

# Public Document Pack



Democratic Services  
White Cliffs Business Park  
Dover  
Kent CT16 3PJ

Telephone: (01304) 821199  
Website: [www.dover.gov.uk](http://www.dover.gov.uk)  
e-mail: [democraticservices@dover.gov.uk](mailto:democraticservices@dover.gov.uk)

16 February 2024

Dear Councillor

NOTICE IS HEREBY GIVEN THAT a meeting of the **CABINET** will be held at these offices (Council Chamber) on Monday 26 February 2024 at 6.00 pm 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](mailto: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:

K Mills	Leader of the Council
J L Pout	Deputy Leader of the Council and Portfolio Holder for Transport, Licensing and Environmental Services
S H Beer	Portfolio Holder for Finance, Governance, Climate Change and Environment
E A Biggs	Portfolio Holder for Planning and Built Environment
P M Brivio	Portfolio Holder for Housing, Skills and Education
C D Zosseder	Portfolio Holder for Community and Corporate Property

## 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 5 February 2024 numbered

CAB 69 to CAB 79 (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 2024/25 and Medium-Term Financial Plan 2024/25-2027/28

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

**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.
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- The Council will not make available copies of the recordings either in whole or in part other than in compliance with a legal requirement arising under The Freedom of Information Act 2000, UK GDPR, The Data Protection Act 2018 or some other

enactment, rule of law or direction of a court or tribunal which is binding on it.

- 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](http://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.
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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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Website: [www.dover.gov.uk](http://www.dover.gov.uk)

Contact: Kate Batty-Smith  
Direct line: (01304) 872303  
e-mail: [katebatty-smith@dover.gov.uk](mailto:katebatty-smith@dover.gov.uk)  
Our ref: KBS/CABRCD  
Your ref:  
Date: 7 February 2024

**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, 5 February 2024. 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, 13 February 2024**.

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 cursive script that reads "Kate Batty-Smith". Below the signature is a short horizontal line.

**Kate Batty-Smith**  
Democratic Services Officer

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Record of the decisions of the meeting of the **CABINET** held at the Council Offices, Whitfield on Monday, 5 February 2024 at 6.00 pm

Present:

Chairman: Councillor K Mills

Councillors: J L Pout  
S H Beer  
E A Biggs  
P M Brivio  
C D Zosseder

Also Present: Councillor T J Bartlett  
Councillor M Bates  
Councillor D R Friend  
Councillor N S Kenton  
Councillor O C de R Richardson  
Councillor C A Vinson

Officers: Chief Executive  
Strategic Director (Corporate and Regulatory)  
Strategic Director (Finance and Housing)  
Strategic Director (Place and Environment)  
Head of Finance and Investment  
Head of Housing  
Head of Property Assets  
Senior Accountant (Housing and Projects)  
Senior Housing Policy Officer  
Strategic Housing 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 69 5.2.24 Open  <b>Key Decisions</b> No  <b>Call-in to apply</b> Yes  <b>Implementation Date</b> 13 February 2024	<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 70 5.2.24 Open  <b>Key Decisions</b> No  <b>Call-in to apply</b> Yes  <b>Implementation Date</b>	<u>DECLARATIONS OF INTEREST</u>  There were no declarations of interest.	None.	To note any declarations of interest.	



13 February 2024				
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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 71 5.2.24 Open  <b>Key Decisions</b> No  <b>Call-in to apply</b> Yes  <b>Implementation Date</b> 13 February 2024	<u>RECORD OF DECISIONS</u>  It was agreed that the decisions of the meeting held on 15 January 2024, as detailed in decision numbers CAB 58 to CAB 68, 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 15 January 2024.	

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 72 5.2.24 Open  <b>Key Decisions</b> No  <b>Call-in to apply</b> Yes  <b>Implementation Date</b>	<u>SALE OF GUIDE HUT AT LAND ADJOINING 107 SANDWICH ROAD, WHITFIELD</u>  It was agreed that the Overview and Scrutiny Committee's recommendation, made at its meeting held on 22 January 2024 (Minute No 89), be approved as follows:  That the Strategic Director (Place and Environment) be authorised to agree detailed terms for the disposal, acting in consultation with the Portfolio Holder for Community and Corporate Property and the two Members for the Whitfield ward.	To reject the recommendation.	At its meeting held on 22 January 2024, the Overview and Scrutiny Committee considered Cabinet decision CAB 68 of 15 January 2024 and recommended an amendment to the decision (Minute No 89).	

13 February 2024				
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Decision Status	Record of Decision	Alternative options considered and rejected (if any)	Reasons for Decision	Conflicts of interest (if any) declared by decision maker(s) or consultees (if any)
<p>CAB 73 5.2.24 Open</p> <p><b>Key Decisions</b> No</p> <p><b>Call-in to apply</b> Yes</p> <p><b>Implementation Date</b> 13 February 2024</p>	<p><u>EKS SERVICE TRANSITION BUSINESS CASE</u></p> <p>It was agreed that a decision on the proposals should be deferred until the Cabinet meeting of 4 March 2024, pending further details on a number of matters that have yet to be addressed or clarified.</p>	<p>To agree the report recommendations and not defer the decision.</p>	<p>Since 2018 customer services, revenues and benefits services have been delivered by Civica UK Limited on behalf of Canterbury City and Thanet and Dover District Councils.</p> <p>Civica requested an early withdrawal from its contract which is due to expire in January 2025 and this has been agreed by the East Kent Strategic Board. The report recommends that a Local Authority Trading Company is established to deliver these services in the future.</p>	

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Decision Status	Record of Decision	Alternative options considered and rejected (if any)	Reasons for Decision	Conflicts of interest (if any) declared by decision maker(s) or consultees (if any)
<p>CAB 74 5.2.24 Open</p> <p><b>Key Decisions</b> Yes</p> <p><b>Call-in to apply</b> Yes</p> <p><b>Implementation Date</b> 13 February 2024</p>	<p><u>SECTION 25 REPORT</u></p> <p>It was agreed that the report be noted and taken into account when considering the Budget 2024/25 and Medium-Term Financial Plan 2024/25-2027/28.</p>	<p>None.</p>	<p>The Council's Section 151 Officer is required under the Local Government Act 2003 (Section 25) to report to Members on the robustness of the estimates used for the purposes of the budget calculations so that Members can take it into account when considering the annual budget and Council Tax precept. In this instance, Members' attention is drawn to two significant factors that could potentially undermine the budget over the next year or two.</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 75 5.2.24 Open</p> <p><b>Key Decisions</b> Yes</p> <p><b>Call-in to apply</b> Yes</p> <p><b>Implementation Date</b> 13 February 2024</p>	<p><u>COUNCIL BUDGET 2024/25 AND MEDIUM-TERM FINANCIAL PLAN 2024/25-2027/28</u></p> <p>It was agreed:</p> <p>(a) That the draft General Fund Revenue Budget, the Project 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 approved.</p> <p>(b) That the increase in social, affordable and shared ownership rents be approved.</p> <p>(c) That it be noted that the calculation of the 2024/25 Business Rates impact on the General Fund funding is still being finalised, and that any changes will be reflected in adjustments to the use of the smoothing reserve in the final budget.</p> <p>(d) 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 Cabinet and Council in March.</p>	<p>None.</p>	<p>The Medium-Term Financial Plan (MTFP) is the Council's key financial planning tool and underpins the Council's financial planning strategy and corporate planning process. Cabinet approval is required for the 2024/25 budget and MTFP before final approval by Council on 6 March 2024.</p> <p>The Overview and Scrutiny Committee is due to scrutinise the budget at its meeting to be held on 19 February, and any recommendations made will be considered by Cabinet on 26 February.</p>	

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Decision Status	Record of Decision	Alternative options considered and rejected (if any)	Reasons for Decision	Conflicts of interest (if any) declared by decision maker(s) or consultees (if any)
<p>CAB 76 5.2.24 Open</p> <p><b>Key Decisions</b> Yes</p> <p><b>Call-in to apply</b> Yes</p> <p><b>Implementation Date</b> 13 February 2024</p>	<p><u>SHARED OWNERSHIP POLICY</u></p> <p>It was agreed:</p> <p>(a) That the retraction of the Shared Ownership Marketing, Sales and Management Policy be approved.</p> <p>(b) That the new Shared Ownership Policy be approved.</p> <p>(c) That the Strategic Director (Housing and Finance) be authorised, in consultation with the Portfolio Holder for Housing, Skills and Education, to make future minor amendments to the Policy, as required.</p>	<p>None.</p>	<p>The Council owns and manages 34 shared ownership properties, a number that will increase as a result of the Council's commitment to delivering more affordable homes.</p> <p>There have been several changes to the regulations, government guidance and legislation that require the existing shared ownership policy (approved in March 2022) to be updated.</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 77 5.2.24</p>	<p><u>LEASEHOLD MANAGEMENT POLICY</u></p>	<p>None.</p>	<p>The Council has 463 leasehold</p>	

<p>Open</p> <p><b>Key Decisions</b> Yes</p> <p><b>Call-in to apply</b> Yes</p> <p><b>Implementation Date</b> 13 February 2024</p>	<p>It was agreed:</p> <p>(a) That the content of the proposed Leasehold Management Policy be noted, and the Policy approved for adoption.</p> <p>(b) That the Strategic Director (Finance and Housing) be authorised, in consultation with the Portfolio Holder for Housing, Skills and Education, to make future amendments to the Policy, as required.</p>		<p>properties but there is currently no established management policy.</p> <p>Cabinet is requested to approve the proposed Leasehold Management Policy to ensure that the Council complies with its responsibilities and obligations as a freeholder, and leaseholders understand the obligations applying to them.</p>	
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Decision Status	Record of Decision	Alternative options considered and rejected (if any)	Reasons for Decision	Conflicts of interest (if any) declared by decision maker(s) or consultees (if any)
<p>CAB 78 5.2.24 Open</p> <p><b>Key Decisions</b> No</p> <p><b>Call-in to apply</b> Yes</p>	<p><u>EXCLUSION OF THE PRESS AND PUBLIC</u></p> <p>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 item of business on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 3 of Schedule 12A of the Local Government Act 1972.</p>	<p>None.</p>		

<b>Implementation Date</b> Immediate				
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<b>Decision Status</b>	<b>Record of Decision</b>	<b>Alternative options considered and rejected (if any)</b>	<b>Reasons for Decision</b>	<b>Conflicts of interest (if any) declared by decision maker(s) or consultees (if any)</b>
<p>CAB 79 5.2.24 Exempt</p> <p><b>Key Decisions</b> Yes</p> <p><b>Call-in to apply</b> Yes</p> <p><b>Implementation Date</b> 13 February 2024</p>	<p><u>PURCHASE OF NEW AFFORDABLE HOUSING AT THE OLD MALHOUSE SITE, EASOLE STREET, NONINGTON</u></p> <p>It was agreed:</p> <p>(a) That the project to acquire the freehold of six affordable homes, to be developed on land at the Old Malthouse, Easole Street, Nonington, and the subsequent sale of shares in two of the properties designated as Shared Ownership homes, be approved.</p> <p>(b) That the Strategic Director (Finance and Housing) be authorised, in consultation with the Portfolio Holder for Housing, Skills and Education, to take the necessary decisions and actions to progress the project and purchase the properties including, but not limited to, agreeing the purchase price, approving the sale purchase agreements and appointing any necessary professional advisers.</p>	None.	<p>Following an approach by the developer, it is recommended that Cabinet agrees the acquisition of the freehold of six affordable homes which form part of a larger development of 27 new homes in Nonington.</p> <p>Whilst a number of Registered Providers of social housing were approached, there was no interest due to the number of properties involved.</p>	

The meeting ended at 6.49 pm.