



Agenda

Meeting: **Cabinet**
Date: **22 July 2015**
Time: **5.00 pm**
Place: **Council Chamber - Civic Centre Folkestone**

To: **All members of the Cabinet**

All Councillors for information

The cabinet will consider the matters listed below on the date and at the time and place shown above. The meeting will be open to the press and public.

1. **Apologies for absence**
2. **Declarations of interest**

Members of the Council should declare any interests which fall under the following categories. Please see the end of the agenda for definitions*:

- a) disclosable pecuniary interests (DPI);
- b) other significant interests (OSI);
- c) voluntary announcements of other interests.

3. **Minutes (Pages 1 - 4)**

To consider and approve as a correct record the minutes of the meeting held on 17 June 2015.

4. **Housing Revenue Account Revenue and Capital Budget Monitoring 2015/16 - 1st Quarter and 2014/15 Financial outturn (Pages 5 - 18)**

Report C/15/08: This monitoring report provides a projection of the end of year financial position for the Housing Revenue Account (HRA) revenue expenditure and HRA capital programme based on net expenditure to 31 May 2015. The report also summarises the 2014/15 final outturn position

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(subject to audit) for the Housing Revenue Account (HRA) revenue expenditure and Housing Revenue Account (HRA) capital programme compared to both the latest approved budget and the Quarter 4 budget monitoring position reported to Cabinet in April 2015.

5. **2014/15 Quarter 1 budget monitoring and 2015/16 provisional financial outturn (Pages 19 - 32)**

Report C/15/09 Section A of this report sets out a projected year end financial position on the General Fund for 2015/16, based on actuals to 31 May 2015. In addition, Section B of this report shows the council's financial position for 2014/15 (subject to audit) and compares it against the Quarter 4 budget monitoring projections reported to Cabinet in April 2014 and the latest approved estimate. This report covers General Fund revenue alone. Capital expenditure and Housing Revenue Account expenditure are covered under separate reports on this Agenda.

6. **General Fund Capital Budget monitoring - 1st Quarter 2015/16 and 2014/15 outturn (Pages 33 - 42)**

Report C/15/10: This monitoring report provides a projection of the latest financial position for the General Fund capital programme, based on expenditure to 31 May 2015. The report identifies variances on planned capital expenditure for the General Fund in 2015/16. The report also summarises the 2014/15 final outturn position (subject to audit) for the General Fund capital programme compared to both the latest approved budget and the quarter 4 budget monitoring position reported to Cabinet in April 2015.

7. **Community Infrastructure Levy (CIL): Proposed Submission for Examination of the Council's CIL Draft Charging Schedule. (Pages 43 - 144)**

Report C/15/11 The Community Infrastructure Levy (CIL) Regulations (2010) as amended, outline the process for establishing a CIL scheme in an area. The core component is the adoption of a charging schedule, which sets out levy rates per sq. m of net new floor space, payable on different types of development and locations.

At its meeting of 21st January 2015, the Cabinet approved a Draft CIL Charging Schedule, to be issued for public consultation. The consultation also invited views on a Draft Regulation 123 list, supporting evidence and analysis, including a CIL and Whole Plan Economic Viability Assessment, and a draft infrastructure assessment and delivery plan. The purpose of this report is therefore to:

- Provide feedback on the outcome of the consultation on the draft CIL Charging Schedule, which ran from 9th February to 23rd March 2015.
- Present for consideration and approval by Cabinet a revised Draft Regulation 123 List, which address comments and issues raised during the consultation.

- Present for consideration and approval a revised draft Instalments Policy, which reflects comments submitted during the consultation.
- Seek approval by Cabinet, to submit the CIL Draft Charging Schedule, supporting evidence and documents, for independent Examination in Public.
- Provide an indication of future operational requirements, associated with the implementation of a CIL scheme in Shepway.

8. Filming Policy and charging schedule (Pages 145 - 174)

Report C/15/13: When Cabinet considered the Fees and Charges for 2015/16 (Report C/14/42) it was agreed to receive a follow up report regarding the feasibility of introducing a charging schedule for commercial filming on council land. This report presents a summary of the findings from a review conducted by the Community Development Team. Following the review, a draft Filming and Photography Policy and a proposed Charging Schedule have been developed. Both are presented to Cabinet for approval.

9. Princes Parade update (Pages 175 - 184)

Report C/15/14 provides an update on the progress of the Princes Parade project. The report recommends that progress continues with a range of work streams.

10. Land at Hawkinge Community Centre- Overage Provisions (Pages 185 - 230)

This report asks members to consider a request by Edinburgh Land Estates (ELE) to forego the overage payment which will become due to the Council if ELE proceeds with the sale of a piece of land to Hawkinge Town Council (HTC). The land being sold is to the North West of Hawkinge Community Centre (the "Land"). The sale of the land and its purchase by HTC has already been the subject of two previous Cabinet reports which are referenced below.

11. HRA New Build Update and Proposals (Pages 231 - 236)

Report C/15/16: Shepway's HRA Business Plan provides for the delivery of a 10 year programme of up to 30 dwellings each year from 2014/15. This paper is informed by the recently completed pilot schemes; it recommends an interim list of sites be fully appraised immediately with a view to their development and also a timetable for preparing a new strategy and programme.

12. Exclusion of the public

To exclude the public from the following item of business, on the

grounds that it is likely to disclose exempt information, as defined in paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972: 'Information relating to the financial or business affairs of any particular person (including the authority holding that information).' 'Financial or business affairs includes contemplated as well as current activities.

13. Opportunitas Quarterly report (Pages 237 - 244)

This report provides an update from the Board of Oportunitas Ltd., and makes a formal request for an amendment to the current Business Plan running to March 2016. It also includes a financial statement in-line with the Shareholder's Agreement between the Company and the Council. In addition this report includes comments from Shepway District Council's Legal and Finance departments under section 6.

*Explanations as to different levels of interest

(a) A member with a disclosable pecuniary interest (DPI) must declare the nature as well as the existence of any such interest and the agenda item(s) to which it relates must be stated. A member who declares a DPI in relation to any item must leave the meeting for that item (unless a relevant dispensation has been granted).

(b) A member with an other significant interest (OSI) under the local code of conduct relating to items on this agenda must declare the nature as well as the existence of any such interest and the agenda item(s) to which it relates must be stated. A member who declares an OSI in relation to any item will need to remove him/herself to the public gallery before the debate and not vote on that item (unless a relevant dispensation has been granted). However, prior to leaving, the member may address the meeting in the same way that a member of the public may do so.

(c) Members may make voluntary announcements of other interests which are not required to be disclosed under (a) and (b). These are announcements made for transparency reasons alone, such as:

- membership of outside bodies that have made representations on agenda items, or
- 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.

Voluntary announcements do not prevent the member from participating or voting on the relevant item