

Record of the decisions of the meeting of the **CABINET** held at the Council Offices, Whitfield on Wednesday, 1 March 2017 at 11.00 am.

Present:

Chairman: Councillor P A Watkins

Councillors: M D Conolly
T J Bartlett
P M Beresford
N J Collor
N S Kenton
K E Morris

Also Present: Councillor B Gardner
Councillor P M Wallace

Officers: Chief Executive
Director of Environment and Corporate Assets
Director of Finance, Housing and Community
Director of Governance
Head of Finance
Head of Regeneration and Development
Policy and Projects Manager
Senior Accountant (Revenue and Treasury)
Principal Community and Leisure Officer
PR and Marketing Officer
Assistant Planner
Regeneration Delivery Technical Assistant
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 147 1.3.17 Open Key Decisions No Call-in to apply Yes Implementation Date 9 March 2017	<u>APOLOGIES</u> It was noted that there were no apologies for absence.	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 148 1.3.17 Open Key Decisions No Call-in to apply Yes Implementation Date 9 March 2017	<u>DECLARATIONS OF INTEREST</u> It was noted that there were no declarations of interest.	None.	To note any declarations of interest.	

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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 149 1.3.17 Open Key Decisions No Call-in to apply Yes Implementation Date 9 March 2017	<u>RECORD OF DECISIONS</u> It was agreed that the decisions of the meeting of the Cabinet held on 9 January 2017, as detailed in decision numbers CAB 113 to CAB 128, be approved as a correct record and signed by the Chairman.	None.	Cabinet is required to approve the Record of Decisions of the Cabinet meeting held on 9 January 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 150 1.3.17 Open Key Decisions No Call-in to apply Yes Implementation Date 9 March 2017	<u>NOTICE OF FORTHCOMING KEY DECISIONS</u> It was agreed that there were no forthcoming Key Decisions identified for pre-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 Committees before the matter comes before Cabinet for formal decision.	

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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 151 1.3.17 Open</p> <p>Key Decisions Yes</p> <p>Call-in to apply Yes</p> <p>Implementation Date 9 March 2017</p>	<p><u>FEES AND CHARGES 2017/18</u></p> <p>It was agreed:</p> <p>(a) That the Scrutiny (Policy and Performance) Committee's endorsement of Cabinet decision CAB 124, made at its meeting held on 14 February 2017 (Minute No 155), be acknowledged.</p> <p>(b) That Cabinet decision CAB 124 be reaffirmed.</p>	<p>None.</p>	<p>The Scrutiny (Policy and Performance) Committee, at its meeting held on 14 February 2017, endorsed Cabinet decision CAB 124 of 9 January 2017.</p>	
<p>CAB 152 1.3.17 Open</p> <p>Key Decisions Yes</p> <p>Call-in to apply Yes</p> <p>Implementation Date 9 March 2017</p>	<p><u>YOUR LEISURE FUNDING ARRANGEMENTS</u></p> <p>It was agreed:</p> <p>(a) That the Scrutiny (Policy and Performance) Committee's endorsement of Cabinet decision CAB 140, made at its meeting held on 14 February 2017 (Minute No 158), be acknowledged.</p> <p>(b) That Cabinet decision CAB 140 be reaffirmed.</p>	<p>None.</p>	<p>The Scrutiny (Policy and Performance) Committee, at its meeting held on 14 February 2017, endorsed Cabinet decision CAB 140 of 6 February 2017.</p>	

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)
<p>CAB 153 1.3.17 Open</p> <p>Key Decisions No</p> <p>Call-in to apply Yes</p> <p>Implementation Date 9 March 2017</p>	<p><u>PERFORMANCE REPORT - THIRD QUARTER 2016/17</u></p> <p>It was agreed:</p> <p>(a) That the Scrutiny (Policy and Performance) Committee's endorsement of Cabinet decision CAB 146, made at its meeting held on 14 February 2017 (Minute No 153), be acknowledged.</p> <p>(b) That Cabinet decision CAB 146 be reaffirmed.</p>	<p>None.</p>	<p>The Scrutiny (Policy and Performance) Committee, at its meeting held on 14 February 2017, endorsed Cabinet decision CAB 146 of 6 February 2017.</p>	
<p>CAB 154 1.3.17 Open</p> <p>Key Decisions No</p> <p>Call-in to apply Yes</p> <p>Implementation Date 9 March 2017</p>	<p><u>REGENT CINEMA</u></p> <p>It was agreed that the Scrutiny (Policy and Performance) Committee's recommendation, made at its meeting held on 14 February 2017 (Minute No 152), be approved as follows:</p> <p>That a report on progress in respect of Cabinet decision CAB 61 be provided to the Scrutiny (Policy and Performance) Committee at its meeting to be held on 18 April 2017.</p>	<p>None.</p>	<p>The Scrutiny (Policy and Performance) Committee, at its meeting held on 14 February 2017, received an update on the Regent Cinema and made a recommendation. Matters relating to the Regent Cinema were previously</p>	

Record of Decisions: Executive Functions

			considered by Cabinet at its meeting held on 3 October 2016 (CAB 61).
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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 155 1.3.17 Open</p> <p>Key Decisions Yes</p> <p>Call-in to apply (a) Yes (b) No</p> <p>Implementation Date (a) 9 March 2017 (b) 2 March 2017</p>	<p><u>COUNCIL BUDGET 2017/18 AND MEDIUM-TERM FINANCIAL PLAN 2017/18-2020/21</u></p> <p>(a) It was agreed:</p> <p>(i) That the Scrutiny (Policy and Performance) Committee's endorsement of Cabinet decision CAB 138, made at its meeting held on 14 February 2017 (Minute No 154), be acknowledged.</p> <p>(ii) That, subject to Council approving the 2017/18 budget, the grants to organisations, as set out in Annex 11 of the report, be approved as follows:</p> <p style="padding-left: 20px;">Grants to Concessionary Rentals - £35,105 Various grants towards rentals/lease charges</p> <p style="padding-left: 20px;">Financial Assistance Payments to Other Outside Bodies:</p> <p style="padding-left: 40px;">Your Leisure - £265,000</p> <p style="padding-left: 40px;">Pegasus Playscheme - £1,500 Provision of a play scheme for children with disabilities</p> <p style="padding-left: 40px;">Kent County Council - £3,000 Contribution to Sports Partnership</p>	None.	<p>The Medium-Term Financial Plan (MTFP) is the Council's key financial planning tool and underpins the Council's financial planning strategy and corporate planning process.</p> <p>At its meeting held on 6 February 2017, Cabinet considered a draft budget and MTFP (CAB 138) which subsequently went to the Scrutiny (Policy and Performance) Committee on 14 February 2017 for its consideration</p>	

Record of Decisions: Executive Functions

	<p>Gazen Salts Nature Reserve - £4,500 To assist in managing and maintaining the reserve</p> <p>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</p> <p>Dover Rugby Club - £12,000 For ground maintenance at Crabble Athletic Ground, covered by savings made in the landscape maintenance contract</p> <p>Victoria Bowls - £1,000 Contribution to running expenses of the Club</p> <p>Dover Citizens' Advice Bureau - £100,500 £97,000 core funding grant, plus £3,500 service charge contribution</p> <p>Neighbourhood Forums - £22,500 Joint contribution with Kent County Council for neighbourhood projects</p> <p>Home Improvement Agency - £7,900 'In Touch' Housing Improvement Agency funding</p> <p>Deal Town Council - £5,000 Astor Theatre</p> <p>Action with Communities in Rural Kent - £3,500 Contribution to rural housing</p> <p>Dover Bowls Club - £10,000 New grant for 2017/18 for ground maintenance at Dover Bowling</p>		<p>(Minute No 154).</p> <p>The Committee endorsed Cabinet's decision. Cabinet approval is now required for the 2017/18 budget and MTFP 2017/18-2020/21 before final approval by Council on 1 March 2017.</p>	
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Record of Decisions: Executive Functions

	<p>Green. Covered by savings within the grounds maintenance budget.</p> <p>(iii) 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:</p> <p>(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.</p> <p>(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.</p> <p>(C) Delegate to the Director of Finance, Housing and Community, in consultation with the Portfolio Holder for Corporate Resources and Performance, 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.</p> <p>(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.</p> <p>(E) Continue the practice of delegating authority to the Director of Finance, Housing and Community, in consultation with the</p>			
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	<p>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 the allocation of funds to projects from the Capital and Special Revenue Contingencies; authorise virements between regeneration projects and apply Growth Point reserves to regeneration projects.</p> <p>(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.</p> <p>(b) It was agreed to recommend to Council:</p> <p>(i) That the General Fund Revenue Budget, the Capital and Special Projects Programmes, the Housing Revenue Account Budget, the Council Tax Resolution and the content of the MTFP be approved.</p> <p>(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 this report, the 2017/18 estimates are robust and the resources are adequate for the Council's current spending plans in 2017/18.</p> <p>(iii) That the various Council recommendations at the end of the sections within the attached Budget and MTFP report, and summarised in Annex 14 to Appendix 1 of the report, be approved as follows:</p> <p>(A) Approve the General Fund Revenue Budget for 2017/18 and the projected outturn for 2016/17.</p> <p>(B) Approve the policies and protocols regarding the General</p>			
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Record of Decisions: Executive Functions

	<p>Fund balances and earmarked reserves, and transfers between reserves as set out in Annex 6 of the report.</p> <p>(C) Approve the 2016/17 Projected Outturn and the 2017/18 HRA budget at Annex 7 of the report.</p> <p>(D) Delegate to Cabinet the approval of individual projects to be financed by the HIR.</p> <p>(E) Approve the Capital and Special Revenue Projects Programmes.</p> <p>(F) Approve that capital resources required to finance new projects are secured before new projects commence.</p> <p>(G) Approve the Treasury Management Strategy, including the Prudential Indicators and Minimum Revenue Provision Statement.</p> <p>(H) Approve the Council Tax Resolution as set out at Annex 10A of the report.</p> <p>(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.</p>			
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<p>CAB 156 1.3.17 Open</p> <p>Key Decisions</p>	<p><u>BUSINESS CASE - SINGLE EAST KENT COUNCIL</u></p> <p>It was agreed:</p> <p>(a) That the business case for a single East Kent Council, as set out</p>	<p>Not to amend the report's recommendations.</p>	<p>In response to the financial challenges facing local government, and the opportunity</p>	

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<p>Yes</p> <p>Call-in to apply Yes</p> <p>Implementation Date 9 March 2017</p>	<p>in the report, be forwarded to the Scrutiny (Policy and Performance) Committee for consideration at its meeting to be held on 13 March 2017.</p> <p>(b) That the proposed timetable for the creation of a new council makes provision that any decision to proceed with the project will be considered by Council at its meeting to be held on 19 July 2017. Any recommendations made by Council will be considered by Cabinet when it meets to make its executive decision.</p>		<p>afforded to drive improvements and growth in the east Kent area, Cabinet agreed at its meeting held on 25 July 2016 that a business case be developed for the merger of the five east Kent authorities (CAB 27).</p> <p>Cabinet is requested to agree that the business case be considered by the Scrutiny (Policy and Performance) Committee at its meeting to be held on 13 March 2017. Cabinet will then consider any recommendations from the Scrutiny Committee when making its recommendations to Council.</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 157 1.3.17 Open</p> <p>Key Decisions Yes</p> <p>Call-in to apply Yes</p> <p>Implementation Date 9 March 2017</p>	<p><u>LOCAL PLAN REVIEW</u></p> <p>It was agreed:</p> <p>(a) That the draft Strategic Housing Market Assessment and the Economic Development Needs Assessment, as set out at Appendices 1 and 2 respectively of the report, be approved.</p> <p>(b) That the commencement of a Local Plan Review be approved.</p> <p>(c) That the updated Local Development Scheme, as set out at Appendix 3 of the report, be approved.</p> <p>(d) That the membership of the Local Plan Project Advisory Group be reviewed, and a strategy for how and with whom engagement/consultation will be undertaken be submitted to Cabinet at the appropriate juncture.</p> <p>(e) That the Head of Regeneration and Development be authorised, in consultation with the Leader of the Council and the Portfolio Holder for Environment, Waste and Planning, to undertake public engagement under Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012 which will identify the issues that the Local Plan ought to contain and to prepare a draft plan for submission to Cabinet for approval and subsequent publication under Regulation 19.</p>	<p>Not to amend the report's recommendations.</p>	<p>The Council's Core Strategy was adopted in February 2010 and covers the period up to 2026, but is based on research from 2006. The Council's Land Allocations Local Plan was adopted in January 2016 and allocates a number of sites for future development. These documents, together with policies 'saved' from the 2002 Local Plan, form the Council's current Local Plan.</p> <p>The 2014/15 Authority Monitoring Report identified the need to review key parts of the Local Plan. Cabinet is requested to agree</p>	

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			that a review is commenced.	
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CAB 158 1.3.17 Open Key Decisions Yes Call-in to apply Yes Implementation Date 9 March 2017	<u>DOVER DISTRICT COUNCIL AUTHORITY MONITORING REPORT 2015-16</u> It was agreed that the Authority Monitoring Report 2015/16, as set out at Appendix 1 to the report, be approved and made available on the Council's website.	None.	National Planning Practice Guidance requires the Council to publish annually information which demonstrates its progress with Local Plan preparation and how the implementation of policies in the Local Plan is progressing. The Authority Monitoring Report for consideration covers the period 1 April 2015 to 31 March 2016.	

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<p>CAB 159 1.3.17 Open</p> <p>Key Decisions No</p> <p>Call-in to apply Yes</p> <p>Implementation Date 9 March 2017</p>	<p><u>APPROPRIATION OF ASSETS</u></p> <p>It was agreed:</p> <p>(a) That the principle be approved that the commercial property assets listed in Appendices A and B of the report, currently held for the purposes of the Housing Act 1985, be appropriated pursuant to Section 122 of the Local Government Act 1972, to be held for the purposes of Section 120 of the Local Government Act 1972.</p> <p>(b) That the relevant accounting transactions be undertaken during the 2017/18 Financial Year to reflect the appropriation of the assets from the Housing Revenue Account (HRA) to the General Fund (GF).</p> <p>(c) That the Director of Environment and Corporate Assets be authorised to approve the precise areas of land to be appropriated and to make the appropriation.</p>	<p>None.</p>	<p>The Council owns a considerable number of dwellings, garages, shops, etc. Property assets such as shops and garages were originally provided under Housing Act powers in connection with housing accommodation provided by the Council. However, many of these assets are no longer associated with the provision of Council housing and, for accounting purposes, it is now appropriate to move them from the Council's Housing Revenue Account to its General Fund, in accordance with the provisions of the Local</p>	

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			Government Act 1972.	
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 160 1.3.17 Open Key Decisions No Call-in to apply Yes Implementation Date 9 March 2017	<u>DOVER DISTRICT COUNCIL COMMUNITY GRANTS SCHEME AND NEIGHBOURHOOD FORUMS</u> It was agreed: (a) That the Dover District Council membership of the Neighbourhood Forums for 2017/18, as set out in Table 1 of the report, be approved. (b) That the actions arising from the review of the Dover District Council Community Grants Scheme for 2016/17, as set out in paragraph 5.1 of the report, be approved.	None.	There are five Dover District Neighbourhood Forums which are used by Dover District Council and Kent County Council to award small capital grants for community projects. The Forums also meet to provide members of the public with an opportunity to voice their ideas, concerns and opinions on key issues. A review of the grants scheme has taken place and changes arising from the review will be introduced in 2017/18.	

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<p>CAB 161 1.3.17 Open</p> <p>Key Decisions No</p> <p>Call-in to apply Yes</p> <p>Implementation Date 9 March 2017</p>	<p><u>RESIDENTIAL AND COMMERCIAL INVESTMENT PROJECT ADVISORY GROUPS - TERMS OF REFERENCE</u></p> <p>It was agreed that the draft Terms of Reference for the Residential and Commercial Investment Project Advisory Groups be approved.</p>	<p>None.</p>	<p>At its meeting held on 21 November 2016, Cabinet established the Residential and Commercial Investment Project Advisory Groups in order to take forward the Council's new Property Investment Strategy. Cabinet is now required to agree Terms of Reference for both Groups.</p>	

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<p>CAB 162 1.3.17 Open</p> <p>Key Decisions 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</p>	<p>None.</p>		

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Call-in to apply Yes Implementation Date 9 March 2017	disclosure of exempt information as defined in paragraphs 3 and 5 of Schedule 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 163 1.3.17 Open Key Decisions Yes Call-in to apply Yes Implementation Date 9 March 2017	<u>YOUR LEISURE FUNDING ARRANGEMENTS</u> It was agreed: <ul style="list-style-type: none"> (a) That the Council should cease all funding to Your Leisure for the operation of Dover Leisure Centre from 31 March 2018, the result of which will be the ending of the lease on that date. (b) That the Director of Environment and Corporate Assets be authorised, in consultation with the Portfolio Holder for Property Management and Public Protection, to negotiate and agree the terms with Your Leisure for the extension of the lease for Tides Leisure and Indoor Tennis Centre in Deal. (c) That a comprehensive assessment be carried out to: (i) clarify the nature and cost of works required to improve facilities at Tides Leisure Centre; and (ii) identify the likely future capital and maintenance costs of the Centre. A further report shall then be submitted to Cabinet. 	Not to amend the report's recommendations.	At its meeting held on 6 February 2017, and on the advice of the Solicitor to the Council, Cabinet agreed to defer consideration of Your Leisure funding arrangements beyond March 2018 in order for further consultation to take place.	

The meeting ended at 12.22 pm