

## CABINET

### Minutes of the meeting held on 03 March 2016 at 7.00 pm in Council Chamber, Council Offices, Cecil Street, Margate, Kent.

**Present:** Councillor Christopher T Wells (Chairman); Councillors L Fairbrass, Crow-Brown, Stummer-Schmertzling and Townend

**In Attendance:** Councillors: Bayford, Game, I Gregory, K Gregory, Savage, Taylor-Smith, Campbell, Constantine, J Fairbrass, Matterface, D Saunders and M Saunders

#### **331. APOLOGIES FOR ABSENCE**

Apologies were received from Councillor Brimm.

#### **332. DECLARATIONS OF INTEREST**

There were no declarations of interest.

#### **333. MINUTES OF PREVIOUS MEETING**

Councillor L. Fairbrass proposed, Councillor Townend seconded and Cabinet agreed the minutes as a correct record of the meeting held on 19 January 2016.

#### **334. MINUTES OF EXTRAORDINARY MEETING**

Councillor Crow-Brown proposed, Councillor Stummer-Schmertzling seconded and Cabinet agreed the minutes as a correct record of the extraordinary meeting held on 28 January 2016.

#### **335. CORPORATE PERFORMANCE REPORT QTR3**

Cabinet considered the report on the performance of Council projects and services for the period April to December 2015. It was based on projects and performance targets agreed as part of the previous Corporate Plan. A new performance report was being developed so that in 2016-17, performance monitoring will be against the new Corporate Priorities.

A summary of projects in part included performance information in respect of East Kent Housing, East Kent Services and East Kent Human Resources. The remainder of the report focused on performance of TDC.

Members noted that this report had been shared with the Corporate Performance Review Working Party on 8 February 2016 at which meeting the sub-group noted the corporate performance reports under review.

The following Members spoke under Council Procedure Rule 20.1:

Councillor I. Gregory;  
Councillor Taylor-Smith;  
Councillor Bayford.

Councillor Crow-Brown proposed, Councillor Townend seconded and Members agreed to note the Council's performance as detailed in Annex 1 to the Cabinet report.

**336. BUDGET MONITORING QTR3**

Cabinet was advised of the monitoring position in respect of the 2015/16 General Fund budget, and the Housing Revenue Account, both capital and revenue. Cabinet also noted the contracts and contract waivers in the report.

Councillor Townend proposed, Councillor L. Fairbrass seconded and Members agreed the following:

- 1 That Cabinet notes the projected outturn position for 2015/16 for the General Fund;
- 2 That Cabinet notes the projected Housing Revenue Account position and agrees the revised utilisation of 1-4-1 receipts as per para 7.4 of the Cabinet report;
- 3 That Cabinet notes the General Fund and Housing Revenue Account Capital Programmes and agree the budget virements detailed as per Annex 1 and Annex 2 (to the Cabinet report) for the General Fund and HRA respectively;
- 4 That Cabinet notes the position in relation to Procurement.

**337. THANET COMMUNITY SAFETY PLAN FOR 2016-17**

The draft Community Safety Plan for 2016/17 was developed through a process of data analysis, consultation and joint planning by the agencies that make up the Partnership. The Portfolio Holder for Community Services said that a new approach had been adopted in drafting the Plan, which saw the format of the Plan being changed to focus on the following three themes:

1. Reducing re-offending;
2. Safeguarding our most vulnerable people;
3. Improving community confidence and agency collaboration.

Each of the themes will be detailed out into specific Action Plans by a Delivery Task & Finish Group. The three thematic action plans will be shared with the Community Safety Partnership Working Party and Overview and Scrutiny Panel in the early part of the 2016/17 municipal year.

Members were asked to note an amendment to the report. Paragraph 2.3 on page 60 of the agenda pack, the crime figure should read 'a reduction of 4.9%' and not 4.3%.

Councillor Campbell and Councillor Game spoke under Council Procedure Rule 20.1.

Councillor L. Fairbrass proposed, Councillor Crow-Brown seconded and Members agreed that, taking into consideration any recommendations from the Community Safety Partnership Working Party from 01 February 2016, and Overview and Scrutiny Panel on 09 February 2016, it is recommended to Cabinet that the focus areas in the Thanet Community Safety Plan 2016/17 as set out in Annex 1 (to the report) are approved and recommended to Council for final approval.

**338. HOUSING REVENUE ACCOUNT NEW BUILD PROGRAMME**

Cabinet received a report on the progress of the new build programme. The new build programme was originally budgeted for in the Budget Report taken to Full Council in February 2014. The update report provided more detail about the much needed new council homes to be delivered in the district.

The total cost of the proposed programme to provide 58 new affordable homes is £10.082m and included Homes and Communities Agency (HCA) grant funding of £1.4m.

The balance is from the Housing Revenue Account. The 58 homes are proposed to be delivered across 12 sites, mostly small under-occupied and vacant garage areas already owned by the council. Planning consent has already been granted for 10 of the sites.

The delivery deadline for the projects is March 2018. This deadline is a condition of the HCA funding as part of the 2015-2018 Affordable Homes Programme.

In addition to the HCA funded programme, a successful bid was submitted in October 2014 for a further 20 units across 3 sites as part of the HCA Borrowing Programme/Local Growth Fund. This bid allowed the Council to increase existing borrowing capacity to deliver more units, but did not provide subsidy or grant funding for these units.

Members were asked to note that the 2015 budget announcements about 1% rent reductions for social landlords has resulted in a loss to the HRA of £4.56m over the coming 4 years. This loss of income now means that the additional borrowing is no longer affordable.

The Portfolio Holder therefore recommended that the Council should not take up this additional borrowing and instead defer these sites to a later programme. The meeting was advised it was important to highlight that this decision would not involve giving back any funding allocations as this was always only a borrowing approval. The new build programme to deliver 58 new homes can continue with our existing HRA budget and the HCA grant funding to provide much needed new affordable homes to households on the Council's Housing Register.

Councillor Savage and Councillor Bayford spoke under Council Procedure Rule 20.1.

Councillor L. Fairbrass proposed, Councillor Wells seconded and Cabinet agreed the following:

1. To approve the revised new build programme as set out in Annex 1 (to the Cabinet report) and capital programme spend of £10,082,372.01;
2. To approve the Council's withdrawal from the Department for Communities and Local Government (CLG) approved HRA Borrowing Programme as resources are no longer available within the HRA Business Plan to support this additional borrowing as a consequence of the national 1% reductions in affordable and social rents over the coming 4 years;
3. To approve the provision of 58 affordable rented homes to be added to the Council's Housing Revenue Account portfolio and let to eligible households on the Housing Register.

**339. PROPOSED ADOPTION OF EAST KENT MEMORANDUM OF UNDERSTANDING ON THE LOCAL PLAN "DUTY TO COOPERATE"**

Cabinet received a report that required Members to adopt a decision on the Est Kent Memorandum of Understanding on the 'duty to cooperate' with other bodies as part of the establishing strategic priorities in the Local Plans. The Localism Act 2011 places a legal duty on local planning authorities to "engage constructively, actively and on an on-going basis to maximise the effectiveness of local plan preparation relating to strategic cross-boundary matters".

Members were further informed that the National Planning Policy Framework (NPPF) says that "Local planning authorities should work collaboratively with other bodies to ensure that strategic priorities across local boundaries are properly coordinated and clearly reflected in individual Local Plans".

Local planning authorities must demonstrate how they have complied with the Duty at the independent Examination of their Local Plans. If a local planning authority cannot demonstrate that it has complied with the duty then the Local Plan will not be able to proceed further in Examination.

An East Kent wide memorandum of understanding on the duty to cooperate would go a long way to demonstrate that TDC would have complied with the legal requirement. The Memorandum of Understanding (MoU) was agreed by the East Kent Regeneration Board in April 2014. Ashford Borough Council and Shepway District Council agreed the MoU in 2014. More recently, Dover District Council agreed the MoU on 1st February 2016 and Canterbury City Council on 11th February 2016.

Councillor Bayford spoke under Council Procedure Rule 20.1.

Councillor L. Fairbrass proposed, Councillor Wells seconded and Members agreed to adopt the East Kent Memorandum of Understanding on the Duty to Cooperate.

Meeting concluded: 7.33 pm