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Our ref: KBS/CABRCD
Your ref:
Date: 6 March 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, 4 March 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 March 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, 4 March 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 M Bates
Councillor D R Friend
Councillor N S Kenton
Councillor M J Nee
Councillor O C de R Richardson
Councillor C A Vinson

Officers: Chief Executive
Strategic Director (Corporate and Regulatory)
Strategic Director (Finance and Housing)
Head of Finance and Investment
Head of Housing
Head of Place and Growth
Head of Property Assets
Regeneration Delivery Manager
Senior Housing Policy Officer
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 4.3.24 Open Key Decisions No Call-in to apply Yes Implementation Date 13 March 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 81 4.3.24 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. | |

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| 13 March 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) |
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| CAB 82 4.3.24 Open Key Decisions No Call-in to apply Yes Implementation Date 13 March 2024 | <u>RECORD OF DECISIONS</u> It was agreed that the decisions of the meeting held on 5 February 2024, as detailed in decision numbers CAB 69 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 5 February 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) |
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| CAB 83 4.3.24 Open Key Decisions Yes Call-in to apply No Implementation Date | <u>SECTION 25 REPORT</u> 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. | None. | 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 | |

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| 7 March 2024 | | | 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. | |
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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) |
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| CAB 84 4.3.24 Open Key Decisions Yes Call-in to apply (a) Yes (b) No Implementation Date (a) 13 March 2024 | <u>COUNCIL BUDGET 2024/25 AND MEDIUM-TERM FINANCIAL PLAN 2024/25-2027/28</u> (a) It was agreed: (i) That, subject to Council approving the 2024/25 budget, the grants to other organisations, as set out in Annex 9, be approved as follows: Grants to Concessionary Rentals 2024/25 - £30,125 Various Grants towards rentals/lease charges: Sandwich Tennis Club - £50 Aylesham Parish Council - £75 Dover Bowling Club - £225 | None. | 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. The MTFP 2024/25-2027/28 incorporates the General Fund | |

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| <p>(b) 7 March 2024</p> | <p>Victoria Park Bowling Club - £355 Deal & Walmer Angling Club - £325 Capel-le-Ferne Parish Council - £450 Dover Rugby Football Club - £1,255 Dover Rugby Football Club - £1,750 Dover Athletic Football Club - £2,500 Dover Athletic Football Club - £8,000 Dover District Citizens' Advice Bureau - £11,800 Cross Links - £3,250 Model Boat Association - £120</p> <p>Financial Assistance Payments to Other Outside Bodies:</p> <p>Your Leisure - £117,440 Budget for Tides Leisure Centre, increased by 6% in line with Consumer Price Index</p> <p>Pegasus Playscheme - £1,500 Provision of a playscheme for children with disabilities</p> <p>Age Concern - £1,500 Provision of area office services</p> <p>Kent County Council - £3,000 Contribution to Sports Partnership</p> <p>Gazen Salts Nature Reserve - £4,500 To assist in managing and maintaining the reserve</p> <p>Sandwich Town Cricket Club - £20,688 To assist the club in defraying its expenditure in managing, maintaining and improving the recreation grounds at The Butts and Gazen Salts.</p> <p>Dover Outreach Centre - £10,000</p> | | <p>Revenue Budget, the Housing Revenue Account Budget and the Capital and Special Projects Programmes.</p> <p>Cabinet approval is required for the annual budget for 2024/25 and the MTFP before final approval by Council on 6 March 2024.</p> | |
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| | <p>Grant towards the Winter Shelter costs</p> <p>Dover Rugby Club - £15,600 For grounds maintenance at Crabble Athletic Ground</p> <p>Victoria Bowls - £1,000 Contribution towards running expenses</p> <p>Dover Bowling Club - £1,000 Grant towards grounds maintenance at Dover Bowling Green</p> <p>Dover District Citizens' Advice Bureau - £111,850 £101,850 Core Funding grant including £10,500 from Housing Revenue Account, plus £8,500 for full service charge contribution and £1,500 other potential services</p> <p>Neighbourhood Forums - £22,500 Grant to support voluntary and community organisations</p> <p>Deal Town Council - £5,000 Astor Theatre grant</p> <p>Action with Communities in Rural Kent - £3,500 Contribution to rural housing</p> <p>(ii) That the various Cabinet recommendations produced at the end of the sections within the budget and Medium-Term Financial Plan (MTFP) and summarised in Annex 10 to Appendix 1 of the report be approved.</p> <p>(b) It was agreed that it be recommended to Council:</p> <p>(i) That the General Fund Revenue Budget, the Capital and Special Projects Programmes, the Housing Revenue Account Budget, the Council Tax Resolution and the content of the</p> | | | |
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| | <p>MTFP be approved.</p> <p>(ii) That the Strategic Director (Finance and Housing), in consultation with the Portfolio Holder for Finance, Governance, Climate Change and Environment, be authorised to draw on the Earmarked Smoothing Reserve to meet in-year variations in the budget.</p> <p>(iii) That a Council Tax increase of 2.98% for Dover District Council (DDC) purposes be approved, resulting in an increase on Band D properties of £6.21 per year and an annual DDC Council Tax of £214.38.</p> <p>(iv) That it be noted that it is the opinion of the Section 151 Officer that the Council's budget has been prepared on a rigorous and robust basis and the Council's reserves are sufficient for its immediate needs. However, it is also the opinion of the Section 151 Officer that there are significant factors that can undermine the budget over the next year or two because of the actions of the Department for Environment, Food and Rural Affairs (DEFRA) and the Department for Levelling Up, Housing and Communities (DLUHC). (Members are referred to the Section 25 Report.)</p> <p>(v) That the various Council recommendations at the end of the sections within the budget and MTFP, and summarised in Annex 10 to Appendix 1 of the report, be approved.</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) |
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| CAB 85 4.3.24 Open | <u>HOUSING REVENUE ACCOUNT RENT-SETTING POLICY</u> It was agreed: | None. | As a social housing landlord, the Council is required | |

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| <p>Key Decisions Yes</p> <p>Call-in to apply Yes</p> <p>Implementation Date 13 March 2024</p> | <p>(a) That the content of the proposed Policy be approved.</p> <p>(b) That the adoption of the proposed Housing Revenue Account Rent-Setting Policy be approved.</p> <p>(c) That the Strategic Director (Finance and Housing), in consultation with the Portfolio Holder for Housing, Skills and Education, be authorised to make future minor amendments to the Policy as required.</p> | | <p>to set its rent in line with legislation and Government rent policy. Key changes to national rent policy since 2020 have necessitated a review of the Council's rent-setting policy and an updated version has been produced to reflect these changes.</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) |
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| <p>CAB 86 4.3.24 Open</p> <p>Key Decisions No</p> <p>Call-in to apply Yes</p> <p>Implementation Date 13 March 2024</p> | <p><u>EKS SERVICE TRANSITION BUSINESS CASE</u></p> <p>It was agreed:</p> <p>(a) That the Council should exit from the contract with Civica UK Limited for the delivery of revenue, benefits and customer services.</p> <p>(b) That the Local Authority Trading Company (LATCo) service delivery vehicle be approved as the preferred option for future service delivery.</p> <p>(c) That the business case for the LATCo, pursuant to Article 2(2)(b) of the Local Government (Best Value Authorities) (Power to trade) (England) Order 2009, be approved.</p> | <p>None.</p> | <p>At its meeting held on 5 February 2024, Cabinet deferred a decision on this matter pending further information (CAB 73).</p> <p>Since 2018 customer services, revenues and benefits services have been delivered by Civica</p> | |

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| | <p>(d) That the East Kent Services Committee, to the extent that it is not otherwise authorised to do so, be authorised to exercise the powers and functions of the Council to form the LATCo and to enter into the contract with it to include (but not limited to) making decisions on behalf of the Council in relation to the matters set out in paragraph 9 of the report.</p> | | <p>UK Limited on behalf of Canterbury City and Thanet and Dover District Councils. Civica requested an early withdrawal from its contract which is due to expire in January 2025 and this was agreed by the East Kent Strategic Board.</p> <p>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) |
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| <p>CAB 87 4.3.24 Open</p> <p>Key Decisions No</p> <p>Call-in to apply</p> | <p><u>IMPLEMENTATION OF CONSOLIDATED INCOME SYSTEM</u></p> <p>It was agreed that the purchase of additional modules in TechnologyOne to replace Adelante and Pay360, and the taking of all necessary actions to deliver the project, including awarding the contract, be approved.</p> | <p>None.</p> | <p>The Council currently uses three software systems to receive and process income. The proposal is to replace two of them</p> | |

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| Yes | | | by adding to the existing TechnologyOne system. This will reduce the manual handling of data, increase efficiency and deliver savings. | |
| Implementation Date 13 March 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) |
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| CAB 88 4.3.24 Open Key Decisions No Call-in to apply Yes Implementation Date 13 March 2024 | <u>ADDITIONAL FUNDING FOR NEW BRIDGE AT THE BUTTS, SANDWICH</u> It was agreed that, due to the presence of water voles, an additional £25,000 from the Special Revenue Contingency budget for the construction of a new bridge be approved. | None. | Works to construct a new bridge at The Butts in Sandwich were suspended when water voles were discovered. Additional funding is requested to cover abortive costs associated with the suspension and to implement mitigation measures to protect the water voles. | |

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| | | considered and rejected (if any) | | (if any) declared by decision maker(s) or consultees (if any) |
| <p>CAB 89 4.3.24 Open</p> <p>Key Decisions No</p> <p>Call-in to apply Yes</p> <p>Implementation Date 13 March 2024</p> | <p><u>STRATEGIC PERFORMANCE DASHBOARD - THIRD QUARTER 2023/24</u></p> <p>It was agreed that the Council's Strategic Performance Dashboard for the Third Quarter 2023/24 be noted.</p> | None. | <p>The Strategic Performance Dashboard provides an overview of how the Council and East Kent Services are performing against a number of key performance indicators as a means of measuring whether the Council is achieving its aims and objectives.</p> <p>The Strategic Performance Dashboard – Third Quarter 2023/24 covers the period from October to December 2023.</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) |
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| <p>CAB 90 4.3.24 Open</p> | <p><u>EXCLUSION OF THE PRESS AND PUBLIC</u></p> <p>That, in accordance with the provisions of the Local Authorities</p> | None. | | |

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| <p>Key Decisions No</p> <p>Call-in to apply Yes</p> <p>Implementation Date Immediate</p> | <p>(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 paragraph 3 of Schedule 12A of the Local Government Act 1972.</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) |
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| <p>CAB 91 4.3.24 Exempt</p> <p>Key Decisions Yes</p> <p>Call-in to apply Yes</p> <p>Implementation Date 13 March 2024</p> | <p><u>DOVER BEACON (BENCH STREET EAST) PROJECT</u></p> <p>It was agreed:</p> <p>(a) That the award of the first-stage design and build contract (Preconstruction Services Agreement) to Jenner Contractors Limited be approved.</p> <p>(b) That a package of further surveys and design work as described in the report, releasing Levelling Up Fund and Future High Streets Fund grant funding that has already been received to cover the costs, be approved.</p> <p>(c) That the Strategic Director (Place and Environment) be authorised, in consultation with the Leader of the Council, to take all decisions and actions necessary that do not increase the costs of the project to progress it up to, but not including, the award of the second stage design and build construction contract(s), subject to all actions being in accordance with the memorandums of understanding with the Department of Levelling Up, Housing and Communities and, where appropriate, with the oversight of</p> | <p>None.</p> | <p>The Dover Beacon project comprises two elements, including the provision of a creative centre and underpass improvements (funded by a Future High Streets Fund grant), and the provision of a further education campus building, business centre and outside public space (funded by a Levelling Up Fund grant).</p> <p>At its meeting held</p> | |

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| | the Dover Beacon and Dover Town Regeneration Project Advisory Group. | | on 3 July 2024, Cabinet approved the progression of the project to the construction contract stage (CAB 16). That point has now been reached and Cabinet is requested to award the first construction contract. | |
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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) |
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| CAB 92 4.3.24 Exempt Key Decisions Yes Call-in to apply Yes Implementation Date 13 March 2024 | <u>REMEDATION AND DECONTAMINATION WORKS AT POULTON CLOSE, DOVER</u> It was agreed: <ul style="list-style-type: none"> (a) That the Council enters into a contract with Vertase FLI Ltd for the sum set out in the report, using funding accepted via the Brownfield Land Release Fund Round 2 (BLRF R2), to undertake remediation works at the development site in order to facilitate the delivery of 24 flats for temporary accommodation. (b) That future decisions regarding the acceptance of BLRF R2 funding, the detailed appointment of the contractor and entering into the works contract be delegated to the Head of Housing, in consultation with the Portfolio Holder for Housing, Skills and Education. | None. | Following approval to add Poulton Close to a project to provide interim housing for homeless people at two sites in Dover and Deal, progression of the Poulton Close site has stalled due to land contamination issues. The Council has secured funding for the requisite | |

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| | | | remediation work which, once completed, will allow the land to be released for housing. | |
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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) |
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| <p>CAB 93 4.3.24 Exempt</p> <p>Key Decisions Yes</p> <p>Call-in to apply Yes</p> <p>Implementation Date 13 March 2024</p> | <p><u>AWARD OF CONTRACT FOR REPOINTING AND ASSOCIATED WORKS TO COUNCIL DWELLINGS</u></p> <p>It was agreed:</p> <p>(a) That the award of the 2-year contract for repointing and associated works to Council dwellings to AW Construction Services Limited, for the sum set out in the report, be approved, subject to the 30-day notice period required by Section 20 of the Landlord and Tenant Act 1985 and the Service Charges (Consultation Requirements) Regulations 2003.</p> <p>(b) That the Strategic Director (Place and Environment) be authorised, in consultation with the Portfolio Holder for Housing, Skills and Education, to have the function of having regard to observations in relation to the proposals to award a contract agreement as required by Section 20 of the Landlord and Tenant Act 1985 and the Service Charges (Consultation Requirements) Regulations 2003, and to confirm the award of the contract or report further to Cabinet as he considers appropriate.</p> | <p>None.</p> | <p>A competitive tender exercise was undertaken in relation to the awarding of a contract for repointing and associated works to Council-owned dwellings.</p> <p>Three valid tenders were received, and it is proposed that the contract be awarded to AW Construction Services which scored highest overall on quality and cost.</p> | |

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The meeting ended at 6.44 pm.