

CABINET

Minutes of the meeting held on 20 June 2013 at 7.00 pm in Council Chamber, Council Offices, Cecil Street, Margate, Kent.

Present: Councillor C. Hart (Chairman); Councillors Everitt, Fenner, D. Green, Johnston and Poole

In Attendance: Councillors Bayford, Bruce, Driver, E Green, King, Marson, Watkins and Worrow

77. APOLOGIES FOR ABSENCE

There were no apologies received at the meeting.

78. DECLARATIONS OF INTEREST

There were no declarations of interest.

79. MINUTES OF PREVIOUS MEETING

Councillor King spoke under Council Procedure Rule 24.1.

The minutes of the previous meeting were approved subject to an amendment to reflect in the minutes of the extraordinary meeting held 29 May 2013; that Councillor King spoke under Council Procedure Rule 24.1 on minute item 76, the 'Transeuropa Outstanding Debt'.

80. EQUALITY POLICY

In order to comply with the requirements of the Equality Act 2010; Council produced a draft Equality Policy which went to public consultation in April this year. Over 400 community groups were targeted through this consultation process. The proposed Equality Policy sought to support the delivery of the Council's Corporate Plan 2012-16 and Thanet 2030 Vision.

The following Members spoke under Council Procedure Rule 24.1:

Councillor Driver;
Councillor Bruce;
Councillor King.

Councillor Fenner proposed, Councillor Poole seconded and Members approve the adoption of the proposed Equality Policy and Action Plan (Annexes 2 and 3 to the officer report) to replace the former Comprehensive Equality Policy.

81. ASSET MANAGEMENT - DISPOSAL OF ASSETS

The Council adopted the Interim Property Disposal Process in May 2012 which requires property assets, identified as surplus, to be submitted and considered by Cabinet. The sites submitted for consideration were as per Table 1 below:

Table 1

	Ref	Address	Town
1.	317/3-1	Land to the rear of Courtstairs Manor, Pegwell Road	Ramsgate
2.	102/1-1	Part of former railway line, College Road/Tivoli Road	Margate
3.	194/1-1	Land adjoining the Viaduct, Margate Road,	Ramsgate
4.	69/1-1	Land at Westgate Bay Avenue	Westgate

These sites served no purpose in the delivery of the Council's services, were non-revenue producing and were considered to be a liability to the Authority in terms of cost and risk. The disposal of assets enabled liabilities to be reduced whilst realising capital receipts which could then be used in delivery of projects which supported Corporate Priorities.

Councillor Driver and Councillor Bayford spoke under Council Procedure Rule 24.1.

Councillor Poole proposed, Councillor Fenner seconded and Members agreed:

1. The sites contained in Annex 1 to the report were surplus and agreed to progress through the disposal framework for freehold sale;
2. To Officers supporting the commercial marketing on the open market of the lease for Royal Victoria Pavilion by the current lessees by being able to offer a lease extension of over 100 years if necessary. The lease extension will only be to facilitate investment by a new lessee and not support an increased value for the lease sale.

82. DISCRETIONARY HOUSING PAYMENTS POLICY

Local authorities had the power to make discretionary payments to those in receipt of housing benefit that need further financial assistance. The Council had received a grant of £401,000 for 2013/14 to make these discretionary housing payments. The number of requests for support had increased substantially following the implementation of welfare reforms and therefore it was important that a Discretionary Housing Payments Policy was in place to ensure that support was targeted to those most in need.

The objective of the policy was to provide short term help to prevent homelessness; keep families together; support the vulnerable and elderly in sustaining tenancies; enable people to secure new affordable tenancies; provide financial support for people in short-term difficulty; and incentivise people into and maintaining work.

It was noted that this policy would be managed by East Kent Services (EK Services) and Thanet District Council would monitor its implementation and where appropriate, advise EK Services of proposed adjustments that would need to be made to the policy.

Councillor Marson and Councillor King spoke under Council Procedure Rule 24.1.

Councillor Everitt proposed, Councillor C. Hart seconded and Members agreed to approve the Discretionary Housing Policy as set out in Annex 1 to the report.

83. REPRESENTATION ON EXECUTIVE APPOINTED OUTSIDE BODIES

Council agreed the list of Executive Appointed Outside Bodies at its Annual Meeting on 16 May 2013. The Leader proposed nominations for Council representatives to sit on these Bodies for 2013/14.

As part of the need to seek greater value for money for Council, Cabinet was of the view that there was a need to review the Council's membership of South East Employers (SEE). SEE are the umbrella group for Councils in the South East of England excluding London.

SEE provided some elected member support and HR advice. However the East Kent HR was now providing that service. The proposed withdrawal of membership would save Council of £5,453.17 in annual subscription costs.

Cabinet also received for consideration recommendations from the Overview & Scrutiny Panel to recommend to Council the inclusion of the Domestic Violence Forum onto the Executive Appointed Outside Bodies list.

Councillor C. Hart proposed, Councillor Poole seconded and Members agreed:

1. The list of nominations to the Executive-related outside bodies as shown at Annex 1 of the report;
2. To recommend to Council the following:
 - a) That the Domestic Violence Forum be added to the Thanet District Council list of Executive appointed outside bodies and that one TDC Member be made a nominee to that outside body with an additional TDC Member being nominated to be an ex-officio to that Forum should that prove possible;
 - b) That South East Employers be removed from the Thanet District Council list of Executive Appointed Outside Bodies.

84. REGULATION OF INVESTIGATORY POWERS ACT 2000 - ANNUAL REVIEW

The Regulation of Investigatory Powers Act 2000 ('RIPA') as amended by the Protection of Freedoms Act 2012 provided a statutory mechanism for authorising limited non intrusive covert surveillance operations by Council Officers; known as directed surveillance; or the use of a 'Covert Human Intelligence Source' for the purposes of preventing or detecting criminal offences that carry a sentence on conviction of six months or more; or relate to the illegal sale of alcohol or tobacco to under age children.

The Council preferred carrying out its various enforcement activities using overt means and considered the use of directed surveillance as a tool of last resort. As a consequence, the Council had never employed a Covert Human Intelligence Source nor have senior officers authorised any directed surveillance operations by Council Officers in the last three years. However EKS Benefit Fraud Officers conducting joint investigations with Officials from the Department for Work and Pensions would very occasionally be involved in a directed surveillance operation authorised by the DWP as the lead body.

The proposed RIPA Policy and Procedures Note for 2013/14 had some amendments to the current RIPA Policy all of which reflect the changes made by Central Government in the Protection of Freedoms Act 2012. In particular reference was made to the requirement that any authorisation for the use of RIPA powers or the renewal of an existing authorisation must first be approved by the Magistrates Court before an operation can begin or continue.

Councillor Fenner proposed, Councillor C. Hart seconded and Members agreed the following:

1. To note the report;
2. To approve the draft RIPA Policy & Procedures Guidance Note for 2013/14 attached as Annex 1 to the report;
3. To approve RIPA Policy & Procedures Guidance Note for 2013/14 be published on the Council's intranet.

85. TRANSFER OF LAND AT THE CENTRE

Orbit was progressing well on the development site with the redevelopment of the 60 homes and to date 16 houses and 6 flats had been completed and are now occupied by households from the housing register. The sites in the report were not contained within the original Sale Agreement because at that stage, one of the sites was intended for the provision of a Gateway building and funding from the HCA had not been secured to redevelop the Flowing Bowl site. The transfer of the proposed piece of land would enable an additional 19 new affordable homes to be built.

Councillor D. Green proposed, Councillor Johnston seconded and Members agreed:

The transfer of two pieces of land at The Centre, Newington as identified in Annex 1 (to the report); as land 'a' and 'b' and described as the Gateway land and Flowing Bowl land to Orbit Housing Association for the sum of £204,250.

Meeting concluded: 8.00 pm