

COUNCIL

19 JULY 2018

LEADER'S REPORT

Councillor Alan Jarrett, Leader of the Council, will give a report on key developments since the last ordinary Council meeting on 26 April 2018.

He will include:

- SELEP Funding
- Regeneration
- Heritage
- Decisions made by the Cabinet on 8 May 2018, 12 June 2018 and 10 July 2018.

Record of Cabinet decisions

Tuesday, 8 May 2018

3.00pm to 3.27pm

Date of publication: 9 May 2018

Subject to call-in these decisions will be effective from 17 May 2018
The record of decisions is subject to approval at the next meeting of the Cabinet

Present:	Councillor Alan Jarrett	Leader of the Council
	Councillor Howard Doe	Deputy Leader and Portfolio Holder for Housing and Community Services
	Councillor David Brake	Portfolio Holder for Adults' 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 Children's Services - Lead Member (statutory responsibility, including education)
	Councillor Martin Potter	Portfolio Holder for Educational Attainment and Improvement
	Councillor Rupert Turpin	Portfolio Holder for Business Management
In Attendance:	Neil Davies, Chief Executive	
	Perry Holmes, Chief Legal Officer/Monitoring Officer	
	Julie Keith, Head of Democratic Services	
	Tomasz Kozlowski, Assistant Director, Physical and Cultural Regeneration	
	Jade Milnes, Democratic Services Officer	
	Ian Sutherland, Director of Children and Adults Services	
	Phil Watts, Chief Finance Officer	
	James Williams, Director of Public Health	

Apologies for absence

There were none.

Record of decisions

The record of the meeting held on 10 April was agreed and signed by the Leader as a correct record.

Declarations of Disclosable Pecuniary Interests and Other Significant Interests

Disclosable pecuniary interests

There were none.

Other significant interests (OSIs)

There were none.

Other interests

There were none.

Expression of Interest in Relation to Deangate Ridge Golf Course

Background:

This report provided an assessment of the expression of interest, submitted to the Council by the Deangate Community Partnership, to deliver community sport, wellbeing and leisure activities at the Deangate Ridge Golf and Sports Complex.

The report noted that the Council had received a letter dated 16 April 2018 from Mytime Active which stated that the expression of interest had been submitted without their authority or agreement. This letter was set out at Appendix 2 to the report.

The report explained that the expression of interest had met the requirements of Section 81(1)(a) of the Localism Act 2011 and therefore the Council was required to consider whether the expression of interest met the requirements set out in Section 81(1)(b) of the Act. Paragraphs 5.5.3 to 5.5.5 of the report provided an analysis of the details of the financial resources provided by the Deangate Community Partnership.

The report also explained ten grounds on which the expression of interest may be rejected and concluded that the expression of interest be rejected on six grounds for the reasons set out in paragraphs 5.6.3 to 5.6.6 to the report.

Exempt Appendix 1 to the report set out the commercially sensitive budget projections from the Deangate Community Partnership and Exempt Appendix 2 to the report set out the officer analysis of the projected budget information.

Cabinet, 8 May 2018

Decision number:

Decision:

74/2018

The Cabinet agreed to reject the expression of interest submitted by Deangate Community Partnership.

Note: In accordance with Council Rule 12.6, Councillor Filmer requested that his vote against decision 74/2018 be recorded in the record of decisions.

Reasons:

The expression of interest is rejected on the following grounds:

- The Council has made a decision to close Deangate Ridge Golf Course (Ground 4).
- The Council considers that the financial information provided in respect of the expression of interest application is incomplete and inadequate (Grounds 1, 2 and 3), particularly since the letter dated 16 April 2018 from Mytime Active confirms what is said in the expression of interest overstates matters and that there is no agreement to work with the Partnership.
- The Council considers that the expression of interest could, in the circumstances, be considered as a way of frustrating the Council's Local Plan process which is currently going through consultation (Ground 9).
- The Council considers accepting no rent or nominal rent in respect of the site will be in breach of its duty under section 123 of the Local Government Act 1972 (Ground 10).

Medway Guide to Developer Contributions and Obligations (2018)

Background:

This report presented the updated Medway Guide to Developer Contributions and Obligations, set out at Appendix A to the report, which had been prepared following a six week consultation period. The consultation was undertaken in accordance with the Medway Statement of Community Involvement and Cabinet's agreement to undertake consultation on the draft Guide (decision no. 4/2018 refers).

The report stated that 21 representations to the consultation had been received. A table of the responses and the evaluation of the issues was set out at Appendix B to the report. It was explained that common responses to the consultation included queries concerning the proposed increase in charges, the derivation of the occupation figure of 2.43 persons per dwelling and the absence of the section on environmental mitigation.

The report explained that the Council would undertake a further review of the Guide to align with the new Local Plan and to take account of impending updated government policy and guidance on developer contributions towards the funding of infrastructure. The report noted that the Cabinet had previously agreed to update the existing Guide to Developer Contributions 2014, to provide a more robust policy

Cabinet, 8 May 2018

basis, pending the further progress of the Local Plan and government reforms to the Planning system (decision no. 2/2018 refers).

A Diversity Impact Assessment had been carried out on the proposals, as set out in Appendix C to the report.

Decision number: **Decision:**

75/2018 **The Cabinet approved the Medway Guide to Developer Contributions and Obligations, as set out at Appendix A to the report for adoption as a Supplementary Planning Document.**

76/2018 **The Cabinet agreed to delegate authority to the Director Regeneration, Culture, Environment and Transformation and Deputy Chief Executive, in consultation with the Portfolio Holder for Planning, Economic Growth and Regulation, to approve minor changes to the Medway Guide to Developer Contributions and Obligations, if required to address minor presentational matters.**

77/2018 **The Cabinet agreed to delegate authority to the Director Regeneration, Culture, Environment and Transformation and Deputy Chief Executive, in consultation with the Portfolio Holder for Planning, Economic Growth and Regulation to undertake the annual review of indexation of S106 contributions using the all items retail prices index (RPI) and update the Medway Guide to Developer Contributions and Obligations Supplementary Planning Document accordingly to come into effect on 1 April each year.**

Reasons:

The Medway Guide to Developer Contributions and Obligations will provide an effective basis for the collection of contributions from development to appropriately mitigate the impacts through the provision of services and infrastructure.

Six Monthly Review of the Corporate Risk Register

Background:

This report provided details of the six monthly review of the Council's Corporate Risk Register. The report also articulated the outcome of the Risk Management Audit undertaken in August 2017.

The comments of the Business Support Overview and Scrutiny Committee were set out in section 6 to the report, together with the Chief Finance Officer's comments in

Cabinet, 8 May 2018

response to the key issues raised at the Committee in respect of Risk SR09b (Keeping Vulnerable Young People Safe and on Track).

Decision number: **Decision:**

The Cabinet noted the comments of the Business Support Overview and Scrutiny Committee set out at section 6 of this report

78/2018 The Cabinet approved the amendments proposed to the Corporate Risk Register as detailed in Appendices A and B to the report.

Reasons:

The establishment of a corporate framework for risk management is recommended by CIPFA and SOLACE and will complement and support the work already being carried out within each directorate to manage risks.

Recruitment Freeze

Background:

This report presented information on a number of 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.

Decision number: **Decision:**

79/2018 The Cabinet agreed to unfreeze the following posts, as detailed in Appendix 1 to the report:

Business Support Department

a) Finance Assistant

Children and Adults

b) Complex Care Co-ordinator, Transforming Care project

Regeneration, Culture, Environment and Transformation

c) Parking Support Officer

d) Processing Appeals Officer - Processing & Income Recovery x2

Cabinet, 8 May 2018

Reasons:

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

Gateway 1 Procurement Commencement: Temporary Accommodation Dynamic Purchasing System (DPS)

Background:

This report sought approval to commence the procurement of a Temporary Accommodation Dynamic Purchasing System (DPS) following review and discussion at Procurement Board on 28 March 2018.

The report noted that the contract would cover a period of 4 years with the option to extend for a further 2+2+2 (total 10 years).

An Exempt Appendix provided details of the financial analysis in respect of procurement of this service.

Decision number:

80/2018

Decision:

The Cabinet agreed to proceed with the tendering of a Dynamic Purchasing System for the provision of Temporary Accommodation.

Reasons:

Pursuing this course of action would ensure that there is an adequate number of competitive suppliers who are accessible by the Council to immediately meet the ongoing needs.

.....
Leader of the Council

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Date

Wayne Hemingway/Jade Milnes, Democratic Services Officers

Telephone: 01634 332509/332008
Email: democratic.services@medway.gov.uk

Record of Cabinet decisions

Tuesday, 12 June 2018

3.00pm to 4.35pm

Date of publication: 13 June 2018

Subject to call-in these decisions will be effective from 21 June 2018
The record of decisions is subject to approval at the next meeting of the Cabinet

Present:	Councillor Alan Jarrett	Leader of the Council
	Councillor Howard Doe	Deputy Leader and Portfolio Holder for Housing and Community Services
	Councillor David Brake	Portfolio Holder for Adults' 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 Children's Services - Lead Member (statutory responsibility, including education)
	Councillor Martin Potter	Portfolio Holder for Educational Attainment and Improvement
	Councillor Rupert Turpin	Portfolio Holder for Business Management
In Attendance:	Neil Davies, Chief Executive	
	Wayne Hemingway, Principal Democratic Services Officer	
	Richard Hicks, Director Regeneration, Culture, Environment and Transformation and Deputy Chief Executive	
	Perry Holmes, Chief Legal Officer/Monitoring Officer	
	Julie Keith, Head of Democratic Services	
	Ian Sutherland, Director of Children and Adults Services	
	Phil Watts, Chief Finance Officer	
	James Williams, Director of Public Health	

Apologies for absence

There were none.

Cabinet, 12 June 2018

Record of decisions

The record of the meeting held on 8 May 2018 was agreed and signed by the Leader as a correct record.

Declarations of Disclosable Pecuniary Interests and Other Significant Interests

Disclosable pecuniary interests

There were none.

Other significant interests (OSIs)

Councillor Turpin declared an OSI in agenda item 10 (Medway Norse Update) because he was being appointed to the position of Chairman of the Medway Norse Board. He left the meeting during consideration of this item.

Other interests

There were none.

Revenue and Capital Outturn 2017/18

Background:

This report provided details of the final revenue and capital outturn position for the financial year ended 31 March 2018. The report stated that the final revenue outturn reflected an underspend of £58,000. The report also provided details of the variance between the 2017/18 revenue budget and outturn position for Children and Adults, Regeneration, Culture, Environment and Transformation and Business Support.

The capital programme year end position reflected a carry forward budget of £58,010,000 which would be available for use within 2018/19 and beyond.

It was noted that the final audited Statement of Accounts would be presented to the Audit Committee on 30 July 2018 for consideration and approval.

Decision number: **Decision:**

The Cabinet noted the 2017/18 outturn position.

Reasons:

The Cabinet is the body charged with the executive management of the Council's budget. Therefore, it is important that the final outturn is reported to Cabinet.

Adoption of Strood Waterfront Development Brief 2018

Background:

This report provided details of the outcome of consultation on the Strood Waterfront Development Brief 2018. The aim of the updated policy would be to support the Council's ambitions to realise the regeneration opportunities presented by a number of sites in Strood, to secure investment and deliver development that would boost the area's economic, environmental and community wellbeing.

The report stated that a public consultation had been undertaken for an eight week period and was carried out in accordance with the Medway Statement of Community Involvement 2014. In summary, there were 82 respondents to the consultation survey. 83% of residents responding to the consultation stated that they would like to see the regeneration of the Strood Waterfront sites. Details of the outcome of the consultation were set out in section 6 and Appendix C to the report.

A Diversity Impact Assessment had been undertaken on the proposals, details of which were set out in Appendix B to the report.

Decision number:

Decision:

- | | |
|----------------|--|
| 81/2018 | The Cabinet approved the adoption of the Strood Waterfront Development Brief 2018, as set out in Appendix A to the report as a Supplementary Planning Document (Option 1). |
| 82/2018 | The Cabinet agreed to delegate authority to the Director Regeneration, Culture, Environment and Transformation and Deputy Chief Executive, in consultation with the Portfolio Holders for Inward Investment, Strategic Regeneration and Partnerships and Planning, Economic Growth and Regulation, to approve minor changes to the Development Strategy document prior to publication for the purpose of presentation or improving clarity. |

Reasons:

Adopting the Strood Waterfront Development Brief as a Supplementary Planning Document will enable the Development Brief to form part of the Council's development plan, and allow the marketing of the sites at Riverside and Civic to proceed and bring forward homes at pace, through providing greater certainty to the development sector.

Use of Commuted Sums - in Lieu of Onsite Affordable Housing Delivery

Background:

This report provided details of the Utilisation of Commuted Sums Policy. Council and Government policy currently required affordable housing to be provided on site to meet housing need and create mixed sustainable communities. The process for achieving this was via the Council's section 106 negotiation process. When the Council was unable to achieve the contribution as built units, a commuted affordable sum could be sought from the developer to enable the delivery of affordable housing on another site. This policy would provide the basis for when it would be appropriate to seek a commuted sum, how it would be calculated and how it would be spent.

Details of the consultation undertaken on the proposals was set out in section 5 of the report. A Diversity Impact Assessment had been undertaken on the proposals, as set out in Appendix 3 to the report.

Decision number:

83/2018 **The Cabinet agreed the Utilisation of Commuted Sums Policy, as set out in Appendix 1 to the report.**

Reasons:

Approval of the Policy will allow the allocation of commuted sums to deliver affordable housing to meet the housing need of Medway's residents. Delivering new homes will reduce the financial burden placed on the Council for placing households in temporary accommodation.

Designation of High Halstow Neighbourhood Area

Background:

This report provided details of an application from High Halstow Parish Council to designate a Neighbourhood Area for the purpose of preparing a Neighbourhood Plan.

The report stated that a Neighbourhood Plan was a community-led framework for guiding the future development, regeneration and conservation of an area. Neighbourhood planning was being promoted as a means of involving local people in planning the future development of their areas. A Neighbourhood Plan could cover a wide range of economic, social and environmental issues, or could choose to focus on a small number of selected matters. The Neighbourhood Plan would form part of the statutory development plan for the area, alongside Medway Council's own planning policy documents.

The report stated that High Halstow Parish Council submitted an application for the designation of its parish area as a Neighbourhood Area on 11 May 2018, for the purpose of preparing a Neighbourhood Plan. The Council was required to publish the

Cabinet, 12 June 2018

application for the proposed Neighbourhood Area for a minimum period of 4 weeks. The Council would then be required to determine the application for the Neighbourhood Area within eight weeks from the date immediately following that on which the application was first published.

Decision number: **Decision:**

84/2018 **The Cabinet approved the publication of the application for the proposed Neighbourhood Area consistent with the parish boundary of High Halstow, as set out in Appendix 1 to the report, for the purposes of statutory consultation.**

85/2018 **The Cabinet agreed to delegate authority to the Director Regeneration, Culture, Environment and Transformation and Deputy Chief Executive, in consultation with the Portfolio Holder for Planning, Economic Growth and Regulation, to approve the designation of the proposed High Halstow Neighbourhood Area, consistent with the parish boundary, for the purpose of producing a Neighbourhood Plan, following the statutory consultation period.**

Reasons:

Cabinet approval is required to meet statutory requirements in preparing Neighbourhood Plans. As the application is valid and consistent with legislation and there are no grounds on which to reject the application.

Cabinet Advisory Groups

Background:

This report provided a review of the various Cabinet Advisory Groups and asked the Cabinet to agree to the re-establishment of the Groups for 2018/2019. The report noted that these Groups did not have any decision making powers and could consist of both executive and non-executive Councillors.

Decision number: **Decision:**

86/2018 **The Cabinet agreed the re-establishment of the Cabinet Advisory Groups with the terms of reference set out in this report and appointment of Members to these bodies, as set out in Appendices 1-3 to the report, for 2018/2019.**

Reasons:

The re-establishment of these groups will support the Cabinet in decision-making and the development of policies.

Council Plan Performance Monitoring Report Quarter 4 and End of Year 2017/2018

Background:

This report provided details of how the Council had performed in 2017/18 against the Council's three priorities using 40 key measures of success and 13 programmes which supported these priorities.

It was explained that, with regards to quarter 4, it was only possible to report on 35 of the key measures of success as 5 were not currently available. It was noted that 65.7% of key measures of success were on target and that 76.5% of key measures of success had improved over the long term.

It was also noted that the report would be considered by the Overview and Scrutiny Committees between June-July.

Cabinet Members highlighted a number of key issues during discussion.

Decision number: ***Decision:***

The Cabinet noted the quarter 4 and end of year 2017/18 performance of the measures of success used to monitor progress against the Council's priorities.

Reasons:

Regular monitoring of performance by management and members is best practice and ensures achievement of corporate objectives.

Medway Norse Update

Background:

This report outlined the achievements and performance of Medway Norse up to the end of the 2017/2018.

It was noted that Medway Norse provided services to the Council in four areas – Facilities Management, Grounds Maintenance, Special Educational Needs (SEN) transport and Household Waste. The report gave details of these areas of operation, together with information relating to governance, local business participation, the corporate client function and the rebate for the Council.

It was noted that the Business Support Overview and Scrutiny Committee would also consider this report on 5 July 2018.

Decision number: **Decision:**

The Cabinet noted the report.

Reasons:

When the Cabinet agreed to establish the joint venture company it was also agreed that regular monitoring reports would be provided to Cabinet.

Recruitment Freeze

Background:

This report presented information on a number of 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 the addendum report tabled at the meeting.

Decision number: **Decision:**

87/2018 **The Cabinet agreed to unfreeze the following posts, as detailed in Appendix 1 to the report and Appendix 1 to the addendum report:**

Business Support Department

- a) **Electoral Services Officer**
- b) **Systems Manager**
- c) **Finance Assistant**
- d) **Operations Officer**
- e) **Head of Category Management**
- f) **Electoral Services Manager**

Children and Adults

- g) **Specialist Occupational Therapist – Integrated Community Equipment Contract**
- h) **Admin Support Assistant**
- i) **Admin Support Officer**

Cabinet, 12 June 2018

- j) Interim Project Manager/Commissioner for Transforming Care and Learning Disabilities**
- k) Virtual School Deputy Headteacher**
- l) Virtual School Practice Support Officer**
- m) Senior Admin Support Officer (Legal)**
- n) Senior Admin Support Officer (Roi/Cafcass)**
- o) Senior Admin Support Officer (Recruitment & Retention)**
- p) Vulnerabilities Coordinator**
- q) Youth Offending Team Officer**

Regeneration, Culture, Environment and Transformation

- r) Administrative Support Officer**
- s) Processing Appeals Officer – Processing & Income Recovery**
- t) Assistant Director Physical and Cultural Regeneration**
- u) Digital Communications Assistant (Public Health)**
- v) Internal Communications and Engagement Officer**

Reasons:

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

.....
Leader of the Council

.....
Date

Wayne Hemingway, Principal Democratic Services Officer

Telephone: 01634 332509

Email: democratic.services@medway.gov.uk

Record of Cabinet decisions

Tuesday, 10 July 2018

3.00pm to 4.30pm

Date of publication: 11 July 2018

**Subject to call-in these decisions will be effective from 19 July 2018
The record of decisions is subject to approval at the next meeting of the Cabinet**

Present:	Councillor Alan Jarrett	Leader of the Council
	Councillor Howard Doe	Deputy Leader and Portfolio Holder for Housing and Community Services
	Councillor David Brake	Portfolio Holder for Adults' Services
	Councillor Rodney Chambers, OBE	Portfolio Holder for Inward Investment, Strategic Regeneration and Partnerships
	Councillor Phil Filmer	Portfolio Holder for Front Line Services
	Councillor Adrian Gulvin	Portfolio Holder for Resources
	Councillor Andrew Mackness	Portfolio Holder for Children's Services - Lead Member (statutory responsibility, including education)
	Councillor Martin Potter	Portfolio Holder for Educational Attainment and Improvement
	Councillor Rupert Turpin	Portfolio Holder for Business Management
	In Attendance:	Neil Davies, Chief Executive
	Richard Hicks, Director Regeneration, Culture, Environment and Transformation and Deputy Chief Executive	
	Perry Holmes, Chief Legal Officer/Monitoring Officer	
	Jade Milnes, Democratic Services Officer	
	Ian Sutherland, Director of Children and Adults Services	
	Phil Watts, Chief Finance Officer	
	James Williams, Director of Public Health	

Apologies for absence

An apology for absence was received from Councillor Jane Chitty (Portfolio Holder for Planning, Economic Growth and Regulation).

Cabinet, 10 July 2018

Record of decisions

The record of the meeting held on 12 June 2018 was agreed and signed by the Leader as a correct record.

Declarations of Disclosable Pecuniary Interests and Other Significant Interests

Disclosable pecuniary interests

There were none.

Other significant interests (OSIs)

There were none.

Other interests

Councillor Brake referred to agenda item 10 (Land to the East of Northdane Way, Lordswood) and advised that although he had expressed previous views on the matter, he had re-examined the relevant issues with a clear and open mind.

Councillor Gulvin referred to agenda item 10 (Land to the East of Northdane Way, Lordswood) and advised that although he had expressed previous views on the matter, he had re-examined the relevant issues with a clear and open mind.

Councillor Jarrett referred to agenda item 10 (Land to the East of Northdane Way, Lordswood) and advised that although he had expressed previous views on the matter, he had re-examined the relevant issues with a clear and open mind.

Medway's School Place Planning Strategy 2018-22

Background:

This report provided detail of the School Place Planning Strategy 2018-22 which would replace the previous School Organisation Plan 2011-16. Although there was no longer a statutory requirement for local authorities to have a School Organisation Plan, it was decided by the Cabinet when approving the previous plan in November 2011, that having such a strategic plan would enable the Council to establish a framework for school organisation decisions. This would ensure an appropriate supply of school places linked to school improvement.

The purpose of this strategy was to take an overarching view of school place planning and school organisation and would be complemented with annual reviews highlighting action taken, emerging need and making recommendations to ensure a sufficient supply of good quality school places was maintained when and where needed. The first annual review would take place in the autumn of 2018.

The Children and Young People Overview and Scrutiny Committee considered this report on 5 June 2018 and its comments were set out at section 7 of the report.

Cabinet, 10 July 2018

Diversity Impact Assessments would be carried out for individual proposals brought forward as a result of actions from the strategy.

Decision number: **Decision:**

The Cabinet noted the comments of the Children and Young People Overview and Scrutiny Committee, as set out in paragraph 7 of the report.

88/2018 The Cabinet approved the School Place Planning Strategy 2018-22, as set out in Appendix 1 of the report.

Reasons:

Having such a strategy will provide a framework for decision making in ensuring that the Council maintains its duty to provide sufficient school places.

Shared Licensing Service Between Gravesham Borough Council and Medway Council

Background:

This report provided details of proposals for Gravesham Borough Council to assume responsibility for the discharge of Medway Council's executive and non-executive Licensing functions. This was permitted under Section 101(1) of the Local Government Act 1972, which allowed local authorities to delegate non-executive functions to other local authorities and under the Local Authorities (Arrangements for the Discharge of Functions) (England) Regulations 2012 which provided local authorities to delegate executive functions to other local authorities.

Medway Council had approached Gravesham Borough Council regarding the potential to share a service for Licensing due to the Licensing Manager at Medway Council choosing to take retirement at the end of April 2018 and as part of the digitalisation programme.

A Business Case had been prepared by officers from Gravesham and Medway to provide further information regarding the work of the two separate Licensing Services, including current costs, staff transfers, potential savings and other benefits from establishing a shared Licensing Service such as increased resilience, increased efficiencies, sharing of best practice, expansion of knowledge base and accelerated progress in digitalisation. This was attached at Appendix 1 to the report.

A report on the proposals had been submitted to Gravesham Borough Council's Cabinet on 25 June 2018 where progression of a fully shared Licensing Service with Medway Council was agreed and its Full Council was recommended to accept the delegation by Medway Council of its Licensing functions.

The Licensing and Safety Committee had considered this report on 26 June 2018 and its comments were set out at section 8 of the report. The Business Support

Cabinet, 10 July 2018

Overview and Scrutiny Committee had considered this report on 5 July 2018 and its comments were set out in an addendum report, which was tabled at the meeting.

Decision number: **Decision:**

The Cabinet noted the comments of the Business Support Overview and Scrutiny Committee set out in the addendum report.

The Cabinet noted that the Licensing and Safety Committee had agreed to recommend Full Council that option one set out in paragraph 5.1 of the report is agreed whereby Medway Council shall delegate responsibility for the discharge of its Licensing Service non-executive functions to Gravesham Borough Council.

The Cabinet noted that the Licensing and Safety Committee recommended to Full Council that all non-executive licensing delegations currently with the Chief Legal Officer can also be exercised by Gravesham Borough Council's Assistant Director (Communities).

89/2018 The Cabinet agreed option one, as set out in paragraph 5.1 of the report, whereby Medway Council shall delegate responsibility for the discharge of its Licensing Service executive functions to Gravesham Borough Council.

90/2018 The Cabinet agreed that all executive licensing delegations currently with the Chief Legal Officer can also be exercised by Gravesham Borough Council's Assistant Director (Communities).

91/2018 The Cabinet agreed to delegate authority to the Chief Legal Officer of Medway Council to enter into a legally binding contract between both local authorities setting out the detail of the arrangements for a fully shared Licensing Service.

Reasons:

It is anticipated that option 1 will bring the following benefits:

- Added resilience across the two authorities. There will be a larger pool of officers covering both authorities providing additional resilience to cover sickness absence/vacancies or increased workload should this be required.
- Availability of specialist skills across both authorities leading to increased efficiency; potential for a reduced requirement for external support from contractors, etc.
- Sharing of best practice in the delivery of Licensing Services.

Cabinet, 10 July 2018

- Expansion of knowledge base of individuals.
- Accelerated progress in digitalisation which will bring further efficiencies.

Gambling Act 2005 - Review of Statement of Gambling Policy (Policy Framework)

Background:

This report provided details of proposed amendments to the current Council Statement of Gambling Policy, which was approved at Full Council on 21 January 2016 for a period of three years. It was noted that Medway's draft Policy sought to:

- Provide the Licensing Authority with a secure foundation on which to determine applications in a way that clearly promotes licensing objectives, protects residents and allows the vision for the Council to be achieved through a clear, fair and robust licensing process;
- Reflect legislative changes and the Licensing Authority's approach to new initiatives; and
- Help ensure that applicants have a clear understanding of the Council's expectations and of the impacts of their licensed business or proposed activities could have on others and what they must do to enhance the positive impacts and mitigate any detrimental impacts.

The report provided details of the consultation process which had been undertaken on the draft Policy. Three responses had been received with some suggested amendments. The suggestions and proposed action was outlined in Appendix 3 to the report and the draft policy had been amended to incorporate the recommendations, following agreement by the Licensing and Safety Committee.

The draft Policy had been considered by the Licensing and Safety Committee (26 June 2018) and the Business Support Overview and Scrutiny Committee (5 July 2018) in accordance with the policy framework rules, details of which were set out in paragraph 8 of the report and an addendum report, which was tabled at the meeting.

Decision number: ***Decision:***

The Cabinet noted the minor administrative change to Appendix C of the Policy as outlined in Section 7 of the report.

The Cabinet noted the comments of the Licensing and Safety Committee, outlined in section 8 of the report and the comments of the Business Support Overview and Scrutiny Committee, outlined in the addendum report.

92/2018 The Cabinet recommended the draft Statement of Gambling Licensing Policy 2019-22, as set out in Appendix 4 to the report, to Council for approval in accordance with the policy framework rules.

Cabinet, 10 July 2018

Reasons:

The Statement of Gambling Policy sets out how the Council will regulate licensable activities, as required by the Gambling Act 2005.

Update to Contract Procedure Rules

Background:

This report provided details of proposed changes to the Contract Procedure Rules (CPRs). In particular, the proposed changes would provide greater efficiencies on procurement activities within the authority by establishing a uniform means to award lower value (under £25,000) contracts. It was also proposed to introduce a requirement to use internal resources first such as Property and Capital Projects and the Category Management Teams before approaching the open market.

This report had been considered by the Audit Committee on 27 June 2018 and its comments were set out in paragraph 7 of the report.

An addendum report was tabled at the meeting which provided details of a further proposed revision to the Contract Procedure Rules. These minor changes to the text would provide assurance that any procurement which was caught by the statutory definition of a key decision would be classified as high risk and referred to Cabinet for determination.

Decision number: **Decision:**

The Cabinet noted the comments made by the Audit Committee on 27 June 2018, detailed in Section 7 of the main report.

93/2018 The Cabinet considered the proposed changes to the Contract Procedure Rules as set out in Appendix 1 to the main report, and the minor changes in revised page 4.99 as set out in Appendix 1 to the addendum report and recommended them to Full Council for approval.

Reasons:

These proposed changes will implement a more robust suite of Contract Procedure Rules.

Treasury Management Outturn Annual Report 2017/18

Background:

This report provided an overview of treasury management activity during 2017/18.

Overall the Interest and Financing budget made a deficit over its targeted budget of £112k. The shortfall in interest earned was due to the low interest rates available and the squeeze on cash resources from spending of past receipts and reserves for capital expenditure.

In terms of borrowing for 2017/18, there were no new long term loans taken out and no repayments of long term loans except for annuity payments. The approach during the year had been to use cash balances to finance new capital expenditure so as to run down cash balances and minimise counterparty risk incurred on investments, which also maximised treasury management budget savings. In relation to investment, the bank rate had been duly raised from 0.25% to 0.50% on 2 November 2017 and remained at that level for the rest of the year with further increases expected over the next few years.

The report had also been considered by the Audit Committee on 27 June 2018, and comments from this Committee were set out in section 13 of the report.

Decision number: ***Decision:***

The Cabinet noted this treasury management outturn annual report and the comments made by the Audit Committee on 27 June 2018, detailed in Section 13 of the main report.

Reasons for decision:

Section 7.1(e) of the Council's Financial Rules state that the Chief Finance Officer shall report to Cabinet and the Audit Committee not later than September on treasury management activities in the previous year.

New Routes to Growth - Housing Infrastructure Bid

Background:

This report provided details of Medway's Housing Infrastructure Funding (HIF) Bid – New Routes to Growth, which planned for much needed infrastructure to enable growth in and around the Hoo Peninsula and waterfront regeneration sites.

The allocation of an investment of £750,000 was proposed which would create a budget that was capable of developing and submitting a comprehensive and informed HIF bid capable of supporting a robust Green Book Appraisal. It would ensure that all the key technical details of road, rail and community infrastructure

Cabinet, 10 July 2018

were fully developed and costed and that delivery, as well as financial risks, were minimised.

Decision number: ***Decision:***

94/2018 **The Cabinet recommended to Full Council on 19 July 2018 the addition of up to £750,000 to the revenue budget to enable the submission of the Housing Infrastructure Funding (HIF) Bid – New Routes to Growth, to be initially funded from reserves.**

Reasons for decision:

Additions to the revenue budget are a matter for Full Council.

Land to the East of Northdane Way, Lordswood

Background:

This report provided details of the proposed residential development of land at Gibraltar Farm and sought the Cabinet's decision on options to delegate authority for officers to dispose of or grant rights over the Council owned land to allow the completion of the proposed development.

Planning permission had been granted on appeal for residential development of the land shown edged black on the plan attached as Appendix 1 to the report.

Decision number: ***Decision:***

95/2018 **The Cabinet agreed to defer consideration of this item to the Cabinet meeting on 7 August 2018 so that officers may present further financial information.**

Reasons for decision:

It was considered appropriate to defer any decision on the matter until further financial information was available.

The Long Term Future of the Corn Exchange, Enhancement of the Guildhall Museum - Sale of the Former Conservancy Building, 17 High Street, Rochester

Background:

This report provided details of how the long term future of the Corn Exchange building and the Guildhall Museum would be enhanced by the proposed sale of the Conservancy Building.

Cabinet, 10 July 2018

It was considered that the exhibits and facilities which were currently located in the premises, could be relocated to the Guildhall Museum and Eastgate House and that the building could therefore be considered surplus to operational requirements and could be sold. Both the Guildhall Museum and the Corn Exchange building on Rochester High Street were considered to be high priority for maintenance and capital investment and it was proposed that some of the capital receipt realised from the sale of the Conservancy Building could be used to fund those and other maintenance works identified, subject to stringent governance arrangements and Member oversight.

Decision number: ***Decision:***

96/2018 **The Cabinet agreed to delegate authority to the Chief Legal Officer, in consultation with the Portfolio Holder for Resources to declare surplus and dispose of the Conservancy Building as shown edged black on the plan, as set out in Appendix 1 to the report, on the best terms reasonably obtainable.**

Reasons for decision:

In order to secure the long term future of the Corn Exchange and to enhance the Guildhall Museum.

Mixed Use Development at Queen Street/Slicketts Hill Car Parks, The Brook, Chatham

Background:

This report updated the Cabinet on the progress to reach agreement to bring forward a mixed use development scheme at Queen Street and Slicketts Hill Council owned car parks, whilst retaining public car parking facilities.

Outline planning consent was granted on 21 April 2012 for a mixed use scheme comprising of residential and commercial space with ancillary parking. A decision to delegate authority to officers to dispose of the car park site was made by the Cabinet on 13 May 2014 but disposal was not pursued at that time, for the reasons set out in section 2 of the report.

A partner had since made an offer to the Council, details of which were in exempt appendix 1 to the report, and officers had been negotiating Heads of Terms, details of which were provided at exempt appendix 2 to the report.

Decision number: ***Decision:***

97/2018 **The Cabinet noted the updated position and approved the draft Heads of Terms, as set out in exempt appendix 2 to the report.**

98/2018 **The Cabinet agreed to delegate authority to the Chief Legal Officer, in consultation with the Leader and the Portfolio Holder for Resources, to complete the necessary agreement in a form that sufficiently protects the Council's position, whilst enabling the development to proceed, subject to planning permission being granted for the site.**

Reasons for decision:

To bring forward the site for development, whilst retaining the car park and income. The proposal would provide a significant profit share after completion of the development with Creval, continued parking provision, delivery of urban housing units close to the centre of Chatham and some complimentary commercial provision.

Recruitment Freeze

Background:

This report presented information on a number of 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 the addendum report which was tabled at the meeting.

Decision number: ***Decision:***

99/2018 **The Cabinet agreed to unfreeze the following posts, as detailed in Appendix 1 to the report:**

Business Support Department

- a) **Information Governance Officer, Information Governance Team, Place Team, Legal Services**
- b) **Locum SEN Lawyer – People Team, Legal Services**
- c) **Locum Para-legal – People Team x2**
- d) **Capital Project Manager (Heritage, Conservation, Housing, Education)**
- e) **Audit and Counter Fraud Officer**

Children and Adults

- f) **Early Help and Targeted Services Team Leader – Wayfield Hub**
- g) **Early Help and Targeted Services Team Leader x3**

Regeneration, Culture, Environment and Transformation

- h) **Rough Sleep Coordinator**
- i) **Receptionist x2**

Cabinet, 10 July 2018

Reasons:

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

.....
Leader of the Council

.....
Date

Teri Reynolds, Democratic Services Officer

Telephone: 01634 332104

Email: democratic.services@medway.gov.uk

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