

Record of the decisions of the meeting of the **CABINET** held at the Council Offices, Whitfield on Monday, 4 July 2011 at 11.00 am.

Present:

Chairman: Councillor P A Watkins

Councillors: S S Chandler
N J Collor
M D Conolly
N S Kenton
C J Smith

Also Present: Councillor G Cowan
Councillor S R Nicholas
Mr S Pritchard (BPP)

Officers: Chief Executive
Director of Environment and Corporate Assets
Director of Finance
Solicitor to the Council
Head of Inward Investment
Leadership Support & Corporate Communication Manager
Regeneration Delivery Manager
Solicitor (Regeneration & Procurement)
Senior Infrastructure & Delivery Officer
Senior Planning Officer
Leadership Support Officer
Democratic Support Officer

DECISIONS

The Decisions of the meetings of the Cabinet held on 2 June and 6 June 2011 as detailed in decision numbers CAB 17 to CAB 21 were approved as correct records 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)
<p>CAB 22 4.7.11 Open</p> <p>Key Decisions No</p> <p>Call in to apply Yes</p> <p>Implementation Date 12 July 2011</p>	<p><u>ISSUES ARISING FROM OVERVIEW AND SCRUTINY OR OTHER COMMITTEES – PERFORMANCE TARGETS 2011/12</u></p> <p>It was agreed:</p> <p>(a) That the Scrutiny (Policy and Performance) Committee's endorsement of Cabinet decision CAB 19, made at its meeting held on 21 June 2011, be acknowledged.</p> <p>(b) That the Scrutiny (Policy and Performance) Committee's recommendation (b), made at its meeting held on 21 June 2011, be approved, as follows:</p> <p style="padding-left: 40px;">That key service delivery partnerships be reviewed using the partnership evaluation criteria and this information be included in the Performance Report.</p> <p>(c) That Cabinet decision CAB 19 be reaffirmed.</p>	None.	The Scrutiny (Policy and Performance) Committee, at its meeting held on 21 June 2011, endorsed Cabinet decision CAB 19 of 6 June 2011 and made an additional recommendation.	

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<p>CAB 23 4.7.11 Open</p> <p>Key Decisions</p>	<p><u>ISSUES ARISING FROM OVERVIEW AND SCRUTINY OR OTHER COMMITTEES – REFUND OF PARKING FEES TO USERS OF THE DISTRICT'S TWO LEISURE CENTRES</u></p> <p>It was agreed:</p>	None.	The Scrutiny (Policy and Performance) Committee, at its meeting held on	

Yes Call-in to apply Yes Implementation Date 12 July 2011	(a) That the Scrutiny (Policy and Performance) Committee's endorsement of Cabinet decision CAB 18, made at its meeting held on 21 June 2011, be acknowledged. (b) That Cabinet decision CAB 18 be reaffirmed.		21 June 2011, endorsed Cabinet decision CAB 18 of 6 June 2011.	
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CAB 24 4.7.11 Open Key Decisions No Call-in to apply Yes Implementation Date 12 July 2011	<u>APPOINTMENT OF INVESTMENT ADVISORY GROUP 2011/12</u> It was agreed that the membership of the Investment Advisory Group be established as follows for the Council year 2011/12: Portfolio Holder for Corporate Resources and Performance (and Chairman); Chairman of the Governance Committee; Chairman of the Scrutiny (Policy and Performance) Committee and two non-executive Members, one from the Conservative Group (Councillor K E Morris) and one from the Labour Group (Councillor M R Eddy).	None.	There is a need to convene a meeting of the Investment Advisory Group (IAG) and Cabinet is therefore requested to determine the membership of the IAG for the Council year 2011/12.	

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CAB 25 4.7.11 Open	<u>AFFORDABLE HOUSING SPD ADDENDUM</u> (a) It was agreed that the recommendation made by the Project Advisory Group (Local Development Framework), at its meeting	None.	Part of the Council's adopted Core Strategy deals with	

<p>Key Decisions No</p> <p>Call-in to apply Yes (a) No (b)</p> <p>Implementation Date (a) 12 July 2011 (b) 28 July 2011</p>	<p>held on 8 June 2011, be approved.</p> <p>(b) It was agreed to recommend to Council that the Affordable Housing Supplementary Planning Document Addendum be adopted and made available.</p>		<p>affordable housing contributions for developments of 5 to 14 dwellings. The SPD Addendum sets out the formula for securing financial contributions for affordable housing.</p> <p>At its meeting held on 6 December 2010, Cabinet approved a draft SPD Addendum for public consultation (CAB 58) and is now requested to approve the final version for adoption.</p>	
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<p>CAB 26 4.7.11 Open</p> <p>Key Decisions No</p>	<p><u>STATE OF THE DISTRICT 2010/11</u></p> <p>It was agreed to recommend to Council:</p> <p>(a) That the current State of the District report, including key economic indicators relating to median full-time earnings, be noted, subject</p>	<p>None.</p>	<p>The annual State of the District report was first introduced in May 2010 and analyses the Council's</p>	

<p>Call-in to apply Yes</p> <p>Implementation Date 12 July 2011</p>	<p>to the amendment/clarification of information relating to failed enterprises (pages 3 and 9); description of rural areas (page 7), link between housing and jobs (page 7) and rural deprivation (page 39).</p> <p>(b) That the information contained in the report be considered in any refresh of the Corporate Plan and progression of partnership working.</p>		<p>activities and the state of the District during the preceding year.</p>	
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<p>CAB 27 4.7.11 Open</p> <p>Key Decisions No</p> <p>Call-in to apply Yes</p> <p>Implementation Date 12 July 2011</p>	<p><u>KENT ENVIRONMENT STRATEGY AND ADAPTATION PLAN</u></p> <p>It was agreed:</p> <p>(a) That the Kent Environment Strategy, insofar as it is consistent with this Council's corporate priorities and to the extent that resources will permit, be adopted.</p> <p>(b) That the Kent Adaptation Plan, and the adoption of such actions which are relevant to this authority and will contribute to the joint actions where applicable and resources permit, be adopted.</p> <p>(c) That the proposed development of a Local Action Plan to take forward relevant and appropriate environmental actions and improvements in support of the Kent Environment Strategy and Adaptation Plan, be noted.</p> <p>(d) That it be noted that a further report concerning the New Nottingham Declaration would come to Cabinet for consideration in due course.</p>	<p>None.</p>	<p>Cabinet is requested to adopt the Kent Environment Strategy and Adaptation Plan which have been developed by Kent County Council in partnership with the twelve district councils. These strategies will be implemented in accordance with the Council's policies and where resources permit.</p>	

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<p>CAB 28 4.7.11 Open</p> <p>Key Decisions No</p> <p>Call-in to apply Yes</p> <p>Implementation Date 12 July 2011</p>	<p><u>PREPARATION OF A COMMUNITY INFRASTRUCTURE LEVY CHARGING SCHEDULE</u></p> <p>It was agreed that the reallocation of resources within the Local Development Framework budget in order to prepare a Community Infrastructure Levy Charging Schedule, the use of external specialist consultants and the priority level of the project as recommended in the report, be approved.</p>	<p>To not agree the report's recommendation.</p>	<p>At its meeting held on 6 April 2010, Cabinet agreed in principle that there was a need to prepare a Community Infrastructure Levy Charging Schedule (CAB 101) in advance of the introduction in April 2014 of new regulations which restrict the use of developer contributions or Section 106 agreements to provide local or sub-regional infrastructure.</p>	

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<p>CAB 29 4.7.11 Open</p> <p>Key Decisions No</p> <p>Call-in to apply Yes</p> <p>Implementation Date 12 July 2011</p>	<p><u>APPOINTMENT OF MEMBER REPRESENTATIVES TO OUTSIDE BODIES 2011/12 – MUNICIPAL CHARITIES OF DOVER</u></p> <p>It was agreed:</p> <p>(a) That the appointment of Councillor K E Morris as a nominative trustee to Municipal Charities of Dover, made by Cabinet at its meeting held on 23 May 2011 (CAB 5), be withdrawn.</p> <p>(b) That the appointment of Councillors S R Nicholas, D G Smallwood and P M Beresford to serve as nominative trustees to Municipal Charities of Dover be confirmed.</p>	<p>None.</p>	<p>At its meeting held on 23 May 2011, and on the basis of advice received from Municipal Charities of Dover, Cabinet appointed four Members to serve as nominative trustees on Municipal Charities of Dover (CAB 5). However, the Council has since been advised that only three appointments are appropriate, and it is therefore necessary to withdraw one of the appointments made.</p>	

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CAB 30 4.7.11 Open Key Decisions No Call-in to apply Yes Implementation Date 12 July 2011	<u>DECISIONS TAKEN BETWEEN CABINET MEETINGS</u> It was agreed that Decision Notice U02 (Delegation of Executive Functions) be received and noted.	None.	To note the decision taken by the Leader of the Council pursuant to Section 3 of Part 3 (Responsibility for Executive Functions) of the Constitution.	

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CAB 31 4.7.11 Open Key Decisions No Call-in to apply Yes Implementation Date	<u>NOTICE OF DELEGATED DECISIONS</u> It was agreed that Delegated Decision Notice DD01 (The naming of a new street at a residential development at Park View Close, Goodnestone) be received and noted.	None.	To note the delegated decision taken by the Portfolio Holder for Access and Property Management pursuant to Section D1 (Specific Powers Delegated to Members of the	

12 July 2011			Executive) of Part 3 (Responsibility for Functions) of the Constitution.	
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CAB 32 4.7.11 Open Key Decisions No Call-in to apply Yes Implementation Date Immediate	<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 2000, the press and the public be excluded from the meeting for 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 1972 Act.	None.		

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CAB 33 4.7.11 Exempt Key Decisions No	<u>ST JAMES'S AREA DEVELOPMENT</u> (a) It was agreed: (i) That the Head of Inward Investment, in consultation with the Leader of the Council, the Portfolio Holder for Corporate Resources and Performance and the Director of	None.	The regeneration of Dover Town Centre has been a key corporate objective for the Council for many years, and Council	

<p>Call-in to apply Yes (a) No (b)</p> <p>Implementation Date (a) 12 July 2011 (b) 28 July 2011</p>	<p>Finance, be authorised to complete the Heads of Terms.</p> <p>(ii) That a target be set for the completion of the Development Agreement and supporting Agreements by the end of July.</p> <p>(iii) That the Head of Inward Investment, in consultation with the Solicitor to the Council and the Leader of the Council, be authorised to settle any outstanding matters associated with the suite of Agreements.</p> <p>(iv) That, when a suitable position has been reached within the Planning process, interested parties and landowners located within the scheme boundaries be notified of the Council's intentions to proceed with a Compulsory Purchase Order once the Development Agreement and Compulsory Purchase Order Indemnity Agreement are completed.</p> <p>(v) That the recommendations made by the Cabinet Advisory Group (St James's Area Development), at its meetings held on 10 and 20 June 2011 (Minute Nos 3 and 10 respectively), be approved.</p> <p>(b) It was agreed to recommend to Council that it notes:</p> <p>() The report and progress made.</p> <p>() That the emerging plans, which were the subject of the presentation to the Cabinet Advisory Group (St James's Area Development) on 10 June 2011, should form the basis for a new planning application.</p>		<p>resolved at its meeting held on 3 November 2010 that further work be undertaken in relation to the St James's area (Minute No 291).</p> <p>Design proposals for a mixed use redevelopment of this area are well advanced and there is now a need for various legal agreements to be signed between Dover District Council and its development partner in order to progress the scheme further, including the submission of a planning application.</p>	
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<p>CAB 34 4.7.11 Exempt</p> <p>Key Decisions No</p> <p>Call-in to apply Yes</p> <p>Implementation Date 12 July 2011</p>	<p><u>CAPITAL APPRAISALS – REGENERATION PROJECTS 2011-12</u></p> <p>It was agreed:</p> <p>(a) That the capital appraisals for the ongoing delivery of agreed regeneration projects be approved.</p> <p>(b) That additional funding for the demolition of properties within the Yorkgate site be approved.</p>	<p>None.</p>	<p>In accordance with Council procedures, a capital appraisal must be provided when it is intended to spend capital on a project. Cabinet approval is sought for the use of capital resources to deliver several regeneration projects approved previously.</p>	

The meeting ended at 12.25 pm