

# Council – Supplementary agenda No.1

## A meeting of the Council will be held on:

**Date:** 12 August 2015

**Time:** 7.00pm

**Venue:** St George's Centre, Pembroke Road, Chatham Maritime, Chatham  
ME4 4UH

## Items

### 8 Leader's report

(Pages  
3 - 6)

Please find attached the record of decisions of the Cabinet meeting held on 4 August 2015.

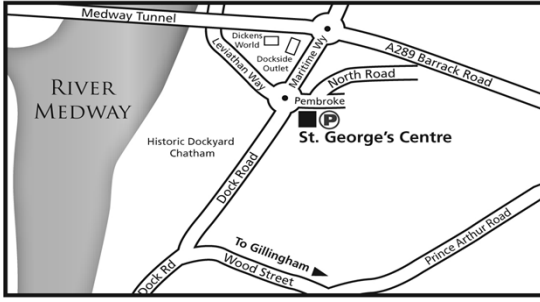
Please note that the recommendations from Cabinet for the following reports are included in the record of decisions as follows and are consistent with the recommendations set out in agenda items 13 and 15 on the main agenda for the Council meeting:

Agenda item 13 – Updates to the Council's Contract Procedure Rules (CPRs) – decision no. 107/2015

Agenda item 15 – The Balfour Centre, Pattens Lane – decision no. 106/2015.

For further information please contact Julie Keith, Head of Democratic Services on Telephone: 01634 332760 or Email: [democratic.services@medway.gov.uk](mailto:democratic.services@medway.gov.uk)

Date: 5 August 2015



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A summary of this information can be made available in other formats from **01634 333333**

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If you have any questions about this meeting and you want to speak to someone in your own language please ring **01634 335577**

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## **Record of Cabinet decisions**

**Tuesday, 4 August 2015**

**3.00pm to 3.12pm**

**Date of publication: 5 August 2015**

**Subject to call-in these decisions will be effective from 13 August 2015  
The record of decisions is subject to approval at the next meeting of the Cabinet**

<b>Present:</b>	Councillor Howard Doe	Deputy Leader and Portfolio Holder for Housing and Community Services
	Councillor David Brake	Portfolio Holder for Adult Services
	Councillor Rodney Chambers, OBE	Portfolio Holder for Inward Investment, Strategic Regeneration and Partnerships
	Councillor Jane Chitty	Portfolio Holder for Planning, Economic Growth and Regulation
	Councillor Phil Filmer	Portfolio Holder for Front Line Services
	Councillor Adrian Gulvin	Portfolio Holder for Resources
	Councillor Andrew Mackness	Portfolio Holder for Corporate Services
	Councillor Mike O'Brien	Portfolio Holder for Children's Services
	Councillor Rupert Turpin	Portfolio Holder for Business Management

**In Attendance:** Neil Davies, Chief Executive  
Dr Alison Barnett, Director of Public Health  
Richard Hicks, Deputy Director, Customer Contact, Leisure, Culture, Democracy and Governance  
Perry Holmes, Assistant Director, Legal and Corporate Services/Monitoring Officer  
Julie Keith, Head of Democratic Services  
Anthony Law, Democratic Services Officer  
Barbara Peacock, Director of Children and Adults Services  
Phil Watts, Chief Finance Officer

### **Apologies for absence**

An apology for absence was received from Councillor Alan Jarrett (Leader of the Council).

### **Record of Decisions**

The record of the meeting held on 7 July 2015 was agreed and signed by the Deputy Leader as correct.

## Declarations of disclosable pecuniary interests and other interests

### Disclosable pecuniary interests

There were none.

### Other interests

Councillor Gulvin declared an interest in agenda item 6 (Recruitment Freeze) in relation to the Case Work Assistant posts, as his brother was the Manager of the Youth Offending Team.

## **The Balfour Centre, Pattens Lane**

### **Background:**

This report proposed that the Balfour Centre site, Pattens Lane, Rochester be declared surplus. As the value of the property was possibly over £1 million the disposal was a matter for Full Council.

The report and accompanying plan explained how the site had previously been used for the day element of the Council's Enhanced Care Service (which had now re-located to Robert Bean Lodge, Rochester) and was used for a day centre operated by Medway Community Healthcare CIC (MCH). The background as to MCH's use of the site was explained and it was noted that their short term non-secure lease was due to expire on 31 December 2015.

In relation to the options for the site it was noted that the Council could either retain the Balfour Centre site, with the inherent holding costs, or dispose of its interest and realise a capital receipt.

It was proposed that the Balfour Centre site be declared surplus and, if satisfactory terms could be agreed, it could be sold to MCH. When considering this item Members discussed the protection of the Council's interests in this site.

### ***Decision number:***

### ***Decision:***

**106/2015**

**The Cabinet agreed to recommend to Full Council that it:**

- a) **declares the Balfour site surplus to requirements.**
- b) **delegates authority to the Assistant Director of Legal and Corporate Services in consultation with the Leader to:**
  - i. **dispose of the property upon the best terms reasonably obtainable.**

## Cabinet, 4 August 2015

- ii. **utilise, if necessary, the Council's disposal powers under circular 06/03 Local Government Act 1972 General Disposal Consent (England) 2003, provided the transaction satisfies the consent order's conditions and does not breach state aid rules.**

### **Reasons:**

To realise capital receipts and to reduce revenue costs.

### **Update to the Council's Contract Procedure Rules (CPRs)**

#### **Background:**

This report proposed revisions to the Council's Contract Procedure Rules, which were contained within the Council's Constitution.

It was noted that in February 2015, the legislation which governed the procurement rules for public sector procurement had been updated and enacted into UK legislation in the form of the Public Contracts Regulations 2015. The report explained the main changes made to the procurement legislation and Appendix 1 to the report highlighted the necessary revisions to the Council's Contract Procedure Rules.

It was reported that the Audit Committee had considered the proposed revisions on 14 July 2015 and details of the Committee's discussion was set out in the report. In response to a question raised at the Audit Committee meeting, the report and Appendix 2 to the report explored the use of electronic websites to purchase goods within the context of both the 2015 Regulations and the Council's current Contract Procedure Rules.

#### ***Decision number:***

#### ***Decision:***

**107/2015**

**The Cabinet noted the comments of the Audit Committee and recommended approval of the Contract Procedure Rules, as set out in Appendix 1 of the report, to Full Council.**

#### **Reasons:**

By agreeing the updating of the Council's Contract Procedure Rules, the Council will be better protected against challenges to contract awards.

**Recruitment Freeze**

**Background:**

This report presented information on vacancies that officers had requested approval to commence recruitment for, following the process agreed by Cabinet on 7 January 2003 (decision number 9/2003).

Details of the posts were set out within Appendix 1 to the report and within Supplementary Agenda No. 1 (which was tabled at the meeting).

**Decision number:**

**108/2015**      **The Cabinet agreed to unfreeze the following posts, as detailed in Appendix 1 to the report and within Supplementary Agenda No.1:**

**Business Support**

- a) Political Assistant to Labour Group**

**Children and Adults**

- b) Deprivation of Liberty Safeguards (DOLS) Administrator**
- c) Case Work Assistant x2.**

**Reasons:**

The posts presented to Cabinet will support the efficient running of the Council.

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**Leader of the Council**

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**Date**

**Wayne Hemingway/Anthony Law, Democratic Services Officers**

Telephone: 01634 332509/332008  
Email: [democratic.services@medway.gov.uk](mailto:democratic.services@medway.gov.uk)