

Public Document Pack



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9 July 2021

Dear Councillor

NOTICE IS HEREBY GIVEN THAT a Special meeting of the **CABINET** will be held at these offices (Council Chamber) on Monday 19 July 2021 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, Democratic Services Officer on (01304) 872303 or by e-mail at democraticservices@dover.gov.uk.

Yours sincerely

A handwritten signature in black ink, appearing to read "Nicky", written over a white background.

Chief Executive

Cabinet Membership:

T J Bartlett	Leader of the Council
M Bates	Portfolio Holder for Transport, Licensing and Regulatory Services
N S Kenton	Portfolio Holder for Planning and Environment
D P Murphy	Portfolio Holder for Social Housing and Port Health
O C de R Richardson	Deputy Leader of the Council and Portfolio Holder for Community and Corporate Property
C A Vinson	Portfolio Holder for Finance, Governance, Digital and Climate Change

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 **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 Release of Section 106 Monies from Aylesham Development for Recruitment of Grounds Maintenance Staff and Procurement of Equipment (Page 5)

(In accordance with the provisions of Section 100(B)(4)(b), the Chairman agreed that this item, which was not detailed on the agenda, should be considered as a matter of urgency in order to resolve the confusion surrounding Cabinet's decision)

EXECUTIVE - KEY DECISIONS

4 **FUTURE HIGH STREETS FUND**

To consider the report of the Strategic Director (Operations and Commercial) (to follow).

Responsibility: Portfolio Holder for Community and Corporate Property

EXECUTIVE - NON-KEY DECISIONS

5 **ELECTRIC HEATING AND PHOTO-VOLTAIC INSTALLATIONS AT AFFORDABLE HOUSING DEVELOPMENTS AT KIMBERLEY CLOSE, DOVER AND STOCKDALE GARDENS, DEAL**

To consider the report of the Head of Housing and Investment (to follow).

Responsibility: Portfolio Holder for Social Housing and Port Health

6 **EXCLUSION OF THE PRESS AND PUBLIC** (Page 6)

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

BUDGET AND POLICY FRAMEWORK - KEY DECISIONS

7 **MARKET SQUARE PROJECT**

To consider the report of the Strategic Director (Operations and Commercial) (to follow).

Responsibility: Portfolio Holder for Community and Corporate Property

EXECUTIVE - NON-KEY DECISIONS

8 INDEMNIFICATION OF LEADER OF THE COUNCIL IN RESPECT OF APPLICATION FOR JUDICIAL REVIEW - LAND NORTH-WEST OF PEGASUS, LONDON ROAD, SHOLDEN

To consider the report of the Heads of Governance and Planning, Regeneration and Development (to follow).

Responsibility: Portfolio Holders for Finance, Governance, Digital and Climate Change & Planning and Environment

(In accordance with the provisions of Section 100(B)(4)(b), the Chairman agreed that this item, which was not detailed on the agenda, should be considered as a matter of urgency. The Council needs to file a claim in respect of a planning decision without further delay, and the matter cannot wait until the next scheduled meeting of Cabinet in September)

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, democraticservices@dover.gov.uk, 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.

ISSUES ARISING FROM OVERVIEW AND SCRUTINY OR OTHER COMMITTEES

RELEASE OF AYLESHAM SECTION 106 MONIES FOR RECRUITMENT OF GROUNDS MAINTENANCE STAFF AND PROCUREMENT OF EQUIPMENT

Responsibility: Portfolio Holder for Community and Corporate Property

Report of: Strategic Director (Operations and Commercial)

Decision Route

Cabinet	5 July 2021	CAB 15
Overview and Scrutiny Committee	12 July 2021	Minute No 36
Special Cabinet	19 July 2021	

Overview and Scrutiny Committee Recommendations

The Overview and Scrutiny Committee, at its meeting held on 12 July 2021, considered Cabinet decision CAB 15 and made the following recommendation:

That it be recommended to Cabinet that the decision of Cabinet taken on 5 July 2021 under CAB 15 should not be implemented until Cabinet has received a further report which clearly identifies both the geographic areas within the district in which the new resources are to be deployed and appropriate means of financing the new resources, having regard to the principle that Section 106 monies received for the maintenance of the public realm in Aylesham cannot be used to defray expenditure incurred on grounds maintenance elsewhere in the district.

DOVER DISTRICT COUNCIL

NON-KEY DECISION

EXECUTIVE

SPECIAL CABINET – 19 JULY 2021

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 item of business on the grounds that it involves 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>
Market Square Project	3	Information relating to the financial or business affairs of any particular person (including the authority holding that information)
Indemnification of Leader of the Council in Respect of Application for Judicial Review – Land to North-West of Pegasus, London Road, Sholden	5	Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings