

Public Document Pack



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27 September 2019

Dear Councillor

NOTICE IS HEREBY GIVEN THAT a meeting of the **CABINET** will be held at these offices (Council Chamber) on Monday 7 October 2019 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 democraticservices@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:

K E Morris	Leader of the Council
T J Bartlett	Portfolio Holder for Environment and Commercial Services
S S Chandler	Deputy Leader of the Council
N J Collor	Portfolio Holder for Transport and Licensing
M J Holloway	Portfolio Holder for Community and Tourism
N S Kenton	Portfolio Holder for Planning and Regulatory Services
S C Manion	Portfolio Holder for Finance and Governance

AGENDA

1 **APOLOGIES**

To receive any apologies for absence.

2 **DECLARATIONS OF INTEREST** (Page 4)

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

3 **RECORD OF DECISIONS** (Pages 5 - 22)

The Decisions of the meetings of the Cabinet held on 1 July 2019 and 2 September 2019 numbered CAB 18 to CAB 31 and CAB 50 to CAB 61 respectively (inclusive) are attached.

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.

a Local Plan Housing Policies (Page 23)

To consider the attached recommendations of the Overview and Scrutiny Committee.

b TENANT ENGAGEMENT ON WITHDRAWAL FROM EAST KENT HOUSING ARM'S-LENGTH MANAGEMENT ORGANISATION (Page 24)

To consider the attached recommendations of the Overview and Scrutiny Committee.

EXECUTIVE - KEY DECISIONS

5 **LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976: REQUEST FOR INCREASE IN HACKNEY CARRIAGE FARES** (Pages 25 - 49)

To consider the attached report of the Head of Regulatory Services.

Responsibility: Portfolio Holder for Transport and Licensing

EXECUTIVE - NON-KEY DECISIONS

6 **SHARED OWNERSHIP SALES POLICY** (Pages 50 - 60)

To consider the attached report of the Head of Finance and Housing.

Responsibility: Portfolio Holder for Housing and Health

7 **ST JAMES'S CHURCH, WOOLCOMBER STREET, DOVER** (Pages 61 - 78)

To consider the attached report of the Head of Assets and Building Control.

Responsibility: Portfolio Holder for Environment and Commercial Services

8 **REVIEW OF APPOINTMENTS TO OUTSIDE BODIES** (Pages 79 - 86)

To consider the attached report of the Head of Governance.

Responsibility: Leader of the Council

9 **EXCLUSION OF THE PRESS AND PUBLIC** (Page 87)

The recommendation is attached.

MATTERS WHICH THE MANAGEMENT TEAM SUGGESTS SHOULD BE CONSIDERED IN PRIVATE AS THE REPORT CONTAINS EXEMPT INFORMATION AS DEFINED WITHIN PART 1 OF SCHEDULE 12A OF THE LOCAL GOVERNMENT ACT 1972 AS INDICATED AND IN RESPECT OF WHICH THE PROPER OFFICER CONSIDERS THAT THE PUBLIC INTEREST IN MAINTAINING THE EXEMPTION OUTWEIGHS THE PUBLIC INTEREST IN DISCLOSING THE INFORMATION

EXECUTIVE - KEY DECISIONS

10 **KEARSNEY PARKS - CAFE PROVISION**

To consider the report of the Head of Commercial Services. (to follow)

Responsibility: Portfolio Holder for Environment and Commercial Services

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. 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 Services Officer, telephone: (01304) 872303 or email: democraticservices@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, 1 July 2019 at 11.00 am.

Present:

Chairman: Councillor K E Morris

Councillors: T J Bartlett
S S Chandler
N J Collor
M J Holloway
N S Kenton
S C Manion

Also Present: Councillor E A Biggs
Councillor P M Brivio
Councillor M D Conolly
Councillor D G Cronk
Councillor J P Haste
Councillor S J Jones
Councillor P D Jull
Councillor R S Walkden

Officers: Strategic Director (Operations and Commercial)
Solicitor to the Council and Monitoring Officer
Head of Commercial Services
Head of Community and Digital Services
Head of Finance and Housing
Head of Governance
Head of Leadership Support
Head of Planning, Regeneration and Development
Community Development Manager
Growth and Business Development Manager
Strategic Housing Manager
Principal Infrastructure and Delivery Officer
PR and Marketing Officer
Accountancy Assistant (Housing)
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 18 1.7.19 Open Key Decisions No Call-in to apply Yes Implementation Date 9 July 2019	<u>APOLOGIES</u> 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 19 1.7.19 Open Key Decisions No Call-in to apply Yes Implementation Date 9 July 2019	<u>DECLARATIONS OF INTEREST</u> There were no declarations of interest.	None.	To note any declarations of interest.	

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 20 1.7.19 Open</p> <p>Key Decisions No</p> <p>Call-in to apply Yes</p> <p>Implementation Date 9 July 2019</p>	<p><u>RECORD OF DECISIONS</u></p> <p>It was agreed that the decisions of the meeting of the Cabinet held on 3 June 2019, as detailed in decision numbers CAB 1 to CAB 17, be approved as a correct record and signed by the Chairman.</p>	<p>None.</p>	<p>Cabinet is required to approve the Record of Decisions of the Cabinet meeting held on 3 June 2019.</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 21 1.7.19 Open</p> <p>Key Decisions Yes</p> <p>Call-in to apply Yes</p> <p>Implementation Date 9 July 2019</p>	<p><u>PUBLIC SPACES PROTECTION ORDER</u></p> <p>It was agreed:</p> <p>(a) That the Scrutiny (Policy and Performance) Committee's recommendation, made at its meeting held 4 June 2019 (Minute No 11), be rejected on the grounds that Gazen Salts and Sandwich Bay had been omitted. It was noted that there were numerous areas throughout the District where dogs could be exercised, and that the measures would be monitored on an ongoing basis.</p> <p>(b) That Cabinet decision CAB 4 be reaffirmed.</p>	<p>To accept the recommendation.</p>	<p>At its meeting held on 4 June 2019, the Scrutiny (Policy and Performance) Committee considered the report of the Head of Regulatory Services and made a recommendation to Cabinet.</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 22 1.7.19 Open</p> <p>Key Decisions Yes</p> <p>Call-in to apply Yes</p> <p>Implementation Date 9 July 2019</p>	<p><u>REVISED STATEMENT OF POLICY AND PRINCIPLES 2019-22 ISSUED UNDER THE GAMBLING ACT 2005</u></p> <p>It was agreed that the Scrutiny (Policy and Performance) Committee's endorsement of Cabinet decision CAB 5, made at its meeting held on 4 June 2019 (Minute No 12), be acknowledged.</p>	<p>None.</p>	<p>At its meeting held on 4 June 2019, the Scrutiny (Policy and Performance) Committee considered the report of the Head of Regulatory Services and endorsed Cabinet decision CAB 5 of 3 June 2019.</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 23 1.7.19 Open</p> <p>Key Decisions No</p> <p>Call-in to apply Yes</p> <p>Implementation Date 9 July 2019</p>	<p><u>PERFORMANCE REPORT - FOURTH QUARTER 2018/19</u></p> <p>It was agreed that the Scrutiny (Policy and Performance) Committee's recommendation, made at its meeting held on 4 June 2019 (Minute No 15), be approved as follows, noting that the new indicators would be added in due course when work on a revised performance report had been completed:</p> <p style="padding-left: 40px;">That new performance indicators are added to East Kent Housing in respect of electrical and fire safety.</p>	<p>To reject the recommendation.</p>	<p>At its meeting held on 4 June 2019, the Scrutiny (Policy and Performance) Committee considered the report of the Chief executive and made a recommendation to Cabinet.</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 24 1.7.19 Open</p> <p>Key Decisions Yes</p> <p>Call-in to apply Yes</p> <p>Implementation Date 9 July 2019</p>	<p><u>DRAFT DEAL - VICTORIA ROAD AND WELLINGTON ROAD CONSERVATION AREA CHARACTER APPRAISAL</u></p> <p>It was agreed that the Scrutiny (Community and Regeneration) Committee's additional recommendation, made at its meeting held on 5 June 2019 (Minute No 11), be approved as follows:</p> <p style="padding-left: 40px;">That, in future, Conservation Character Appraisal reports include a summary of the consultation methodology.</p>	None.	At its meeting held on 5 June 2019, the Scrutiny (Community and Regeneration) Committee considered Cabinet decision CAB 7 of 3 June 2019 and made an additional recommendation to Cabinet.	
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 25 1.7.19 Open</p> <p>Key Decisions No</p> <p>Call-in to apply Yes</p> <p>Implementation Date 9 July 2019</p>	<p><u>FAILURE TO HAVE IN PLACE VALID GAS SAFETY CERTIFICATES IN RESPECT OF COUNCIL DWELLINGS AS REQUIRED BY REGULATION 36 OF THE GAS SAFETY (INSTALLATION AND USE) REGULATIONS 1998</u></p> <p>It was agreed that the report of the Monitoring Officer be received.</p>	None.	To discharge the duty placed upon the Monitoring Officer by Section 5A of the Local Government and Housing Act 1989 to report a contravention of law to the executive (i.e. Cabinet).	
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

<p>CAB 26 1.7.19 Open</p> <p>Key Decisions No</p> <p>Call-in to apply Yes</p> <p>Implementation Date 9 July 2019</p>	<p><u>GAS SAFETY RECORDS</u></p> <p>It was agreed:</p> <p>(a) That the report be adopted as Cabinet's report to the Monitoring Officer in accordance with the requirements of Section 5A (8) and (9) of the Local Government and Housing Act 1989, and that a copy of it be provided to all Members of the Council and the Monitoring Officer.</p> <p>(b) That a further report be requested on the wider issues of housing management for this Council, and that a consultation with the Council's tenants be commenced as soon as practicable on withdrawal from the East Kent Housing Arm's Length Management Organisation, including the option of bringing the housing management function back within the Council's direct control.</p>	<p>Not to amend the second report recommendation.</p>	<p>It has recently become apparent that some properties let by the Council have not undergone statutory gas safety checks. As required by Section 5A of the Local Government and Housing Act 1989, the Monitoring Officer has submitted a report to Cabinet about this matter, and Cabinet is required to respond with details of actions taken and those proposed.</p>	<p>consultees (if any)</p>
<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 27 1.7.19 Open</p> <p>Key Decisions No</p> <p>Call-in to apply</p>	<p><u>ARRANGEMENTS FOR DOVER DISTRICT COUNCIL'S COMMUNITY GRANTS SCHEME FOR 2019/20</u></p> <p>It was agreed:</p> <p>(a) That Councillors M J Holloway (Chairman), T A Bond, P D Jull, K Mills, P M Brivio and S H Beer be appointed as the Council's representatives to the Community Grants Appraisal Panel for</p>	<p>None.</p>	<p>The Community Grants Scheme is operated by the Council to provide grants to local charities, volunteer groups, etc. It is proposed that</p>	

Yes Implementation Date 9 July 2019	2019/20. (b) That the total grant funding level of £25,000 be approved.		£25,000 will be available for 2019/20, distributed across five areas of the District by appraisal panels comprising elected Members.	
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 28 1.7.19 Open Key Decisions No Call-in to apply Yes Implementation Date Immediate	<u>EXCLUSION OF THE PRESS AND PUBLIC</u> 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 items of business on the grounds that they involve the likely disclosure of exempt information as defined in paragraphs 3 and 5 of Schedule 12A of the Local Government Act 1972.	None.		
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 29 1.7.19 Exempt Key Decisions	<u>AYLESHAM VILLAGE EXPANSION - PHASE 2</u> It was agreed: (a) That the terms of the eighth supplemental to the Aylesham	None.	The report to Cabinet sets out proposals to deliver phases 2 to 4 of the Aylesham	

<p>Yes</p> <p>Call-in to apply Yes</p> <p>Implementation Date 9 July 2019</p>	<p>Development Agreement, for the delivery of a revised Phase 2 Aylesham Village Expansion, be approved, and that the Growth and Business Development Manager be authorised to conclude the agreement, in consultation with the Chief Executive.</p> <p>(b) That the purchase of third-party land be approved, and that the Growth and Business Development Manager be authorised to conclude the agreement, in consultation with the Chief Executive.</p> <p>(c) That powers be delegated to the Growth and Business Development Manager to meet the Council's ongoing obligations within the Development Agreement, in consultation with the Chief Executive.</p>		<p>Village Expansion scheme now that the build-out of phase 1 is nearing completion. These include variations to the original development agreement and the purchase of land for phase 5 which is not currently in the Council's ownership.</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 30 1.7.19 Exempt</p> <p>Key Decisions Yes</p> <p>Call-in to apply Yes</p> <p>Implementation Date 9 July 2019</p>	<p><u>STREET CLEANSING POST-2021</u></p> <p>It was agreed to proceed with the procurement of the next street cleansing contract (together with the recycling and waste collection service) with an outsourced service provider and in partnership with Folkestone & Hythe District Council, to be operational from the end of the current joint contract on 15 January 2021.</p>	<p>None.</p>	<p>An agreement was signed between the four east Kent authorities and Kent County Council in 2010 which committed them to take a joint approach to the provision of recycling and waste services, whilst keeping separate contractual arrangements</p>	

			<p>where appropriate.</p> <p>The Council's current contract for street cleansing services (together with the recycling and waste collection service) is shared with Folkestone & Hythe District Council and expires on 15 January 2021.</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 31 1.7.19 Exempt</p> <p>Key Decisions Yes</p> <p>Call-in to apply Yes</p> <p>Implementation Date 9 July 2019</p>	<p><u>BUS RAPID TRANSIT PROJECT</u></p> <p>It was agreed:</p> <p>(a) That the project be approved in principle.</p> <p>(b) That the Strategic Director (Operations and Commercial), in consultation with the Portfolio Holder for Transport and Licensing, be authorised to:</p> <p>(i) Act as the project sponsor and to establish a Project Board involving Dover District Council, Kent County Council, Homes England, Highways England and relevant land owners.</p> <p>(ii) Negotiate, agree and accept the terms of the grant agreement.</p>	<p>None.</p>	<p>A bus rapid transit system would connect two of the District's major housing allocations and the White Cliffs Business Park to Dover town centre and the high speed rail link, thus playing a valuable role in realising the Council's growth aspirations. Whilst rights have been secured over the majority of the</p>	

	<ul style="list-style-type: none"> (iii) Expend the grant for the purpose of delivering the Bus Rapid Transit project. (iv) Enter into an infrastructure delivery contract with Kent County Council. (v) Negotiate terms, enter into and execute the necessary land transactions, as long as the costs of such actions fall within the grant awarded by Homes England. (vi) Take all necessary steps to work with Kent County Council and the bus operator, with the purpose of developing a bespoke bus service between Whitfield and Dover. 		<p>proposed route, securing funding has proved challenging. Cabinet is requested to approve the acceptance of a grant of £16.1 million from Homes England for the necessary infrastructure.</p>	
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The meeting ended at 11.27 am.

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Record of the decisions of the meeting of the **CABINET** held at the Council Offices, Whitfield on Monday, 2 September 2019 at 11.05 am.

Present:

Chairman: Councillor K E Morris

Councillors: T J Bartlett
S S Chandler
N J Collor
M J Holloway
N S Kenton
S C Manion

Also Present: Councillor E A Biggs
Councillor S H Beer
Councillor P M Brivio
Councillor M D Conolly
Councillor D G Cronk
Councillor S J Jones
Councillor P D Jull
Councillor K Mills
Councillor D P Murphy

Officers: Chief Executive
Strategic Director (Corporate Resources)
Head of Governance
Head of Planning, Regeneration and Development
Strategic Housing Manager
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 50 2.9.19 Open Key Decisions No Call-in to apply Yes Implementation Date 10 September 2019	<u>APOLOGIES</u> 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 51 2.9.19 Open Key Decisions No Call-in to apply Yes Implementation Date	<u>DECLARATIONS OF INTEREST</u> There were no declarations of interest.	None.	To note any declarations of interest.	

10 September 2019				
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 52 2.9.19 Open Key Decisions No Call-in to apply Yes Implementation Date 10 September 2019	<u>RECORD OF DECISIONS</u> It was agreed that the decisions of the meeting of the Cabinet held on 5 August 2019, as detailed in decision numbers CAB 32 to CAB 44, be approved as a correct record and signed by the Chairman.	None.	Cabinet is required to approve the Record of Decisions of the special Cabinet meeting held on 5 August 2019.	
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 53 2.9.19 Open Key Decisions Yes Call-in to apply Yes Implementation Date	<u>CONSULTATION ON COUNCIL TAX SUPPORT SCHEME 2020/21</u> It was agreed: (a) That the Overview and Scrutiny Committee's endorsement of Cabinet decision CAB 39, made at its meeting held on 6 August 2019 (Minute No 8), be acknowledged, thanking the Committee for its helpful comments. (b) That Cabinet decision CAB 39 be reaffirmed.	None.	The Overview and Scrutiny Committee, at its meeting held on 6 August 2019, endorsed Cabinet decision CAB 39 of 5 August 2019.	

10 September 2019				
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 54 2.9.19 Open Key Decisions No Call-in to apply Yes Implementation Date 10 September 2019	<u>NOMINATIONS TO PROJECT ADVISORY GROUPS</u> It was agreed that the Overview and Scrutiny Committee's recommendations, made at its meeting held on 6 August 2019 (Minute No 9), be approved as follows: (i) Councillor L A Keen to be appointed to the Investment Advisory Group in her capacity as Chairman of the Overview and Scrutiny Committee. (ii) Councillor C D Zosseder to be appointed to the Local Plan Project Advisory Group in her capacity as a member of the Overview and Scrutiny Committee.	None.	Following the abolition of the Council's two Scrutiny Committees in July, and the subsequent formation of a new Overview and Scrutiny Committee, it is necessary to appoint the Chairman and a member of the new Committee to two Project Advisory Groups to replace positions previously held by the Scrutiny (Policy and Performance) Committee.	
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 55 2.9.19	<u>FIRE PRECAUTION WORKS - AWARD OF CONTRACT</u>	None.	The Overview and Scrutiny	

Open Key Decisions Yes Call-in to apply Yes Implementation Date 10 September 2019	It was agreed: (a) That the Overview and Scrutiny Committee's endorsement of Cabinet decision CAB 42, made at its meeting held on 6 August 2019 (Minute No 11), be acknowledged. (b) That Cabinet decision CAB 42 be reaffirmed.		Committee, at its meeting held on 6 August 2019, endorsed Cabinet decision CAB 42 of 5 August 2019.	
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 56 2.9.19 Open Key Decisions Yes Call-in to apply Yes Implementation Date 10 September 2019	<u>GAS SERVICING AND HEATING INSTALLATIONS - INTERIM ARRANGEMENTS</u> It was agreed: (a) That the Overview and Scrutiny Committee's endorsement of Cabinet decision CAB 43, made at its meeting held on 6 August 2019 (Minute No 12), be acknowledged. (b) That Cabinet decision CAB 43 be reaffirmed.	None.	The Overview and Scrutiny Committee, at its meeting held on 6 August 2019, endorsed Cabinet decision CAB 43 of 5 August 2019.	
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 57 2.9.19	<u>GAS SERVICING AND HEATING INSTALLATIONS - EFFICIENCY CONTRACT 2019-2022</u>	None.	The Overview and Scrutiny	

Open Key Decisions Yes Call-in to apply Yes Implementation Date 10 September 2019	It was agreed: (a) That the Overview and Scrutiny Committee's endorsement of Cabinet decision CAB 44, made at its meeting held on 6 August 2019 (Minute No 13), be acknowledged. (b) That Cabinet decision CAB 44 be reaffirmed.		Committee, at its meeting held on 6 August 2019, endorsed Cabinet decision CAB 44 of 5 August 2019.	
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 58 2.9.19 Open Key Decisions No Call-in to apply Yes Implementation Date 10 September 2019	<u>FINANCIAL OUT-TURN 2018/2019</u> It was agreed that the report be received and noted.	None.	The financial out-turn report to Cabinet provides a more accessible version of the Council's accounts for 2018/19, updating Members on the Council's financial standing.	
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 59 2.9.19	<u>TREASURY MANAGEMENT YEAR-END REPORT 2018/19</u>	None.	In order to comply with CIPFA's	

<p>Open</p> <p>Key Decisions No</p> <p>Call-in to apply Yes</p> <p>Implementation Date 10 September 2019</p>	<p>It was agreed that the Treasury Management Year-End Report 2018/19 be received.</p>		<p>(Chartered Institute of Public Finance and Accountancy) Code of Practice for Treasury Management, Cabinet is updated on the Council's treasury management (i.e. investment) activities at least twice a year.</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 60 2.9.19 Open</p> <p>Key Decisions No</p> <p>Call-in to apply Yes</p> <p>Implementation Date 10 September 2019</p>	<p><u>TENANT ENGAGEMENT ON WITHDRAWAL FROM EAST KENT HOUSING ARM'S LENGTH MANAGEMENT ORGANISATION</u></p> <p>It was agreed:</p> <p>(a) That the commencement of engagement (in the form set out at paragraph 4.10 of the report) with tenants (and leaseholders as required) on withdrawal from East Kent Housing be approved.</p> <p>(b) That Cabinet delegates to the Strategic Director (Corporate Resources), in consultation with the Portfolio Holder for Housing and Health, the details and basis of the engagement and also of any subsequent formal consultation.</p> <p>(c) That Cabinet delegates to the Strategic Director (Corporate Resources) authority to approve additional management fee payments to East Kent Housing, in consultation with the Portfolio</p>	<p>None.</p>	<p>As a result of concerns about the performance of East Kent Housing in relation to asset management, procurement and delivery of the capital programme, compounded by its failure to comply with gas safety and other regulations, the Council is considering options for the future management</p>	

	<p>Holders for Finance & Governance and Housing & Health, providing that this remains within overall Housing Revenue Account resources for 2019/20 and the Budget and Policy Framework.</p>		<p>of its housing stock. Essential to this process is consultation with tenants and other stakeholders.</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 61 2.9.19 Open</p> <p>Key Decisions No</p> <p>Call-in to apply Yes</p> <p>Implementation Date 10 September 2019</p>	<p><u>PERFORMANCE REPORT - FIRST QUARTER 2019/20</u></p> <p>It was agreed that the Council's Performance Report and Actions for the First Quarter 2019/20 be noted.</p>	<p>None.</p>	<p>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 three months to 30 June 2019.</p>	

The meeting ended at 11.22 am.

ISSUES ARISING FROM OVERVIEW AND SCRUTINY OR OTHER COMMITTEES

LOCAL PLAN HOUSING POLICIES

Responsibility: Portfolio Holder for Planning and Regulatory Services

Report of: Strategic Director (Corporate Resources)

Decision Route

Overview and Scrutiny Committee	9 September 2019	Minute No. 23
Cabinet	7 October 2019	

The Overview and Scrutiny Committee agreed for inclusion within its work programme a report on local housing policies, in particular in respect of executive housing.

Overview and Scrutiny Committee Recommendations

The Overview and Scrutiny Committee made the following recommendation to Cabinet:

That it be recommended to the Cabinet that provision for executive housing be addressed via the self and custom build housing policy.

ISSUES ARISING FROM OVERVIEW AND SCRUTINY OR OTHER COMMITTEES

TENANT ENGAGEMENT ON WITHDRAWAL FROM EAST KENT HOUSING ARM'S-LENGTH MANAGEMENT ORGANISATION

Responsibility: Portfolio Holder for Housing and Health

Report of: Strategic Director (Corporate Resources)

Decision Route

Cabinet	2 September 2019	CAB60
Overview and Scrutiny Committee	9 September 2019	Minute No. 27
Cabinet	7 October 2019	

Overview and Scrutiny Committee Recommendations

The Overview and Scrutiny Committee, at its meeting held on 9 September 2019, endorsed Cabinet decision CAB60 as follows:

- (a) That the commencement of engagement (in the form set out at paragraph 4.10 of the report) with tenants (and leaseholders as required) on withdrawal from East Kent Housing be approved.
- (b) That Cabinet delegates to the Strategic Director (Corporate Resources), in consultation with the Portfolio Holder for Housing and Health, the details and basis of the engagement and also of any subsequent formal consultation.
- (c) That Cabinet delegates to the Strategic Director (Corporate Resources) authority to approve additional management fee payments to East Kent Housing, in consultation with the Portfolio Holders for Finance & Governance and Housing & Health, providing that this remains within overall Housing Revenue Account resources for 2019/20 and the Budget and Policy Framework.

Subject:	LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976 – HACKNEY CARRIAGE FARE TARIFF – REQUEST FOR INCREASE
Meeting and Date:	Cabinet – 7 October 2019
Report of:	Head of Regulatory Services
Portfolio Holder:	Councillor Nigel Collor, Portfolio Holder for Transport and Licensing
Decision Type:	Key Decision
Classification:	Unrestricted

Purpose of the report: To consider the proposal submitted by the Dover Federation of Licensed Taxi Operators to increase hackney carriage fares

Recommendation: That Cabinet do not approve the table of fares presented by the Dover Federation of Licensed Taxi Operators

1 Summary

- 1.1 The fixing of maximum fare levels in respect of hackney carriages is a statutory function of the District Council under the provisions of Section 65, Local Government (Miscellaneous Provisions) Act 1976.
- 1.2 The formal statutory procedure for varying the fares requires the Council to publish a notice containing the proposed variation table in at least one local newspaper and specify a period of not less than 14 days from the first publication of the notice during which time objections to the variation can be made.
- 1.3 In the event of any objections being received, the Authority must consider those objections before bringing the variation into operation. The date on which the table of fares comes into operation, with or without modification, shall be not less than 2 months after the date on which it would have come into operation if no objections were received or if objections had been withdrawn.
- 1.4 The current hackney carriage table of fares came into force in January 2012, and is shown at **Appendix A**.
- 1.5 The Licensing Section received a proposal for a revised table of fares from the Dover Federation of Licensed Taxi Operators. On 3 June 2019 Cabinet approved a preliminary non-statutory consultation exercise to be undertaken in advance of invoking the formal procedures identified in paragraphs 1.1 – 1.3 above.
- 1.6 The public consultation took place between 10 June – 21 July 2019.
- 1.7 One representation was received during the consultation period, from a licensed hackney carriage proprietor within the district.

- 1.8 The representation raised concerns that the pricing proposal was not straightforward or easy to follow and could mislead the users. The full representation is shown at **Appendix E**.

2 Introduction and Background

- 2.1 The current tariff has been in place since 2012 (7 years without review). The Dover Federation of Licensed Taxi Operators approached the licensing authority to review the tariff quoting increased running costs as the reason. They presented a proposed revised table of fares (shown at **Appendix B**). They also presented various pieces of background information which can be found at **Appendix C**.
- 2.2 The documents submitted included statistics on price ranking relating to April 2019. However, the latest information shown in the September 2019 issue of The Private Hire and Taxi Monthly, lists Dover District Council as having the 154th highest taxi tariff in the country. Canterbury is ranked 77th highest, Ashford 70th, Folkestone & Hythe 120th and Thanet 283rd, out of a total of 362 authority areas (**Appendix D**).
- 2.3 The supporting evidence provided is inconclusive in terms of establishing any overall increase in running costs for hackney proprietors. As such, the Licensing Team recommended that additional data be provided by the Federation to support and justify the proposals. No such additional information has been forthcoming.
- 2.4 The tariff presented would be the maximum that can be charged, allowing hackney proprietors to charge less if they wish. In essence the start rate for all journeys is reduced, however, the rate per mile has increased for all journeys. Although this tariff does not have to be used by drivers (because it is the maximum tariff), in accordance with this particular proposal ALL vehicles will have to amend their meters to reflect the initial reduced start rate. This means ALL vehicles will then have to be checked by the Licensing Enforcement Officer to ensure compliance.
- 2.5 As a result of the consultation exercise, one representation was received which raised concerns that the pricing proposal (which includes increases which would not become evident until the journey has begun) will confuse the public and cause them to think they have been overcharged. The suggestion was put forward that a simpler, more transparent method would be to simply increase the start rate on all tariffs.

3 Identification of Options

Two options have been identified.

- 3.1 **Option 1** is to reject the proposed table of fares put forward by the Dover Federation of Taxi Operators and retain the existing table of fares.
- 3.2 **Option 2** is to approve the proposed table of fares put forward by the Dover Federation of Taxi Operators and to facilitate the formal procedure of adoption.

4 Evaluation of Options

- 4.1 **Option 1** – Preferred option
The current tariff has been in place for 7 years without review. No conclusive evidence has been submitted to indicate that any increase in maximum fare is required at this stage. In addition the proposed pricing strategy is not straightforward or transparent. The presentation of figures may be difficult for consumers to

understand, may mislead consumers and could inevitably result in a misunderstanding over what may be perceived as hidden costs or charges. For example, whilst the start rate in the proposed table of fares is a lower figure than the current rate, once in transit the cost per mile increases considerably.

Such confusion has the potential to cause confrontation (especially after midnight when consumers may be under the influence of alcohol or recreational substances) resulting in increased risk to drivers etc.

- 4.2 **Option 2** – There is no real evidence to support this option at this stage. Adoption of the proposed scheme could be perceived as misleading and has the potential to result in confusion and confrontation. As such this option is not recommended in relation to the current proposal.

5 Resource Implications

None

6 Corporate Implications

- 6.1 Comment from the Finance Officer: Accountancy has been consulted and has nothing further to add (SB)
- 6.2 Comment from the Solicitor to the Council: The Head of Governance 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 equality implications however in discharging their duties 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

Appendix A – Current tariff

Appendix B – Proposed table of fares put forward by the Dover Federation of Licensed Taxi operators with summary

Appendix C - Presentation provided by the Dover Federation of Licensed Taxi Operators

Appendix D – PHTM figures for September 2019

Appendix E – representation received during the consultation period

Background Papers

None

Contact Officer: Rebecca Pordage, Licensing Team Leader x2229



Hackney Carriage Table of Fares 1.1.12 onwards

Applies to all journeys within the District Boundary and to journeys outside the District Boundary unless agreed otherwise between driver and hirer prior to the hiring.

TARIFF 1

For hiring commenced between 06:00 hrs and 12 Midnight each day

- ❖ For the first 400 yards or 1 minutes and 20 seconds **£3.30**
- ❖ For each succeeding 117 yards or 23.5 seconds thereafter or a combination of both. **£0.10**

TARIFF 2

For hiring commenced between 12 midnight and 06:00 hrs each day, Statutory Holidays and Bank Holidays (excluding Christmas and New Year):

- ❖ For the first 400 yards or 1 minute and 20 seconds **£4.95**
- ❖ For each succeeding 117 yards or 23.5 seconds thereafter or a combination of both. **£0.15**

TARIFF 3

For hiring commenced between 18:00 hrs Christmas Eve and 06:00hrs 27 December and between 18:00 hrs New Year's Eve and 06:00 hrs 2 January:

- ❖ For the first 400 yards or 1 minutes 20 seconds **£6.60**
- ❖ For each succeeding 117 yards or 23.5 seconds thereafter or a combination of both **£0.20**

EXTRAS

- ❖ For Hiring on Sundays **£1.00**
- ❖ For each article of luggage **£0.20**
- ❖ For each person in excess of one **£0.20**

MPV's that carry more than 4 passengers 50% of the above tariffs (1,2,3)

ADVERSE WEATHER CONDITIONS

During adverse weather conditions, defined as when the Stagecoach Bus Company withdraw their services due to adverse weather, the tariffs relating to distance and waiting time are increased by 50 per cent

SOILING CHARGE

- ❖ To cover cleaning and loss of income, where the interior of the vehicle is soiled (at the discretion of the driver) not exceeding **£50.00**

The Federations Proposal

The proposal is for the following amendments to the Table of Fares:

- Tariff 1 (6.00 am – 12 midnight daily)
For hiring commenced between the hours of 6.00 am and 12 midnight each day
 - Changing the start yards from **400 yards to 300 yards**
 - Changing the Drop Yards from **117 yards to 207 yards**
 - Changing the price for each 207 yards or 45 seconds from **£0.10 to £0.20**
 - Changing the Start price from **£3.30 to £3.20**
 - Thus meaning that the **first mile cost will increase from £4.50 to £4.60**
 - And that **each additional mile cost will increase from £1.50 to £1.70**

- Tariff 2 (12 midnight – 6.00 am daily)
This tariff is no longer to be used for Statutory Holidays and Bank Holidays.
 - Changing the start yards from **400 yards to 300 yards**
 - Changing the Drop Yards from **117 yards to 207 yards**
 - Changing the price for each 207 yards or 45 seconds from **£0.15 to £0.30**
 - Changing the Start price from **£4.95 to £4.80**
 - Thus meaning that the **first mile cost will increase from £6.75 to £6.90**
 - And that **each additional mile cost will increase from £2.25 to £2.55**

- Tariff 3 (Between 6.00 pm Christmas Eve and 6.00 am 27 December and 6.00 pm New Year's Eve and 6.00 am on 2 January)
 - Changing the start yards from **400 yards to 300 yards**
 - Changing the Drop Yards from **117 yards to 207 yards**
 - Changing the price for each 207 yards or 45 seconds from **£0.20 to £0.40**
 - Changing the Start price from **£6.60 to £6.40**
 - Thus meaning that the **first mile cost will increase from £9.00 to £9.20**
 - And that **each additional mile cost will increase from £3.00 to £3.40**

In addition, extras have been added to the tariff card as follows:

For hiring on Sundays, Statutory Holidays and Bank Holidays £1.00 (previously this charge was for Sundays only, bank holidays were included in tariff 2).

All other costs to remain the same.

COMPARISON TABLE

For ease of understanding, the table below shows the current fees and the comparison of the proposed fees.

		Current	Proposed
1 MILE	Tariff 1	£4.50	£4.60
	Tariff 2	£6.75	£6.90
	Tariff 3	£9.00	£9.20
3 MILES	Tariff 1	£7.50	£8.00
	Tariff 2	£11.25	£12.00
	Tariff 3	£15.00	£16.00
5 MILES	Tariff 1	£10.50	£11.10
	Tariff 2	£15.75	£17.10
	Tariff 3	£21.00	£22.80
10 MILES	Tariff 1	£20.40	£22.20
	Tariff 2	£31.50	£34.20
	Tariff 3	£42.00	£45.60

In addition to the current tariff, waiting time is charged at 10p, 15p and 20p respectively for every 23.5 seconds. This means that if you stop in traffic, at light signals or to use a cashpoint etc. the fare increases by;

Current

T1 = 25p per minute

T2 = 37.5p per minute

T3 = 50p per minute

In addition to the proposed tariff, waiting time would be charged at 20p, 30p and 40p respectively for every 45 seconds. This means that if you stop in traffic, at light signals or to use a cashpoint etc. the fare increases by;

Proposed

T1 = 26p per minute

T2 = 39p per minute

T3 = 52p per minute

Proposed Taxi Fare increase

- 1 Research Licence Districts
- 2 Work out a fair meter price that is good for the trade and public
- 3 Compare against Local Bus Fares
- 4 To leave the change workable for next fare increase

Taxi fare tables

- League table of all 363 Councils
- How the book works
- Prices to the right of the town are colour coded The prices are for the first two miles the colour is the year it was implemented



To find a tariff suitable for our
use

2012 Dover 140

2008 Canterbury 137

Canterbury had their increase 4 years before us So they are due for a fare increase We both are on £6.00 for the first 2 miles

135	BOSTON	£6.00	●
136	BRACKNELL FOREST	£6.00	●
137	CANTERBURY	£6.00	●
138	CARMARTHENSHIRE	£6.00	●
139	CASTLE POINT	£6.00	●
140	DOVER	£6.00	●
141	EAST HAMPSHIRE	£6.00	●

2012 Folkestone 103

Folkestone's fare increase was the same time as ours
But they are 20p over 2 miles more than us
they also due for a fare increase

101	DERBY	£6.20	●
102	EAST CAMBRIDGESHIRE	£6.20	●
103	FOLKESTONE & HYTHE	£6.20	●
104	HORSHAM	£6.20	●
105	IPSWICH	£6.20	●
106	LINCOLN	£6.20	●
107	MENDIP	£6.20	●
108	NORTHAMPTON	£6.20	●
109	ROCHFORD	£6.20	●

2017 Ashford 70

This Tariff looks like the one to work towards
£6.40 for the first 2 miles

66	MOLE VALLEY	£6.50	●
67	SOUTH CAMBRIDGE	£6.50	●
68	SOUTH SOMERSET	£6.50	●
69	WORTHING	£6.50	●
70	ASHFORD	£6.40	●
71	BRISTOL	£6.40	●
72	CREWE & NANTWICH	£6.40	●
73	HARLOW	£6.40	●
74	LEEDS	£6.40	●

Conclusion

- 70 Ashford £6.40 2017
- 103 Folkestone & Hythe £6.20 2012
- 137 Canterbury £6.00 2008
- 140 Dover £6.00 2012

Outcome

Prices base on first 2 miles

- 70 Ashford £6.40 2017
- 88 Dover £6.30 2019
- 103 Folkestone & Hythe £6.20 2012
- 137 Canterbury £6.00 2008

Local public transport Bus's

4 people travelling in a taxi should be cheaper than 4
on a bus
(local fares)

Lets compare prices

- Its your turn now to give me taxi prices for 4 people travelling
- I will start with Deal Drivers

South Street to St Leonards Church



Ticket Results

Suggested route

bus 81 Deal, South Street → Upper Deal, St Leonard's Church - Leaving 16:52 / Arriving 16:59

Single & return tickets



single

- valid for one single journey
- 4 Adult

[Full terms & conditions for this ticket](#)

Paper ticket - on bus
Available to buy on the bus.

Total
£6.80



return

- valid for one outward and one return journey between the same points
- 4 Adult

[Full terms & conditions for this ticket](#)

Paper ticket - on bus
Available to buy on the bus.

Total
£10.40

Pencester Road to Common Lane River



Ticket Results

Suggested route

bus 90 Dover, Pencester Road (Stop B) → River, Common Lane - Leaving 16:34 / Arriving 16:52

Single & return tickets



single

- valid for one single journey
- 4 Adult

Full terms & conditions for this ticket

Paper ticket - on bus
Available to buy on the bus.

Total
£10.80



return

- valid for one outward and one return journey between the same points
- 4 Adult

Paper ticket - on bus
Available to buy on the bus.

Total
£16.40



South street to Walmer Cricket ground



Ticket Results

South Street, Deal to St Richards Road, Walmer, Deal leaving 17:00 on Sat 12 Jan 4 passengers

Single & return tickets

	single <ul style="list-style-type: none">valid for one single journey4 Adult Full terms & conditions for this ticket	Paper ticket - on bus Available to buy on the bus.	Total £8.80
	return <ul style="list-style-type: none">valid for one outward and one return journey between the same points4 Adult Full terms & conditions for this ticket	Paper ticket - on bus Available to buy on the bus.	Total £13.20

Old Park Barracks to Pencester road



Ticket Results

Suggested route

bus 61 Whitfield, Old Park Barracks → Dover, Pencester Road - Leaving 16:28 / Arriving 16:51

Single & return tickets



single

- valid for one single journey
- 4 Adult

[Full terms & conditions for this ticket](#)

Paper ticket - on bus
Available to buy on the bus.

Total
£10.80



return

- valid for one outward and one return journey between the same points
- 4 Adult

Paper ticket - on bus
Available to buy on the bus.

Total
£16.40

The outcome

- I have given you a tariff which is middle range of local Councils
- A taxi fare that competes with local bus service
- Plus altered the yardage to make it easier for future tariff changes

- Thank you for
Listening

[REDACTED]

From: DDC Licuser
Sent: 05 September 2019 12:06
To: [REDACTED]
Subject: FW: Fare increase [REDACTED]
Attachments: image001.jpg; image002.jpg

From: [REDACTED]
Sent: 24 July 2019 19:42
To: DDC Licuser
Subject: Re: Fare increase Becky pordage

I am not against a pay increase but I am against this proposal for these reasons our current rate is £3.30 startrate on tariff1 the meter has always gone up in 10ps by yardage for the hackney .fare and half after midnight £4.95 startrate 15p by yardage to change the startrate on tariff1 to £3.20 and lengthen yardage but double it to 20p and 30p after midnight will not go well with passengers especially if stuck in traffic and stationary and the meter is still ticking and after after midnight when they have had a drink we will get so much more grief in a already demanding job at times it will be very difficult to give a quote for places out of town in the district so it would be much more straightforward to put a increase on the startrate and not confuse the public into thinking we are overcharging regards [REDACTED]

Subject:	SHARED OWNERSHIP SALES POLICY
Meeting and Date:	Cabinet – 7 October 2019
Report of:	Helen Lamb, Head of Finance and Housing
Portfolio Holder:	Councillor Sue Chandler, Portfolio Holder for Housing and Health
Decision Type:	Non-Key Decision
Classification:	Unrestricted

Purpose of the report: To provide detail in relation to the proposed Shared Ownership Sales Policy and seek approval to implement the policy.

Recommendation: That Cabinet approves the proposed Shared Ownership Sales Policy.

That Cabinet authorises the Head of Finance and Housing, in consultation with the Portfolio Holder for Housing and Health, to undertake any necessary minor amendments to the policy prior to the formal review date.

1. Summary

1.1 Whilst Shared Ownership has been an affordable housing tenure offered to residents in the District by Registered Providers for several decades, the Council has had no direct involvement in the acquisition and sale of Shared Ownership properties prior to 2019.

However, in June 2019 the Council acquired 3 shared ownership properties via a Section 106 agreement, which have been made available for sale.

A further 29 shared ownership properties are currently on site, being developed by the Council, with handovers during 2020.

There is no DDC policy in place to direct the Shared Ownership sales process.

A policy has been developed in line with Homes England and Planning guidance, and this report seeks the approval of this policy.

2. Introduction and Background

2.1 Shared Ownership is a form of Affordable Housing, as defined by the Government via Homes England and Planning Policy Guidance.

2.2 Shared Ownership properties are marketed, and applicants are approved, by a national network of Homebuy Agents, usually Registered Providers, who are appointed and paid for by Central Government, and who act on behalf of any organisation which is selling shared ownership properties. It is a requirement to use Homebuy Agents when a property is funded by Homes England.

2.3 The Homes England Capital Funding Guide explains Shared Ownership thus:

In Shared Ownership products the dwellings are part-rent/part buy (i.e. the property title and equity are split between the leaseholder (the shared ownership purchaser) and the landlord (the shared ownership provider) and are provided using the Homes England standard model shared ownership lease. The term 'shared ownership' has a legal meaning and is used in this context. Purchasers of Shared Ownership leases are allowed to buy an initial share of not less than 25% and not more than 75% based on a percentage of the full market value of the property.

The shared owner raises the funds to purchase their share in the normal manner. For example through some savings, possibly some family assistance, but primarily by taking out a mortgage from a bank or building society.

The provider then grants a leasehold interest to the shared owner. The shared owner occupies the entire dwelling, and pays a rent to the provider for the share of the property still owned by the provider.

The rent level is set by the provider. The annual rent at initial sale must be no more than 3% of the value of the property in the ownership of the provider.

The leaseholder is liable for all maintenance costs on the property even if they only have purchased the minimum 25% equity share.

Over time, the leaseholder can purchase further shares in the property. In most cases they can if they wish, purchase up to 100% of the equity in the property, thus becoming the outright owner. This is a process known as 'staircasing' and is a fundamental clause of the grant funded shared ownership lease which guarantees the right of the shared owner to acquire 100% of the equity share. The only exceptions to this are specific types of shared ownership in which the lease is subject to staircasing restrictions.

As the leaseholder purchases greater shares in the property, their rent falls according to the proportion of unsold equity. Where the shared owner has become the outright owner of a house, the provider transfers the freehold of the property (where applicable) to the new owner. Where the leaseholder becomes the outright owner of a flat, the provider retains the freehold of the block of flats.

- 2.4 The Council have not previously provided homes via Shared Ownership, and have therefore not previously required a Shared Ownership Sales Policy.
- 2.5 The acquisition of 3 shared ownership properties by the Council in June 2019, and the development of 29 shared ownership properties by the Council to be completed in 2020, mean that it is now an appropriate time to develop, approve and implement a policy in relation to the sales of these properties. This is essential to ensure legal, funding and regulatory requirements are met. It is also advisable to ensure a consistent approach for the sale of DDC shared ownership properties regardless of whether this is being carried out in-house or by an external agent.
- 2.6 A policy has been developed in line with Homes England and Planning guidance, and an equality impact assessment has been carried out.

3. **Identification of Options**

- 3.1 Option A: Not to approve the Policy
- 3.2 Option B: To approve the Policy.

4. Evaluation of Options

- 4.1 Option A is a risk to the Council as Estate Agents may not be familiar with the requirements of Homes England, and DDC Planners and may sell homes in a non-compliant manner. This could impact upon any funding the Council has received or could breach Planning Conditions. Therefore, option A is not recommended.
- 4.2 Option B gives the Council control over the sales process, and ensures compliance with funding and planning requirements. Therefore, option B is recommended.

5. Resource Implications

- 5.1 There is no resource implication relating to the approval of the policy. However, where the policy is implemented, there will be a staff resource and a budget implication.
- 5.2 The Shared Ownership sales and marketing process has a cost associated with it, whether this is managed in-house or externally. The cost of this will be included in the Financial Appraisal and agreed budget for the project. There should be no direct cost implication to the Council from undertaking the sales of the Shared Ownership properties.

6. Corporate Implications

- 6.1 Comment from the Section 151 Officer: Accountancy have reviewed the report and have no further comment to make. (AHC)
- 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. (HR)
- 6.3 Comment from the Equalities Officer: In preparation for the report it is noted that an Equality Impact Assessment has been carried out which has resulted in no significant issues arising from this assessment. 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

Appendix 1 – DDC Shared Ownership Policy

8. Background Papers

Contact Officer: Rachel Collins 2254

Appendix 1

DOVER DISTRICT COUNCIL SHARED OWNERSHIP SALES POLICY 2019-2022

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1. Introduction

- 1.1. Dover District Council, (“DDC”) wants to provide residents in the district with a range of opportunities to access housing to meet their needs.
- 1.2. For residents who would like to own their own home, but are unable to afford to purchase a property outright on the open market, there are a range of options and products available to them, and these are delivered by developers, Registered Providers alongside DDC.
- 1.3. This policy is primarily concerned with the HM Government Help to buy- shared Ownership scheme, but can also be applied to other low cost home ownership schemes as defined by the National Planning Policy Framework.
- 1.4. This policy sets out how DDC will manage the sales process for shared ownership schemes delivered by the Council.
- 1.5. Housing schemes developed by DDC are the subject of rigorous financial appraisal, which takes into account funding available, tenure mix and affordability. Whenever appropriate a shared ownership option will be offered through these developments.
- 1.6. Access to DDC Shared Ownership products will only be available to those buying properties on DDC development sites, it will not be offered as an option for existing tenants wishing to exercise the Right To Buy at their present DDC accommodation.

2. Policy aims

2.1. This policy is intended to:

- Ensure that DDC Shared Ownership products are offered for sale and sold in conformity with Homes England requirements.
- Set eligibility criteria for applicants
- Detail how applications may be made
- Encourage sustainable home ownership
- Offer shared ownership products that are compatible with mortgage lender requirements
- Meet the conditions set through any grant, funding or Section 106 agreements.
- Operate a fair and transparent selling process

2.2. This policy should be read in conjunction with the requirements of the Homes England Capital Funding Guide. Where there is any doubt, for schemes constructed with an element of Homes England funding, the Capital Funding Guide will take precedence over this policy.

3. Applicant eligibility and assessment

3.1. Anyone wishing to buy a DDC Shared Ownership home must:

- Have registered with the South East Help to Buy agent (website www.helptobuysee.org.uk) and been assessed as eligible to purchase a Shared Ownership property
- Have an annual household income of less than £80,000.
- Must be unable to purchase a home suitable for their needs without assistance.
- Not be a current home owner (or be named on the deeds of another property).
- Must not have any outstanding credit issues (i.e. unsatisfied defaults or county court judgments).

3.2. DDC will also require the following criteria to be met:

- Current or former DDC tenants should have a clear rent account, and have no substantial breaches of tenancy conditions.
- Applicants must have sufficient funds to meet the initial costs of buying a home, and can provide evidence of funds or mortgage availability for the purchase of the property – estimated £3,000.
- Be able to demonstrate they can afford to purchase a share equal or greater than 25% of the property value but they are unable to afford a 100% purchase less than the maximum where applicable.
- Demonstrate the ability to afford the regular payments and costs involved in buying a home.

- 3.3. Where circumstances require it, there may be additional scheme specific criteria such as a local connection with the Dover District Council area (as defined in DDC Affordable Housing Policy).
- 3.4. Those who already own their own home will only be permitted to purchase a shared ownership home in exceptional circumstances. Examples of exceptional circumstances include but are not limited to:
- Home owners who need to move because their own home has been condemned or is to be demolished.
 - Those needing to move due to age or disability and who cannot afford or find accommodation on the local open market that reasonably meets their needs
 - Those going through relationship breakdown who are transferring their interest in their home to their former partner and will have insufficient capital remaining to purchase a home on the open market.
- 3.5. Owner occupier applicants accepted onto the scheme must meet the affordability criteria and demonstrate that they can sustain their mortgage and shared ownership rental payments. They will also be required to evidence that at the time of buying through the shared ownership scheme they have sold or are in the process of selling their existing property. Evidence required to establish this may take the form of a solicitor's property completion statement, confirmation from the mortgage lender and Land Registry that the applicant is no longer on the mortgage or land registry respectively, or conveyancing letter in case of property transfers. Evidence will need to be provided before exchange of contracts for the new purchase.
- 3.6. In addition to the eligibility criteria set out above applicants for specialist older person shared ownership products should:
- Be aged 55 or over
 - Submit applications via the Help-to-Buy Agent who will in addition to the usual affordability assessment take into account any equity released from a current home sale and savings.
 - Have insufficient equity to be able to purchase on the open market. DDC may exercise discretion in this matter if applicants are able to demonstrate that through the open market they cannot secure accommodation that reasonably meets their mobility, care and or support needs and inclusion in the shared ownership scheme would meet these.
- 3.7. All applicants must be assessed for eligibility by the Help to Buy Agent, including joint applicants. A sole qualifying applicant wishing to purchase jointly may only proceed on the condition that they are to be a joint legal owner of the property. A deed of trust providing rights of occupation is unacceptable as an alternative to becoming a joint legal owner.
- 3.8. If a tenant of a housing association or local authority is applying and their partner does not want to join the application, the application can proceed for the sole name of the qualifying buyer, but the partner may still need to give vacant possession of their current property, without an obligation for the landlord to re-house the partner.

3.9. DDC will conduct further checks and will seek the authorization of a senior manager where the applicant is a member of staff or is related to a member of staff or councillor.

4. Affordability

4.1. Prospective buyers will be encouraged to purchase the maximum affordable and sustainable share of the property. Affordability will be assessed through the Homes England Sustainability Calculator with housing costs being a minimum of 35% of net income and a maximum of 45% of net income. Shared owners with DDC schemes will be responsible for 100% of the service charge regardless of their level of ownership.

4.2. The affordability assessment will take into account available deposit, mortgage repayments and shared ownership rent payments (if applicable). DDC will not provide mortgage advice to applicants, although it may signpost applicants to mortgage advisors with experience of shared ownership products.

4.3. DDC understand that sometimes people may have a capital sum to put towards their purchase but still need to have access to shared ownership schemes. Applicants in these cases will be subject to the general affordability and sustainability assessments. DDC will require information and evidence on the source of cash payments and may conduct additional checks in accordance with our Anti-Fraud, Corruption and Money Laundering Policy.

4.4. DDC accepts that older people may need to use funds for service charges, living costs, and care. DDC will use its discretion on a case by case basis to determine what is reasonable, but the expectation is that the majority of any applicant's capital will be used to purchase a share. For the purposes of this Policy, capital will include proceeds from property sale, savings, shares, stocks and bonds etc.

5. Allocation and prioritization

5.1. Applications must be made via the Homebuy SE website. The Homebuy Agent will complete the initial application verification.

5.2. Applications can be made prior to the reservation of a property.

5.3. Unless there is a scheme specific restriction on allocation and priority, all applicants will be offered units on a first come, first served basis, in order of reservation application approval date.

5.4. Approval will not be given for applicants to purchase a property which is not suitable for their needs. For example: where the household size would result in a statutory overcrowding situation, or where more than one spare bedroom is required.

6. Marketing

- 6.1. DDC will use a variety of approaches to advertise properties to ensure that local residents are aware of schemes in the District and how to apply for them. This will include advertising new shared ownership homes in advance of their completion. The extent of marketing will be determined by the level of expected demand, however, DDC will always seek to make information available on the forthcoming sales.
- 6.2. All properties will be marketed via the Homebuy SE agent.
- 6.3. As a minimum, DDC will use its existing communications channels for its customers to advertise properties i.e.:
 - DDC website
 - Site signage
 - Via the South East Help to Buy Agent Website (www.helptobuyse.org.uk)This is to ensure that prospective purchasers are provided with clear and accurate information on the properties being sold and are not misled.

7. Valuations and sale prices

- 7.1. Valuations of shared ownership properties – either at initial sale or on staircasing or resales – must be assessed by an independent Royal Institute of Chartered Surveyors qualified valuer. All valuations will also be passed to the DDC Estate Valuation Manager
- 7.2. The valuer must be instructed to assume that:
 - The sale is for the freehold interest, or where the provider's interest is leasehold, a 99 year lease or such lesser term of years as the provider holds.
 - The sale is an open market sale.
 - A shared ownership lease has not been granted.
 - The sale is to be with vacant possession.
- 7.3. Valuations only remain valid for 3 months, and need to be renewed if the sale of a property has not completed within that time period.
- 7.4. All sales must be recorded on the CORE sales log.

8. Reservation charge

- 8.1. Applicants reserving properties will be given 6 weeks notice to exchange contracts on the purchase, excepting matters outside their control. Reservations will be held until the 6 week exchange target date or until the applicants withdraws their interest in writing if sooner. It will be at DDC's discretion whether they hold a reservation beyond the target exchange date and this will be determined by the cause of the delay and whether it is related to issues beyond the buyer's control.
- 8.2. All applicants must complete a reservation form setting out the details of the property to be reserved, detailed information about the buyer, vendor, solicitors acting for the purchaser and the initial share of the property to be purchased. Payment of a

reservation charge of £250 will be required and will be refunded at purchase completion.

- 8.3. If the failure to proceed is the choice of the buyer or failure of the buyer to progress (for instance not providing solicitors with instruction or information) the reservation charge will not be refunded.

9. Leases

- 9.1. The term of the lease will generally be 99 years, although there is scope to grant longer leases should this be required.
- 9.2. Charges will be set and administered in accordance with current legislation, including the production of annual accounts.
- 9.3. Where action is required to enforce leaseholders' or other property owners' covenants, DDC will seek to recover any and all costs of having to take such action. This may include charging an administration fee for the work required by DDC.
- 9.4. DDC will take action against the shared owner where it is considered necessary in the interests of the safety of the occupants of other units of accommodation in the block or others. In assessing whether to take action and what action to take, DDC will base their best assessment of the facts and the advice of relevant authorities and/or appropriate professionals and consultants.

10. Rent setting

- 10.1. Rents will be set at 2.75% per annum of the value of the unsold equity. Rents are payable in advance on a monthly basis.
- 10.2. Shared ownership rents will be increased annually at RPI + 0.5%
- 10.3. Any ground rent charges will be in keeping with the acceptable levels for the type and location of the property and/or comply with any law, rules or regulations in force.

11. Service charges

- 11.1. Service charges for services provided by the Landlord (DDC) such as lighting and cleaning in communal areas will be recharged to the shared owner in accordance with the terms of the lease.

12. Rent arrears and non-payment of service charges

- 12.1. It is a condition of a shared owner's lease to pay the shared ownership rent and maintain mortgage payments. Failure to pay the shared ownership rent, service

charges or mortgage payments and other breaches of the lease agreement could result in the loss of their home.

12.2. If an account goes into arrears, DDC will take appropriate action to recover those arrears including personal contact by phone, letter or email, or by contacting the home owner's lender. DDC will only seek possession proceedings as a last resort, when all alternative debt management actions have been exhausted.

12.3. DDC will provide the shared owner's mortgage lender 28 days' notice of any intentions to commence possession proceedings. This will include details of the level of arrears.

13. Repairs

13.1. The leaseholder has the full repairing responsibilities of an owner occupier once the defect period has expired.

14. Buildings Insurance

14.1. DDC will provide block buildings insurance cover for all of its leasehold blocks of flats and shared ownership houses, unless there are contractual terms in place which require otherwise.

15. Staircasing

15.1. All sales allow the shared owner to buy further shares (known as 'staircasing') up to a stage where they buy the property outright, with the following exceptions:

- Older Persons Shared Ownership
- Schemes funded in rural exception sites where the provider has chosen to restrict staircasing
- Schemes in Designated Protected Areas where the provider has opted to restrict staircasing.

15.2. Staircasing provisions are included within the lease. and DDC will sell the purchaser additional shares at the open market value determined by an independent RICS valuation and based on Capital Funding Guide guidance and affordability.

16. Resales

16.1. DDC will assist in the sale of shared ownership properties where the percentage owned by the shared owner is less than 100% by attempting to find a buyer for the percentage share owned, within the nomination period (where one is provided) as set out in the lease.

16.2. Where there is no nomination period, the property will be marketed with the agreement of the shared owner.

16.3. Shared ownership leaseholders may be required to pay a fee to cover DDC marketing and administrative costs.

17. Equality and Diversity

17.1. DDC believe that all applicants deserve to have the same opportunity to access our shared ownership schemes. Through our marketing and selection process we aim to ensure that customers with particular needs are able to communicate with us and will be treated by our staff in a manner that takes their needs into account.

18. Monitoring and Review

18.1. This policy will be reviewed every three years, or in response to relevant changes in legislation, organisational structure, development of good practice, or to address operational issues.

Subject:	ST JAMES CHURCH, WOOLCOMBER STREET DOVER
Meeting and Date:	CABINET – 7 OCTOBER 2019
Report of:	Martin Leggatt, Head of Assets & Building Control
Portfolio Holder:	Councillor Trevor Bartlett Portfolio Holder for Environment & Commercial Services
Decision Type:	Non-Key
Classification:	UNRESTRICTED

Purpose of the report: *To alert cabinet to the present condition of St James Church Dover, to advise on work needed to stabilise, protect and conserve the structure to allow the former leisure centre to be demolished and to seek approval to proceed with this work.*

Recommendation: *To approve a project that undertakes essential works to safeguard the structure in the short to medium term and allows the former leisure centre to be demolished.*

To delegate to Strategic Director (Operations & Commercial Services) in consultation with Portfolio Holder for Environment and Commercial Services to take all necessary actions to deliver the project, including awarding of relevant contracts

1. Summary

- 1.1 The goal of this project is to undertake repairs and work to arrest the deterioration of the fabric of St James church, Dover. The project will safeguard the heritage value of the remains and protect the public from the potential of falling objects. This allows time for a sustainable solution to emerge that will conserve and enhance this important heritage site for the long term. Such a solution will also seek to enhance both the setting of the ruins and the treatment of the site boundaries. Both the present and the long-term proposals will contribute to the positive visitor experience within the town.

2. Historic Background

- 2.1 St. James' Church dates from the 12th century. In the 14th century an extension was added on the south side of the nave, and this was used as the courthouse for the Chancery, Admiralty and Lodemanage Courts of the Cinque Ports. In 1862 a new church of St. James was opened on Maison Dieu Road, and this church began to be used by French Protestants. A restoration of the church took place in 1868 which replaced the pointed-arched window over the west door with a rose window and two smaller windows that survive today. Shelling in 1942, 1943 and 1944 did much damage and at the end of the war the church was a ruin. In 1948 it was decided that the church should not be restored, but preserved as a "Tidy Ruin" in memory of the shelling of Dover. In May 1950 a further collapse of the tower took place and the walls were reduced and capped. The church and churchyard were bought by the Dover Borough Council in 1970 and has been used as a public open space since then.

3. Heritage Significance:

- 3.1 St James Church is covered by two separate heritage designations: the standing remains of the building were listed at grade II in 1949, and the ground on which the remains sit were designated a scheduled monument in 1950. These early designations recognise the historic and architectural value of St James at a national level as a heritage asset. The approved Dover District Heritage Strategy 2013 identifies the ecclesiastical heritage of the district to be of outstanding significance, providing valuable evidence of the introduction and evolution of Christianity in the district. St James Church is particularly notable for its preservation as a ruin and is an eloquent reminder of the impact of WWII on the town of Dover.
- 3.2 The setting of the church has been somewhat degraded in the past but it retains a strong visual relationship with neighbouring historic buildings, including grade II White Horse Inn and Castle Hill House. The attractive aesthetic of the ruin of St James Church contributes both to its value as a heritage asset, and the character of the Dover Castle Conservation Area within which it is located. The church occupies a prominent position, particularly in relation to the new St James development.
- 3.3 Due to the condition of the upstanding fabric St James Church was included in the Heritage at Risk Register for the first time at the end of 2018. The Register is compiled by Historic England, central government's heritage advisors, with the aim of identifying those high status heritage assets (scheduled monuments, grade I and II* listed buildings, etc.) that are most at risk of loss. Historic England provides advice, guidance and resources to owners including local authorities to assist in finding solutions. Ultimately it is the owner's responsibility to ensure the continued conservation of heritage assets, and in the case of local authorities there is an implied moral obligation to demonstrate appropriate care of historic structures within their care

4. Summary of current state of structure:

- 4.1 The standing fabric is a complex structure resulting from the substantial previous campaigns of repair that accompany the traumatic history of the Church. The surviving structure is generally self-supporting, even where elements are detached from one another. The majority of the structure is considered to be in a fair, if heavily weathered, condition but now requires a programme of targeted conservation followed by regular routine maintenance. The full report of September 2018, undertaken by Purcell's, contains much fuller information.
- 4.2 The structure is locally extremely poor and in places unstable. Local areas are in need of immediate intervention to repair, prop or support the fabric. Of particular concern are: the quoins and returns of the former North Tower; the Tower interior, and adjacent window mullion; the high level ashlar masonry of the West Front; and the quoins and returns of the West Front.
- 4.3 Proper repair will require substantial renewal of stone because, during the various campaigns of adaptation and repair that have gone before, parts of the fabric have become structurally disjointed. This, combined with natural material erosion, establishes parameters that do not readily lend themselves to the generally accepted monument repair methods, such as inserting wall ties, grouting and mortar consolidation. In order to achieve a long-lasting repair, it is likely to be necessary to replace a high proportion of masonry in key locations. The quoins to the North Tower and the North and South returns of the West elevation are in particular need of structural repair.

5. Impact of demolition of redundant leisure centre

- 5.1 St James Church sits adjacent to the former Dover Leisure Centre site. The former leisure centre now sits redundant and needs to be demolished and cleared to allow the site to be redeveloped.
- 5.2 The demolition of the former Dover Leisure Centre site will involve demolishing the main structure down to slab level as well as the removal of below ground structures including; foundations (strip and pad), pile caps, below ground floor structures (plant room) as well as both the learner and main swimming pools. It is proposed to leave the deep end of the main pool in situ and retain all piles on site (with their locations recorded).
- 5.3 Breaking out the below ground structures within 35 metres of the church and the general movement of large demolition machinery has potential to cause levels of vibration that could affect the stability of St James Church and it is the recommendation of Purcell that the structure is supported (as per Priority A works) before any demolition works commence.
- 5.4 Prior to the commencement of any demolition work Purcell will review the demolition contractors proposed method statement and advise any changes deemed necessary. Vibration monitoring will be in place for the duration of the demolition contract.

6. Proposed Works

- 6.1 This report concerns itself solely with works that stabilise the historic fabric and details the proposed medium-term stabilisation works. A later phase of repair and refurbishment to provide a sustainable long-term solution will be the subject of a further cabinet report. This report differs from proposals that were considered in April 2019 in that the intention to erect suitable perimeter railings have been omitted. The reason for this is that the design proposals for the former Dover leisure Centre site are yet to emerge and these will to a large extent determine the boundary treatment, which best serves the ruins of St James church.
- 6.2 The recommendations of the Purcell report of September 2018 are presented in terms of time lines for executing the particular works, split in to four categories: (a) immediate works; (b) works necessary within 12 months; (c) works that may become necessary within 24 months and (d) desirable works beyond 24 months. The focus of this report focusses on categories (a), (b) and (c) which will help stabilise the structure.
- 6.3 Purcell's have identified works which are immediately necessary (Priority A) as being: Install temporary works (scaffold girdle) to the North Tower. The scaffold should be designed giving consideration to the other repairs identified, and should allow for further inspections and works to be undertaken with minimal alterations; Partner central mullion to the Tower window with a new timber prop; Patch repair cementitious cap where failed; Treat vegetative growth to retard further growth; Remove any loose fabric found at this time; Remove build-up of guano at the base of the North Tower and undertake environmental clean.
- 6.4 Purcell's identified that the following works (Priority B) were necessary within 12 months of the date of the report (which has now passed): Clean out & re-point cracks to abutment of West elevation with North and South returns. Monitor for further cracking as a sign of continuing structural movement; Re-point all loose and open joints generally, including deep pointing to voids; Remove all remaining vegetation at high level; Re-bed all loose capping and high-level ashlar masonry to the North

Tower and West elevation; Replace existing cementitious capping with new lime flaunching. All work will be subject to obtaining scheduled monument consent and any necessary Planning consents.

- 6.5 Purcell's identified that the following works (Priority C) were likely to be required within 24 months; to avoid substantial ongoing undermining of the west elevation, a conservation and structural repair package should be prepared, to include replacement of those stones which are missing or have structurally failed, and allowing for full repointing of all masonry joints. Assuming no repairs are undertaken with the girdle arrangement, proper consolidation of the North Tower quoins should be planned for this period also. This will involve the dismantling and reconstruction of the quoins.
- 6.5 In January 2019 D R Nolan were commissioned to prepare a cost plan (see Appendix 1) and this provided indicative construction costs for priority (a) work as £60k, priority (b) work as £84.5k and priority (c) work £68.5k. Total cost of priority (a), (b) & (c) works is estimated at £213k.
- 6.6 Within the £213k works there are potential cost savings to be made; within the priority (a) works a saving of around £20k could be made if the all works are carried out within a year of each other (saving on scaffold checks and maintenance costs which have been projected over a 5 year period). By working with Purcell it is proposed that a defined budget of £190k would be worked toward to carry out essential repair work only and to put money where it is best served to protect the structure.

7. Identification of Options

- 7.1 **Option 1:** Carry out work identified in the Purcell report as priority works (a), (b) and (c) whilst working within a budget of £190k. Allowing the priority (a) work to take place will mean the former leisure centre can be demolished and redeveloped. Furthermore, carrying out priority (b) and (c) works will secure the short to medium term future of St James Church allowing time for a longer term solution to be found to conserve and enhance this important heritage asset.
- 7.2 **Option 2:** Carry out work identified in the Purcell report as immediate works, priority (a) Total cost £66k. Allowing this work to take place will mean the former leisure centre can be demolished and that the temporary structure (scaffold) can be purchased, maintained and monitored for a period of 5 years. There is no allowance within this sum for removal of the scaffold.
- 7.3 **Option 3:** Carry out work identified in the Purcell report as priority works (a) immediate works; (b) works necessary within 12 months. (total cost £145) Allowing this work more remedial work can take place and the former leisure centre can be demolished and that the temporary structure (scaffold) can be purchased, maintained and monitored for a period of 5 years. There is no allowance within this sum for removal of the scaffold. The (b) works carried will help to slow down the deterioration of the building.
- 7.4 **Option 4:** Carry out no works and let the structure erode. This has the potential for sections of the building to collapse. The remains of St James Church abut public highways on the West and North elevations. Dover District Councils structural engineer is currently carrying out two weekly inspections of the structure to monitor any movement. If no works are carried out it is believed that in the near future the Church would have to be fenced off to prevent access on the grounds of public safety, this may result in the need to close both the public highways.

8. Evaluation of Options

- 8.1 **Option 1** - this is the recommended option as it removes the immediate risk of falling masonry, protects the structure to allow the former leisure centre to be demolished (to allow the redevelopment of the site) and allows priority works (b) and (c) to take place within 6-9 months (of the protection being installed). These works will arrest further deterioration of this heritage asset, allowing time for a longer term solution to be found to conserve and enhance the church.
- 8.2 **Option 2** – this is not recommended as whilst it will allow for temporary protection of the structure (which in turn will allow the former leisure centre to be demolished) and for the immediate risks of falling masonry to be dealt with, it will not provide a long term solution for this heritage asset. Unless a longer term solution is found it means that scaffold will be in place for a number of years which will be detrimental to both the visual amenity of the area and the heritage asset itself.
- 8.3 **Option 3** – this is not recommended as whilst it will allow for temporary protection of the structure (which in turn will allow the former leisure centre to be demolished) and for the immediate risks of falling masonry to be dealt with, it will not provide a long term solution for this heritage asset. Unless a longer term solution is found it means that scaffold will be in place for a number of years which will be detrimental to both the visual amenity of the area and the heritage asset itself.
- 8.4 **Option 4** – this is not recommended. Although overall the structure of the church has been classified as being in fair condition, specific localised repairs have been identified as needing immediate work (these measures are now overdue). Further delaying such work is very likely to lead to acceleration in the rate of deterioration and much more significant cost in future years, it will also delay the demolition of the former leisure centre. Further, the structure abuts public highways on the West and North elevations and delaying work to stabilise the structure increase the risk of future falling masonry. This is deemed to be an unacceptable risk and could result in the closure of public highways.

9. Resource Implications

- 9.1 A total of £190k is required to carry out these works in full. A sum of £70k is included in the current MTFP for the purposes of investigating the nature of issues at St James Church, identifying measures to address these issues and implementing those measures. The release of the £70k would allow the temporary stability works to take place in order to allow the former leisure centre to be demolished. It is also proposed to use the £60k public realm works allocation to part fund the project. The additional requirement of £60k to increase the available budget to £190k is being put forward as a new funding bid for 20/21, however, this is subject to Cabinet/Council approval of the 2020/21 budget.

10. Corporate Implications

- 10.1 Comment from the Director of Finance (linked to the MTFP): Accountancy has been consulted and has no further comment. (DL)
- 10.2 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”. (HR)
- 10.3 Comment from the Equalities Officer: This report does not specifically highlight any equality implications however in discharging their duties 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>.

10.4 Other Officers (as appropriate):

11. Appendices

Appendix 1 – D R Nolan (Quantity Surveyor) report.

12. Background Papers

Purcell (Conservation Architect) report September 2018

Contact Officer: David Parish, Architectural Project Officer

D.R. NOLANS & CO

CHARTERED QUANTITY SURVEYORS

Cost Plan

for

Dover, St. James

for

Dover District Council

January 2019

D. R. Nolans & Co.,
Chartered Quantity Surveyors,
Unit 2 Abbeygate Court,
Stockett Lane,
Maidstone,
Kent, ME15 0PP

Dover, St James**Cost Plan**

	<u>Quantity</u>	<u>Unit</u>	<u>Rate</u>		<u>Total</u>	
				Priority A	Priority B	Priority C
Temporary & General Works						
Provision and installation of scaffold girdle to both sides of North Tower including bracing through window openings including protecting around openings - Scaffold to be purchased as not sure when latter phases of work will take place. NB this is erection only, dismantle will be an additional charge.	108	m2	50	5,400.00		
Add for 60 months of scaffold checks and minor maintenance say	60	No.	300	18,000.00		
Hoarding to base of last including all framing and decorations etc.	36	m2	75	2,700.00		
Provide and install timber propping to support high level window	1	No	1500	1,500.00		
Provisional allowance for removal of guano build up within opening to North Tower	1	No	300	300.00		
Undertake environmental clean to last area following removal of material	1	No	750	750.00		
Temporary screen installed behind gate to stop animal access to area	1	No	150	150.00		
Treat vegetation to all areas with plant/weed killer and remove vegetation to head of wall	1	No	200	200.00		
EO last for removing all vegetation to head of wall	1	No	550	550.00		
External Face of North Elevation: Proposed works (1/2)						
Consolidate loose stones as required and apply lime flaunching capping to wall head about 650 mm wide including building in isolated flints to gaps and ledges as required	10	m2	125	1,207.50		
Carefully take down where loose and rebuild high level masonry including bedding and pointing all as required leaving with secure fixing to existing	2	m2	350	700.00		

Carefully break out existing cementitious capping to head of wall	10	m2	30	289.80
Consolidate top of wall including taking down sections and rebuilding as required and generally infilling areas with isolated flints	18	m	100	1,795.00
Provide and install new green capping layer to head of wall comprising 2 layers commercial turf secured with hazel pegs and top layer of local turf including rolling round at edges	18	m	75	1,346.25
Re-point all loose and open joints, including deep pointing to voids.				
In areas up to 0.5m2	0	No	75	0.00
In areas up to 1m2	0	No	75	0.00
In areas exceeding 1m2	2	m2	100	150.00
<u>Rake out and re-point all loose and open joints generally to flint/stone walling</u>				
In areas up to 0.5m2	2	No	75	150.00
In areas up to 1m2	1	No	75	75.00
In areas exceeding 1m2	12	m2	100	1,182.00
<u>Replace missing / failed quoins and ashlar masonry</u>				
<u>Carefully cut away existing stone section and piece in new section of stone to match existing for average depth of 250 mm including all bedding and pointing and making good surrounding area generally (all items scaled from drawings, stones should be measured on site for firm prices.)</u>				
Stone size about 175 x 200 mm	1	No	175	175.00
Ditto but size about 250 x 425 mm	1	No	350	350.00
Ditto but size about 250 x 175 mm	1	No	190	190.00
Ditto but size about 275 x 300 mm	1	No	300	300.00
Ditto but to arched head of window size about 600 x 275 mm	1	No	450	450.00
Ditto but to arched head window jamb size about 200 x 400 mm	1	No	375	375.00

External Face of North Elevation: Condition Survey (2/2)

Consolidate loose stones as required and apply lime flaunching capping to wall head about 650 mm wide including building in isolated flints to gaps and ledges as required	9	m2	125	1,181.25
Carefully take down where loose and rebuild high level masonry including bedding and pointing all as required leaving with secure fixing to existing	0	m2	350	0.00
Carefully break out existing cementitious capping to head of wall	9	m2	30	283.50
Consolidate top of wall including taking down sections and rebuilding as required and generally infilling areas with isolated flints	14	m	100	1,350.00
Provide and install new green capping layer to head of wall comprising 2 layers commercial turf secured with hazel pegs and top layer of local turf including rolling round at edges	14	m	75	1,012.50
Take down isolated section of stone walling where becoming unstable including propping areas as required and rebuild area including existing stones including all bedding and pointing and building into existing as required	5	m2	350	1,827.00
Extra over last for providing new sections of stone as required	3	m2	200	522.00
Re-point all loose and open joints, including deep pointing to voids.				
In areas up to 0.5m2	0	No	75	0.00
In areas up to 1m2	0	No	75	0.00
In areas exceeding 1m2	0	m2	100	0.00
<u>Rake out and re-point all loose and open joints generally to flint/stone walling</u>				
In areas up to 0.5m2	2	No	75	150.00
In areas up to 1m2	0	No	75	0.00
In areas exceeding 1m2	23	m2	100	2,312.00

Replace missing / failed quoins and ashlar masonry

Carefully cut away existing stone section and piece in new section of stone to match existing for average depth of 250 mm including all bedding and pointing and making good surrounding area generally (all items scaled from drawings, stones should be measured on site for firm prices.)

Ditto but size about 200 x 200 mm	7	No	200		1,400.00
Ditto but size about 300 x 200 mm	3	No	275		825.00
Ditto but size about 275 x 150 mm	1	No	225		225.00
Ditto but size about 400 x 150 mm	3	No	275		825.00
Ditto but size about 550 x 150 mm	2	No	300		600.00
Ditto but size about 650 x 300 mm	1	No	385		385.00
Ditto but size about 625 x 200 mm	2	No	375		750.00
Ditto but size about 450 x 200 mm	7	No	300		2,100.00
Ditto but size about 800 x 300 mm	1	No	400		400.00
Ditto but size about 250 x 200 mm	1	No	225		225.00
Ditto but size about 1000 x 250 mm	1	No	600		600.00
Ditto but to arched head of window size about 400 x 200 mm	1	No	350		350.00
Clean out and repoint cracks to abutment of west elevation say	1	No	500	500.00	

Internal Face of North Elevation: Condition Survey (1/2)

Consolidate loose stones as required and apply lime flaunching capping to wall head about 650 mm wide including building in isolated flints to gaps and ledges as required	0	m2	75	0.00	
Carefully take down where loose and rebuild high level masonry including bedding and pointing all as required leaving with secure fixing to existing	0	m2	350	0.00	
Carefully break out existing cementitious capping to head of wall	0	m2	30		0.00
Consolidate top of wall including taking down sections and rebuilding as required and generally infilling areas with isolated flints	0	m	100		0.00
Provide and install new green capping layer to head of wall comprising 2 layers commercial turf secured with hazel pegs and top layer of local turf including rolling round at edges	0	m	75		0.00

Take down isolated section of stone walling where becoming unstable including propping areas as required and rebuild area including existing stones including all bedding and pointing and building into existing as required	8	m2	350	2,695.00
Extra over last for providing new sections of stone as required	4	m2	200	770.00

Re-point all loose and open joints, including deep pointing to voids.				
In areas up to 0.5m2	0	No	75	0.00
In areas up to 1m2	0	No	75	0.00
In areas exceeding 1m2	0	m2	100	0.00

<u>Rake out and re-point all loose and open joints generally to flint/stone walling</u>				
In areas up to 0.5m2	0	No	75	0.00
In areas up to 1m2	0	No	75	0.00
In areas exceeding 1m2	31	m2	100	3,119.50

Replace missing / failed quoins and ashlar masonry

Carefully cut away existing stone section and piece in new section of stone to match existing for average depth of 250 mm including all bedding and pointing and making good surrounding area generally (all items scaled from drawings, stones should be measured on site for firm prices.)

Ditto but size about 300 x 200 mm	1	No	225	225.00
Ditto but size about 500 x 175 mm	1	No	325	325.00
Ditto but size about 800 x 200 mm	1	No	375	375.00
Ditto but size about 400 x 200 mm	3	No	300	900.00
Ditto but size about 250 x 200 mm	1	No	225	225.00

Internal Face of North Elevation: Condition Survey (2/2)

Consolidate loose stones as required and apply lime flaunching capping to wall head about 650 mm wide including building in isolated flints to gaps and ledges as required	0	m2	75	0.00
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Carefully take down where loose and rebuild high level masonry including bedding and pointing all as required leaving with secure fixing to existing	0	m2	350	0.00
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Carefully break out existing cementitious capping to head of wall	0	m2	30	0.00
Consolidate top of wall including taking down sections and rebuilding as required and generally infilling areas with isolated flints	0	m	100	0.00
Provide and install new green capping layer to head of wall comprising 2 layers commercial turf secured with hazel pegs and top layer of local turf including rolling round at edges	0	m	75	0.00
Take down isolated section of stone walling where becoming unstable including propping areas as required and rebuild area including existing stones including all bedding and pointing and building into existing as required	1	m2	350	514.50
Extra over last for providing new sections of stone as required	0	m2	200	88.20
Re-point all loose and open joints, including deep pointing to voids.				
In areas up to 0.5m2	0	No	75	0.00
In areas up to 1m2	0	No	75	0.00
In areas exceeding 1m2	0	m2	100	0.00
<u>Rake out and re-point all loose and open joints generally to flint/stone walling</u>				
In areas up to 0.5m2		No	75	0.00
In areas up to 1m2	1	No	75	75.00
In areas exceeding 1m2	21	m2	100	2,100.00
<u>Replace missing / failed quoins and ashlar masonry</u>				
<u>Carefully cut away existing stone section and piece in new section of stone to match existing for average depth of 250 mm including all bedding and pointing and making good surrounding area generally (all items scaled from drawings, stones should be measured on site for firm prices.)</u>				
Stone size about 175 x 50 mm	1	No	150	150.00
Ditto but size about 200 x 30 mm	2	No	150	300.00
Ditto but size about 225 x 175 mm	1	No	200	200.00
Ditto but size about 275 x 325 mm	1	No	310	310.00
Ditto but size about 275 x 200 mm	5	No	225	1,125.00
Ditto but size about 700 x 100 mm	1	No	300	300.00
Ditto but size about 600 x 200 mm	1	No	350	350.00
Ditto but size about 800 x 300 mm	1	No	400	400.00
Ditto but size about 650 x 150 mm	1	No	300	300.00

Ditto but size about 450 x 275 mm	1	No	350	350.00
Ditto but size about 125 x 250 mm	1	No	200	200.00
Ditto but size about 250 x 200 mm	1	No	225	225.00
Ditto but size about 150 x 200 mm	1	No	200	200.00
Ditto but to arched head of window transom section with splayed sides size about 450 x 350 mm	1	No	400	400.00
Ditto but to arched head window jamb size about 150 x 300 mm	1	No	200	200.00
Provide mortar repair to cills to reweather external face overall size about 900 x 900 mm	2	No	50	100.00

External Face of West Elevation: Condition Survey

Consolidate top of wall including taking down sections and rebuilding as required and generally infilling areas with isolated flints	8	m	100	820.00
Provide and install new green capping layer to head of wall comprising 2 layers commercial turf secured with hazel pegs and top layer of local turf including rolling round at edges	8	m	75	615.00
Take down isolated section of stone walling where becoming unstable including propping areas as required and rebuild area including existing stones including all bedding and pointing and building into existing as required	7	m2	350	2,607.50
Extra over last for providing new sections of stone as required	4	m2	200	745.00
<u>Rake out and re-point all loose and open joints generally to flint/stone walling</u>				
In areas up to 0.5m2	0	No	75	0.00
In areas up to 1m2	0	No	75	0.00
In areas exceeding 1m2	22	m2	100	2,245.70
Clean out and repoint cracks to abutment of west/East elevation say	2	No	500	1,000.00
Undertake structural repairs to West elevation say	1	No	2500	2,500.00
Provisional allowance for consolidating West Portal	1	No	2500	2,500.00

Total for Phases B & C 153,114.78

Add to last for inflation at 35% {BCIS Indices}
(works likely to be undertaken in 3rd QTR 2024) 53,590.17

£ 206,704.95

Dover, St James**Estimate for High Priority Works**

	£	£
Temporary and General Works	29,600	
External Face of North Elevation (1/2)	1,900	
External Face of North Elevation (2/2)	1,200	
Internal Face of North Elevation (1/2) {Priority B & C works only}	0	
Internal Face of North Elevation (2/2) {Priority B & C works only}	<u>0</u>	
		32,700
Access		6,750
Preliminaries and Protection		<u>5,900</u>
		45,350
Add for Overheads and Profit		<u>6,800</u>
		52,150
Add for Contingencies		<u>7,823</u>
Total Cost of High Priority Works	£	<u><u>59,973</u></u>

Further funds required to undertake remaining works as detailed in main estimate. This includes allowance for inflation to 2024.

206,705

Dover, St James

Cost Plan

Notes and Explanations

The estimated costs for the building works are based on the drawings prepared by Purcell and following a visit to the site

The allowance for the scaffolding costs to the North Tower are estimates for the purchase, erection and maintenance. No allowance has been included in these costs for the dismantling of this. We would advise obtaining competitive quotations from multiple providers before proceeding with this work.

An allowance for inflation has been estimated for the priority B & C works until 3rd QTR 2024 within these costs. This has been based on information provided by the BCIS. This shows forecast information up until, but no further than, 3rd QTR 2023. This indicates an increase in tender prices from 3rd QTR 2019 of 29%. Years 2022 and 2023 show an increase per annum of 6%. As such this has been added to the 29% forecast increase to 3rd QTR 2023 to provide a forecast until the client requested time of 2024. No further inflationary allowances have been included.

No allowance has been included in these costs for Professional fees and these should be included in any overall budget costs for the project.

No allowance has been made in these costs for any local authority/planning fees or the like.

These costs do not include for VAT.

Subject:	REVIEW OF OUTSIDE BODY APPOINTMENTS
Meeting and Date:	Cabinet – 7 October 2019
Report of:	Louise May, Head of Governance
Portfolio Holder:	Councillor Keith Morris, Leader of the Council
Decision Type:	Non-Key
Classification:	Unrestricted

Purpose of the report: At its meeting held on 3 June 2019, Cabinet requested that a review be undertaken of the Council's appointments to outside bodies following a reduction in Member numbers from 45 to 32.

Recommendation: To review the outside bodies detailed at Appendix 1 and, taking into account the comments made by the bodies, determine which, if any, appointments should be withdrawn or, where applicable, the number of appointees reduced.

1. Summary

1.1 Following a reduction in Member numbers from 45 to 32 in May 2019, Cabinet requested that a review be carried out of the appointments made by Cabinet to 28 outside bodies. The purpose of the review was to establish whether the Council's appointees were still required and, in the case of those organisations with more than one representative, whether a reduction in the number of appointees could be considered. Following discussions with the Leader of the Council, it was agreed that the review would not include bodies of a nationally or regionally strategic nature (as listed at paragraph 2.7).

2. Introduction and Background

2.1 A reduction in the number of elected Members (from 45 down to 32) came into effect at the local elections on 2 May 2019 as a result of a Local Government Boundary Commission review which re-drew ward boundaries across the district. This reduction in Member numbers has led to difficulties in filling the 35+ appointments made annually (in most cases) by Cabinet to a range of outside bodies, around half of which fulfil a community role. Cabinet therefore requested a review of these appointments at its meeting held on 3 June 2019 in order to clarify the role of our appointees and to establish whether they are appointments that are still of relevance and beneficial to both parties (Cabinet decision CAB 12 (b)).

2.2 Some of the appointments fulfilling a community role, particularly those made to local charities, are historic and the rationale or purpose behind them is now rather obscure. With this in mind, the outside bodies were contacted and asked to clarify the role of our Members (or other persons), what benefits they brought to the organisation and the implications (if any) of our appointees being reduced or withdrawn altogether. The organisations' comments have been summarised at Appendix 1 to this report, and a recommendation made for each body.

2.3 It should be noted that members of the public, rather than Members, are appointed to some bodies (i.e. Dover Bronze Age Boat Trust, Mary Hougham Almshouses, Municipal Charities of Dover and the Sandwich Port and Haven Commission).

- 2.4 It is recommended that, with effect from May 2020, the nomination of Dr Andrew Richardson to the Dover Bronze Age Boat Trust be withdrawn, and the number of appointees to Mary Hougham Almshouses be reduced from three to one. Whilst Dr Richardson's longstanding service to the Bronze Age Boat Trust is fully recognised, he is the sole appointee and no longer an elected Member. Rather than using the Council's nomination to appoint an elected Member in future (who would not have the experience and professional expertise of Dr Richardson), the recommendation is to stop making a nomination to the Trust once Dr Richardson's appointment expires next May. This is on the basis that Dr Richardson can continue as a trustee/director by being co-opted by the other trustees (or by the Trust making other arrangements, such as amending its constitution). In the case of Mary Hougham Almshouses, it is understood that Adrian Friend, a longstanding trustee, can be co-opted on to the charity so that he can continue to serve as a trustee after May 2020.
- 2.5 It is also recommended that the number of appointments to the Dover, Deal and District Citizens' Advice Bureau (CAB) be reduced from two to one as it is considered that one Member appointee is sufficient to provide the link and input that the CAB seeks.
- 2.6 If it is agreed that changes should be made, Cabinet has the option of replacing some Member appointees with Officers. Generally, this will only be appropriate where the Council is a member of the body itself and the appointee is on the body to represent the Council as part of his/her employment. It should be borne in mind that, depending on the terms and conditions upon which individuals are employed, it may be necessary to seek a variation to their contracts of employment. The terms and conditions upon which Officers are employed are not an executive function and, as such, are not matters for the Cabinet. Any Officer appointments would therefore be subject to the Chief Executive (as Head of Paid Service) being able to secure any necessary variations to Officers' contracts of employment.
- 2.7 For clarity, the following outside bodies have not been included in this review due to their strategic nature or, in the case of the Sandwich Port and Haven Commission, because legislation requires the Council to appoint persons to them. The table below indicates whether the Council is an official partner/member of the organisation and, where applicable, whether it gives funding to the body.

Action with Communities in Rural Kent <i>(DDC is a member of ACRK and gives funding of £3,500 p.a.)</i>	Kent Downs AONB Joint Advisory Committee <i>(DDC is a member of the JAC)</i>
Deal & Sandwich Coastal Community Team <i>(DDC is the 'accountable' body for administering government grant funding)</i>	Local Government Association – General Assembly <i>(Strategic)</i>
Dover Coastal Community Team <i>(DDC is the 'accountable' body for administering government</i>	PATROL (formerly National Parking Adjudication Service) <i>(DDC is a member authority)</i>

<i>grant funding)</i>	
East Kent Spatial Development Co <i>(DDC is a member of the company)</i>	Police and Crime Panel for Kent <i>(Strategic)</i>
Industrial Communities Alliance <i>(Strategic)</i>	River Stour (Kent) Internal Drainage Board <i>(DDC is a Board Member)</i>
Kent Forum <i>(Strategic)</i>	Sandwich Port & Haven Commission <i>(Legislation – The Sandwich Port & Haven Commissioners (Constitution) Revision Order 1976)</i>
Local Enterprise Partnership Board & Executive <i>(Strategic)</i>	Sandwich & Pegwell Bay National Nature Reserve Steering Group <i>(DDC is a ‘declaring authority’)</i>
South East England Councils <i>(Strategic)</i>	Tourism South East <i>(Strategic)</i>

3. Identification of Options

- 3.1 Option 1 - To approve the removal of DDC’s Member (or other persons) appointees (or a reduction, where appropriate) from the outside bodies identified in Appendix 1, as recommended.
- 3.2 Option 2 – Cabinet to determine changes, as it sees fit, to the number of Members (or other persons) appointed to the outside bodies detailed in Appendix 1.
- 3.3 Option 3 – To maintain the status quo.

4. Evaluation of Options

- 4.1 Option 1 would alleviate the difficulties encountered by Cabinet in appointing Members (and other persons) to outside bodies fulfilling a community role. This option is recommended.
- 4.2 Option 2 would potentially achieve the same outcome as Option 1, depending on how many withdrawals or reductions Cabinet decides to make.
- 4.3 Option 3 would not alleviate the problem in finding Members to serve on outside bodies and is not therefore recommended.

5. **Resource Implications**

- 5.1 Member appointees are entitled to claim the appropriate levels of travel and subsistence allowance for performing outside body duties. However, many do not do so and the savings that would be achieved through a reduction in Member appointments would be negligible. That said, there may be offsetting costs due to appointed Officers claiming travel expenses. Members (and other persons) serving as charity trustees are not permitted to claim expenses from the Council so a reduction in charity appointments would not realise any savings for the Council.

6. **Corporate Implications**

- 6.1 Comment from the Section 151 Officer: Accountancy has been consulted and has no further comments to make.
- 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 equality implications, however, in discharging their duties, 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): None.

7. **Appendices**

Appendix 1 – Outside Bodies’ Responses and Recommendations

8. **Background Papers**

Democratic Services’ Outside Bodies files

Contact Officer: Kate Batty-Smith, Democratic Services Officer – 01304 872303

Name of Body	Number of Members Appointed and Time Commitment	Comments Made by Body	Recommendation
Age Concern Deal (Liaison Committee)	One (<i>Cllr D Murphy</i>) 2 meetings p.a.	Understand pressures on Members and happy for appointee to be removed.	To not re-appoint Member representative in May 2020
Aylesham & District Workshop Trust	One (<i>Cllr P Walker</i>) 9 meetings p.a.	The Trust has played a pivotal role in regenerating and developing the business infrastructure of Aylesham, providing employment for over 200 local people. Its business model and mentoring service is nationally recognised. The Trust helps a wide range of local businesses and community groups, providing grants and practical support.	Continue to appoint Member
Deal Fairtrade Steering Group	One (<i>Cllr T Bartlett</i>)	Having a DDC Member offers a wider perspective across the District which helps our Town group (which can have a view that can be slightly parochial) to see how our activities fit in. Whilst Fairtrade award FT status town by town, we work closely with the Dover FT network to strengthen and enhance our activities and we value the input of your Member in this.	Continue to appoint Member
Dover Bronze Age Boat Trust	One (<i>Dr Andrew Richardson</i>) 3-6 meetings of 2 hours on ad hoc basis p.a.	There has been a DDC appointee on the Trust since its formation in 1994. As an archaeologist, Dr Andrew Richardson brings 'added value' and his skills and contributions would be sorely missed.	To not re-appoint in May 2020 (on the basis that Dr Richardson can be co-opted or appointed by other means post May)
Dover, Deal & District Citizens' Advice Bureau (Received funding of £105,000 + £3,500 as service charge contribution in 2019/20)	Two (<i>Cllrs MJ Holloway and C Vinson</i>) 3 hours per month and any voluntary input desired	Having DDC appointees on the Board is essential and losing the Members would impact heavily on the CAB's service. It ensures clarity from both sides, highlights issues before they become unmanageable and provides an invaluable link between DDC as funders and the CAB. The CAB works in a challenging field and having	Reduce to one Member with effect from May 2020

		direct input from councillors is essential to ensure a good and holistic client journey. Questions can be quickly answered, misinformation quickly amended. The CAB could accept a reduction to one representative but the future of the service it offers to the community depends on trust and support from all of the Council.	
Dover District Volunteer Centre (now known as Kent Coast Volunteering)	One (<i>Cllr MJ Holloway</i>) 5 meetings of 1½ hrs p.a. + AGM	Merged with two other centres on 1 October 2018 and became Kent Coast Volunteering (KCV). KCV enjoys an excellent relationship with the Council's Community Engagement team who keep KCV up to date with funding and other opportunities in the district, as well as promoting KCV's services (undoubtedly the main benefit for KCV in having DDC representation). As long as KCV is able to maintain its excellent relationship with DDC, direct representation is not essential and completely understand if DDC's other priorities lead the Member representative to be withdrawn.	To not re-appoint Member representative in May 2020
Dover Fairtrade Steering Group	One (<i>Cllr D Hannent</i>) Meetings every two months approx	The decision to appoint Members to both Fairtrade Steering Groups was to show support for Fairtrade. Cllr Hannent is currently chairman of the Group and plays an active part.	Continue to appoint Member
Kent County Playing Fields Association	One (<i>Cllr T Bond</i>) 2 meetings p.a.	Local Members are able to advise of need for KCPFA's services amongst sporting and voluntary organisations in their district. Charity provides support at a grass-roots level to clubs, play-grounds and individuals across Kent, providing grant finance and occasional loans with nearly a 100% success rate. DDC's participation is important to the KCPFA as it gives the charity a local presence.	Continue to appoint Member

<p>Mary Hougham Almshouses</p>	<p>Three (<i>Councillors J Rose, P Jull & Mr Adrian Friend</i>)</p> <p>3-4 meetings of 2½ hours p.a. plus ad hoc meetings</p>	<p>The charity is expanding and taking on more units of accommodation. Council-appointed trustees are an invaluable resource because of their knowledge of the planning process, Section 106 rules, funding, etc. The charity would be disadvantaged at the present time if this skills base were lost. Have struggled to recruit co-opted trustees. If there's to be a reduction in DDC's nominated trustees, would welcome ample notice in order to change the charity's administrative rules.</p>	<p>Reduce to one Member with effect from May 2020 (on the basis that the other trustees can be co-opted post May)</p>
<p>Municipal Charities of Dover</p>	<p>Five (<i>Mrs Pauline Beresford, Mrs Sue Nicholas, Mrs Ann Napier, Cllr R Walkden & Mrs Anne Jenner</i>)</p> <p>4 trustee and 4 committee meetings p.a.</p>	<p>Nominees must be resident within the area of benefit (the old borough of Dover and surrounding parishes) so this adds additional difficulty in identifying suitable trustees. A significant reduction in number might, from the charity's experience, affect ability of trustees to hold quorate meetings (11 trustees in total). A reduction also means it is likely that the charity would need to approach the Charity Commission to seek to alter its constitution regarding the appointment of trustees. Would like to make a case for retaining Council nominees in recognition of the important contribution made by the charity to the provision of accommodation in the district.</p>	<p>Continue to make nominations (with the expectation that, in future, the charity will endeavour to put names forward for non-Member nominations)</p>
<p>River Dour Partnership</p>	<p>One (<i>Cllr N Collor</i>)</p> <p>2 meetings of up to 2 hours p.a.</p>	<p>The Partnership values direct access to a Member. White Cliffs Countryside Partnership staff are involved but a political voice brings a further, more strategic dimension. The Dour is one of Dover's prime assets with enormous potential waiting to be unlocked. Councillor Collor has the knowledge to provide sound advice on the best ways to further the Partnership's</p>	<p>Continue to appoint Member</p>

		work in realising this potential in a way that best coordinates with the District's thinking.	
St Edmund of Abingdon Memorial Trust	One (<i>Cllr N Collor</i>) 1 meeting p.a. and voluntary attendance at occasional chapel services	Whilst the trust recognises need for a review, would welcome continued participation from DDC Member. The value of the appointment depends on the Member and their level of interest in preserving Dover's second oldest historic building.	Continue to appoint Member

DOVER DISTRICT COUNCIL

NON-KEY DECISION

EXECUTIVE

CABINET – 7 OCTOBER 2019

EXCLUSION OF THE PRESS AND PUBLIC

Recommendation

That, in accordance with the provisions of the Local Authorities (Executive Arrangements) (Access to Information) (England) Regulations 2000, the public be excluded from the remainder of the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in the paragraph of Schedule 12A of the 1972 Act set out below:

<u>Item Report</u>	<u>Paragraph Exempt</u>	<u>Reason</u>
Kearsney Parks – Café Provision	3	Information relating to the financial or business affairs of any particular person (including the authority holding that information)