

CABINET

Minutes of the meeting held on 19 November 2020 at 5.30 pm in Online Viewing Only.

Present: Councillor Rick Everitt (Chairman); Councillors Duckworth, Helen Whitehead, Albon and Yates

In Attendance: Councillors J Bayford, Kup, Pugh, Ashbee, R Bayford, Dexter, Rogers and D Saunders

685. APOLOGIES FOR ABSENCE

There were no apologies made at the meeting.

686. DECLARATIONS OF INTEREST

There were no declarations of interest.

687. MINUTES OF PREVIOUS MEETING

Councillor Everitt proposed, and Councillor Albon seconded and Members agreed the minutes as a correct record of the meeting held on 22 October 2020.

688. CABINET RESPONSE TO THE ADEQUATE TOILET FACILITIES AT THANET BEACHES PETITION

Cabinet was advised that Covid19 pandemic presented significant challenges to the safe opening of public toilets around Thanet beaches and in the wider district following the relaxation of the national lockdown in May.

Measures were put in place to allow social distancing to be maintained in public toilets. Additional temporary toilets were also provided at Margate and Botany Bay. The temporary toilets and social distancing measures have impacted significantly on limited budget provision for public toilets. The seasonal toilets remained open until late September 2020.

Councillor Kup spoke under Council Procedure 20.1.

Councillor Albon proposed, Councillor Everitt seconded and Cabinet agreed:

To note the concerns raised and respond to confirm that toilet facilities serving Thanet beaches will be reviewed by officers and members over the winter season with the review and recommendations to be reported back to Cabinet in March 2021.

689. MID YEAR REVIEW 2020-21: TREASURY MANAGEMENT AND ANNUAL INVESTMENT STRATEGY

Members considered the mid year review report. The council operates a balanced budget, which broadly means cash raised during the year will meet its cash expenditure. Part of the treasury management operations ensure this cash flow is adequately planned, with surplus monies being invested in low risk counterparties, providing adequate liquidity initially before considering optimising investment return. The second main function of the treasury management service is the funding of the council's capital plans.

The 2020-21 Treasury Management Strategy Statement (TMSS) referred requires revision in the light of economic and operational movements during the year. The

proposed change is to amend the 2020-21 TMSS so that the council may use investment counterparties with a minimum long term credit rating from at least one of Fitch, Moody's and Standard and Poors (where rated) of A- (or equivalent), where this is currently given as A in the 2020-21 TMSS, that any such investments now be included as specified investments.

Councillor Yates proposed, Councillor Everitt seconded and Members:

1. Made comments on the cabinet report and annexes as appropriate;
2. Recommended to council for approval, the report and annexes, including the prudential and treasury indicators that are shown and the proposed changes to the 2020-21 Treasury Management Strategy Statement.

690. POLICY FOR IMPOSING FINANCIAL PENALTIES UNDER THE ELECTRICAL SAFETY STANDARDS IN THE PRIVATE RENTED SECTOR (ENGLAND) REGULATIONS 2020.

Members were advised that the purpose of the decision was to ensure that Thanet residents had safe, secure housing, whether within the council or as private residents and that this consideration was a high priority to the council. In bringing council housing service back in house Cabinet took a very significant step to show the council's priorities as a direct landlord; with the onset of new legislation, Cabinet was extending such protection to the private sector.

These new regulations require private landlords to maintain electrical safety standards in privately rented homes. This is a new legal requirement and one which has long been overdue. This approach signifies the importance of accommodation as a whole, across both council and privately rented properties, and it takes an important step towards showing tenants that the council, has expectations of its own housing services as well as that of private landlords in terms of the safety and treatment of tenants.

The principal requirement of the new regulations are that landlords must ensure that a suitably competent and qualified person inspects and tests their electrical installations at intervals of not more than five years, and must ensure that all repairs needed to make their installations safe are carried out.

Councillor Jill Bayford spoke under Council Procedure 20.1.

Councillor Whitehead proposed, Councillor Everitt seconded and Cabinet agreed:

1. To approve the adoption of the proposed "Policy for imposing financial penalties under The Electrical Safety Standards in the Private Rented Sector (England) Regulations 2020" annexed to this report; and
2. To delegate authority to the Director of Housing and Planning, in consultation with the Cabinet Member for Housing and Community Services, to approve minor amendments to the policy.

691. BUDGET MONITORING NO.2, 2020-21

Cabinet discussed the 2020-21 budget monitoring report for General Fund revenue and capital which reflected the latest forecasts in light of the Covid-19 pandemic. Covid-19 continued to present a significant risk to the council's finances. The council had estimated the financial impact of the restrictions and then implemented some initiatives to mitigate the effects of the pandemic. However government support will be essential to delivering a balanced position for this council.

Councillor Pugh spoke under Council Procedure 20.1.

Councillor Yates proposed, Councillor Everitt seconded and Cabinet agreed the following:

1. To note:
 - (i) The General Fund revenue budget 2020-21 forecast position;
 - (ii) The General Fund Capital Programme 2020-21 forecast position;
 - (iii) The Housing Revenue Account position.
2. To approve the transfer of £200k of the Covid Shortfall Reserve to the Equalisation Reserve (see paragraph 3.4 to the Cabinet report);
3. To the updated General Fund capital programme as set out in Section 4 and Annex 1 to the report.

692. POLICY FOR IMPOSING FINANCIAL AND PUBLICATION PENALTIES UNDER THE ENERGY EFFICIENCY (PRIVATE RENTED PROPERTY) (ENGLAND AND WALES) REGULATIONS 2015.

Cabinet agreed that the council has a statutory duty to enforce the Energy Efficiency (Private Rented Property) (England and Wales) Regulations 2015 in respect of domestic private rented property. These regulations have, since 01 April 2020, prohibited private landlords from renting out homes that are subject to an Energy Performance Certificate with an energy efficiency rating of F or G.

The regulations were made to help ensure that those private tenants in most need of more thermally efficient homes, particularly vulnerable people and the fuel poor, are able to enjoy a more comfortable and healthier living environment and lower energy bills. They are also part of the wider strategy to reduce UK greenhouse gas emissions, and align with the council's overall aims to both safeguard vulnerable tenants and promote energy efficiency.

Councillor Jill Bayford spoke under Council Procedure 20.1.

Councillor Whitehead proposed, Councillor Everitt seconded and Cabinet agreed:

1. To approve the adoption of the proposed "Policy for imposing financial and publication penalties under The Energy Efficiency (Private Rented Property) (England and Wales) Regulations 2015" annexed to this report; and
2. To delegate authority to the Director of Housing and Planning, in consultation with the Cabinet Member for Housing and Community Services, to approve minor amendments to the policy.

693. 2020-21 BUDGET STRATEGY

Members considered the budget strategy for the 2021-22 council budget, whose main purpose was to set out the approach and principles the council would apply to develop and deliver a balanced budget for 2021-22. Cabinet acknowledged that the council was already under financial pressure before the pandemic.

Excluding the impact of Covid-19 the forecast budget gap for 2021-22 would be approximately £1m. Permanent budget savings or solutions would be required to address this structural deficit and deliver a balanced budget for 2021-22. It was hoped that this

budget strategy would enable the council to respond effectively to changing circumstances while maintaining a focus on the council's financial sustainability.

Cabinet discussed an outline of the key issues which would need to be considered as part of development the 2021-22 budget. This included the key points and proposed timetable of key dates between now and the budget setting Council meeting in early February 2021. The budget strategy would enable the Council to respond effectively to changing circumstances while maintaining a focus on the Council's financial sustainability. The strategy applied to the General Fund budget only as a separate budget strategy would be developed for the Housing Revenue Account. An inclusive consultative process for building the budget had started with the holding of Member budget briefing sessions.

Councillor Yates proposed, Councillor Everitt seconded and Cabinet approved the 2021-22 Budget Strategy.

694. FEES AND CHARGES 2021-22

Cabinet reviewed fees and charges proposals as part of the 2021-22 budget setting process. The proposed fees and charges are expected to generate additional income of around £200K, which represented an average increase of 2.0%. This excluded items such as Selective Licensing, On Street Parking and specific growth items which would be covered elsewhere in the budget.

In setting out these proposals, consideration was given to the budget strategy that Members had discussed and agreed earlier on in the meeting. The starting position would be to increase all fees and charges by at least 2% and all fees and charges income budgets by 2%. Members agreed that the only exceptions to this will be:

- Where individual charges cannot rise by 2%, e.g. individual car parking charges, but the service (in this example, parking) will still need to generate at least 2% increase overall.
- Where a service is being fundamentally reviewed as part of a review of its fees and charges income shortfall.

The assumption held was that all services (e.g. building control) that identified a significant projected shortfall last year and this year, would take action to eliminate the shortfall. This might be by increasing charges by more than 2% if the market would tolerate it; or by restructuring charges; or by fundamentally reviewing the service. This would enable the overall budget strategy to presume no additional burden from historic income shortfalls. It was anticipated that this would generate approximately £200k of income for the council.

Councillor Yates proposed, Councillor Everitt seconded and Cabinet:

1. Considered and made comment on the proposed 2021-22 fees and charges schedule, as listed in Annex 1;
2. Recommended the proposed 2021-22 fees and charges to Full Council for approval.

695. WASTE DISPOSAL - PROPOSED INTER AUTHORITY AGREEMENT

The meeting was advised that in the current arrangement, the council was the collection authority for domestic waste whilst KCC was the disposal authority. The existing inter authority agreement spelt out the collection methodology and mechanism for payments (known as enabling payments) associated with the waste service to be made by KCC to TDC. The current 10 year agreement was between the four East Kent districts and KCC.

This existing agreement expires on 15 January 2021. The existing agreement included the standards required for collection and transfer of the various domestic waste streams along with waste from street bins, dog bins, bulky waste collections and street cleansing arisings. A new agreement had been drafted with the intention of this coming into force on 16th January 2021 thereby avoiding a gap between the old and new agreements. This agreement would also set out the model for the sharing of income and savings by KCC and TDC for waste recycled and diverted from landfill.

Councillor Albon proposed, Councillor Everitt seconded and Cabinet approved Option 1 which is as detailed below:

1. That the Council enters into a new Inter Authority Agreement with Kent County Council for a period of 5 years from 16 January 2021;
2. That the Director of Operations is given delegated authority to undertake all steps to negotiate and agree the final terms of the agreement (in consultation as necessary with the Portfolio Holder);
3. That the Director of Law and Democracy is given delegated authority to sign the final agreement.

Meeting concluded: 6.08 pm