



Cabinet

Held at: Council Chamber - Civic Centre Folkestone

Date: Wednesday, 4 November 2015

Present: Councillors Miss Susan Carey, John Collier,
Malcolm Dearden, Alan Ewart-James, David Godfrey,
Mrs Jennifer Hollingsbee, Rory Love, Philip Martin,
David Monk and Stuart Peall

Apologies for Absence: Councillors

Officers Present: Andy Blaszkowicz (Head of Commercial and Technical Services), Jeremy Chambers (Corporate Director - Strategic Operations), Adrian Hammond (Housing Strategy Manager), Andy Jarrett (Head of Strategic Development Project), Amandeep Khroud (Head of Democratic Services and Law), Sue Lewis (Committee Services Officer), Tim Madden (Corporate Director - Organisational Change), Brendan McGowan (Project Manager), Joanna Miller (Head of Finance (S151 Officer)), Susan Priest (Corporate Director - Strategic Development) and Alistair Stewart (Chief Executive)

Others Present:

NOTE: All decisions are subject to call-in arrangements. The deadline for call-in is <date> at <time>. Decisions not called in may be implemented on <date>.

24. **Announcement of the Leader - Urgent item**

The Leader made the following announcement:

I have agreed that an item should be added to the agenda. The item is relating to some land owned by the Council and ongoing negotiations with a tenant. I consider that this item should be considered as a matter of urgency because of special circumstances namely that delay in considering the issue could be to the financial detriment of the Council. I also consider that the matter should be dealt with as an exempt item because 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.

25. Declarations of interest

The following Councillors have been granted dispensation in respect of having a other significant interest in Report C/15/32 – Town and Parish Funding 2016/17 enabling them to speak and vote at the meeting; Councillors John Collier, Malcolm Dearden, Alan Ewart-James, David Godfrey, Philip Martin and Stuart Peall.

Councillor Alan Ewart-James declared a other significant interest in Report C/15/38 – Hythe Swimming Pool and Princes Parade site as he is a governor for Seabrook Primary School. He remained in the meeting during the discussion on this item but did not take part in the vote.

Councillor Malcolm Dearden declared a other significant interest in Report C/15/38 – Hythe Swimming Pool and Princes Parade site as he is a member of Folkestone Town Council and Hythe Town Council. He remained in the meeting during discussion on this item but did not take part in the vote.

26. Minutes

The minutes of the meeting held on 16 September 2015 were submitted, approved and signed by the Chairman.

27. Hythe swimming pool and Princes Parade site

Report C/15/38 responds to two cabinet resolutions, the most recent decision requires an assessment of various site options for delivering a new recreation centre for the district in Hythe. It was noted that the report omitted some of the wording of one of the resolutions.

The earlier resolution relates to a proposal to develop a new recreation centre, primary school and up to 36 town houses at Princes Parade, Hythe.

The assessment of the potential of various options for developing a new swimming pool in Hythe, includes consideration of planning matters, legal constraints, physical constraints and broad financial assumptions which together test viability and deliverability.

The conclusions are that the best option for a new recreation centre would be to develop land at The Green, Hythe. This site is however, potentially constrained by a restrictive covenant and is also in the ownership of Hythe Town Council. It is not yet known if the Town Council will wish to make the land available for the proposed centre. If The Green is not available then Princes Parade is considered to be the preferred site option.

The development of a new school is not considered viable based on original assumptions and would require Kent County Council to invest a significant capital sum in addition to the originally identified land sales if the proposal is to proceed.

The remaining part of the Princes Parade project is considered viable but because of the unknown cost of mitigating heritage impacts it is recommended to explore the comprehensive redevelopment of the site which could add value and provide wider community benefits.

This item was considered at the Resources Scrutiny Committee held on 28 October 2015.

Proposed by Councillor Rory Love
Seconded by Councillor Stuart Peall and

Resolved:

- 1. To receive and note report C/15/38.**
- 2. To invite Hythe Town Council to formally resolve, by the 31st January 2016, to make land available at the Green, Hythe for the purpose of constructing a public Recreation Centre. The land to be made available for £1 on a freehold or alternatively, a leasehold basis for a minimum of 125 years.**
- 3. Subject to Hythe Town Council's agreement to 2. Above, to prepare a planning application for a new recreation centre on Hythe Town Council owned land at the Green, Hythe.**
- 4. To invite Kent County Council to formally resolve, by the 31st January 2016, to construct a new primary school on Shepway District Council owned land at Princes Parade, Hythe. Shepway Council to make land available at Princes Parade, Hythe on a long lease. All construction and land remediation costs of the school site to be met by Kent County Council.**
- 5. Taking account of the decisions of Hythe Town Council and Kent County Council the District Council to prepare a planning application for the comprehensive mixed use redevelopment of land at Princes Parade, Hythe. The uses and extent of the uses to be determined at a future meeting of Cabinet.**

Reason for Decision:

Recent inspection work of Hythe Pool revealed that the pool continues to require extensive maintenance and repairs in order to ensure ongoing compliance with health and safety standards and to ensure that the pool is able to stay open in the short to medium term. In terms of securing the medium term future of the current pool it has been estimated that it will be necessary for the Council to invest up to £1 million over a 2 to 5 year period. It is accepted that it is no longer efficient to maintain the Pool.

An enhanced recreation centre is considered desirable to improve facilities for residents and visitors. The fitness centre will reduce ongoing revenue costs.

The Green, Hythe site option is preferred because it is located centrally within

Hythe and in close proximity to the existing facility. It is considered acceptable in planning terms. Subject to the commitment of Hythe Town Council to make the land available the proposal is deliverable in a reasonable timescale.

If The Green option is not acceptable to Hythe Town Council then Princes Parade becomes the preferred option. It is, subject to planning, within the control of the Council and deliverable within an acceptable timescale. The main matter to address, will the impact of any scheme on the Royal Military Canal and its setting as raised by Heritage England.

(Voting: For 8; Against 0; Abstentions 0)

28. **Events Management policy**

Report C/15/28 The Events Management Policy sets out how the council manages the process of granting permission to event organisers to hold events on council land, as well as the council's commitments regarding events held on private land. It is necessary to update the council's policy to reflect changes in legislation; address issues that have arisen; improve the council's processes; clarify responsibilities; and ensure that the council's broader policy objectives are delivered more effectively. Cabinet is asked to approve the updated Events Management Policy.

This item was considered at the Community Overview Committee held on 26 October 2015.

Proposed by Councillor Mrs Jenny Hollingsbee
Seconded by Councillor Rory Love and

Resolved:

- 1. To receive and note report C/15/28.**
- 2. To approve the Events Management Policy and the Events Management Procedures.**
- 3. To approve the policy changes, as set out in section 3 of this report.**
- 4. To approve that the policy comes into effect from the date it is approved.**

Reason for Decision:

Cabinet is asked to agree the recommendations set out because:

There are matters of council policy, which need the approval of Cabinet before they can be adopted.

(Voting: For 10; Against 0; Abstentions 0)

29. **Filming policy and charging schedule**

Report C/15/29 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.

This item was considered at the Community Overview Committee held on 26 October 2015.

Proposed by Councillor Mrs Jenny Hollingsbee
Seconded by Councillor Rory Love and

Resolved:

- 1. To receive and note report C/15/29.**
- 2. To adopt the Filming and Photography Policy**
- 3. To adopt the proposed charging schedule**
- 4. To approve the proposed Partnership Agreement with Kent Film Office.**

Reason for Decision:

Cabinet is asked to agree the recommendations set out because:

- a) Report C/14/42 stated that a supplementary report (i.e. this report) would be brought back to Cabinet setting out the findings of a review into charging for commercial filming on council land.
- b) The proposed Filming and Photography Policy will provide a better framework for managing requests to film on council land than the current ad hoc arrangements.

(Voting: For 10; Against 0; Abstentions 0)

30. Housing Revenue Account Revenue and Capital budget monitoring 2015/16 - 2nd Quarter

Report C/15/41 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 August 2015.

This item was considered by the Resources Scrutiny Committee held on 28 October 2015.

Proposed by Councillor Alan Ewart-James
Seconded by Councillor Ms Susan Carey and

Resolved:

- 1. To receive and note Report C/15/41.**

Reason for Decision:

Cabinet is asked to agree the recommendations set out because Cabinet needs to be kept informed of the Housing Revenue Account position and take appropriate action to deal with any variance from the approved budget.

(Voting: For 10; Against 0; Abstentions 0)

31. 2015/16 Quarter 2 Budget monitoring

Report C/15/42 sets out a projected year end financial position on the General Fund for 2015/16, based on actuals to 31 August 2015. This report covers General Fund revenue alone. Capital expenditure and Housing Revenue Account expenditure are covered under separate reports on this Agenda.

This item was considered at the Resources Scrutiny Committee held on 28 October 2015

Proposed by Councillor Ms Susan Carey
Seconded by Councillor Mrs Jenny Hollingsbee and

Resolved:

- 1. To receive and note Report C/15/42.**

Reason for Decision:

Cabinet is asked to agree the recommendations set out because Cabinet needs to be informed of the council's financial position for this year.

(Voting: For 10; Against 0; Abstentions 0)

32. General Fund Capital Budget Monitoring - 2nd Quarter 2015/16

Report C/15/43 provides a projection of the latest financial position for the General Fund capital programme, based on expenditure to 31 August 2015. The report identifies projected variances on the planned capital expenditure programme for the General Fund in 2015/16.

This item was considered by Resources Scrutiny Committee held on 28 October 2015.

Resolved:

- 1. To receive and note report C/15/43.**

Reason for Decision:

Cabinet is asked to agree the recommendations set out because it needs to be kept informed of the General Fund capital programme position and take appropriate action to deal with any variance from the approved budget.

(Voting: For 10; Against 0; Abstentions 0)

33. Treasury management and prudential indicators monitoring report

Report C/15/44 provides an update on the council's treasury management

activities that have taken place during 2015/16 against the agreed strategy for the year. The report also provides an update on the prudential indicators for capital expenditure, borrowing and treasury approved by Council earlier this year.

This item was considered by Resources Scrutiny Committee held on 28 October 2015.

Proposed by Councillor Ms Susan Carey
Seconded by Councillor Alan Ewart-James and

Resolved:

1. To receive and note report C/15/44.

Reason for Decision:

Cabinet is asked to agree the recommendations set out because:

- a) The Council must have regard to the Prudential Code when carrying out its duties under Part 1 of the Local Government Act 2003.
- b) Both the CIPFA Code of Practice on Treasury Management and the Council's Financial Procedure Rules require Members to receive a report on the Council's treasury management activities during the year.

(Voting: For 10; Against 0; Abstentions 0)

34. Medium Term Financial Strategy 2016/17 to 2020/21

Report C/15/30 The Medium Term Financial Strategy (MTFS) is the Council's key financial planning document. It puts the financial perspective on the council's Corporate Plan priorities, expressing the aims and objectives of various plans and strategies in financial terms over the five year period ending 31st March 2021. It covers both revenue and capital for the General Fund and the Housing Revenue Account. Also included are the Council's reserves policies. The MTFS is a key element of sound corporate governance and financial management.

This item was considered at the Resources Scrutiny Committee held on 28 October 2015.

Proposed by Councillor David Monk
Seconded by Councillor Stuart Peall and

Resolved:

- 1. To receive and note Report C/15/30.**
- 2. To recommend to Council that the Medium Term Financial Strategy, as appended to this report, is adopted.**

Reason for Decision:

The Council is asked to agree the recommendations set out because:-

- (a) The MTFS is the council's key financial planning document.
- (b) The strategy defines the financial resources needed to deliver the council's

corporate objectives and priorities and covers the financial implications of other key strategies.

(c) The council needs to be able to carry out an early assessment of the financial implications of its approved policies and strategies and also external financial pressures facing the authority to ensure that it has robust budgeting and remains financially viable.

(Voting: For 10; Against 0; Abstentions 0)

35. Budget Strategy 2016/17

Report C/15/33 This Budget Strategy sets out the guidelines for preparing the 2016/17 Budget. The Strategy supports the Corporate Plan and aligns with the direction and objectives of the Medium Term Financial Strategy (MTFS).

The Budget Strategy takes account of current and future financial issues; sets out assumptions and initial proposals; and provides a timetable for delivering a balanced budget in 2016/17.

This item was considered at the Resources Scrutiny Committee held on 28 October 2015.

Proposed by Councillor Ms Susan Carey
Seconded by Councillor David Monk and

Resolved:

- 1. To receive and note report C/15/33.**
- 2. To approve the Budget Strategy for 2016/17 set out in this report.**
- 3. To approve the General Fund revenue growth proposals for 2016/17 (Appendix 2).**
- 4. To approve the General Fund revenue savings proposals for 2016/17 (Appendix 3).**
- 5. To approve the General Fund capital growth proposals for 2016/17 (Appendix 4).**
- 6. To agree the proposed timetable for 2016/17 (Appendix 5).**

Reason for Decision:

(a) The Budget Strategy will assist in providing the framework within which the detailed budget is compiled.

(b) A Strategy needs to be agreed that will support the delivery of the MTFS.

(c) The council's constitution requires approval of such a strategy at least two months in advance of the budget being set.

(Voting: For 10; Against 0; Abstentions 0)

36. Town and Parish Funding 2016/17 - Council Tax Reduction Scheme

Report C/15/32 recommends options for a scheme for providing grants to

town and parish councils in 2016/17 to 2018/19 towards the cost of council tax reduction scheme that falls on their council tax base.

Amendment to substantive motion:

Proposed by Councillor Rory Love
Seconded by Councillor Ms Susan Carey and

That the substantive motion be amended by removing option 1 and replacing it with option 2 as shown in the report.

Upon being put the amendment was **lost**.

(Voting: For 2; Against 7; Abstentions 1)

Proposed by Councillor Mrs Jenny Hollingsbee
Seconded by Councillor Stuart Peall and

Resolved:

1. **To receive and note report C/15/32.**
2. **To approve that a grant of up to £57,927 is paid to town and parish councils in 2016/17 towards the cost of council tax reduction falling on their council tax base to be spread in accordance to the schedule in appendix 1 to the report.**
3. **That the grant will cease after this year, with the town and parish councils being notified accordingly.**

Reason for Decision:

The Cabinet is asked to agree the recommendations set out because:-

- (a) It will provide funding clarity to towns and parishes for the financial year ahead.
- (b) The impact can be built into the council's planned budget for 2016/17 and into the council's medium term financial strategy.

(Voting : For 9; Against 1; Abstentions 0)

37. Corporate Risk update

The Council is committed to report on its changes to the Corporate Risk Register and Report C/15/36 outlines updates since April 2015.

Members noted the following amendments to appendix 1 as follows:

- Economic Growth, Period 3, Likelihood should read 3 and not 2 as stated.
- Major development sites, Period 3, Likelihood should read 3 and not 4 as stated.

Proposed by Councillor David Monk
Seconded by Councillor Mrs Jenny Hollingsbee and

Resolved:

- 1. To receive and note report C/15/36.**

Reason for Decision:

Cabinet is asked to agree the recommendations set out because:

- a) It is a requirement of the Council's Risk Policy to provide updates to the Corporate Risk Register to Members.

(Voting: For 10; Against 0; Abstentions 0)

38. Right to buy Social Mobility Fund (Cash Incentive Scheme)

Report C/15/37 sets out details of the council's successful bid for £200,000 match funding through the Government's Right to Buy Social Mobility Fund Cash Incentive Scheme (RTBSMF CIS). The report also sets out how, subject to Cabinet approval, the initiative will be implemented in Shepway.

This report was considered at Resources Scrutiny Committee held on 28 October 2015.

Proposed by Councillor Alan Ewart-James
Seconded by Councillor Stuart Peall and

Resolved:

- 1. To receive and note Report C/15/37.**
- 2. To agree that the RTBSMF CIS should be implemented in Shepway in accordance with the proposals set out in this report.**

Reason for Decision:

Cabinet is asked to agree the recommendations set out because:

1. The DCLG have made £200,000 of match funding available to Shepway to implement the initiative in Shepway
2. The proposals will assist the council to make best use of its stock.
3. The proposals represent good value for money for the council and will assist the council to better meet the housing needs of the district.
4. The proposals will help up to ten tenant households to meet their aspirations for home ownership.

(Voting: For 10; Against 0; Abstentions 0)

39. Exclusion of public

Proposed by Councillor David Monk
Seconded by Councillor Stuart Peall and

Resolved:

To exclude the public from the following items 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.

(Voting: For 10; Against 0; Abstentions 0)

40. **HRA Home Purchase Opportunity**

Exempt minute.

41. **Hythe Beach Chalets: Compensation payment for lease surrender**

Exempt minute.