

## CABINET

### Minutes of the meeting held on 14 March 2019 at 7.00 pm in Council Chamber, Council Offices, Cecil Street, Margate, Kent.

**Present:** Councillor Robert W Bayford (Chairman); Councillors Savage, Ashbee, Game and I Gregory.

**In Attendance:** Councillors D Saunders, M Saunders, Shonk, Stummer-Schmertzing, Crow-Brown, Jaye-Jones, Dexter, S Piper, Rusiecki, Tomlinson and Wright.

#### **559. APOLOGIES FOR ABSENCE**

There were no apologies received at the meeting.

#### **560. DECLARATIONS OF INTEREST**

There were no declarations of interest.

#### **561. MINUTES OF PREVIOUS MEETING**

Members agreed the minutes as a correct record of the meeting that was held on 29 January 2019.

#### **562. CORPORATE PERFORMANCE REPORT QUARTER 3 2018-19**

Cabinet considered the report which set out the performance of the Council against the Corporate Plan for the period up to 31 December 2018. The report had previously been considered on 14 February 2019 by the Finance, Budget and Performance Scrutiny Panel.

Councillor Crow-Brown spoke under Council Procedure 20.1.

Councillor Gregory proposed, Councillor Savage seconded and Cabinet agreed to note the Council's performance for the period up to 31 December 2018.

#### **563. POLICY FOR IMPOSING FINANCIAL PENALTIES UNDER THE HOUSING ACT 2004 AND HOUSING AND PLANNING ACT 2016**

Cabinet noted that the Council has a statutory duty to ensure that all private sector homes in the Thanet area were maintained to a safe condition. Recent legislative changes allowed the Council to impose a financial (civil) penalty of up to £30,000, as an alternative to prosecution for certain housing offences. These new powers had been introduced to help local authorities tackle rogue landlords.

Councillor Campbell spoke under Council Procedure 20.1.

Councillor Game proposed, Councillor Savage seconded and Cabinet agreed the recommendations within the report, namely that Cabinet:

'1. Approves the adoption of the proposed "Policy for imposing financial penalties under the Housing Act 2004 and Housing and Planning Act 2016", annexed to the report.

2. Delegates authority to the Head of Housing and Planning, in consultation with the Cabinet Member for Housing and Safer Neighbourhoods, to approve minor amendments to the policy.'

**564. HOUSEHOLD WASTE DUTY OF CARE FIXED PENALTY NOTICES**

Cabinet noted that from 7 January 2019 a new code of practice came into force that allowed for a fixed penalty notice to be issued for a failure to safely dispose of domestic waste, a contravention under section 34A (2) of the Environmental Protection Act 1990. There had been over 3000 reported cases of fly tipping each year in Thanet, and this would enhance Council's ability to hold offenders to account.

Councillor Campbell spoke under Council Procedure 20.1.

Councillor Savage proposed, Councillor Gregory seconded and Cabinet agreed the recommendation within the report, namely that:

'The Council introduce fixed penalty notices in accordance with section 34A (2) of the Environmental Protection Act, 1990 for Households who fail in their duty of care obligations for the safe disposal of domestic waste and the level of the fine is £400 with a reduced early payment of £300 if paid within 10 days.'

**565. Q3 BUDGET MONITORING**

Cabinet noted the report which provided an update of the Council's 2018-19 revenue and capital forecasts against budget, as at the end of December 2018. Each service that had projected an overspend had a plan in place to reduce its overspend by the end of the year. It was expected that a significant proportion of the projected overspend would be offset by returns from the business rate retention pilot scheme.

Councillor Campbell spoke under Council Procedure 20.1.

Councillor Gregory proposed, Councillor Savage seconded and Members agreed the recommendation within the report, namely that:

'1. Cabinet notes the 2018-19 Quarter 3 forecast position for:

- (i) The General Fund;
- (ii) The Housing Revenue Account;
- (iii) The General Fund and Housing Revenue Account Capital Programmes;

2. Cabinet agrees to the updated General Fund and Housing Revenue Account capital programmes as set out in Annex 1 and 2 to the report.'

**566. PETITION RESPONSE - MARGATE MUSEUM AND THE MAYOR'S PARLOUR**

Cabinet noted that a petition containing 94 valid signatures was received by the Council requesting that the Council reaffirm that there would be no sale or disposal of the buildings known as Margate Museum and the Mayor's Parlour.

Councillor Gregory proposed, Councillor Savage seconded and Members agreed that:

'Cabinet remained committed to finding a long term sustainable future for the museums and would continue to progress to marketing as detailed and determined at the 18 October 2018 Cabinet meeting.'

Meeting concluded: 7.25 pm

