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17 February 2023

Dear Councillor

NOTICE IS HEREBY GIVEN THAT a meeting of the **CABINET** will be held at these offices (Council Chamber) on Monday 27 February 2023 at 11.00 am when the following business will be transacted.

Members of the public who require further information are asked to contact Democratic Services on (01304) 872303 or by e-mail at democraticservices@dover.gov.uk.

Yours sincerely

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, Port Health, Skills and Education
O C de R Richardson	Deputy Leader of the Council & 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 **RECORD OF DECISIONS** (Pages 5-15)

The decisions of the meeting of the Cabinet held on 6 February 2023 numbered CAB 80 to CAB 90 (inclusive) are attached.

4 **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 Council Budget 2023/24 and Medium-Term Financial Plan 2023/24-2026/27

To consider the recommendation from the Overview and Scrutiny Committee (to follow).

BUDGET AND POLICY FRAMEWORK - KEY DECISIONS

5 **COUNCIL BUDGET 2023/24 AND MEDIUM-TERM FINANCIAL PLAN 2023/24-2026/27**

To consider the report of the Strategic Director (Finance and Housing) (to follow).

Responsibility: Portfolio Holder for Finance, Governance, Digital and Climate Change

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 step free access via the Council Chamber entrance and an accessible toilet is available in the foyer. In addition, there is a PA system and hearing loop within the Council Chamber.
- In order to facilitate the broadcast of meetings there have been cameras set up in the Council Chamber that communicate with Microsoft Teams Live. This enables meetings held in the Council Chamber to be broadcast for public viewing through the Council's website.
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The meetings in which these cameras will be used include meetings of: (a) Council; (b) Cabinet; (c) Dover Joint Transportation Advisory Board; (d) General Purposes Committee; (e) Electoral Matters Committee; (f) Governance Committee; (g) Planning Committee; (h) General Purposes Committee and (i) Overview and Scrutiny Committee. Only agenda items open to the press and public to view will be broadcast.

- These recordings will be retained for 30 days from the date of the meeting. The recordings will be uploaded to YouTube as soon as practicable after the day of the meeting. In normal circumstances this would be within 2 working days of the meeting. However, there may be circumstances where it will take longer. The recordings can be viewed on the Council's YouTube Channel - [Council meetings - YouTube \(@doverdc\)](#)
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 - 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 practicable 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.
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- For further information about how this information should be processed, please view the Council's Data Protection Policy and Appropriate Policy Document at www.dover.gov.uk/Corporate-Information/PDF/Data-Protection-Policy.pdf
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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.



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Our ref: KBS/CABRCD
Your ref:
Date: 8 February 2023

TO: ALL MEMBERS OF THE COUNCIL

Dear Councillor

CABINET: RECORD OF DECISIONS

Please find attached the Record of Decisions of the Cabinet meeting held on Monday, 6 February 2023. Unless otherwise indicated within the schedule, these decisions may be called in for scrutiny, provided notice is given to me in writing by **10.00am on Tuesday, 14 February**.

The call-in procedures are set out at paragraph 18 of the Overview and Scrutiny Procedure Rules. Call-in may be activated by the Chairman of the Overview and Scrutiny Committee, the Controlling Group Spokesperson of the Overview and Scrutiny Committee or any three non-executive Members. The reasons for calling in an item must be given.

Yours sincerely

A handwritten signature in purple ink that reads "Kate Batty-Smith". Below the signature is a short horizontal line.

Kate Batty-Smith
Democratic Support Officer

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Record of the decisions of the meeting of the **CABINET** held at the Council Offices, Whitfield on Monday, 6 February 2023 at 11.00 am.

Present:

Chairman: Councillor T J Bartlett

Councillors: M Bates
N S Kenton
D P Murphy
O C de R Richardson
C A Vinson

Also Present: Councillor S H Beer
Councillor E A Biggs
Councillor P M Brivio
Councillor K Mills
Councillor H M Williams

Officers: Chief Executive
Strategic Director (Corporate and Regulatory)
Strategic Director (Finance and Housing)
Strategic Director (Place and Environment)
Head of Commercial Services
Head of Finance and Investment
Strategic Project Manager
Transport and Parking Services Manager
Principal Heritage Officer
Accounting Technician (Housing)
Accountant (Systems and General Fund)
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 80 6.2.23 Open Key Decisions No Call-in to apply Yes Implementation Date 14 February 2023	<u>APOLOGIES</u> It was noted that there were no apologies for absence.	None.	To note any apologies for absence.	

Decision Status	Record of Decision	Alternative options considered and rejected (if any)	Reasons for Decision	Conflicts of interest (if any) declared by decision maker(s) or consultees (if any)
CAB 81 6.2.23 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.	

14 February 2023				
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Decision Status	Record of Decision	Alternative options considered and rejected (if any)	Reasons for Decision	Conflicts of interest (if any) declared by decision maker(s) or consultees (if any)
CAB 82 6.2.23 Open Key Decisions No Call-in to apply Yes Implementation Date 14 February 2023	<u>RECORD OF DECISIONS</u> It was agreed that the decisions of the meeting held on 16 January 2023, as detailed in decision numbers CAB 75 to CAB 79, be approved as a correct record and signed by the Chairman.	None.	Cabinet is required to approve the Record of Decisions of the Cabinet meeting held on 16 January 2023.	

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 83 6.2.23 Open Key Decisions No Call-in to apply Yes Implementation Date	<u>ORDER OF BUSINESS</u> It was agreed that the order of business be varied so that Agenda Item 4 (Council Budget 2023/24 and Medium-Term Financial Plan 2023/24-2026/27) be considered after Agenda Items 5 (Fees and Charges 2023/24) and 6 (Review of On and Off-Street Parking Charges) as decisions taken on Fees and Charges and Parking Charges would affect the budget.	To follow the agenda running order.	The order of business was amended as decisions taken by Cabinet on fees and charges and parking charges would affect the budget.	

Immediate				
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Decision Status	Record of Decision	Alternative options considered and rejected (if any)	Reasons for Decision	Conflicts of interest (if any) declared by decision maker(s) or consultees (if any)
CAB 84 6.2.23 Open Key Decisions Yes Call-in to apply Yes Implementation Date 14 February 2023	<u>FEES AND CHARGES 2023/24</u> It was agreed: (a) That the Fees and Charges (F&Cs) for 2023/24, as set out in Appendices 2.1 to 2.14, and 5.1 (except for the s.106 Monitoring Fee which has been approved by the Planning Committee) and 5.3, be approved. (b) That any F&Cs will be adjusted by Strategic Directors, in consultation with the Portfolio Holders, to comply with any subsequently received government guidelines (when they are received) and any other minor changes made 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. (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. (d) That the F&Cs approved separately by the Licensing and Regulatory Committees, as set out in Appendices 3 and 4, be noted.	None.	The Council's Constitution stipulates that the Council's fees and charges should be reviewed annually. Cabinet is required to set the level of these for 2023/24	

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 85 6.2.23 Open</p> <p>Key Decisions Yes</p> <p>Call-in to apply Yes</p> <p>Implementation Date 14 February 2023</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 parking charges set out at Appendix 1 of the report be approved, subject to the withdrawal of the proposal to introduce Sunday charging in car parks where it does not currently exist and the amendment of the per hour charge at St Margaret's Bay to £1.80 for both cars and cars with a trailer or motorhome.</p> <p>(c) That each of the Transport and Parking Services Manager and the Head of Commercial Services, in consultation with the Portfolio Holder for Transport, Licensing and Regulatory Services, be authorised to take all necessary legal and procedural processes to give effect to agreed recommendations as set out in Appendix 1, including the giving of notices and the making or amendment of any orders under the Road Traffic Regulation Act 1984, and also the making of arrangements with the Dover Harbour Board pursuant to Section 33(4) of the Road Traffic Regulation Act 1984.</p>	<p>To approve the report recommendations including the introduction of Sunday charging where it does not already exist and different charges at St Margaret's Bay car park.</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>	

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 86	<u>COUNCIL BUDGET 2023/24 AND MEDIUM-TERM FINANCIAL PLAN</u>	None.	The Medium-Term	

6.2.23 Open Key Decisions Yes Call-in to apply Yes Implementation Date 14 February 2023	<u>2023/24-2026/27</u> It was agreed: (a) That the General Fund Revenue Budget, the Capital and Special Projects Programmes, the Housing Revenue Account budget and the content of the Medium-Term Financial Plan (MTFP), as proposed in Appendix 1 of the report, be forwarded to the Overview and Scrutiny Committee for consideration. (b) That the increase in social and shared ownership rents be approved. (c) That the draft budget be placed on the Council's website, to be available for comments. (d) That it be noted that the impact of the 2023 Business Rates revaluation of the General Fund funding is still being finalised. Any changes will be reflected in adjustments to the use of the smoothing reserve in the final budget. (e) That it be noted that the remaining annexes, including the Council Tax Resolution and Treasury Management, Investment and Capital Strategies, will be added to the MTFP and other minor adjustments made before being presented to Council in March.		Financial Plan (MTFP) is the Council's key financial planning tool and underpins the Council's financial planning strategy and corporate planning process. Cabinet approval is required for the 2023/24 budget and MTFP before final approval by Council on 1 March 2023. The Overview and Scrutiny Committee is due to scrutinise the budget at its meeting to be held on 20 February.	
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Decision Status	Record of Decision	Alternative options considered and rejected (if any)	Reasons for Decision	Conflicts of interest (if any) declared by decision maker(s) or consultees (if any)
CAB 87 6.2.23 Open	<u>DRAFT DOUR STREET, DOVER CONSERVATION AREA CHARACTER APPRAISAL</u>	None.	Under the Planning (Listed Buildings and Conservation	

Key Decisions Yes Call-in to apply Yes Implementation Date 14 February 2023	It was agreed: (a) That the draft Dour Street, Dover Conservation Area Character Appraisal, as set out in Appendix 1, be published for public consultation for a period of 6 weeks. (b) That the Head of Planning and Development be authorised, in consultation with the Portfolio Holder for Planning and Environment, to make any necessary editorial changes to the appraisal to assist with clarity, consistency, explanation and presentation.		Areas) Act 1990, local authorities are required to review their conservation areas and to publish proposals for their preservation and enhancement. The Dover District Heritage Strategy recommends that a programme is developed to address the District's deficit of character appraisals. The draft conservation area character appraisal for Dour Street will be subject to a 6-week period of formal public consultation.	
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Decision Status	Record of Decision	Alternative options considered and rejected (if any)	Reasons for Decision	Conflicts of interest (if any) declared by decision maker(s) or consultees (if any)
CAB 88 6.2.23 Open	<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	None.		

Key Decisions No Call-in to apply Yes Implementation Date Immediate	2000, the press and the public be excluded during consideration of the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in paragraph 3 of Schedule 12A of the Local Government Act 1972.			
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Decision Status	Record of Decision	Alternative options considered and rejected (if any)	Reasons for Decision	Conflicts of interest (if any) declared by decision maker(s) or consultees (if any)
CAB 89 6.2.23 Exempt Key Decisions Yes Call-in to apply Yes Implementation Date 14 February 2023	<u>DOVER DISTRICT LEISURE CENTRE</u> It was agreed that the proposed variation to management fee arrangements in 2022/23 and 2023/4 between Places for People Leisure Management Ltd and the Council for operating Dover District Leisure Centre be approved.	None.	Dover District Leisure Centre at Whitfield is operated and managed by Places for People Leisure Management Ltd (PPLML) on behalf of the Council. Following on from the impact of the Covid-19 pandemic, financial pressures caused by the national recession and the rise in utility and running costs have prompted a review of the financial arrangements that	

			exist between PPLML and the Council.	
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Decision Status	Record of Decision	Alternative options considered and rejected (if any)	Reasons for Decision	Conflicts of interest (if any) declared by decision maker(s) or consultees (if any)
CAB 90 6.2.23 Exempt Key Decisions No Call-in to apply Yes Implementation Date 14 February 2023	<u>SALE OF LAND AT ROMAN ROAD AND ADJACENT TO ASTLEY AVENUE, DOVER</u> It was agreed that the decision be deferred in order to obtain independent advice on the proposed agreement from a person with the appropriate expertise, and that a report presenting the findings be brought to Cabinet in due course.	Not to defer the decision and approve the report recommendations.	Following an approach from a developer, approval is sought to sell four pockets of land adjacent to Roman Road and a parcel of land at the top of Astley Avenue, Dover.	

The meeting ended at 11.37 am.