

Record of the decisions of the meeting of the **CABINET** held at the Council Offices, Whitfield on Monday, 5 March 2018 at 11.02 am

Present:

Chairman: Councillor K E Morris

Councillors: M D Conolly  
J S Back  
T J Bartlett  
N J Collor  
M J Holloway  
N S Kenton

Also Present: Councillor S F Bannister  
Councillor P M Beresford  
Councillor P M Brivio  
Councillor S S Chandler  
Councillor M R Eddy  
Councillor S J Jones  
Councillor P Walker  
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 Regulatory Services  
Environmental Crime Team Leader  
Principal Heritage Officer  
PR and Marketing Officer  
PA to the Directors/Senior Technical Support Officer  
Assets and Building Control Apprentice  
Democratic Services 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 142 5.3.18 Open  <b>Key Decisions</b> No  <b>Call-in to apply</b> Yes  <b>Implementation Date</b> 13 March 2018	<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 143 5.3.18 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> 13 March 2018				
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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 144 5.3.18 Open  <b>Key Decisions</b> No  <b>Call-in to apply</b> Yes  <b>Implementation Date</b> 13 March 2018	<u>RECORD OF DECISIONS</u>  It was agreed that the decisions of the meeting of the Cabinet held on 5 February 2018, as detailed in decision numbers CAB 132 to CAB 141, 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 5 February 2018.	

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CAB 145 5.3.18 Open  <b>Key Decisions</b> No  <b>Call-in to apply</b> Yes  <b>Implementation</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 Committees before the matter comes before Cabinet for	

<b>Date</b> 13 March 2018			formal consideration.	
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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>
<p>CAB 146 5.3.18 Open</p> <p><b>Key Decisions</b> Yes</p> <p><b>Call-in to apply</b> (a) Yes (b) No</p> <p><b>Implementation Date</b> (a) 13 March 2018 (b) 8 March 2018</p>	<p><u>COUNCIL BUDGET 2018/19 AND MEDIUM-TERM FINANCIAL PLAN 2018/19-2021/22</u></p> <p>(a) It was agreed:</p> <p>(i) That, subject to Council approving the 2018/19 budget, the grants to organisations, as set out in Annex 11 of the report, be approved as follows:</p> <p>Grants to Concessionary Rentals 2018/19 - £35,105 Various grants towards rentals/lease charges</p> <p>Financial Assistance Payments to Other Outside Bodies:</p> <p>Your Leisure - £137,500</p> <p>Places for People - £95,000 One-off payment for managing the old Dover Leisure Centre site</p> <p>Pegasus Playscheme - £1,500 Provision of a playscheme for children with disabilities</p> <p>Age Concern - £1,500 Provision of area office services</p> <p>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>The MTFP 2018/19-2021/22 incorporates the General Fund Revenue Budget, the Housing Revenue Account Budget and the Medium-Term Capital Programme.</p> <p>Cabinet approval is required for the 2018/19 budget and MTFP before</p>	

	<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 grounds 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 Bowling Club - £8,000 New grant for 2018/19 for grounds maintenance at Dover Bowling Green. Covered by savings within the grounds maintenance budget.</p> <p>Dover Citizens' Advice Bureau - £102,000 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 - £8,000 '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 towards rural housing</p>		<p>final approval by Council on 7 March 2018.</p> <p>The Scrutiny (Policy and Performance) Committee, at its meeting held on 27 February 2018, made no recommendations on the budget and MTFP.</p>	
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	<p>(ii) 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 12 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 power to acquire freehold or leasehold residential properties and to agree terms and conditions in connection therewith.</p> <p>(C) Delegate to the Director of Finance, Housing and Community, in consultation with the Portfolio Holders for Built Environment and Corporate Resources and Performance, the provision of a further loan to East Kent Housing, on similar terms and conditions to the original loan, of up to £100,000 for completion of the single system implementation, and to determine the financing of the loan.</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 Portfolio Holder for Corporate Resources and Performance, to authorise projects up to £50,000 that are included in the</p>			
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	<p>Capital and Special Revenue Programmes; approve the allocation of funds from the Capital and Special Revenue Contingencies to projects; 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, authority to authorise project overspends up to a maximum of 10% or £100,000 (whichever is lower), and apply relevant financing resources to cover.</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 2018/19 estimates are robust and the resources are adequate for the Council's current spending plans in 2018/19.</p> <p>(iii) That the various Council recommendations at the end of the sections within the budget and MTFP report, and summarised at Annex 12 to Appendix 1, be approved as follows:</p> <p>(A) Approve the General Fund Revenue Budget for 2018/19 and the projected outturn for 2017/18.</p> <p>(B) Approve the policies and protocols regarding the General</p>			
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	<p>Fund balances and earmarked reserves, and transfers between reserves as set out at Annex 6 of the report be approved.</p> <p>(C) Approve the 2017/18 Projected Outturn and the 2018/19 Housing Revenue Account (HRA) budget at Annex 7 of the report.</p> <p>(D) 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 ongoing 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>(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 is approved, the total Band D Council Tax will be as set out at Annex 12 of the report.</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 147 5.3.18 Open</p> <p><b>Key Decisions</b> Yes</p> <p><b>Call-in to apply</b> Yes</p> <p><b>Implementation Date</b> 13 March 2018</p>	<p><u>CONSULTATION ON PUBLIC SPACES PROTECTION ORDER</u></p> <p>It was agreed that the commencement of the necessary period of consultation on the extension and variation of the Public Spaces Protection Order, to run from 12 March to 9 April 2018, in accordance with Section 72 of the Anti-Social Behaviour, Crime and Policing Act 2014, be approved.</p>	<p>None.</p>	<p>The Anti-Social Behaviour, Crime and Policing Act 2014 gives local authorities powers to make protection orders which are intended to address activities carried out in public spaces that have a detrimental effect on the quality of life of local residents.</p> <p>The Council implemented a Public Spaces Protection Order (PSPO) in 2015. It is intended to extend the Order for another three years and to include minor amendments.</p>	

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		rejected (if any)		decision maker(s) or consultees (if any)
<p>CAB 148 5.3.18 Open</p> <p><b>Key Decisions</b> Yes</p> <p><b>Call-in to apply</b> Yes</p> <p><b>Implementation Date</b> 13 March 2018</p>	<p><u>ADOPTION OF DEAL SOUTH BARRACKS 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 Deal South Barracks Conservation Area Character Appraisal, as set out at Appendix 1 to the report, be approved.</p> <p>(b) That the adoption of the Deal South Barracks Conservation Area Character Appraisal, as set out at Appendix 2 to the report, as a material consideration for planning purposes, be approved.</p> <p>(c) That the Head of Regeneration and Development, in consultation with the Portfolio Holder for Built Environment, be authorised to make any necessary editorial changes to the Appraisal to assist with clarity, consistency, explanation and presentation.</p>	<p>None.</p>	<p>As acknowledged in the Dover District Heritage Strategy, there is a requirement under the Planning (Listed Buildings and Conservation Areas) Act 1990 for local planning authorities to review their conservation areas and to publish proposals for their preservation and enhancement.</p> <p>At its meeting held on 3 July 2017, Cabinet approved a draft Deal South Barracks Conservation Area Character Appraisal for public consultation. The consultation period closed on 25 September 2017, and Cabinet is requested to consider the</p>	

			representations received and to approve the modified Character Appraisal.	
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<p>CAB 149 5.3.18 Open</p> <p><b>Key Decisions</b> No</p> <p><b>Call-in to apply</b> Yes</p> <p><b>Implementation Date</b> 13 March 2018</p>	<p><u>ENVIRONMENTAL ENFORCEMENT SERVICE DELIVERY</u></p> <p>It was agreed that the extension of the current contract with Kingdom Services Group Limited by 12 months be approved.</p>	<p>None.</p>	<p>In November 2016 Cabinet agreed to a trial using contractors to patrol and issue fixed penalty notices for littering and dog fouling.</p> <p>The initial contract with Kingdom Services Group Ltd was entered into for 12 months from April 2017, but allowed for two extensions of twelve months. It is proposed to extend the current contract for twelve months.</p>	

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<p>CAB 150 5.3.18 Open</p> <p><b>Key Decisions</b> No</p> <p><b>Call-in to apply</b> Yes</p> <p><b>Implementation Date</b> 13 March 2018</p>	<p><u>ENHANCEMENT WORKS TO RIVER DOUR AND DOLPHIN HOUSE GARAGES</u></p> <p>It was agreed that, having taken account of the usage of the Dolphin House garages, the business case to carry out riverside enhancement works and repairs to the Dolphin House garages be approved, as set out at paragraphs 3 and 4 of the report (Option 1).</p>	<p>None.</p>	<p>At its meeting held on 12 December 2017, the Scrutiny (Policy and Performance) Committee requested that the usage of the Dolphin House garages was explored before works were carried out. This has now been done and Cabinet is recommended to confirm its earlier decision (CAB 114 of 4 December 2017) that these works, and those to the River Dour, should proceed.</p>	

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<p>CAB 151 5.3.18</p>	<p><u>GENDER PAY GAP REPORT</u></p>	<p>None.</p>	<p>The Equality Act 2010 (Specific</p>	

Open	It was agreed that the Gender Pay Gap Report, as set out at paragraph 3 of the report, be approved and published on the Council's website and on the Government portal.		Duties and Public Authorities) Regulations 2017 require the Council to publish a report on its gender pay gap annually and by 30 March.	
<b>Key Decisions</b> No				
<b>Call-in to apply</b> Yes				
<b>Implementation Date</b> 13 March 2018				

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CAB 152 5.3.18 Open	<u>REVISED APPRENTICESHIP POLICY</u>	None.	In May 2012 Cabinet and the General Purposes Committee approved the Council's apprenticeship policy which was subsequently revised in 2015. Changes to the policy are recommended to ensure that it meets the new Government Apprenticeship scheme which was introduced in May 2017.	
<b>Key Decisions</b> No	It was agreed:			
<b>Call-in to apply</b> Yes	(a) That the revised Apprenticeship Policy, as set out at Appendix 2 to the report, be approved.			
<b>Implementation Date</b> 13 March 2018	(b) That the Head of Paid Service or the Director of Governance be authorised to approve any contracts or agreements that may be necessary to give effect to the revised arrangement.			

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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 153 5.3.18 Open</p> <p><b>Key Decisions</b> No</p> <p><b>Call-in to apply</b> Yes</p> <p><b>Implementation Date</b> 13 March 2018</p>	<p><u>SANDWICH PORT AND HAVEN COMMISSION - APPOINTMENT OF INDEPENDENT COMMISSIONER</u></p> <p>It was agreed:</p> <p>(a) That a Selection Panel be established comprising the Portfolio Holder for Access and Licensing, a member of the Corporate Management Team and the Clerk to the Sandwich Port and Haven Commissioners (or, if deemed more appropriate, a member of the Sandwich Port and Haven Commission) to interview applicants for the vacant independent member position and make recommendations for appointment.</p> <p>(b) That the Chief Executive, in consultation with the Portfolio Holder for Access and Licensing, be authorised to make the final appointment for the vacant independent member position on the Sandwich Port and Haven Commission.</p>	None.	Due to the imminent resignation of one of the four independent Sandwich Port and Haven Commissioners, a selection panel is being convened to conduct interviews to find a replacement.	

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<p>CAB 154 5.3.18 Open</p>	<p><u>EXCLUSION OF THE PRESS AND PUBLIC</u></p> <p>That, in accordance with the provisions of the Local Authorities</p>	None.		

<b>Key Decisions</b> No  <b>Call-in to apply</b> Yes  <b>Implementation Date</b> Immediate	(Executive Arrangements) (Access to Information) (England) Regulations 2000, the press and the public be excluded during consideration of the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in paragraph 3 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 155 5.3.18 Exempt  <b>Key Decisions</b> Yes  <b>Call-in to apply</b> Yes  <b>Implementation Date</b> 13 March 2018	<u>REDEVELOPMENT OF WILLIAM MUGE HOUSE AND SNELGROVE HOUSE SITES</u>  It was agreed that the Director of Environment and Corporate Assets be authorised:  (i) To appoint design professionals to take the project to redevelop the Snelgrove House and William Muge House sites through to the submission of a full planning application.  (ii) To undertake the necessary preparations to allow the award of a tender for the construction phase under a design and build contract immediately after planning permission is obtained.	None.	The Council intends to construct residential accommodation on the sites of two former sheltered housing schemes. Design and construction professionals need to be engaged to prepare a planning application and a tender for the construction work.	

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				<b>consultees (if any)</b>
<p>CAB 156 5.3.18 Exempt</p> <p><b>Key Decisions</b> Yes</p> <p><b>Call-in to apply</b> Yes</p> <p><b>Implementation Date</b> 13 March 2018</p>	<p><u>AWARD OF CONTRACT FOR RESURFACING WORKS TO DEAL PIER</u></p> <p>It was agreed:</p> <p>(a) That the contract for the resurfacing work to Deal Pier be awarded to HTR Building Services Ltd.</p> <p>(b) That the Director of Environment and Corporate Assets be authorised, in consultation with the Portfolio Holder for Property Management and Environmental Health, to accept the best 'value for money' tender for the replacement benching on Deal Pier.</p>	None.	<p>At its meeting held on 6 November 2017, Cabinet agreed that essential works should be carried out to Deal Pier (CAB 96).</p> <p>Following a competitive tender exercise, seven bids were received.</p>	

The meeting ended at 11.34 am.