Record of the decisions of the meeting of the **CABINET** held at the Council Offices, Whitfield on Monday, 29 February 2016 at 11.00 am.

Present:

Chairman: Councillor P A Watkins

Councillors: M D Conolly

T J Bartlett
P M Beresford
N S Kenton
K E Morris

Also Present: Councillor S F Bannister

Councillor S S Chandler Councillor M R Eddy 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 Finance

Head of Strategic Housing Private Sector Housing Manager

Principal Heritage Officer

Senior Accountant (Revenue and Treasury)

Leadership Support Officer 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 112	APOLOGIES	None.	To note any	
29.2.16			apologies received.	
Open	It was noted that Councillor N J Collor had sent an apology for absence as he was attending a meeting on the renewal of the railway line between			
Key Decisions No	Dover and Folkestone.			
Call-in to apply Yes				
Implementation				
Date				
8 March 2016				

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 113	DECLARATIONS OF INTEREST	None.	To note any	
29.2.16			declarations of	
Open	Councillors N S Kenton and P A Watkins declared an Other Significant		interest.	
	Interest in Agenda Items 13 (Statement of Principles for Penalty Charges			
Key Decisions	Issued under the Smoke and Carbon Monoxide Alarm (England)			
No	Regulations 2015) and 14 (The Redress Schemes for Lettings Agency			
	Work and Property Management Work (Requirement to Belong to a			
Call-in to apply	Scheme etc) (England) Order 2014) by reason that they were landlords.			
Yes				
Implementation				

Date		
8 March 2016		

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 114	RECORD OF DECISIONS	None.	Cabinet is required	
29.2.16			to approve the	
Open	It was agreed that the decisions of the meeting of the Cabinet held on 1		Record of	
	February 2016, as detailed in decision numbers CAB 97 to CAB 111, be		Decisions of the	
Key Decisions	approved as a correct record and signed by the Chairman.		Cabinet meeting	
No			held on 1 February 2016.	
Call-in to apply Yes				
165				
Implementation				
Date				
8 March 2016				

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 115	NOTICE OF FORTHCOMING KEY DECISIONS	None.	Cabinet is	
29.2.16			requested to	
Open	It was agreed that there were no forthcoming Key Decisions identified for		identify any Key	
	pre-Scrutiny at this stage.		Decisions that it	
Key Decisions			would be beneficial	
No			to refer to one of	
			the Scrutiny	
Call-in to apply			Committees before	
Yes			the matter comes	
			before Cabinet for	
Implementation			formal decision.	

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 116 29.2.16 Open Key Decisions Yes Call-in to apply (a) Yes (b) No Implementation Date (a) 8 March 2016 (b) 3 March 2016	(a) It was agreed that the Scrutiny (Policy and Performance) Committee's recommendation, made at its meeting held on 9 February 2016 (Minute No 96), be approved as follows: Under 'Priority 1: Thriving Economy' add the text: 'Enabling and supporting growth of the economy and opportunity for investment and jobs. Working with KCC and others, to actively participate and support the development and implementation of a traffic management plan for Sandwich Town, to protect and enhance heritage, improve visitor experience, maximise the tourism sector and increase employment.' (b) It was agreed to recommend to Council that, subject to the inclusion of the text at (a), the revised draft Corporate Plan 2016-2020 be approved and placed on the Council's website for consultation as an evolving document.	To not approve the Scrutiny Committee's additional recommendation.	The Scrutiny (Policy and Performance) Committee, at its meeting held on 9 February 2016, endorsed Cabinet decision CAB 103 of 1 February 2016 and made an additional recommendation. The draft Corporate Plan will now go to full Council on 2 March 2016 for adoption.	

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 117 29.2.16 Open	FEES AND CHARGES 2016/17 It was agreed:	None.	The Scrutiny (Policy and Performance)	
Key Decisions Yes Call-in to apply Yes	 (a) That the Scrutiny (Policy and Performance) Committee's endorsement of Cabinet decision CAB 94, made at its meeting held on 9 February 2016 (Minute No 97), be acknowledged. (b) That Cabinet decision CAB 94 be reaffirmed. 		Committee, at its meeting held on 9 February 2016, endorsed Cabinet decision CAB 94 of 11 January 2016.	
Implementation Date 8 March 2016				

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 118	PERFORMANCE REPORT - THIRD QUARTER 2015/16	To not approve	The Scrutiny	
29.2.16		the Scrutiny	(Policy and	
Open	(a) It was agreed that the Scrutiny (Policy and Performance)	Committee's	Performance)	
	Committee's recommendations (a) to (e), made at its meeting	additional recom-	Committee, at its	
Key Decisions	held on 9 February 2016 (Minute No 95), be approved as follows:	mendations.	meeting held on 9	
No			February 2016,	
	(i) That the Council's Performance Report and Actions for the 3 rd		endorsed Cabinet	
Call-in to apply	Quarter 2015/16 be noted.		decision CAB 108	
Yes			and made several	
	(ii) That the Head of Operations – East Kent Housing provide an		additional	

Implementation Date 8 March 2016		estimated, profiled % of tenants' arrears for the end of each quarter and a projected outturn for the 2015/16 year-end with reasons and analysis.	recommendations.	
	(iii)	That the Director of Environment and Corporate Assets arrange a visit to the recycling plant for Members.		
	(iv)	That the Director of Environment and Corporate Assets, as part of his report to the Committee in April 2016 on the Tourism Strategy (including Museum Strategy), include a detailed breakdown of visitor numbers to the museum.		
	(v)	That the Director of Governance ensures that future quarterly Performance Reports provide, in addition to the Headcount Analysis, a narrative that gives context to the data, in particular highlighting any vacancies that are affecting performance, any significant changes to staffing levels, any additional resources that have been allocated and whether these posts are internally or externally funded.		
	(b)	That Cabinet decision CAB 108 be reaffirmed, subject to its being amended to take account of (i) to (v).		

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 119	FERAL PIGEONS	None.	The Scrutiny	
29.2.16			(Policy and	
Open	It was agreed that the Scrutiny (Policy and Performance) Committee's		Performance)	
	recommendations (i) to (iv), made at its meeting held on 9 February		Committee, at its	
Key Decisions	2016 (Minutes No 92), be approved as follows:		meeting held on 9	
No			February 2016,	
	(i) To appoint a specialist contractor to carry out a detailed survey		considered a report	
Call-in to apply	and provide recommendations on a humane approach to		by the Director of	

Yes	addressing the issue of feral pigeons in Deal.	Governance,
Implementation Date 8 March 2016	 (ii) To carry out a publicity/educational campaign on feeding birds in Deal. (iii) To release the funds for this survey to be undertaken. At this stage this is anticipated to be around £2,000. (iv) That, once the results of the detailed survey have been received, a further report be submitted to the Scrutiny Committee on the proposed way forward. At this stage the petitioner will be invited to attend the meeting. 	prepared at the request of the Committee in response to a petition received from a member of the public regarding feral pigeons in Deal. The Committee made several recommendations to Cabinet aimed at addressing the problem.
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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 120	HOUSING ALLOCATIONS POLICY	To not approve	The Scrutiny	
29.2.16		the Scrutiny	(Community and	
Open	(a) It was agreed that the Scrutiny (Policy and Performance)	Committee's	Regeneration)	
	Committee's recommendation, made at its meeting held on 10	recommendation.	Committee, at its	
Key Decisions	February 2016 (Minute No 63), be approved as follows:		meeting held on 10	
Yes			February 2016,	
	That Cabinet decision CAB 106 be endorsed, subject to the		endorsed Cabinet	
Call-in to apply	addition of the following wording (in bold) at the end of the third		decision CAB 106	
Yes	paragraph of section 2.4 ('Homeless households'), to read:		of 1 February 2016,	
			subject to the	
Implementation	'Consequently those accepted as being owed the full statutory		addition of further	
Date	housing duty under Part VII of the Housing Act 1996 (as amended),		wording.	
8 March 2016	will be given a period of 4 weeks from notification of acceptance			

	within which to bid for properties through Kent Homechoice. If during the 4 weeks they have not been bidding appropriately for a property, administering staff may bid on their behalf for each suitable property that becomes available and may change bids when an applicant has applied for a property that they are ineligible for. If, at the end of the 4 weeks, they have not been successful for rehousing, one direct offer of accommodation may be made		
(b)	subject to the discretion of the officer and in extenuating circumstances, on a case by case basis.' That Cabinet decision CAB 106 be reaffirmed, subject to its being amended to take account of (a).		

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 121	COUNCIL BUDGET 2016/17 AND MEDIUM-TERM FINANCIAL PLAN	To not approve	The Medium-Term	
29.2.16	<u>2016/17-2019/20</u>	the Scrutiny	Financial Plan	
Open		Committee's	(MTFP) is the	
	(a) It was agreed:	additional	Council's key	
Key Decisions		recommendation.	financial planning	
Yes	(i) That the Scrutiny (Policy and Performance) Committee's		tool and underpins	
Call in to apply	endorsement of Cabinet decision CAB 102, made at its		the Council's	
Call-in to apply (a) Yes	meeting held on 9 February 2016 (Minute No 98), be		financial planning strategy and	
(b) No	acknowledged.		corporate planning	
(5) 140			process.	
Implementation	(ii) That the Scrutiny (Policy and Performance) Committee's		process.	
Date	recommendation (b) be approved as follows, subject to a		At its meeting held	
(a) 8 March 2016	sentence being added on updates to the Dover Joint		on 1 February	
(b) 3 March 2016	Transportation Board:		2016, Cabinet	
			considered a draft	
	That the following be included within the MTFP 2016/17-		budget and MTFP	
	2019/20 at paragraph 249 – Joint Plans with Partners:		(CAB 102) which	
			subsequently went	

'Sandwich Town

We are participating as a key stakeholder in the Kent County Council-led Working Group tasked with developing a traffic plan for Sandwich, and overseeing its implementation. Sandwich is recognised by English Heritage as one of the country's most important heritage assets. Funded by Sandwich Town Council (STC), KCC are implementing in the short term measures to restrict HGV access to the town and conservation zone. In addition, a KCC-commissioned and STC-funded holistic traffic review by consultants is now underway and will report in July 2016 with recommendations which will form the basis of a bid to the Heritage Lottery Fund amongst others. The aim of all this work is to protect the heritage of Sandwich, improve the visitor experience, enhance the tourism sector and increase employment. Regular updates are being reported to the Dover Joint Transportation Board.'

(iii) That, subject to Council approving the 2016/17 budget, the grants to organisations, as set out at Annex 11 of the report, be approved as follows:

Grants to Concessionary Rentals - £35,105 Various grants towards rentals/lease charges

Financial Assistance Payments to Other Outside Bodies:

Your Leisure - £265,000

Pegasus Playscheme - £1,500 Provision of a play scheme for children with disabilities

Kent County Council - £3,000 Contribution to Sports Partnership to the Scrutiny (Policy and Performance)
Committee on 9
February 2016 for its consideration (Minute No 98).

The Committee endorsed Cabinet's decision but requested that an addition be made to the MTFP.

Cabinet approval is now required for the 2016/17 budget and MTFP 2016/17-2019/20 before final approval by Council on 2 March 2016.

Gazen Salts Nature Reserve - £4,500
To assist in managing and maintaining the reserve

Sandwich Town Cricket Club - £10,000

To assist the Club in defraying its expenditure in managing, maintaining and improving the recreation grounds at The Butts and Gazen Salts

Dover Rugby Club - £12,000 For ground maintenance at Crabble Athletic Ground, covered by savings made in the landscape maintenance contract

Victoria Bowls - £1,000 Contribution to running expenses of the club

Dover Citizens' Advice Bureau - £100,500 £97,000 core funding grant, plus £3,500 service charge contribution

Neighbourhood Forums - £22,500 Joint contribution with Kent County Council for neighbourhood projects

Home Improvement Agency - £7,800 'In Touch' Housing Improvement Agency funding

Deal Town Council - £5,000 Astor Theatre

Action with Communities in Rural Kent - £3,500 Contribution to rural housing

(iv) That the various Cabinet recommendations produced at the end of the sections within the Budget and Medium-Term

Financial Plan (MTFP), and summarised in Annex 14 to Appendix 1 of the report, be approved as follows: (A) Continue the practice of delegating authority to the Director of Finance, Housing and Community to approve revenue budget carry forwards within the guidelines set out. (B) Delegate to the Director of Finance, Housing and Community, in consultation with the Portfolio Holder for Corporate Resources and Performance, the setting of the level of the on-going Housing Revenue Account (HRA) minimum balance, the transfer of balances to the Housing Initiatives Reserve (HIR), the use of prudential borrowing and adjustment of the resources of the HIR accordingly. (C) Delegate to the Director of Finance, Housing and Community, in consultation with the Portfolio Holder for Corporate Resources and Performance, the approval of offers, tenders or bids for the purchase of properties on the open market or at auction, in order to respond to market opportunities. (D) 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 apply capital receipts, revenue resources, grants, Section 106 monies, etc. to finance the approved Capital and Special Revenue Projects programmes. (E) 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; authorise projects funded from the Capital Contingency; authorise virements between regeneration projects and draw down Growth Point reserves in order to apply them to regeneration projects. (F) Delegate to the Director of Finance, Housing and Community, in consultation with the Portfolio Holder for Corporate Resources and Performance, the amendment of the level and period of investment in property funds. It was agreed to recommend to Council: That the General Fund Revenue Budget, the Capital and (i) Special Projects programmes, the Housing Revenue Account budget, the Council Tax Resolution and the content of the MTFP be approved. (ii) That it be noted that it is the view of the Director of Finance, Housing and Community (Section 151 Officer) that the budget has been prepared in an appropriate and prudent manner and that, based upon the information available at the time of producing the report, the 2016/17 estimates are robust and the resources are adequate for the Council's current spending plans in 2016/17. That the various Council recommendations at the end of (iii) the sections within the attached budget and MTFP, and summarised in Annex 14 to Appendix 1 of the report, be approved as follows: (A) Approve the General Fund Revenue Budget for 2016/17 and the projected outturn for 2015/16.

	Alternative options	Conflicts of intere
(I) That it be noted that, if the formal Council Tax Resolution at Annex 10A of the report is approved, the total Band D Council Tax will be as set out at Annex 14 of the report.		
(H) Approve the Council Tax Resolution as set out at Annex 10A of the report.		
(G) Approve the Treasury Management Strategy, including the Prudential Indicators and Minimum Revenue Provision statement.		
(F) Approve that capital resources required to finance new projects are secured before new projects commence.		
(E) Approve the Capital and Special Projects programmes.		
(D) Delegate to Cabinet the approval of individual projects to be financed by the HIR.		
(C) Approve the 2015/16 Projected Outturn and the 2016/17 HRA budget at Annex 7 of the report.		
General Fund balances and earmarked reserves, and transfers between reserves as set out in Annex 6.		
(B) Approve the policies and protocols regarding the		

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)	
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CAB 122	EXTENSIONS TO KINGSDOWN CONSERVATION AREA	None.	At its meeting held
29.2.16			on 15 October
Open	It was agreed that the two proposed extensions to the Kingsdown		2015 (CAB 46),
	Conservation Area boundary, as set out at Appendix 1 to the report, be		Cabinet approved
Key Decisions	approved.		the Kingsdown
Yes			Conservation Area
			Appraisal as a
Call-in to apply			Local Development
Yes			Document for
			planning purposes.
Implementation			
Date			The Appraisal
8 March 2016			recommended two extensions to the
			existing
			Conservation Area
			boundary,
			consultation on
			which was
			undertaken
			between 6 and 28
			January 2016. No
			responses were
			received and
			Cabinet is
			requested to
			approve changes
			to the Conservation
			Area boundary.

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 123	ORDER OF BUSINESS	None.	For practical	

29.2.16		re	reasons, it was	
Open	It was agreed that the order of business be varied in order to consider	p	proposed to vary	
	Agenda Items 15 (Exclusion of the Press and Public) and 16	th	he order of	
Key Decisions	(Replacement of Pay and Display Equipment) before Agenda Items 13	b	ousiness.	
No	(Statement of Principles for Penalty Charges Issued Under the Smoke			
	and Carbon Monoxide Alarm (England) Regulations 2015) and 14 (The			
Call-in to apply	Redress Schemes for Lettings Agency Work and Property Management			
Yes	Work (Requirement to Belong to a Scheme etc) (England) Order 2014).			
Implementation				
Date				
Immediate				

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 124	EXCLUSION OF THE PRESS AND PUBLIC	None.		
29.2.16				
Open	That, in accordance with the provisions of the Local Authorities			
	(Executive Arrangements) (Access to Information) (England) Regulations			
Key Decisions	2000, the press and the public be excluded during consideration of the			
No	following item of business on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 3 of Schedule			
Call-in to apply	12A of the Local Government Act 1972.			
Yes				
Implementation				
Date				
Immediate				

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 125	REPLACEMENT OF PAY AND DISPLAY EQUIPMENT	None.	The	Council's	

29.2.16 Exempt	It was agreed:	existing Pay and Display machines
Key Decisions Yes Call-in to apply Yes Implementation Date 8 March 2016	 (a) That the use of the ESPO (Eastern Shires Purchasing Organisation) framework to identify a supplier of Pay and Display equipment be approved. (b) That the use of £280,000 allocated in the Medium-Term Capital programme to fund the purchase of replacement Pay and Display equipment be approved. (c) That the award of the contract for the supply and installation of replacement Pay and Display equipment to Parkeon, in line with the ESPO framework, for the sums identified in the report, be approved. (d) That the Director of Environment and Corporate Assets, in consultation with the Portfolio Holder for Access and Licensing, be authorised to agree to the initiation and progress of the project to replace the Council's Pay and Display equipment. (e) That the Director of Environment and Corporate Assets, in consultation with the Portfolio Holder for Access and Licensing, be authorised to make minor amendments to the proposals. 	were installed between 2001 and 2002, with a life expectancy of 10 years. The machines are now failing on a regular basis and it is therefore proposed to replace them using funds allocated in the Medium-Term Capital programme. Procurement of new machines has been undertaken through the Eastern Shires Purchasing Organisation, a body established in 1981 to provide procurement services to the public sector.

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)
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CAB 126 29.2.16	READMITTANCE OF THE PRESS AND PUBLIC	None.	
Open	It was agreed that the press and public be readmitted.		
Key Decisions No			
Call-in to apply Yes			
Implementation Date Immediate			

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 127	STATEMENT OF PRINCIPLES FOR PENALTY CHARGES ISSUED	None.	The Smoke and	Councillors N S
29.2.16	UNDER THE SMOKE AND CARBON MONOXIDE ALARM (ENGLAND)		Carbon Monoxide	Kenton and P A
Open	REGULATIONS 2015		Alarm (England)	Watkins withdrew
			Regulations 2015	from the Chamber
Key Decisions	It was agreed that the Statement of Principles proposed to be followed in		came into force in	during
Yes	determining the amount of a penalty charge issued under The Smoke		October 2015 and	consideration of
	and Carbon Monoxide Alarm (England) Regulations 2015 be approved.		place a duty on	this item.
Call-in to apply			landlords to install	
Yes			smoke and carbon	In the Chairman's
			monoxide	absence,
Implementation			detectors.	Councillor M D
Date				Conolly assumed
8 March 2016			The Regulations	chairmanship for
			are enforced by	the remainder of
			local authorities	the meeting.
			and provide for a	
			penalty charge of	
			up to £5,000 to be	

	issued in cases of	
	non-compliance.	

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 128	THE REDRESS SCHEMES FOR LETTINGS AGENCY WORK AND	None.	The Redress	Councillors N S
29.2.16	PROPERTY MANAGEMENT WORK (REQUIREMENT TO BELONG TO		Schemes for	Kenton and P A Watkins withdrew
Open	A SCHEME ETC) (ENGLAND) ORDER 2014		Lettings Agency Work and Property	from the Chamber
Key Decisions	It was agreed that the penalty charge for The Redress Schemes for		Management Work	during
Yes	Lettings Agency Work and Property Management Work (Requirement to		(Requirement to	consideration of
	Belong to a Scheme etc.) (England) Order 2014 shall be £5,000 unless		Belong to a	this item.
Call-in to apply	amended following representation.		Scheme etc.)	
Yes			(England) Order 2014 came into	
Implementation			2014 came into effect in October	
Date			2014. The Order	
8 March 2016			requires all lettings	
			agencies and those	
			providing property	
			management services to belong	
			to a nationally	
			approved redress	
			scheme.	
			The Order is	
			enforced by local authorities and	
			provides for a	
			penalty charge of	
			up to £5,000 to be	
			issued in cases of	
			non-compliance.	

The meeting ended at 11.25 am