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Our ref: KBS/CABRCD
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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 cursive script that reads "Kate Batty-Smith".

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)
<p>CAB 84 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>FEES AND CHARGES 2023/24</u></p> <p>It was agreed:</p> <p>(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.</p> <p>(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.</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 F&Cs approved separately by the Licensing and Regulatory Committees, as set out in Appendices 3 and 4, be noted.</p>	<p>None.</p>	<p>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</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 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	

<p>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>2023/24-2026/27</u></p> <p>It was agreed:</p> <p>(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.</p> <p>(b) That the increase in social and shared ownership rents be approved.</p> <p>(c) That the draft budget be placed on the Council’s website, to be available for comments.</p> <p>(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.</p> <p>(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.</p>		<p>Financial Plan (MTFP) is the Council’s key financial planning tool and underpins the Council’s financial planning strategy and corporate planning process.</p> <p>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.</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)
CAB 87 6.2.23 Open	<u>DRAFT DOUR STREET, DOVER CONSERVATION AREA CHARACTER APPRAISAL</u>	None.	Under the Planning (Listed Buildings and Conservation	

<p>Key Decisions Yes</p> <p>Call-in to apply Yes</p> <p>Implementation Date 14 February 2023</p>	<p>It was agreed:</p> <p>(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.</p> <p>(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.</p>		<p>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.</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 88 6.2.23 Open</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</p>	<p>None.</p>		

Key Decisions No	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.			
Call-in to apply Yes				
Implementation Date Immediate				

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.