

Record of the decisions of the meeting of the **CABINET** held at the Council Offices, Whitfield on Monday, 8 February 2010 at 11.00 am.

Present:

Chairman: Councillor P A Watkins

Councillors: T J Bartlett  
S S Chandler  
N J Collor  
P G Heath  
N S Kenton  
F J W Scales  
C J Smith  
I H Ward

Also Present: Councillor B W Butcher  
Councillor C J Meredith  
Councillor J M Munt  
Councillor A R Smith  
Councillor J M Smith

Officers: Chief Executive  
Head of Business and Community Transformation  
Head of Development and Public Protection  
Head of Finance and ICT  
Head of Governance  
Head of Housing, Culture and Community Safety  
Head of Leisure, Property and Waste Management  
Head of Regeneration  
Solicitor to the Council  
Financial Services Manager  
Senior Accountant (Revenue)  
Accountant (Revenue)  
Leadership Support Officer  
Principal Planning Officer  
Democratic Support Officer

## DECISIONS

The Decisions of the meeting of the Cabinet held on 11 January 2010 as detailed in decision Nos CAB 87 to CAB 95 were approved as a correct record and signed by the Chairman.

**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 96 8.2.10 Open  <b>Key Decisions</b> Yes  <b>Call in to apply</b> Yes  <b>Implementation Date</b> 16 February 2010	<u>ISSUES ARISING FROM OVERVIEW AND SCRUTINY OR OTHER COMMITTEES – EAST KENT JOINT SERVICES – STRATEGIC CASE</u>  It was agreed:  (a) That the Scrutiny (Policy and Performance) Committee's endorsement of Cabinet decision CAB 90 (Minute No 377), made at its meeting held on 20 January 2010, be acknowledged.  (b) That CAB decision 90 be reaffirmed.	None.	The Scrutiny (Policy and Performance) Committee, at its meeting held on 20 January 2010, endorsed the decision made by Cabinet at its meeting held on 11 January 2010 (Minute No 377).	

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CAB 97 8.2.10 Open  <b>Key Decisions</b> Yes  <b>Call-in to apply</b> Yes	<u>ISSUES ARISING FROM OVERVIEW AND SCRUTINY OR OTHER COMMITTEES – EAST KENT WASTE PROJECT</u>  It was agreed:  (a) That the Scrutiny (Policy and Performance) Committee's endorsement of Cabinet decision CAB 91 (Minute No 378), made at its meeting held on 20 January 2010, be acknowledged.  (b) That the Scrutiny (Policy and Performance) Committee's recommendation (b) be acknowledged.	None.	The Scrutiny (Policy and Performance) Committee, at its meeting held on 20 January 2010, endorsed the decision made by Cabinet at its meeting held on 11 January 2010	

<b>Implementation Date</b> 16 February 2010	(c) That CAB decision 91 be reaffirmed.		and made an additional recommendation (Minute No 378).	
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CAB 98 8.2.10 Open  <b>Key Decisions</b> No  <b>Call-in to apply</b> Yes  <b>Implementation Date</b> 16 February 2010	<p><u>ISSUES ARISING FROM OVERVIEW AND SCRUTINY OR OTHER COMMITTEES – CLOSURE OF PUBLIC TOILETS IN DOVER (BUCKLAND BRIDGE AND MAISON DIEU)</u></p> <p>It was agreed:</p> <p>(a) That the Scrutiny (Policy and Performance) Committee's recommendation (a) be accepted, as follows:</p> <p>(i) That this Committee encourages Dover District Council and Dover Town Council to positively engage over the continued provision of public toilets in Dover and that clear lines of communication be established for this purpose.</p> <p>(ii) That all options for the continued provision of public toilets be explored.</p> <p>(iii) That the Committee express its concern over the timing and period of notice given for closure of the public toilets at Maison Dieu and Buckland Bridge.</p> <p>(b) That the Scrutiny (Policy and Performance) Committee's recommendation (b) be acknowledged, as follows:</p> <p>That the Chief Executive's comment that the closure of the public toilets at Maison Dieu and Buckland Bridge is a temporary decision be noted.</p>	None.	The Chairman of the Scrutiny (Policy and Performance) Committee had called for the closure of two public toilets in Dover to be considered by the Committee at its meeting held on 20 January 2010 in order to clarify concerns surrounding consultation and decision-making processes.	

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<p>CAB 99 8.2.10 Open</p> <p><b>Key Decisions</b> Yes</p> <p><b>Call-in to apply</b> No</p> <p><b>Implementation Date</b> 25 February 2010</p>	<p><u>LOCAL DEVELOPMENT FRAMEWORK – ADOPTION OF THE CORE STRATEGY</u></p> <p>It was agreed to recommend to Council:</p> <p>(a) That the Local Development Framework Core Strategy be approved, in accordance with the recommendations made by the Inspector in her report dated 21 January 2010.</p> <p>(b) That a new version of the Proposals Map which shows the consequential changes that result from the adoption of the Core Strategy, and other changes which are necessary as a result of those Local Plan policies that are no longer in force, be approved.</p>	<p>None.</p>	<p>Following an Examination in Public into the Council's Local Development Framework (LDF) Core Strategy in autumn 2009, the independent Planning Inspector has found that the Strategy is sound, subject to some minor amendments.</p> <p>The Strategy is central to the LDF and will provide the statutory spatial planning framework for the District to 2026, playing a major role in meeting the Council's growth and regeneration ambitions.</p>	

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CAB 100 8.2.10 Open  <b>Key Decisions</b> No  <b>Call-in to apply</b> Yes  <b>Implementation Date</b> 16 February 2010	<u>EAST KENT (JOINT ARRANGEMENTS) COMMITTEE</u>  It was agreed that the Minutes of the East Kent (Joint Arrangements) Committee held on 20 January 2010 be received and noted.	None.	The four district councils in East Kent have signed a joint working protocol which commits them to working together to identify opportunities for the joint provision of services. The last meeting of the East Kent (Joint Arrangements) Committee was held on 20 January 2010.	

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CAB 101 8.2.10 Open  <b>Key Decisions</b> Yes  <b>Call-in to apply</b> Yes	<u>COUNCIL BUDGET 2010/2011 AND MEDIUM-TERM FINANCIAL PLAN 2010/11-2012/13</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) be forwarded to the Scrutiny (Policy and Performance) Committee for consideration.	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	

<p><b>Implementation Date</b> 16 February 2010</p>	<p>(b) That it be noted that the budget report to Council will also include the 2010/11 Council Tax resolution.</p> <p>(c) That the view of the Head of Finance and ICT that the budget has been prepared in an appropriate and prudent manner and that, based upon the information available, the estimates are robust, and that the estimated General Fund and Housing Revenue Account balances and reserves are considered adequate for the Council's current spending plans, be noted.</p> <p>(d) That the Head of Finance and ICT be authorised to make minor adjustments to the MTFP before it is presented to Council in March.</p> <p>(e) That the various recommendations at the end of the sections within the attached budget and MTFP report at Appendix 1 be forwarded to the Scrutiny (Policy and Performance) Committee for consideration, as follows:</p> <p>(i) The General Revenue Fund Budget for 2010/11 and the projected outturn for 2009/10.</p> <p>(ii) Continue the practice of delegated authority to the Head of Finance and ICT to approve revenue budget carry forwards within the guidelines set out, and create and draw down Growth Point reserves in order to apply them to regeneration projects and support.</p> <p>(iii) The policies and protocols regarding the General Fund balances and earmarked reserves, and transfers between reserves as set out in Annex 7 of the report.</p> <p>(iv) Approve the 2010/11 HRA budget at Annex 8A of the report.</p>		<p>process. The MTFP 2010/11-2012/13 incorporates the 2010/11 General Revenue Fund Budget, the Housing Revenue Account Budget and the Medium-Term Capital Programme. Cabinet approval is required for the 2010/11 budget and MTFP before final approval by Council on 3 March 2010.</p>	
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	<p>(v) Approve the basis upon which the capital and special projects programmes have been compiled.</p> <p>(vi) Delegate the decisions to apply capital receipts, revenue funds and other capital resources to finance the capital and special projects programmes to the Head of Finance and ICT.</p> <p>(vii) The recommendations for the treatment of the 'Minimum Revenue Provision' as set out in Annex 9F of the report.</p> <p>(viii) The Prudential Indicators and the Treasury Management Strategy.</p>			
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<p>CAB 102 8.2.10 Open</p> <p><b>Key Decisions</b> Yes</p> <p><b>Call-in to apply</b> Yes</p> <p><b>Implementation Date</b> 16 February 2010</p>	<p><u>INTERIM CORPORATE PLAN 2010/11-2013/14</u></p> <p>It was agreed that the Interim Corporate Plan 2010-2014 be refined further in consultation with Portfolio Holders in order that changes are available to the Scrutiny (Policy and Performance) Committee when it meets on 16 February 2010.</p>	<p>To not amend the report's recommendation.</p>	<p>It is considered appropriate to respond to the current economic climate with an interim Corporate Plan in order to reflect external pressures and the drive to achieve savings.</p> <p>The underlying focus and ambitions of the main Corporate Plan (2008-2020),</p>	

			which guides the direction of the Council, including its budget and Service Plans, remain in place.	
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<p>CAB 103 8.2.10 Open</p> <p><b>Key Decisions</b> Yes</p> <p><b>Call-in to apply</b> No</p> <p><b>Implementation Date</b> 25 February 2010</p>	<p><u>EAST KENT SHARED HOUSING LANDLORD SERVICES PROJECT</u></p> <p>It was agreed that the recommendations of the East Kent (Joint Arrangements) Committee (EKJAC) regarding the East Kent Shared Housing Landlord Services Project, made at its meeting held on 18 December 2009, and set out at paragraph 2 of the report, be approved and recommended to the Council for adoption, as follows:</p> <p>That the East Kent District Councils of Canterbury City Council, Dover District Council, the District Council of Shepway and Thanet District Council ('the East Kent Authorities') are recommended to merge the delivery of housing management landlord service between two or more of them through agreement of the following:</p> <p>(i) That the arms length housing shared service option be confirmed as the preferred method for sharing landlord services in East Kent subject to final agreement by each individual council following the undertaking of appropriate consultation with tenants to satisfy the requirements of Section 27 of the Housing Act 1985.</p> <p>(ii) That any vacancies related to the housing management activities to be undertaken by the Housing Shared Service Vehicle be managed to minimise potential severance costs.</p> <p>(iii) That the housing management functions set out in Appendix A:</p>	<p>None.</p>	<p>In November 2008, Cabinet approved in principle that proposals relating to the shared management of council housing in east Kent be taken forward (CAB 90) in order to achieve service improvements and efficiencies.</p> <p>The proposals will see the establishment of a management company (jointly owned by the four authorities) to manage the Council housing owned collectively</p>	

	<p>Annex 2 are approved activities to be undertaken by the Housing Shared Service Vehicle.</p> <p>(iv) That the Housing Shared Service Vehicle is set up as a company limited by guarantee.</p> <p>(v) That the board of the company will comprise twelve people – four elected members nominated by the local authority, four independents and four tenant/leaseholder representatives.</p> <p>(vi) That Area Boards be set up in each participating Council area.</p> <p>(vii) That the draft Memorandum and Articles for the Shared Service Vehicle company reflect the governance and legal issues set out in Appendix A: Annex 3 (of the report to EKJAC), subject to the addition of provisions for internal audit.</p> <p>(viii) That each Council's Chief Executive be authorised to make any changes necessary to these proposals, in consultation with the Leader of the Council, and to pursue the project up to final Council approval to join the Housing Shared Service Vehicle.</p>		by the partners.	
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<p>CAB 104 8.2.10 Open</p> <p><b>Key Decisions</b> No</p> <p><b>Call-in to apply</b> (a) – Yes (b) – No</p>	<p><u>APPROVAL OF EMPTY HOMES STRATEGY 2010-2015</u></p> <p>(a) It was agreed that a scoping study be undertaken in order to establish the number of vacant one-bedroom flats in the District, and identify any problems arising where there is a preponderance of one-bedroom flats.</p> <p>(b) It was agreed to recommend to Council that the Empty Homes Strategy 2010-2015 be approved.</p>	<p>To not amend the report's recommendations.</p>	<p>The Council's current Empty Property Strategy requires updating to reflect the current position, best practice and new legislation, and to identify new solutions for the</p>	

<p><b>Implementation Date</b>  (a) – 16 February 2010  (b) – 4 March 2010</p>			<p>District's high number of empty homes. It will also support the emerging Private Sector Housing Strategy and a new Housing Strategy for the same period.</p> <p>Following public consultation, Cabinet is requested to approve the Strategy without amendment.</p>	
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<p>CAB 105  8.2.10  Open</p> <p><b>Key Decisions</b>  Yes</p> <p><b>Call-in to apply</b>  (a) – Yes  (b) – No</p>	<p><u>DOVER HARBOUR BOARD – THE DOVER HARBOUR REVISION ORDER 201(X) AND THE DOVER HARBOUR BOARD TRANSFER SCHEME 201(X)</u></p> <p>(a) It was agreed:</p> <p>(i) That the Council submits an objection to the Dover Harbour Revision Order 201(X).</p> <p>(ii) That the Council negotiates with Dover Harbour Board to secure that appropriate measures are put in place to mitigate against the issues raised by the works envisaged by the Order.</p>		<p>The Dover Harbour Board has applied to restructure the organisation and move fully into the private sector. This will facilitate the construction of a new ferry terminal in the Western Docks by giving the Board</p>	

<p><b>Implementation Date</b>  (a) - 16 February 2010  (b) – 25 February 2010</p>	<p>(iii) That, subject to appropriate mitigation measures being secured, the Council's objection to the Order be withdrawn.</p> <p>(iv) That the Council makes representations to the Secretary of State for Transport to the effect that the proposals incorporated within the Dover Harbour Board Transfer Scheme 201(X) would only be acceptable to the Council if suitable and sufficient measures are put in place for securing future community benefit, regeneration and mitigation for the District, its residents and the Dover Harbour Board workforce arising from the transfer, development and operation of the port.</p> <p>(v) That the Chief Executive, acting in consultation with the Leader of the Council, be authorised to take all steps (including the submission of objections and representations, the conduct of negotiations and settling the terms of any agreements and instruments with any relevant person) which he considers appropriate to effect the foregoing.</p> <p>(vi) That the Chief Executive be authorised to appoint suitable professional advisers to assist the Council in making its objections and representations, conducting negotiations and settling the terms of any agreements arising from the above.</p> <p>(b) It was agreed to recommend to Council that additional budget provision of £25,000 be made available for this purpose.</p>		<p>access to private capital.</p> <p>(In accordance with the provisions of Section 100(B)(4)(b) of the Local Government Act 1972, the Chairman agreed that this item, which was not detailed on the agenda, should be considered as a matter of urgency for the reason that the consultation periods on the Revision Order and Transfer Scheme were due to expire on 4 and 11 March 2010 respectively).</p>	
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CAB 106 8.2.10 Open  <b>Key Decisions</b> Yes  <b>Call-in to apply</b> Yes  <b>Implementation Date</b> 16 February 2010	<u>ADOPTION OF THE JOINT BENEFITS POLICY AND JOINT STRATEGY FOR DELIVERING THE BENEFITS POLICY</u>  It was agreed that the Joint Benefits Policy and Joint Strategy for delivering the Benefits Policy be approved.	None.	Working with Thanet District Council, Dover District Council has developed Joint Benefits and Joint Strategy policies in order to reflect the advances made in redesigning the benefits service.  In relation to the Audit Commission's Benefits inspections, the policies will also serve as evidence of the Council's commitment to the service and its customers.	

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CAB 107 8.2.10 Open	<u>COMMUNICATION STRATEGY AND PLAN 2010/11</u>  It was agreed that the draft Communication Strategy and Plan 2010/11 be	None.	The Council's current Communication	

<p><b>Key Decisions</b> Yes</p> <p><b>Call-in to apply</b> Yes</p> <p><b>Implementation Date</b> 16 February 2010</p>	<p>approved for consideration by the Scrutiny (Policy and Performance) Committee on 16 February 2010, prior to presentation of the final document to Cabinet on 1 March 2010.</p>		<p>Strategy will lapse on 31 March 2010, and it is therefore necessary for it to be updated for the 2010/2011 Council year. The previous Strategy was the subject of extensive consultation and the core of the new Strategy has not changed.</p>	
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The meeting ended at 12.04 pm.