

Cabinet

Held at:	Council Chamber - Civic Centre Folkestone
Date	Wednesday, 25 January 2023
Present	Councillors John Collier, Ray Field, David Godfrey, Mrs Jennifer Hollingsbee (Vice-Chair), David Monk (Chairman), Stuart Peall, Tim Prater, Lesley Whybrow and *David Wimble
Officers Present:	Andy Blaszkowicz (Director of Housing and Operations), Ewan Green (Director of Place), Amandeep Khroud (Assistant Director), Susan Priest (Chief Executive), Jonathan Smith (Senior Accountant), Charlotte Spendley (Director of Corporate Services), Brian Thompson (Interim Chief Financial Services Officer), Lee Walker (Capital and Treasury Senior Specialist) and Jemma West (Democratic Services Senior Specialist)
Others Present:	Councillor Rolfe (* present for part of the meeting)

NOTE: All decisions are subject to call-in arrangements. The deadline for call-in is Friday 3 February at 5pm. Decisions not called in may be implemented on Monday 6 February 2023.

60. **Declarations of Interest**

There were no declarations of interest at the meeting.

61. **Minutes**

The minutes of the meeting held on 14 December 2022 were submitted, approved and signed by the Leader

62. **Oportunitas Progress Report 2022/23 (To 31 October 2022)**

The report provided an update from the Board of Oportunitas Ltd (“the company”) on activities undertaken so far during the 2022/23 financial year, including a projected outturn for the profit and loss account for the period to 31

March 2023 compared to the original forecast, based on activity to 31 October 2022. The report also outlined the company's audited Statement of Accounts for the financial year ending 31 March 2022. Additionally, the report sought Cabinet's permission for the company to retain the proceeds from the sale of a piece of surplus land from its property portfolio. The report is in-line with the requirement contained in the Shareholder's Agreement between the company and the Council.

The chairman of Oportunitas was present at the meeting to present the report and to address any questions.

As part of the proposal by the Leader, the fourth recommendation set out in the report, relating to the company retaining £60,000 receipt from the sale of surplus land at Leyburne Road, was removed.

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

RESOLVED:

- 1. That report C/22/81 be received and noted.**
- 2. That the Full Statement of Accounts and Directors' Report for the financial year ending 31 March 2022 be noted.**
- 3. That the latest projected outturn for the Profit and Loss Account of Oportunitas Limited for the financial year ending 31 March 2023 be noted.**

(Voting figures: 9 for, 0 against, 0 abstentions).

REASON FOR DECISION:

Cabinet was asked to agree the recommendations because:-

- a. Oportunitas Ltd ("the company") is required to provide regular updates to Cabinet as set out in the Shareholder's Agreement between the company and the Council.

The Chairman of Oportunitas asked for her disappointment to be noted in respect of the decision that the council receive the £60,000 receipt from the sale of surplus land at Leyburne Road, rather than it being retained by Oportunitas.

63. General Fund Revenue Budget Monitoring 2022/23 - Q3

The monitoring report provided a projection of the end of year financial position of the General Fund revenue budget at Quarter three (Q3), based on expenditure and income to the 30 November 2022. The report showed an improved position for Q3 with an underspend now forecast until financial year end. The reporting format had also been re-aligned to improve the presentation of the budget monitoring information for Q3.

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

RESOLVED:

- 1. That report C/22/76 be received and noted.**

(Voting figures: 9 for, 0 against, 0 abstentions).

REASONS FOR DECISION:

Cabinet was asked to note the report as it needs to be informed of the council's General Fund revenue budget position and to note the revised forecast underspend position, and consider any action required as appropriate to be recommended to Cabinet.

64. General Fund Capital Programme Budget Monitoring 2022/23 - Q3

The monitoring report provided an updated projection of the current financial position for the General Fund capital programme profiled for 2022/23, based on expenditure to 30 November 2022, and identified variances compared to the latest approved budget.

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

RECOMMENDATIONS:

- 1. That report C/22/74 be received and noted.**

(Voting figures: 9 for, 0 against, 0 abstentions).

REASONS FOR DECISION:

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

65. Q3 2022/23 HRA Budget Monitoring

The monitoring report provided 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 30 November 2022.

Proposed by Councillor Godfrey,
Seconded by Councillor Peall; and

RESOLVED:

- 1. That report C/22/79 be received and noted.**

(Voting figures: 9 for, 0 against, 0 abstentions).

REASONS FOR DECISION:

Cabinet was asked to agree the recommendations 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.

66. Draft General Fund Budget 2023/24

The report set out the Council's Draft General Fund budget for 2023/24.

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

RESOLVED:

1. That report C/22/77 be received and noted.
2. That the budget estimates, as detailed in the report, be approved as the basis for preparing the final 2023/24 budget and council tax recommendations for approval by Full Council in February 2023.
3. That minor amendments proposed to Fees and Charges for 2023/24 be approved.

(Voting figures: 7 for, 1 against, 1 abstentions).

REASONS FOR DECISION:

Cabinet was asked to agree the recommendations because they form part of the budget-setting process which will culminate in Full Council approving the budget and council tax for 2023/24 on 22 February 2023, in accordance with the Local Government Finance Act 1992.

67. **Draft Housing Revenue Account Revenue and Capital Original Budget 2023/24**

The report set out the Housing Revenue Account Revenue and Capital Budget for 2023/24 and proposed an increase in weekly rents and an increase in service charges for 2023/24. Members noted the addendum which had been circulated prior to the meeting, which identified a correction relating to the Highview Capital New Build Scheme.

Proposed by Councillor Godfrey,
Seconded by Councillor Mrs Hollingsbee;

RESOLVED:

1. That report C/22/78 be received and noted.
2. That the Housing Revenue Account Budget for 2023/24 be recommended to Full Council. (Refer to paragraph 2.1 and Appendix 1).
3. That the increase in rents of dwellings within the HRA on average by £6.25 per week, representing a 7% increase with effect from 3 April 2023 be recommended to Full Council (Refer to paragraph 3.2).
4. That the increase in rents of shared ownership dwellings within the HRA by 7%, with effect from 3 April 2023 be recommended to Full Council (Refer to paragraph 3.2).
5. That the increase in service charges be recommended to Full Council. (Refer to section 3.5).
6. That the Housing Revenue Account Capital Programme budget 2023/24 be approved. (Refer to paragraph 4.1 and Appendix 2).

(Voting figures: 8 for, 0 against, 1 abstentions).

REASONS FOR DECISION:

Cabinet was requested to agree the recommendations as the Local Government Housing Act 1989 requires the Council, as a Local Housing Authority, to keep a separate Housing Revenue Account and to produce estimates to ensure that the account does not go into deficit. The authority also has a duty to set and approve rents in accordance with government guidelines that are outlined in the self-financing determination. The Constitution requires that the annual Budget and any variations to the Budget are approved by Council.

68. Update to the Medium Term Capital Programme

The report updated the General Fund Medium Term Capital Programme for the five-year period ending 31 March 2028. The General Fund Medium Term Capital Programme was required to be submitted to full Council for consideration and approval as part of the budget process.

Proposed by Councillor Prater,
Seconded by Councillor Whybrow;

That the line in the capital budget relating to Princes Parade be removed.

(Voting figures: 2 for, 6 against, 1 abstention).

The motion was therefore LOST.

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

RESOLVED:

- 1. That report C/22/75 be received and noted.**
- 2. That the updated General Fund Medium Term Capital Programme as set out in appendix 1 to the report be recommended to Full Council.**

(Voting figures: 6 for, 2 against, 1 abstentions).

REASONS FOR DECISION:

Cabinet was asked to agree the recommendations because:

- a) It needs to be kept informed of the existing General Fund Medium Term Capital Programme position and take appropriate action to deal with any variance from the approved budget.
- b) Proposed extensions to existing schemes are required to be considered and approved before being included in the Council's Medium Term Capital Programme.
- c) The proposed Medium Term Capital Programme needs to be considered before it is submitted to full Council for approval as part of the budget process.
- d) The Council must also have regard to CIPFA's Prudential Code for Capital Finance in Local Authorities when carrying out its duties under Part 1 of the Local Government Act 2003.

69. **Beach Hut Lettings Procedure**

Folkestone & Hythe District Council ('the Council' / 'FHDC') manage 126 beach huts across the District of Folkestone & Hythe ('the District') and the Council is currently exploring opportunities to install additional huts in the District. Due to the recent increase in the number of huts in Folkestone and the potential for more huts in the future, management of the huts has intensified therefore, a procedure for leasing the huts – 'Beach Hut Lettings - Terms and Conditions' (see Appendix) – has been prepared. It is the intention that this document will provide the framework within which operational matters progress, as approved by Cabinet members.

Proposed by Councillor Collier,
Seconded by Councillor Wimble;

RESOLVED:

- a) **That report C/22/82 be received and noted**
- b) **That the 'Beach Hut Lettings - Terms and Conditions' document, be agreed, to be effective January 2023.**
- c) **That the 'Beach Hut Lettings - Terms and Conditions' document be reviewed in at least five years' time.**
- d) **That the rents for the new beach hut leases be set in line with market value rather than using the Council's discretionary fees and charges schedule.**

(Voting figures: 9 for, 0 against, 0 abstentions).

REASONS FOR DECISION:

Cabinet was asked to agree the recommendations to endorse the governance surrounding the leasing of beach huts by the Council in the future.

70. **Review of the Event Management Policy**

This report detailed the review of the Events Management Policy and Procedures (appendix 1) to ensure they are up to date and reflect current practice.

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

RESOLVED:

1. **That report C/22/80 be received and noted.**
2. **That the revised Events Management Policy be agreed and be published on the Council website.**

(Voting figures: 9 for, 0 against, 0 abstentions).

REASONS FOR DECISION:

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Cabinet was asked to agree the recommendations because: -

- Folkestone & Hythe District Council has a responsibility to consider requests and to grant or refuse permission for events to be held on Council and/or land under Council control.
- The new revised Event Management Policy includes guidance on Prevent which the Council has a duty to include in its policy.