

CABINET

Minutes of the extraordinary meeting held on 2 March 2023 at 7.00 pm in Council Chamber, Council Offices, Cecil Street, Margate, Kent.

Present: Councillor Ash Ashbee (Chair); Councillors Pugh, J Bayford, R Bayford and D Saunders

In Attendance: Councillors Albon, Austin, Bailey, Duckworth, Everitt, Fellows, M Saunders, Shonk and Wing

894. APOLOGIES FOR ABSENCE

Apologies were received from Councillor Kup.

895. DECLARATIONS OF INTEREST

There were no declarations of interest.

896. FUTURE HIGH STREET FUND

Cabinet considered the report on the Future High Street Fund. The aim of the Future High Street Fund was to renew and reshape high streets with the inclusion of other uses to drive increases in footfall. The Council was successful in a bid that included the development of a creative workspace in Ramsgate town centre. Unfortunately, due to challenging circumstances a number of buildings the Council had considered, and Cabinet had given authority to purchase, had either been bought or leased by third parties or landlords had become unresponsive.

Since then the Council had been working hard to identify new sites in order to be able deliver this project, and one had been identified that also supported delivery of the Levelling Up Fund project.

Councillor Albon and Councillor Austin spoke under Council Procedure Rule 20.1.

Councillor Pugh proposed, Councillor David Saunders seconded and Cabinet agreed:

1. To Authorise the Director of Regeneration to include the Levelling Up Fund monies for the 'Access to Opportunities' (town centre) project to be included within the Future High Street Fund project for delivery. The funding allocated is approximately £250,000;
2. To give delegated authority to the Director of Regeneration, in consultation with the Interim Director of Property, to complete negotiations for the purchase of a town centre property within the approximately £1.31m externally funded budget. The funding allocated will need to deliver the purchase of the asset, and refurbishment in order to meet the outputs of the Future High Street Fund and the Levelling Up Fund project.

897. FUTURE DELIVERY - PORT OF RAMSGATE

Cabinet discussed the report on the future of the Port of Ramsgate. The Port of Ramsgate was designed and constructed to serve roll on roll of (ro-ro) ferries and is

ideally located to offer short sea crossings between the UK and Europe. Since 1998 the Council had operated the Port of Ramsgate, which in the past had hosted a scheduled cross channel service operating on a daily basis. Since April 2013 there had been no scheduled cross channel service impacting on the port's financial position. There had been much debate and commentary over recent years about the fortunes of the port and its future uses. Councillor Ashbee, Leader of Council was pleased to be bringing this report to Cabinet which aimed to address the underutilisation of the port and recommends actions to attract new business.

The need to diversify the income gained from the Port was not a new concept and much had been done to expand its income streams over the years. The aggregates business had been established at the port for almost 25 years, with the windfarm operations and maintenance bases being established from 2010. There have been successes with ad hoc business too, most notably trade car imports, which have had a positive impact on port income in recent years. It was recognised that to be successful the port must attract resilient businesses delivering stable income streams and employment.

Using specialist port consultants and a specialist external legal team, a review of the post EU Exit market opportunities and options for future port delivery models had been completed. Through this work seven options had been identified for the future operation of the port. At the heart of the report was the recommendation for Cabinet to approve the option to bring in an operator to manage the Roll on Roll off (ro-ro) activities at the port, whilst retaining the management of part of the Port, thus splitting the commercial activity by the type of operation. The Council would retain control of non ro-ro traffic including aggregates, with ro-ro cargo and traffic managed by a third party. This would give the council control over how the port was managed and run, by each of the commercial entities operating from the port, but it would have less risk and responsibility.

A plan had been put together which was annexed to the report which indicates the area required for ro-ro operations and an additional area that could be made available if required by a prospective port operator. This plan of the port built on the zoning work the Council completed and published last year, identifying development sites at the port. The plan annexed to the report provided a clear designation for the ro-ro opportunities, which did not impact negatively on the Levelling Up Funding project to deliver a green campus on the northern part of the port.

The report set out recommendations for the route to procure the new ro-ro business via a multi-stage open process, commencing with expressions of interest from the market. It also described the current aggregates opportunity. Councillor Ashbee proposed amendments to recommendations 3 and 4 to the report, as follows:

1. That Cabinet gives delegated authority to the CEO to conduct an open and competitive tendering process in order to make a recommendation to Cabinet to secure a Port Operator, based on the proposed scoring criteria; following which the CEO is authorised to negotiate and award a concession contract and enter into an accompanying lease, in accordance with Section 11 of this report.
2. That Cabinet gives delegated authority to the CEO to conduct negotiations with the aggregate operator, which will be subject to a best value exercise to ensure the agreed proposals add value to the Port of Ramsgate, the Council, and its communities. Negotiations will also cover any requirements in terms of formal approvals required being achievable for the expansion. The agreed proposals will be recommended by the CEO to Cabinet for approval.

Following this, the CEO is authorised to enter into a subsequent contractual agreement with an accompanying new (or revised existing) lease with the aggregate operator.

The following members spoke under council Procedure Rule 20.1:

Councillor Duckworth;
Councillor Bailey;
Councillor Shonk;
Councillor Everitt;
Councillor Wing;
Councillor Austin.

Councillor Ashbee proposed, Councillor Pugh seconded and Cabinet agreed:

1. To approve the future model for delivery of the Commercial Port as set out in Option 5, in Section 10 (of the cabinet report);
2. To give delegated authority to the Chief Executive Officer to develop the procurement framework and process to be followed, to secure a port operator in accordance with Section 11 of this report;
3. To give delegated authority to the CEO to conduct an open and competitive tendering process in order to make a recommendation to Cabinet to secure a Port Operator, based on the proposed scoring criteria; following which the CEO is authorised to negotiate and award a concession contract and enter into an accompanying lease, in accordance with Section 11 of this report;
4. To give delegated authority to the CEO to conduct negotiations with the aggregate operator, which will be subject to a best value exercise to ensure the agreed proposals add value to the Port of Ramsgate, the Council, and its communities. Negotiations will also cover any requirements in terms of formal approvals required being achievable for the expansion. The agreed proposals will be recommended by the CEO to Cabinet for approval. Following this, the CEO is authorised to enter into a subsequent contractual agreement with an accompanying new (or revised existing) lease with the aggregate operator.

898. BETTER CARE FUND UPDATE

Members received an update report on the Better Care Fund (BCF). They were advised that the Council had a statutory duty to award Disabled Facilities Grants (DFGs) to people who qualify for assistance, subject to means testing. The DFGs funded essential adaptations for people with disabilities and were designed to enable people to continue to live independently in their home.

In the past, funding for DFGs came directly from the government. Now the funding for DFGs was part of the Better Care Fund. The BCF was a pooled budget across district councils, county councils and health services. The fund was administered by KCC and was available to be spent on things which contribute to the BCF Plan, including DFGs. The purpose of including the DFG funding in the BCF was to enable spending on wider joint housing, health and social care outcomes, such as reducing hospital admissions and enabling earlier discharge from hospital.

The first call on the Council's BCF allocation was the funding of mandatory DFGs. However there was scope to also fund the administration of the grants programme

and other services that were set out in the Council's published Housing Assistance Policy. Currently, the Council used some of the Better Care Funding to fund the Disabled Facilities Grants officer, and a KCC Occupational Therapist to support disabled people who need an adaptation. The Council also funded a handyman scheme, hospital discharge scheme and specialised hoarding officer, all aimed at improving outcomes for vulnerable and disabled residents. Two officers were also funded within the Home Energy team, whose role was to provide advice about energy efficiency and availability of funding and support people in fuel poverty to access the help they needed.

There remained some capacity with the BCF to allocate further resources to these services, as set out in the report. It was being recommended that additional resources were needed for energy efficiency work due to the scale of the need for this work as a result of both the declared climate emergency and the current economic climate.

Councillor Yates spoke under council Procedure rule 20.1.

Councillor Jill Bayford proposed, Councillor Saunders seconded and Cabinet agreed:

1. To note the report regarding the current use of the Better Care Fund, and approve the additional resource within the Housing Strategy & Projects Team for Home Energy.

899. NET ZERO STRATEGY AND ACTION PLAN

Members considered the TDC Net Zero Strategy which set out how the Council would address climate change and meet its pledge, which included reaching net zero in its estates and activities by 2030. The draft strategy was approved for public engagement last September. The engagement process ran until 11th November and was very successful, with over 70 residents and organisations giving feedback. This feedback was summarised in the Cabinet report which included a table listing the themes of the comments made and how TDC would take these comments on board.

The engagement process had led to a number of recommended additions to the strategy. These recommendations were presented to the Climate Emergency Cabinet Advisory Group which had cross-party membership and the group agreed that these recommendations be forwarded to Cabinet. The final draft of the Net Zero Strategy 2023 and the feedback report would be available on the Council website for residents to view.

Councillor Yates and Councillor Austin spoke under Council Procedure Rule 20.1.

Councillor Bob Bayford proposed, Councillor Pugh seconded and Cabinet agreed:

1. To approve the proposed recommended additions to the Net Zero Strategy:
 - a. To add interim targets (to 2030 and 2040) for the emissions the council has partial control over in the next action plan. This action plan will be written in 2024;
 - b. To add the emissions from home working to future carbon footprinting calculations;

- c. To consider calculating emissions from staff commuting when resources become available to collate the more complicated data set;
 - d. To work with KCC on Local area energy planning to devise a plan for renewable energy across the district, where resources allow;
 - e. To set out a clear plan to ensure that all staff are educated on climate change.
2. To approve the Final Net Zero Strategy 2023;
 3. To continue to note that the strategy cannot be fully implemented without external funding being available, and agreed, in accordance with the pledge, to lobby external agencies and government.

900. PROPOSAL TO TRANSFER AREA OF LAND OFF HIGHFIELD ROAD, RAMSGATE TO THE HOUSING REVENUE ACCOUNT FOR DEVELOPMENT OF AFFORDABLE HOUSING

Cabinet discussed proposals for the transfer of an area of land off Highfield Road in Ramsgate to the Housing Revenue Account for the development of affordable housing. This piece of land was a small site with an initially assessed capacity for up to 27 homes. The site had already been allocated for residential use within the Thanet Local Plan. The site was situated close to existing residential dwellings in Highfield Road, Ramsgate and directly adjoins the back gardens of existing houses. It was also adjacent to the sports facilities at Jackey Bakers and has previously been used as parking linked to the sports provision. The area is currently fenced off and unused.

Initial planning advice was that a smaller scale development of approximately 20 homes would be more suitable. Independent valuation advice had been obtained and was set out in the Cabinet report. The final value would depend upon the final scale of the consented scheme, once planning permission had been obtained. Where a property was transferred between the HRA and any other revenue account within the General Fund, a corresponding adjustment to the Capital Financing Requirement was made between accounts. This had the effect of reducing the level of debt allocated to the council's general fund and the revenue cost of supporting this debt, potentially making future general fund capital investment more affordable.

The affordable homes to be provided on this site were very much needed in Thanet. The council's most recent Housing Needs study identified that our district needed 548 new affordable homes each year to meet the needs of the local community and the council's house building programme made an important contribution to this. In November 2022, Cabinet reviewed the council's housing development programme and agreed to allocate an initial £7.9m to a phase 5 programme, with potential to deliver 25-30 units in the financial year 2025/26. The site off of Highfield Road would make a significant contribution to the delivery of this commitment.

In order to remove any potential misunderstanding regarding what the report was referring to, Cabinet also noted that para 3.2 of the Cabinet report should read as follows:

“Note the additional borrowing capabilities of the general fund of between £489k and £611k which could be utilised for future improvements at Jackie Bakers sports field.”

Councillor Everitt spoke under council Procedure rule 20.1.

Councillor Jill Bayford proposed, Councillor Saunders seconded and Cabinet agreed:

1. To the transfer of land from the General Fund account to the Housing Revenue account to enable it to be developed for Affordable Housing;
2. To prepare and submit an application for planning consent for the development of affordable homes, including necessary technical site assessments and community consultation;
3. To consider a further report to authorise the letting of a construction contract, once a detailed scheme has been developed.

901. COMMERCIAL WASTE

Members discussed the commercial waste report and they were advised that in 2018 the Council made the decision to introduce a Commercial Waste Service to the businesses of Thanet. The intention was to provide local businesses with a fairly priced yet flexible service, while supporting the wider provision of services within our Recycling and Waste functions. Unfortunately during the period between 2018 and now, the country had faced multiple challenges that had impacted on the provision of this local service and these included:

Brexit and the national HGV shortage

This had had a significant impact on our ability to attract and retain drivers for local positions, both permanent and temporary.

The covid Pandemic

This directly impacted on local businesses ability to trade their way through the pandemic, resulting in them closing for a period or in some instances ceasing trading altogether. This had had a direct impact on the number of unpaid invoices and the size of our customer base.

National cost of living/utilities crisis

This too had had a direct impact on business's ability to continue trading, again adding to the amount of default debt and reducing our customer base.

All of these challenges had made it difficult for the Council to maintain its original objectives and as result the Council had been trading at a loss. It was therefore considered prudent to withdraw this service and focus on statutory responsibilities, allowing businesses time to find an alternative provider that could meet their needs.

Councillor Bailey and Councillor Albon spoke under council Procedure rule 20.1.

Councillor Bob Bayford proposed, Councillor Pugh seconded and Cabinet agreed that:

As per Option 1 at 4.1 in the cabinet report to cease offering the service from 31 May 2023 and provide two months notice to customers as per the terms and conditions, discontinue the Commercial Waste Service and charge customers at the 2022/23 rate until such time as the service is withdrawn.

902. HRA TOWER BLOCKS REFURBISHMENT AND RETROFIT PROGRAMME

Members considered the report that was asking Cabinet to agree to the appointment of Mears Group as design and delivery partner for the Tower Block Refurbishment programme via a direct award, using a procurement framework. This contract would provide for the full delivery of a £17 million refurbishment and retrofit programme to 5 of the Council's tower blocks.

These works would:

- Improve fire safety with the replacement of the External Wall insulation and fire doors in the blocks;
- Improve structural safety by carrying out any concrete repairs required;
- Improve energy efficiency with a number of proposed retrofit measures including replacing windows and heating;
- Improving the condition of the blocks through cyclical works that include decoration to internal areas, repair, decorate or replace flooring and refurbishment of balconies.

This procurement strategy was the preferred route to market to safeguard the council's eligibility for the funding opportunities available through the Building safety Fund and the Social Housing Decarbonisation Fund. For both of these external funding pots, the speed of delivery was important. The Council had already secured funding of £1.7 million from the government's Building Safety Fund for pre tender works and expected to be awarded the full costs of replacing the external wall insulation. The Council also submitted a bid for £4.25 million from the Social Housing Decarbonisation Fund for energy efficiency improvements.

This funding could cover up to 70% of the value of the project, thus providing great financial benefit to the council, to tenants and to leaseholders, who would otherwise face larger contributions towards the costs of work through their service charges. The Council expected to hear the outcome of the bid to the Social Housing Decarbonisation Fund during March, and if successful the Council would be able to return a corresponding amount from the approved capital programme to the HRA Major Repairs Reserve for investment in future projects to improve the council's housing stock.

Councillor Jill Bayford proposed, Councillor Saunders seconded and Cabinet agreed to:

1. Approve the appointment of Mears Group PLC as design and delivery partner via direct award using the Prosper framework;
2. Approve the appointment of the in-house delivery team, as detailed in annex 1 (to the cabinet report).

903. EDGAR ROAD PURCHASE

Cabinet considered proposals for the purchase of a property in Edgar Road. Live Margate was an ambitious programme for the Council to intervene in the housing market in Cliftonville by purchasing bedsits and houses in multiple occupation and converting them into family homes. The programme had proved extremely successful and had so far converted 9 buildings into 33 self-contained family homes from what were previously more than 100 bedsit flats with shared facilities. The programme had tackled buildings in serious disrepair, contributed to improving housing conditions in Cliftonville and let homes on long-term secure affordable tenancies. The funding for

Live Margate was part of the approved Housing Revenue Account capital programme.

With the remaining approved funding for the Live Margate Programme, the Council was proposing to purchase a large property in Edgar Road, Cliftonville. The property consisted of four interconnecting houses, currently configured as a single licensed house in multiple occupation. It consisted of approximately 20 individual rooms with en-suite bathrooms with shared lounges and kitchens.

The property had been valued and the owner had indicated acceptance of an offer within the valuation figure, subject to contract. There was sufficient funding within the approved Live Margate programme to support the purchase. In the same way as other properties already completed within the Live Margate programme, it was proposed to purchase the property and complete a conversion into self-contained family homes for affordable rent.

If approved, the conversion project would take between 12 and 18 months to develop and for works to start on site. During this time, the building had the potential to be occupied, as a house in multiple occupation, to assist with the needs of homeless people.

Councillor Jill Bayford proposed, Councillor Pugh seconded and Cabinet agreed:

1. To approved Live Margate programme;
2. To design a scheme to convert the building into self-contained 2 bedroom flats, progress a planning application and appoint a suitable design team to progress the conversion;
3. To consider a further report once the detailed conversion costs are known, so that the necessary funding can be included within the HRA capital programme and a contractor appointed.

Meeting concluded: 8.34 pm