

## Cabinet

Held at:	Council Chamber - Civic Centre Folkestone
Date	Wednesday, 17 July 2019
Present	Councillors John Collier, Mrs Jennifer Hollingsbee (Vice-Chair), Ian Meyers, David Monk (Chairman), Stuart Peall and David Wimble
Apology for Absence	Councillor David Godfrey
Officers Present:	Tim Bailey (Senior Planning Officer), Gavin Edwards (Policy and Improvements Officer), Andy Jarrett (Chief Strategic Development Officer), Susan Priest (Head of Paid Service), Hazel Sargent (Senior Planning Officer), Charlotte Spendley (Assistant Director), Adrian Tofts (Planning Policy Manager), Jemma West (Senior Committee Services Officer) and David Whittington (Planning Policy Team Leader)
Others Present:	Councillor McConville.

NOTE: All decisions are subject to call-in arrangements. The deadline for call-in is Friday 26 July 2019 at 5pm. Decisions not called in may be implemented on Monday 29 July 2019.

### 8. **Declarations of Interest**

Councillor Peall declared a voluntary interest in respect of the agenda item relating to Biggins Wood Delivery, in that his wife was employed by Smith Woolley and Perry.

### 9. **Minutes**

The minutes of the meeting held on 19 June 2019 were submitted, approved and signed by the Chairman.

### 10. **Treasury Management Annual Report 2018/19**

The report reviewed the council's treasury management activities for 2018/19, including the actual treasury management indicators. The report meets the requirements of both

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the CIPFA Code of Practice on Treasury Management and the CIPFA Prudential Code for Capital Finance in Local Authorities. The Council is required to comply with both Codes through Regulations issued under the Local Government Act 2003.

The report had been considered by the Overview and Scrutiny Committee at their meeting held on 16 July 2019. Their comments had been circulated to the Cabinet Members at the meeting.

Proposed by Councillor Monk,  
Seconded by Councillor Peall; and

**RESOLVED:**  
**That Report C/19/10 be received and noted.**

(Voting figures: 6 for, 0 against, 0 abstentions).

### **REASONS FOR DECISION:**

Cabinet was asked to agree the recommendations because:-

- a) Both CIPFA's Code of Practice on Treasury Management in the Public Services and their Prudential Code for Capital Finance in Local Authorities, together with the Council's Financial Procedure Rules, require that an annual report on treasury management is received by the Council after the close of the financial year.

### 11. **Annual Performance Report - Making a difference: a snapshot of our year 2018/19**

This report set out how the Council has continued to deliver for local people in the district in 2018/19 in response to the Corporate Plan (2017-20) vision of *investing for the next generation ~ delivering more of what matters*.

The report had been considered by the Overview and Scrutiny Committee at their meeting held on 16 July 2019. Their comments had been circulated to the Cabinet Members at the meeting.

Proposed by Councillor Monk,  
Seconded by Councillor Peall; and

### **RESOLVED:**

1. **That report C/19/14 be received and noted.**
2. **That the Annual Performance Report, Making a difference: a snapshot of our year 2018/19 be approved.**

(Voting figures: 6 for, 0 against, 0 abstentions).

### **REASONS FOR DECISION:**

The Annual Report highlights the activities and achievements of Folkestone & Hythe District Council in 2018/19 against priorities set out in 2017-20 Corporate Plan.

12. **Places and Policies Local Plan (PPLP) - Gypsy and Traveller allocation site**

The Planning Inspector considering the Places and Policies Local Plan (PPLP) at the Examination in Public indicated that the District Council should be allocating a site(s) to meet the future needs for the Gypsy and Traveller community. This report sets out the work that has been undertaken to identify a preferred site. The report also sought Cabinet approval to carry out a six-week period of public consultation on the preferred site allocation.

The report had been considered by the Overview and Scrutiny Committee at their meeting held on 16 July 2019. Their comments had been circulated to the Cabinet Members at the meeting.

A Cabinet Member highlighted a typographical error in paragraph 3.6 of the report, where Brenzett had been spelt incorrectly.

Proposed by Councillor Wimble,  
Seconded by Councillor Peall; and

**RESOLVED:**

1. That report C/19/13 be received and noted.
2. That the publication of the preferred Gypsy and Traveller site allocation, draft Policy RM15 wording; and supporting documents be agreed for public consultation.
3. That delegated authority be given to the Assistant Director of Finance, Customer & Support Service to make any minor modifications to the consultation materials resulting from the findings of the Sustainability Appraisal/Habitats Regulations Assessment.
4. That the consultation comments and consultation materials be submitted to the planning Inspector to progress with the final stages of the public examination of the Places and Policies Local Plan.

(Voting figures: 6 for, 0 against, 0 abstentions).

**REASONS FOR DECISION**

To enable the Places and Policies Local Plan to continue to the final stages of examination and adoption.

13. **Dungeness Sustainable Access and Recreational Management Strategy (SARMS)**

The report summarised the findings and sets out the main recommendations of the SARMS. It also summarised the results of the consultation on the document and set out proposed actions to take this strategy forward.

Proposed by Councillor Wimble,  
Seconded by Councillor Mrs Hollingsbee; and

**RESOLVED:**

- 1) That report C/19/11 be received and noted.
- 2) That the action plan be agreed as the basis for discussions with Rother District Council and Natural England (set out in Appendix 1 of the report);
- 3) That funding for implementing the strategy be raised through S106 for new developments that directly impact on the area or through CIL contributions.
- 4) That Folkestone & Hythe and Rother District Councils explore making a financial contribution to the Fifth Continent Project for rebranding and an interpretation plan.
- 5) That officers make any necessary minor amendments to the strategy and action plan to improve accuracy and clarity subject to the agreement of the Assistant Director and Cabinet Member.

(Voting figures: 6 for, 0 against, 0 abstentions).

**REASONS FOR DECISION:**

*These actions were required to fulfil the requirements of the habitats regulations assessment for the current Core Strategy and will help with the production of the Core Strategy Review. They will also fulfil the Council's responsibilities arising from its role as a land owner and also a duty to conserve biodiversity under the Natural Environment and Rural Communities Act 2006 as part of its policy or decision making.*

14. **Biggins Wood Delivery**

The report recommended the acceptance of two bids to deliver the Biggins Wood development.

The report had been considered by the Overview and Scrutiny Committee at their meeting held on 16 July 2019. Their comments had been circulated to the Cabinet Members at the meeting.

The Cabinet Members received a presentation from the Chief Strategic Development Officer.

Proposed by Councillor Monk,  
Seconded by Councillor Pall; and

**RESOLVED:**

**That the public be excluded for 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 to 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 figures: 6 for, 0 against, 0 abstentions).

The Chief Strategic Development Officer gave a further presentation to the Cabinet Members, and the Cabinet Members asked question relating to commercially sensitive information.

The meeting was then reopened to the public for the decision.

Proposed by Councillor Monk,  
Seconded by Councillor Peall; and

**RESOLVED:**

- 1. That report C/19/12 be received and noted.**
- 2. That the offers from those below be accepted, subject to the completion of satisfactory agreements (including the formation of a joint venture):-**
  - R in respect of the commercial element of the development and;**
  - E in respect of the residential element of the development.**
- 3. To enter into a joint venture partnership with R in accordance with the details set out in this report on terms to be agreed.**
- 4. That the use of £500,000 from the Business Rates Pool Reserve to fund the commercial element of this proposal be agreed.**
- 5. That the Corporate Director for Place and Commercial be authorised with the agreement of the Leader of the Council and the Cabinet Member for Transport, Housing and Special Projects and in consultation with the Corporate Director for Customer, Support, and Specialist Services to negotiate and conclude such agreements (including the formation and establishment of a joint venture) and to take such other actions as are necessary to deliver the Biggins Wood development in accordance with the offers set out in this report. This to include the use of the Business Rates Pool to fund any shortfall in remediation costs should this occur.**

(Voting figures: 6 for, 0 against, 0 abstentions).

**REASONS FOR DECISION:**

The council has sought bids for the delivery of the Biggins Wood development. The bids received have been evaluated and a decision needs to be made on the acceptance of the offers. Completion of Biggins Wood will be in accordance with the Council's strategic objectives of more homes and more jobs.