of shared services.

#### Performance Comments

A short explanation of any underperforming areas or performance indicators.

#### Key initiatives and Outcomes

Comments on specific projects/events which the director needs to bring to Members and public attention, especially those that will bring changes to the service delivery or have an impact on the current ways of working.

#### Concerns/Risks

A short description of anything which may affect performance, service delivery or output.

#### Financial Performance

This section provides a summary of budget and actual.

The Performance Report is published on the Council's website.

#### Quarterly Focus

A detailed analysis of a business area or specific topic.

### The Quarterly Review Process

The Performance report is reviewed firstly by CMT who take an active interest in overall performance. They look to take action to address weaknesses, and highlight success. Action plans enable the process to concentrate on the action being taken to address weaknesses, rather than becoming involved in identification of the weaknesses themselves.

The report is then considered by the Cabinet Member with responsibility for Governance and then by Cabinet and Scrutiny, with recommendations from Scrutiny being made back to the Cabinet.

### The On-going Review Process

Service Directors feedback performance information to the staff in their divisions. They discuss with their divisions and/or teams performance against service objectives, budget profile, and performance indicators.

Cabinet formally reviews key performance issues and CMT comments. This is scrutinised by the Scrutiny (Policy and Performance) Committee.

### **Performance Indicators**

Performance indicators help to measure service objectives and targets and are one of the ways that the public can judge how well the Council is performing.

- All Services must provide their performance results to the Corporate Services Team at the end of each quarter. The results are then input into a data collection system ready for producing the Performance Report. An accuracy check is done on any indicators that do not look consistent or represent a significant variation from the target or previous reporting.
- Directors and Heads of Service are responsible for ensuring the accuracy of their published figures.
- If an outside body has set indicators Directors are responsible for ensuring the published results are calculated in accordance with those bodies' definitions.

### Timing for Submitting Indicator Results

- Quarterly Results must be prepared for the quarters ending 30 June, 30 September, 31 December and 31 March for inclusion in the quarterly Performance Report. The results should be sent to Corporate Services as soon as possible after the quarter end. In case of difficulty, the Corporate Services officer needs to be informed.

### Standards for Target Setting

- Targets are discussed and agreed by the Directors and Portfolio Holder(s) prior to inclusion in Business Plans. Corporate Management Team will review all targets to ensure that a realistic, but challenging level of performance improvement is being sought. Targets are then taken to Cabinet for approval. Arrangements for achieving targets should be built into Business Plans.

### Acting on Performance Information

- All Directors and Heads of Service should be able to demonstrate that they have used their performance information in the management and improvement of their service. In particular to ensure that poor performance is acted on immediately and that good performance is developed to become excellent performance.
- Regular feedback should be given via weekly or monthly team meetings, 1:1 sessions, information on the Performance Information notice boards (as appropriate), and publication on the intranet.

### **Financial Performance**

The Council's financial monitoring and reporting arrangements are an important part of performance management. Revenue and capital budgets are assigned to individual managers to enable them to deliver objectives and priorities of the Council and it is therefore vitally important that these are carefully managed.

Expenditure and income is monitored at budget manager level. There is an electronic budget monitoring system which the budget manager is expected to update. Members of accountancy staff keep a watching brief on expenditure and liaise with Managers where necessary.

The Accountancy team will look at the expenditure from a strategic viewpoint to ensure that the Council has the necessary financial resource to deliver its priorities. This will include the examination of budget pressures and commitments from a corporate viewpoint. Budget reports are then prepared for Management and Members.

### **Individual Performance Appraisal Review**

The Council has an individual Performance Review process for employees that is designed to ensure everyone:

- Knows what they have to do and the standards expected of them in their job
- Knows how what they do fits in with the aims of the Council and their own particular service
- Has the skills to help them deliver excellent services
- Receives feedback on how they are performing in their job and identifies any training and development needs
- Knows how their personal objectives link to wider service and corporate objectives

The Performance Review process involves twice yearly interviews between an employee and their manager. These take place in September and April each year. The first meeting enables the results to be considered as part of Business Planning, Corporate Planning, budget setting and development of training plans. The second meeting is a mid year review that examines outturn performance for the financial year and reviews the objectives and targets set.

Alongside the formal Performance Review system is the need for regular dialogue with all team members, either on a 1:1 basis or in small groups to discuss performance issues. In

particular it will be important to celebrate performance successes and identify weaknesses. For poor or failing performance it is important to identify with team members the reasons why, and identify what action is necessary and any resource or procedural implications.

### **Quality Assurance, Audit & Risk Management**

The Council has a number of systems and processes to check and monitor the way it carries out its activities. These include:

#### Audit and Performance Teams

The Council's Corporate Services Team and East Kent Audit Partnership provide an internal checking and monitoring role in relation to a number of key areas of work. One of their roles is ensuring that the Council is delivering its corporate objectives with the minimal level of risk. The Audit team assesses whether management has identified and acted on key business risks and that the internal control system is operating effectively. This work includes reviewing systems and processes.

External auditors annually review our financial statements and examine our governance arrangements. Their findings are reported in the Annual Audit Letter.



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<b>Subject:</b>	<b>OLDSTAIRS BAY TO SANDWICH BAY BEACH MANAGEMENT PLAN</b>
<b>Meeting and Date:</b>	<b>Cabinet – 12 June 2017</b>
<b>Report of:</b>	<b>Roger Walton, Director of Environment and Corporate Assets</b>
<b>Portfolio Holder:</b>	<b>Councillor Nicholas Kenton, Portfolio Holder for Environment, Waste and Planning</b>
<b>Decision Type:</b>	<b>Key Decision</b>
<b>Classification:</b>	<b>Unrestricted</b>

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**Purpose of the report:**

- To seek Cabinet approval to undertake coastal protection works in the location of Oldstairs Bay to Sandwich Bay over a 5-year period. The Environment Agency has approved funding for the period 2016/17 to 2020/21.

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**Recommendation:** That Cabinet accepts the funding from the Environment Agency and approves the following actions outlined in the 5-year beach management and shoreline management plans:

- Regular monitoring and annual recycling works from Oldstairs Bay to Sandwich Bay.
- Continued beach levels/surveys from Regional Coastal Monitoring Programme.
- Research and development of new sea defences at Wellington Parade and North Deal to reduce the migration of shingle.

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## 1. Summary

- 1.1 A Beach Management Plan (BMP) has recently been prepared by Canterbury City Council on behalf of Dover District Council and the Environment Agency. The BMP sets out the implementation approaches for intervention and monitoring to maintain the beach where it provides an integral part of the sea defences between Oldstairs Bay and the River Stour at Sandwich Bay. The aim of the BMP is to inform, guide and assist responsible authorities and organisations in managing the beach, and to ensure that the beach management continues to manage the risk of coastal flooding and erosion.
- 1.2 Beach Management Plans provide an accountable and transparent methodology for managing beaches as coastal defence assets based on risk information that derives from scheme design, monitoring and scientific/research input with the aim of managing the frontage in a sustainable way that enhances vegetated shingle habitats.
- 1.3 The BMP proposes the following activities:
  - Regular monitoring and annual recycling works at Wellington Parade;

- Annual recycling from the Sandwich Bay estate to north Deal to mitigate losses in north Deal and to prevent shingle ingress into the sand dune habitat to the north of Sandwich;
- Continued monitoring of beach levels via the Regional Coastal Monitoring Programme.

## 2. Introduction and Background

2.1 A delegated decision (DD3015) was taken by the Director of Finance, Housing and Community on 28<sup>th</sup> January 2016 to instruct Canterbury City Council through the East Kent Engineering Partnership to conduct a study on the coastal frontage from Old Stairs Bay to Sandwich Bay. This was funded by a £50k grant from the Environment Agency.

2.2 The standard of protection at Wellington Parade in Kingsdown is currently at a 1:45 year level, putting several properties at risk of overtopping damages in the case of an extreme wave and water level event. Within the Deal town frontage, longshore drift removes shingle from the unit at an average rate of 13,000m<sup>3</sup> a year, leaving the north of Deal exposed and requiring regular emergency works. At present there is no retaining structure to prevent these losses. Furthermore, the dominant longshore drift direction takes shingle sediment north towards the Sandwich Bay SSSI, putting the sand dune habitat at risk of damage from shingle ingress. The construction of a retaining structure will keep shingle within this unit, reducing the need for future replenishment and protecting the important SSSI habitat to the north. Retaining structures at Wellington Parade will increase the size of the beach and hence the standard of protection, and will reduce the quantity of future recycling required by increasing the retention of sediment in the area.

2.3 The key objectives from this study are outlined below.

- Restore the indicative standard of protection across the frontage.
- Prevent excessive shingle migration north out of the unit, preventing shingle damage to the sand dune habitat within the Sandwich Bay SSSI.
- Reduce the need (and hence cost) for regular replenishment operations in north Deal by providing a source of shingle for local recycling.
- Eliminate the scour problem at Wellington parade using retaining structures to maintain a larger beach in front of the properties.
- Provide an opportunity for important research and development and ensure efficient use of funds by constructing temporary groynes and monitoring their performance before constructing permanent structures at Wellington Parade.

2.4 This resulted in taking a business case to the Environment Agency for approval of a 5yr beach management plan to meet the above objectives in 2.3. In January 2017, the EA approved a total of £1.75m grant aid funding to be claimed over 5 years (2016/17 - 2020/21).

## 3. Identification of Options

3.1 Option 1 – Do nothing.

3.2 Option 2 – Do the minimum.

3.3 Option 3 – To accept the funding from the Environment Agency and manage the coastline in accordance with the Deal and shoreline management plans.

#### 4. **Evaluation of Options**

- 4.1 Option 1 – Not to undertake any beach management, leaving the frontage from Old Stairs Bay to Sandwich Bay in its current state. This is not the preferred option, due to the certain risk of erosion causing coastal flooding and damage to the sea defences at Kingsdown and Deal.
- 4.2 Option 2 – Has been considered within the business case and would look to only recycling when beaches reach critical condition, breaches repaired before total seawall failure occurs. This is not the preferred option due to the similar outcomes of Option 1; Loss of amenity, value of beach, danger to public from damaged structures and loss of houses to erosion and regular flooding. Furthermore damage to Sandwich Bay SSSI from shingle ingress.
- 4.3 Option 3 – Looks to accept the funding from the Environment Agency and deliver the objectives outlined in the Deal beach management plan. **This is the officer recommendation**, which will look towards maintaining and improving the frontage where necessary for the next 5 years. The works will likely involve the following; annual recycling works to be informed by monitoring, construction of two rock groynes at Wellington Parade, a structural survey at Oldstairs Bay with remedial works to the rock armour as required, and the construction of a rock groyne at Sandown Castle to increase the retention of shingle sediment.

#### 5. **Resource Implications**

- 5.1 The funding for the beach management plan is to be fully financed by the Environment Agency over a period of 5 years from 2016/17 to 2020/21. The total sum of the approved grant aid funding equates to £1.75m, which will be claimed over 5 consecutive years £350k was claimed in 2016/17 (March 2017) and will be used to fund works during 2017/18. It is anticipated that £350k will be claimed for a further 4 years starting in 2017/18.
- 5.2 The funding requirement may vary year to year depending on winter storms, the works programme, and relevant license approvals from the Marine Management Organisation (MMO), Natural England and Planning Consent. During 2017/18 and 2018/19 the grant claims may be increased to aid the construction of the new rock groynes, subject to planning and MMO consent.

#### 6. **Corporate Implications**

- 6.1 Comment from the Section 151 Officer: Accountancy has been consulted and has no further comment to add. (KW)
- 6.2 Comment from the Solicitor to the Council: The Head of Legal Services has been consulted during the preparation of this report and has no further comment to make.
- 6.3 Comment from the Equalities Officer: This report does not specifically highlight any equalities implications, however in discharging their responsibilities members are required to comply with the public sector equality duty as set out in section 149 of the Equality Act 2010 <http://www.legislation.gov.uk/ukpga/2010/15>
- 6.4 Other Officers (as appropriate):

#### 7. **Appendices**

None.

8. **Background Papers**

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<b>Subject:</b>	<b>ACCOMMODATION CHARTER FOR DOVER DISTRICT</b>
<b>Meeting and Date:</b>	<b>Cabinet – 12 June 2017</b>
<b>Report of:</b>	<b>Roger Walton, Director of Environment and Corporate Assets</b>
<b>Portfolio Holder:</b>	<b>Councillor Keith Morris, Portfolio Holder for Skills, Training, Tourism, Voluntary Services and Community Safety</b>
<b>Decision Type:</b>	<b>Non-Key</b>
<b>Classification:</b>	<b>Unrestricted</b>
<b>Purpose of the report:</b>	For Cabinet to approve working with non-graded accommodation providers through a new Accommodation Charter.
<b>Recommendation:</b>	<ol style="list-style-type: none"> <li>1. That Cabinet adopts The Accommodation Charter to enable working with district wide non-graded accommodation.</li> <li>2. That Cabinet allows Visitor Information Centres within the District to book customers into non-graded accommodation through The Accommodation Charter.</li> <li>3. That Cabinet delegates authority to the Head of Museums and Tourism to exclude a property from the Accommodation Standards Charter where it is considered necessary following investigation.</li> </ol>

## 1. Summary

- 1.1 White Cliffs Country is the official tourism organisation for the district and was launched by Dover District Council some twenty years ago. It was set up as a membership scheme with local businesses in the tourism industry as a means of marketing and booking their properties with the Visitor Information Centres in the Dover District.
- 1.2 Current Council policy reflects the historic government one, in that Local Authorities and their Visitor Information Centres (VICs) should not work with or promote non-accredited/graded accommodation providers. This changed in 2012 when DCMS stated that “the Government will stop trying to corral tourism firms in England into joining an official rating scheme. We will leave decisions on whether and how to modernise, shrink or close the existing state-sponsored scheme to the industry itself through the newly formed Visit England”. As a result the scheme is no longer effective and excludes some excellent providers from accessing marketing through the District Council.

## 2. Introduction and Background

- 2.1 The way in which accommodation providers market and promote their businesses has changed, with some investing in their own websites or signing up to other commercially driven websites to deliver their online activity. Additionally the growth of review sites like Trip Advisor, and the booking site AirBnB offers the consumer a different way to check and book accommodation, adding to the dilution of the current star rating system.

- 2.2 Revenue from industry advertising for the annual visitor guide has steadily declined over the last few years and a decision to remove advertising from the White Cliffs Country visitor guide was taken two years ago. The accommodation section within the guide wasn't reflective of the whole offer within the District and gave a negative image of the amount of accommodation available to the prospective visitor. This decision was supported by research carried out by Lifestyle Group, the company who currently handle our brochure leads and fulfilment. This research enabled us to understand our visitor demographic and profile better and see that the brochure is requested as an inspirational and information tool rather than a list of graded accommodation.
- 2.3 Districts throughout Kent, including Dover, have historically adopted an assessed only approach to working with accommodation providers, only promoting those which have been quality assessed by Visit England or the AA to ensure quality. However a large number of accommodation providers choose not to be graded for a number of reasons, including the cost which is around £500 for the average property. The opportunity to work with these businesses will increase the amount of accommodation visible to tourists on our website and take the model beyond a traditional 'membership' offering.
- 2.4 A large number of UK destinations are following this business model and are working with accommodation providers from outside the traditional accredited route. Within Kent, Canterbury City Council, Swale and Gravesham local authorities have all adopted Accommodation Charters and work with non-accredited providers.
- 2.5 Like other UK destinations, Dover District has seen a steady decline in the number of registered hotels and bed and breakfasts. With the rise and trend in budget accommodation, many providers are struggling to compete in this market. Coupled with the brisk growth in AirBnB listings, some are selling their businesses to convert into residential properties. Since 2014 serviced (hotels and B&B's) properties have declined from 361 to 121(DPUK) representing a loss of around 1000 rooms.
- 2.6 Dover Visitor Information Centre regularly struggles to find accredited accommodation during July and August and often has to resort to booking into Folkestone and Canterbury leaving good, but non accredited, accommodation in the District empty. It should further be noted that accreditation levels across Kent and nationally has fallen.

### **3. Dover District Accommodation Providers Eligibility for website promotion and VIC booking**

- 3.1 The Councils current terms and conditions follow the historic grading schemes run by AA and Visit England which the former South East England Tourist Board set up some twenty years ago.

Minor changes were introduced a couple of years ago and currently accommodation providers are eligible for promotion by Dover District Council if they meet any of the following standards:

- Visit England/Quality in Tourism National Quality Standards (star ratings)
- AA Hotel Services Quality Standards (star ratings)
- Kent Accommodation Scheme

- Alistair Sawday Guide
  - Michelin Guide
  - Good Hotel Guide
  - An externally managed standards audit system e.g. Abode Hotels
  - Other guides, which are well-established and have evident consumer credibility and carry out a regular inspection against a set of standards.
- 3.2 To replace the above accreditation, Dover District Council, working with Visit Kent and Tourism South East has developed an Accommodation Charter (see draft attached) as the basis for accepting ungraded accommodation providers into the White Cliffs Country marketing. This will open up the market and remove any barriers to entry. The Charter sets out the minimum requirements for eligibility and would not attract any annual fee or regular inspections. The Council will not work with or market Houses of Multiple Occupation (HMO's) for the tourist market.
- 3.3 The many non-graded properties in the district can often represent a high quality offering and presents Dover District Council with a significant opportunity to work, communicate and engage with these small businesses, particularly in Deal and Sandwich and in the rural areas, where the proportion of non-graded properties is generally higher than in Dover. The proposed change of policy would remove the current barriers to entry and provide the opportunity to develop our relationships with those who often work in isolation.
- 3.4 Under the new policy, Dover District Council would monitor on-line reviews and any complaints relating to members that have signed The Charter. After proper investigation and consultation with the proprietor, should the complaints be deemed legitimate and sufficiently serious, Dover District Council would reserve the right to withdraw the providers' membership without liability. The decision would be final with no right to appeal.

#### **4. Relevant Council Policy**

This proposal supports the Corporate Plan Strategic Priority 3 – Serving our communities effectively.

#### **5. Resource Implications**

There are no direct resource implications with this proposal.

#### **6. Identification of Options**

Option 1. Adopt The Accommodation Charter to allow non-graded accommodation in the district to work with Dover District Council. (Recommended)

Option 2. Continue to work with district wide accredited only accommodation providers. (Not recommended)

#### **7. Evaluation of Options**

Option 1. The proposed change in policy is important to the growth and sustainability of Dover District's future working with the accommodation sector. We are approached regularly by ungraded businesses who have expressed interest in joining under revised terms.

Option 2. The ongoing fragmentation of the accreditation schemes is projected to continue, ultimately impacting on the visitor whilst trying to find accommodation from a trusted source like our website and Visitor Information Centres.

## **8. Consultation Planned or Undertaken**

The Town Councils and White Cliffs Country Tourism Alliance have been informed about the proposal. The Dover Guest House and Hotelier group has been consulted and are supportive of the proposal.

## **9. Resource Implications**

There are no direct resource implications as a consequence of the approval of The Accommodation Charter.

- a. Comment from the Section 151 Officer “The Equality Officer has been consulted on the report and have no further comments to add. (LS)”
- b. Comment from the Solicitor to the Council: The Head of Legal Services has been consulted during the preparation of this report and has no further comment to make.
- c. Comment from the Equalities Officer: ‘The Equality Officer has been consulted during the development of this report and has no further comments to make other than to remind members that in discharging their responsibilities they are required to comply with the public sector equality duty as set out in section 149 of the Equality Act 2010 <http://www.legislation.gov.uk/ukpga/2010/15>’
- d. Other Officers (as appropriate):

## **10. Appendices**

Appendix 1 – The Accommodation Charter

## **11. Background Papers**

None.

Contact Officer: Debbie Dainton, Tourism Officer.





## **TOURISM ACCOMMODATION STANDARDS CHARTER**

Dover District Council remains committed to both the National Quality Assurance Scheme run by Quality in Tourism for Visit England, The AA, Kent Accommodation Scheme and other accreditation schemes/guides like Alistair Sawday, Michelin etc. This independent view can provide valuable insight and excellent advice tools to assist you with running and developing your business. They also provide an award to use on your website and promotional materials.

In order to ensure quality is maintained by local accommodation businesses and recognised by our visitors, Dover District Council has developed an 'Accommodation Charter.' Any non-accredited district wide accommodation businesses should sign up to the Charter as a requirement to being promoted on the White Cliffs Country website and other potential promotional activities (advertising) undertaken by us. The Charter will also enable the districts Visitor Information Centre's to make bookings through you on behalf of their visitors. The Charter will cover important areas such as legal considerations, health and safety and good customer care practice.

There is also a complaints procedure which, together with the Charter, will provide a feedback mechanism for visitors who may be unhappy with their chosen accommodation.

As an advertiser and/or member of the Dover District Council Accommodation Standards Charter, I undertake:

**1. To work positively with Dover District Council at all times and provide access to premises on request to ensure the Charter is being followed**

Membership implies working collaboratively with the local tourism team and other members of the standards charter to improve the standing and profile of tourism across the district and Kent.

**2. To provide promotion material or online entry, an accurate description of the quality, standard of facilities and services of the establishment**

For this purpose, promotion material means any advertisement or brochure, printed, on line or other media. Pictorial images and descriptive text should accurately represent the establishment concerned.

**3. To welcome all visitors courteously and without discrimination in relation to gender, sexual orientation, disability, race, religion or belief, gender reassignment and marriage and civil partnership.**

This complies with the duty of the Equality Act 2010 which requires reasonable adjustments to remove barriers and improve services for those people with specific needs. The provision of an Access Statement should describe the accessibility credentials of the establishment. The Access Statement should be a clear and accurate written description of the facilities and services offered that enables a potential guest to make an informed decision as to whether the establishment meets their particular access needs.

Staff must understand the need for sensitivity when communicating with actual or potential guests with specific needs and make every effort to make them welcome and meet their needs.

**4. To describe accurately and display clearly prices for the services being offered including any service charges and taxes where appropriate**

This applies to prices listed in promotional material, on line and on site, packaged items and extra charges. This should also include a clear cancellation policy, checking in/out procedures.

**5. To maintain good standards of service and cleanliness**

Every business should be striving to deliver the best standards possible for the type of accommodation they are offering. However, high standards of cleanliness should apply to all.

**6. To have a complaints policy that can be implemented speedily and effectively**

This should be designed to enable any issues that may arise to be resolved by prompt, professional and polite action.

**7. To maintain a fair and effective cancellations policy**

This needs to be readily available for guests at each stage of their visit, from pre booking through to after departure.

**8. To fulfil all legal obligations and responsibilities**

This includes fire precautions, price display orders, food safety/hygiene, liquor licensing, health and safety laws, discrimination, trade descriptions, data protection, Hotel Proprietors Act, public liability cover and any other insurance necessary to comply with statutory requirements.

**9. To manage the business in a way that supports the local environment and community**

Changes in operation practice such as actively sourcing and using local produce, recruiting locally and taking an active role in community events can make a difference to local communities and reduce your carbon footprint. It also makes good business sense.

**10. To provide current and up to date information about the district for visitors**

Access to good quality information has the potential to enhance the visitor experience and to encourage them to explore more and stay longer. The council produces a wide range of printed information, some of which is multi-lingual, about the district. The tourism website is designed to be the one stop to accessing up to the minute information so by linking with it, enables visitors to access everything from accommodation, places to visit, events and inspirational ideas.

**Terms and Conditions**

- i. Dover District Council will monitor on-line reviews and any complaints relating to members that have signed the Standards Charter. After proper investigation and consultation with the proprietor, should complaints be deemed legitimate and sufficiently serious Dover District Council reserves the right to withdraw website membership without liability. This decision will be final with no right to appeal.
- ii. Upon termination of advertising/membership, Dover District Council will, as soon as reasonably possible, remove the details of the tourism business from the relevant websites and any marketing materials used in campaigns.

In signing the Charter I/we hereby confirm that we are authorised to do so on behalf of the business and agree on behalf of the business to observe the Dover District Council Accommodation Standards Charter and to be bound by these Terms and Conditions as a condition of promotion/membership.

**Authorised signature**

*On behalf of the business*

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Name printed

Tourism business

Address


**Please sign and return to:**

Post - Dover Visitor Information Centre, Dover Museum, Market Square, Dover, CT16 1PH

Email – [sandra.killick@dover.gov.uk](mailto:sandra.killick@dover.gov.uk)

## Decision Notice

## Decision Taken Between Meetings

<b>Decision No:</b>	<b>DPH01</b>
<b>Subject:</b>	<b>REPLACEMENT OF FENDER PILES TO SANDWICH QUAY</b>
<b>Notification Date:</b>	<b>30 May 2017</b>
<b>Implementation Date:</b>	<b>5 June 2017</b>
<b>Decision taken by:</b>	<b>Councillor Trevor Bartlett, Portfolio Holder for Property Management and Public Protection</b>
<b>Authority:</b>	<b>Paragraph 12 of Section C of Part 3 (Responsibility for Functions) of the Constitution ('General Responsibilities Delegated to all Members of the Executive')</b>
<b>Decision Type:</b>	<b>Executive Non-Key Decision</b>
<b>Call-In to Apply?</b>	<b>Yes (<i>The deadline for call-in is 10.00am on 5 June 2017</i>)</b>
<b>Classification:</b>	<b>Unrestricted</b>
<b>Reason for the Decision:</b>	To agree to revisions to an agreement concluded with the Environment Agency in 2014 regarding the closure of an area of the Sandwich Quay Car Park to facilitate flood defence works.
<b>Decision:</b>	To agree to revisions to an agreement concluded with the Environment Agency in 2014 regarding the closure of an area of the Sandwich Quay Car Park to facilitate flood defence works so that the Council will now receive £15,000 compensation for loss of parking revenue in lieu of the installation of new timber fender piles by the Environment Agency.

**1. Consideration and Alternatives**

1.1 Refer to supporting Cabinet report.

**2. Any Conflicts of Interest Declared?**

No.

**3. Supporting Information**

None.

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**Subject:** REPLACEMENT FENDER PILES TO SANDWICH QUAY

**Date:** 30 May 2017

**Decision to be taken by:** Councillor Trevor Bartlett, Portfolio Holder for Property Management and Public Protection (in respect of Recommendation 1 below)  
Mike Davis, Director of Finance, Housing and Community (in respect of Recommendation 2 below)

**Report of:** Keith Watson, Corporate Estate and Coastal Engineer

**Portfolio Holder:** Councillor Trevor Bartlett, Portfolio Holder for Property Management and Public Protection

**Decision Type:** Executive Non-Key Decision

**Call-in to be suspended:** No

**Classification:** Unrestricted

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**Delegated Authority:**

1. With regard to recommendation (1):  
  
Paragraph C12 of Section 3 of Part 3 of the Constitution – ‘General responsibilities delegated to all members of the executive’ – where a matter is urgent and a decision cannot reasonably await the next meeting of Cabinet.
2. With regard to recommendation (2):  
  
Authority delegated by Cabinet at its meeting held on 1st March 2017 (CAB 155) to ‘continue the practice of delegating authority to the Director of Finance, Housing and Community, in consultation with the Portfolio Holder for Corporate Resources and Performance, to authorise projects up to £50,000 that have been included in the Capital and Special Revenue Projects programmes’

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**Purpose of the report:**

- (1) To agree to revisions to an agreement concluded with the Environment Agency in 2014 regarding the closure of an area of the Sandwich Quay Car Park to facilitate flood defence works.
- (2) To seek approval of a project to replace the timber fender piles at Sandwich Quay.

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**Recommendation:**

1. To agree to revisions to an agreement concluded with the Environment Agency in 2014 regarding the closure of an area of the Sandwich Quay Car Park to facilitate flood defence works so that the Council will now receive £15,000 compensation for loss of parking revenue in lieu of the installation of new timber fender piles by the

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Environment Agency.

2. To approve a project to replace the timber fender piles at Sandwich Quay
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1. **Summary**

- 1.1 This report seeks approval to vary an agreement reached with the Environment Agency in 2014 under which the Environment Agency was going to replace timber fender piles at Sandwich Quay in lieu of making a payment of monetary compensation for lost parking revenues occasioned by the undertaking of flood defence works. It also seeks approval of a project to replace the timber fender piles to be part funded by a cash payment made to the Council by the Environment Agency under the varied agreement.

2. **Introduction and Background**

- 2.1 On 1 April 2014 the Portfolio Holder for Access and Property Management agreed to the temporary closure of parts of the Sandwich Quay Car Park to facilitate flood defence works by the Environment Agency. Instead of the Environment Agency making a compensatory payment to the Council for loss of parking revenue, it was agreed that the Environment Agency would install new timber fender piles to the quay wall as part of the works. This was all recorded in decision notice DPH08.
- 2.2 Owing to constraints on the budgets of the Environment Agency that they were unable to install the timber fender piles and, following further negotiations with the Environment Agency, it has been agreed that the Council will accept a payment of £15,000 compensation in respect of lost parking revenues instead.
- 2.3 Without the fender piles in place boats are unable to moor up against the new Quayside. This has resulted in the neighbouring Quayside becoming overwhelmed during the summer season and having to turn away vessels with the consequent loss of trade to the economy of Sandwich and the loss of Council mooring fees to the Council.
- 2.4 A decision now needs to be made by the Council regarding the replacement of the timber fender piles.

3. **Identification of Options**

- 3.1 Option 1 – Do nothing and absorb the funding back into the Council’s general fund.
- 3.2 Option 2 – Consider alternative enhancements to Sandwich Quay.
- 3.3 Option 3 – Install new fender piles to Sandwich Quay.

4. **Evaluation of Options**

- 4.1 Option 1 is not recommended. Although this might reduce some pressure on the Council’s budget, the Sandwich Quay wall will still be left vulnerable to damage and boats visiting Sandwich will be limited to areas of mooring.
- 4.2 Option 2 is not recommended. Although alternative options could be considered for Sandwich Quay, it wouldn’t resolve the matter of the Quay being left in an unfinished state.

4.3 Option 3 **is considered as the recommended option.** Installing the new fender piles will restore the original use of the Quayside and enable the Council to once again offer a mooring service, in addition to the new toilet and shower facilities which are available.

## 5. **Resource Implications**

5.1 The total cost of the works has been estimated at £50k; this will allow the installation of 35 fender piles and brackets, along with some necessary de-silting works around some of the existing piles. The works will be carried out in the river and will not cause any further disruption to the Quay car park.

5.2 The Environment Agency will make a payment of £15,000 to DDC in compensation for lost car park income incurred during the construction of the flood defences. The remaining £35k will be funded from Capital receipts; provision for this is included in the current Medium-Term Financial Plan.

## 6. **Corporate Implications**

6.1 Comment from the Section 151 Officer: Accountancy has been consulted and has no further comment to add. (KW)

6.2 Comment from the Solicitor to the Council: The Solicitor to the Council has been consulted in the preparation of this report and has no further comments to make.

6.3 Comment from the Equalities Officer: This report does not specifically highlight any equalities implications, however, in discharging their responsibilities, Members are required to comply with the public sector equality duty as set out in section 149 of the Equality Act 2010 <http://www.legislation.gov.uk/ukpga/2010/15>.

6.4 Other Officers (as appropriate):

## 7. **Appendices**

None.

## 8. **Background Papers**

Relevant files.

Contact Officer: Keith Watson, Corporate Estate and Coastal Engineer 2399