

Record of the decisions of the meeting of the **CABINET** held at the Council Offices, Whitfield on Monday, 13 January 2020 at 11.00 am.

Present:

Chairman: Councillor T J Bartlett

Councillors: N J Collor
M J Holloway
N S Kenton
S C Manion
D P Murphy
O C de R Richardson

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

Officers: Chief Executive
Strategic Director (Corporate Resources)
Strategic Director (Operations and Commercial)
Head of Commercial Services
Head of Finance and Housing
Head of Governance
Transport and Parking Services Manager
Principal Policy Planner
Accountancy Apprentice
Democratic Services Officer

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

Record of Decisions: Executive Functions

Decision Status	Record of Decision	Alternative options considered and rejected (if any)	Reasons for Decision	Conflicts of interest (if any) declared by decision maker(s) or consultees (if any)
CAB 104 13.1.20 Open Key Decisions No Call-in to apply Yes Implementation Date 21 January 2020	<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 105 13.1.20 Open Key Decisions No Call-in to apply Yes Implementation Date 21 January 2020	<u>DECLARATIONS OF INTEREST</u> Councillor S C Manion declared an Other Significant Interest in Agenda Item 4e (Adoption of Upper Deal Conservation Area Character Appraisal) by reason that he was a church warden at St Leonard's Church which fell within the conservation area.	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 106 13.1.20 Open</p> <p>Key Decisions No</p> <p>Call-in to apply Yes</p> <p>Implementation Date 21 January 2020</p>	<p><u>RECORD OF DECISIONS</u></p> <p>It was agreed that the decisions of the meeting held on 2 December 2019, as detailed in decision numbers CAB 90 to CAB 103, 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 2 December 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 107 13.1.20 Open</p> <p>Key Decisions Yes</p> <p>Call-in to apply (a) Yes (b) No</p> <p>Implementation Date (a) 21 January 2020</p>	<p><u>COUNCIL TAX SUPPORT SCHEME 2020/21</u></p> <p>(a) It was agreed that the Overview and Scrutiny Committee's endorsement of Cabinet decision CAB 102, made at its meeting held on 9 December 2019 (Minute No 73), be acknowledged.</p> <p>(b) It was agreed to recommend to Council that further amendment be made to the 2020/21 Council Tax Support Scheme to reflect the latest increases in the National Living Wage (and that the Strategic Director (Corporate Resources) be delegated to make the necessary changes, in consultation with the Portfolio Holder for Finance and Governance, to the report to be presented to Council on 29 January 2020).</p>	<p>None.</p>	<p>The Overview and Scrutiny Committee, at its meeting held on 9 December 2019, endorsed Cabinet decision CAB 102.</p> <p>Cabinet agreed that the report to full Council on 29 January 2020 should be updated to reflect recent increases in the</p>	

(b) 30 January 2020			National Living Wage.	
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 108 13.1.20 Open Key Decisions Yes Call-in to apply Yes Implementation Date 21 January 2020	<u>LOCAL DEVELOPMENT SCHEME</u> It was agreed: (a) That the Overview and Scrutiny Committee's recommendation (b), made at its meeting held on 9 December 2019 (Minute No 75), be accepted, as follows: (b) That, prior to the town and parish councils being briefed on the proposed site allocations and the Local Plan Project Advisory Group making its final recommendations on the final 'RAG' (Red, Amber, Green) status of sites, a series of three informal briefing meetings, structured by area, be held for Members. (b) That Cabinet decision CAB 100 be reaffirmed.	None.	The Overview and Scrutiny Committee, at its meeting held on 9 December 2019, endorsed Cabinet decision CAB 100 and made an additional recommendation.	
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 109 13.1.20 Open Key Decisions Yes	<u>PUBLIC REALM IMPROVEMENTS PROJECT - MARKET SQUARE, DOVER</u> It was agreed: (a) That the Overview and Scrutiny Committee's endorsement of	None.	The Overview and Scrutiny Committee, at its meeting held on 9 December 2019, endorsed Cabinet	

<p>Call-in to apply Yes</p> <p>Implementation Date 21 January 2020</p>	<p>Cabinet decision CAB 101, made at its meeting held on 9 December 2019 (Minute No 76), be acknowledged.</p> <p>(b) That Cabinet decision CAB 101 be reaffirmed.</p>		<p>decision CAB 101 of 2 December 2019.</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 110 13.1.20 Open</p> <p>Key Decisions Yes</p> <p>Call-in to apply Yes</p> <p>Implementation Date 21 January 2020</p>	<p><u>ADOPTION OF VICTORIA ROAD AND WELLINGTON ROAD CONSERVATION AREA CHARACTER APPRAISAL</u></p> <p>It was agreed:</p> <p>(a) That the Overview and Scrutiny Committee's endorsement of Cabinet decision CAB 97, made at its meeting held on 9 December 2019 (Minute No 77), be acknowledged.</p> <p>(b) That Cabinet decision CAB 97 be reaffirmed.</p> <p>(c) That, at the suggestion of the Portfolio Holder for Planning and Regulatory Services, guidelines should be developed to give greater weight to policies to address climate change issues.</p>	<p>None.</p>	<p>The Overview and Scrutiny Committee, at its meeting held on 9 December 2019, endorsed Cabinet decision CAB 97.</p> <p>Cabinet agreed that CAB 97 (c) was unlikely to achieve what was desired and that further clarification on guidelines was therefore necessary.</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 111</p>	<p><u>ADOPTION OF UPPER DEAL CONSERVATION AREA CHARACTER</u></p>	<p>None.</p>	<p>The Overview and</p>	<p>Councillor S C</p>

<p>13.1.20 Open</p> <p>Key Decisions Yes</p> <p>Call-in to apply Yes</p> <p>Implementation Date 21 January 2020</p>	<p><u>APPRAISAL</u></p> <p>It was agreed:</p> <p>(a) That the Overview and Scrutiny Committee's endorsement of Cabinet decision CAB 98, made at its meeting held on 9 December 2019 (Minute No 78), be acknowledged.</p> <p>(b) That Cabinet decision CAB 98 be reaffirmed.</p> <p>(c) That, at the suggestion of the Portfolio Holder for Planning and Regulatory Services, guidelines should be developed to give greater weight to policies to address climate change issues.</p>		<p>Scrutiny Committee, at its meeting held on 9 December 2019, endorsed Cabinet decision CAB 98.</p> <p>Cabinet agreed that CAB 98 (c) was unlikely to achieve what was desired and that further clarification on guidelines was therefore necessary.</p>	<p>Manion declared an Other Significant Interest by reason that he was a church warden at St Leonard's Church which fell within the conservation area, and withdrew from the Chamber during consideration of this item.</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 112 13.1.20 Open</p> <p>Key Decisions Yes</p> <p>Call-in to apply Yes</p> <p>Implementation Date 21 January 2020</p>	<p><u>REVIEW OF ON AND OFF-STREET PARKING CHARGES</u></p> <p>It was agreed:</p> <p>(a) That the outcome of the annual review of parking charges be noted.</p> <p>(b) That the proposed charges, as set out at Appendix 1 to the report, and the publication of the required Notice of Variation in respect of Off-Street Parking Places, be approved.</p> <p>(c) That the maximum stay in Pencester, Stanhope and South Street car parks be increased in accordance with Appendix 1 to the report.</p>	<p>Not to defer a decision on the arrangements for rural car parks</p>	<p>It was agreed in 2011 that the Council's on-street and off-street parking charges should be reviewed annually. Cabinet is asked to note the outcome of this year's review and agree the proposed changes.</p>	

	<p>(d) That three additional parking permits be introduced, as set out at Appendix 1 to the report.</p> <p>(e) That free parking be introduced in Albany Place car park, Dover, as set out at Appendix 1 to the report.</p> <p>(f) That the charging period for St Margaret's car park be extended, as set out at Appendix 1 to the report.</p> <p>(g) That, noting the issues outlined in the report regarding the management of rural car parks and the potential benefits of introducing limited controls, the decision on the precise arrangements (if any) within each car park be deferred to allow detailed engagement with each parish council.</p> <p>(h) That the removal of Deal seafront as a parking option from the Deal resident permits scheme, as detailed in the report, be approved.</p> <p>(i) That the Transport and Parking Services Manager be authorised to take all necessary legal and procedural processes to give effect to recommendations (b) to (f) and (h), including the publication of the necessary notices of proposal and the making or amendment of any orders under the Road Traffic Regulation Act 1984.</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 113 13.1.20 Open</p> <p>Key Decisions Yes</p>	<p><u>FEES AND CHARGES 2020/21</u></p> <p>It was agreed:</p> <p>(a) That the fees and charges for 2020/21, as set out at Appendices 2.1 to 2.9 and 5.1 and 5.3, be approved.</p>	<p>None.</p>	<p>The Council's Constitution stipulates that the Council's fees and charges should be reviewed annually.</p>	

<p>Call-in to apply Yes</p> <p>Implementation Date 21 January 2020</p>	<p>(b) That any fees and charges will be adjusted by Strategic Directors, in consultation with Portfolio Holders, to comply with any subsequently received government guidelines (when they are received) and any other minor changes without being the subject of a further report unless they are materially different from current charges or have a material impact on the level of income.</p> <p>(c) That the general principle that fees are set at an appropriate inclusive level, irrespective of VAT status, and that the VAT element within the overall fee level is then determined, be approved.</p> <p>(d) That the fees and charges approved separately by the Licensing and Regulatory Committees, as set out at Appendices 3 and 4 of the report, be noted.</p>		<p>Cabinet is now required to set the level of these for 2020/21.</p>	
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<p>CAB 114 13.1.20 Open</p> <p>Key Decisions No</p> <p>Call-in to apply Yes</p> <p>Implementation Date 21 January 2020</p>	<p><u>TREASURY MANAGEMENT - QUARTER TWO REPORT 2019/20</u></p> <p>It was agreed that the report be noted.</p>	<p>None.</p>	<p>In order to comply with CIPFA's (Chartered Institute of Public Finance and Accountancy) Code of Practice for Treasury Management, Cabinet is updated on the Council's treasury management activities at least</p>	

			twice yearly. The report provides Cabinet with details of activities for the quarter ending 30 September 2019.	
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CAB 115 13.1.20 Open Key Decisions No Call-in to apply Yes Implementation Date 21 January 2020	<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 116 13.1.20 Exempt Key Decisions Yes	<u>AWARD OF THREE-YEAR FLAT ROOFING CONTRACT</u> It was agreed: (a) That acceptance of the formal tender submitted by Premier Roofing and Construction Limited be approved.	None.	There is currently no contract for flat roofing works or replacements to Dover's housing stock. Following a joint procurement	

<p>Call-in to apply Yes</p> <p>Implementation Date 21 January 2020</p>	<p>(b) That, subject to the 30-day notice period required by Section 20 of the Landlord and Tenant Act 1985 and the Service Charges (Consultation Requirements) (England) Regulations 2003, the formal contract with Premier Roofing and Construction Limited be approved.</p> <p>(c) That the functions of having regard to observations in relation to proposals to award a long-term agreement, as required by Section 20 of the Landlord and Tenant Act 1985 and the Service Charges (Consultation Requirements) (England) Regulations 2003, and confirming the award of the contract (or reporting further to Cabinet, as she considers appropriate), be delegated to the Head of Finance and Housing.</p>		<p>process initiated by East Kent Housing, ten valid bids were received, and Cabinet is requested to award the contract for three years (with a possibility to extend for a further two years).</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 117 13.1.20 Exempt</p> <p>Key Decisions Yes</p> <p>Call-in to apply Yes</p> <p>Implementation Date 21 January 2020</p>	<p><u>ONE-YEAR EXTENSION TO WINDOWS AND DOORS REPLACEMENT CONTRACT</u></p> <p>It was agreed:</p> <p>(a) That, subject to the approval of the Monitoring Officer and the Section 151 Officer in accordance with Contract Standing Order 14.2.3, and the 30-day notice period required by Section 20 of the Landlord and Tenant Act 1985 and the Service Charges (Consultation Requirements) (England) Regulations 2003, the extension of the existing term maintenance contract with Wrekin Windows for the period of one year be approved.</p> <p>(b) That the functions of having regard to observations in relation to proposals to award a long-term agreement, as required by Section 20 of the Landlord and Tenant Act 1985 and the Service</p>	<p>None.</p>	<p>Cabinet is requested to agree that the existing three-year contract with Wrekin Windows for the replacement of windows and doors in the Council's housing stock be extended for a further year, as provided for in the original contract.</p>	

	Charges (Consultation Requirements) (England) Regulations 2003, and confirming the award of the contract (or reporting further to Cabinet, as she considers appropriate), be delegated to the Head of Finance and Housing.			
Decision Status	Record of Decision	Alternative options considered and rejected (if any)	Reasons for Decision	Conflicts of interest (if any) declared by decision maker(s) or consultees (if any)
CAB 118 13.1.20 Exempt Key Decisions Yes Call-in to apply Yes Implementation Date 21 January 2020	<u>EXTENSION OF CONTRACT FOR MAINTENANCE OF COUNCIL HOUSING STOCK</u> It was agreed: (a) That, subject to the approval of the Monitoring Officer and the Section 151 Officer, in accordance with Contract Standing Order 14.2.3, a 5-year extension of the existing term maintenance contract with Mears Ltd be approved. (b) That, subject to the approval of the Monitoring Officer and the Section 151 Officer, a variation in the terms of the contract that allows termination by either party with 12 months' notice at the end of year 2 or any time thereafter be approved.	None.	The existing maintenance contract for the Council's housing stock will expire on 31 March 2020. The current contract with Mears Ltd provides for one further extension of five years. Cabinet is requested to agree an extension and a break clause at the end of year two with 12 months' notice.	

The meeting ended at 11.22 am.