

## **Record of Cabinet decisions**

**Tuesday, 7 August 2018**

**3.00pm to 4.20pm**

**Date of publication: 8 August 2018**

**Subject to call-in these decisions will be effective from 16 August 2018  
The record of decisions is subject to approval at the next meeting of the Cabinet**

<b>Present:</b>	Councillor Alan Jarrett	Leader of the Council	
	Councillor Howard Doe	Deputy Leader and Portfolio Holder for Housing and Community 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	

**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  
Julie Keith, Head of Democratic Services  
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**

Apologies for absence were received from Councillors David Brake (Adults' Services) and Rupert Turpin (Business Management).

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### Record of decisions

The record of the meeting held on 10 July 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)

In relation to agenda item 7 (Britton Farm – Update) Councillors Doe and Gulvin declared an interest as Directors of the Medway Development Company and relied on a dispensation granted by the Councillor Conduct Committee to enable them to take part in the discussion and vote on this item.

#### Other interests

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.

### Placing Objects on the Highway Policy Review

#### **Background:**

This report provided a review of the pilot scheme undertaken in Chatham High Street which applied the Placing Objects on the Highway Policy, agreed by the Cabinet in March 2016. The Policy intended to regulate the placing of tables and chairs, A-boards and shop front displays on the highway. The full review of the pilot was set out at sections 3 of the report. The report advised that residents, traders and the Kent Fire and Rescue Service gave positive feedback on the pilot.

The Regeneration, Culture and Environment Overview and Scrutiny Committee had considered the outcome of the pilot on 23 January 2018 and its comments and recommendations were set out at section 4 of the report.

A Diversity Impact Assessment (DIA) had been completed on the proposal to make the scheme permanent in Chatham and was set out at Appendix 3 to the report.

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

**The Cabinet noted the comments and recommendations of the Regeneration, Culture and Environment Overview and Scrutiny Committee, as set out in section 4 of the report.**

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The Cabinet noted the outcome of the review of the trial in Chatham High Street, as set out in section 3 of the report and Appendix 1 to the report.

- 100/2018 The Cabinet agreed to apply the Placing Objects on the Highway Policy in Chatham High Street, as set out in Appendix 2 to the report, on a permanent basis.
- 101/2018 The Cabinet instructed officers to:
- a) explore options to reduce the costs of the scheme, as identified in paragraph 9.2 of the report;
  - b) monitor the implementation of the scheme;
  - c) investigate the viability of expanding the scheme across Medway and; to report back the outcomes to the Regeneration, Culture and Environment Overview and Scrutiny Committee and Cabinet.

### Reasons:

The pilot scheme has been a success in Chatham, improving the visual environment of the high street, allowing the Council to better manage objects placed by shops on the high street, improving access for emergency vehicles, and removing trip hazards. Making the scheme permanent will retain the success of this scheme for the long term and allow officers to investigate scheme improvements as part of the implementation process, including steps to make the scheme more cost neutral.

There may be scope to replicate the successes in Chatham in other areas and high streets in Medway. However, this will be subject to officers investigating the viability of scheme expansion and reporting back once any investigation has been conducted.

### Procurement Strategy

#### Background:

This report provided an update on progress made against the Procurement Strategy 2016-21. The report explained that the Strategy had 22 objectives across five key strands, these were:

- Supporting the local economy
- Reducing red tape
- Improved services, better outcomes
- Intelligent spending
- Sustainable procurement.

The report also proposed that of the original 22 objectives, 4 be replaced with revised objectives and an additional objective be added. It was explained that the

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revised objectives developed the strategic target of those they had replaced and the additional objective developed the work the Category Management team had conducted regarding Social Value.

Details on the progress made against the Procurement Strategy 2016-21 and the proposed changes were set out at Appendix 1 to the report.

The comments of the Business Support Overview and Scrutiny Committee were set out in section 5 of the report.

**Decision number:**

**102/2018**      **The Cabinet noted the progress made against the Procurement Strategy 2016-21 and agreed the suggested changes to the Procurement Strategy 2016-21 detailed in Appendix 1 to the report.**

**Reasons:**

The updated Strategy will include amended and new objectives which will develop upon the strategic targets of those they replace.

### **Land to the East of Northdane Way, Lordswood**

**Background:**

This report provided information concerning a proposed residential development of land at Gibraltar Farm and requested the Cabinet to consider options for the adjacent Council owned land which would provide access to the proposed development. It was explained that should the Cabinet be minded to dispose of the land or grant rights over it, the Council would obtain a significant capital receipt.

The report stated that the value of the Council owned land would be subject to negotiation with the current landowner, but would be based on the Council receiving 1/3 of the increase in value between the value of the land as farm land and the value of the land for residential development, with planning permission for 450 units.

The Council would also, as part of the negotiation, secure its ability to receive further payments in the situation where the Council had allowed access to the Gibraltar Farm site and further development sites were accessed from that site.

An exempt appendix provided details of the valuation provided by the current landowner.

During discussion of this matter Cabinet Members considered the pressure to deliver additional housing across Medway and the benefit of a capital receipt arising from a decision to dispose of this Council owned land in the context of the overall financial position facing the Council. Cabinet Members also considered a range of factors supporting the option of taking positive action not to dispose of the land. In this

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regard reference was made to the importance of sustainable development and in particular adequate infrastructure.

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

**103/2018**      **The Cabinet agreed to take action not to dispose of the land to the East of Northdane Way, Lordswood as shown hatched black in the Plan set out at Appendix 1 of the report.**

**Note: In accordance with Council Rule 12.6, Councillors Doe, Rodney Chambers OBE, Chitty, Jarrett, Mackness and Potter requested that their vote for decision 103/2018 be recorded in the record of decisions.**

**In accordance with Council Rule 12.6, Councillors Filmer and Gulvin requested that their vote against decision 103/2018 be recorded in the record of decisions.**

**104/2018**      **The Cabinet confirmed the position that it will continue to use its best endeavours to protect the Capstone Valley from any form of development and will not facilitate or sell any land in the Capstone Valley or at the head of the Capstone Valley south of Hempstead for development.**

### **Reasons:**

This decision reflects the local community concern about the proposed development, the fact that ahead of Planning Inspectorate intervention the Planning Committee had refused planning permission for the development, the impact on infrastructure if the development were to go ahead and the Council's long held view that the Capstone Valley should be protected from development.

### **Britton Farm - Update**

#### **Background:**

This report provided an update on the future use of the Britton Farm supermarket premises, Gillingham, following the departure of the food retailer, Budgens.

The report explained that the Cabinet, at its meeting on 7 February 2017, granted delegated authority to the Chief Legal Officer in consultation with the Portfolio Holder for Resources to let the premises on the best terms reasonably obtainable (decision no. 14/2017 refers). The report set out the history of marketing the site and advised that the Kent and Medway NHS and Social Care Partnership Trust (KMPT) had indicated its interest in co-locating to the premises from other operational buildings in Medway.

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On 26 June KMPT's Finance Board approved the proposed letting of a re-configured Britton Farm shop unit, subject to entering into a lease and approving the final design. The report stated that the lease could be completed by exercising the existing delegated authority.

The report also explained that on 19 July 2018 the Council agreed an addition to the Capital Programme of £850,000. This funding would be utilised to re-model the Britton Farm supermarket premises to allow it to be let as new office accommodation for KMPT.

The proposed lease would repay the costs in addition to a rental figure over a 10 year period.

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

**105/2018**      **The Cabinet approved the commencement of this project with the addition to the capital programme of £850,000 to fund the re-modelling of the Britton Farm supermarket premises to allow it be let as new office accommodation for the Kent and Medway NHS and Social Care Partnership Trust (KMPT).**

**106/2018**      **The Cabinet approved the Medway Development Company adding the residential site to its work programme to be brought forward through the agreed shareholder approval process.**

### **Reasons:**

To provide a positive intervention on Gillingham High Street with re-use of a vacant building and to bring forward a new residential site.

### **Revenue Budget Monitoring 2018/19 - Quarter 1**

#### **Background:**

This report detailed the revenue budget forecasts as at the end of June 2018. The report noted that, after management action, the forecast outturn for 2018/19 was a potential overspend of £4.861million, with an expectation that this figure would be reduced further as the financial year progressed.

The report set out an explanation of the pressures being faced and the corrective management action proposed by directorate management teams.

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

**The Cabinet noted the result of the first round of revenue monitoring for 2018/19.**

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### Reasons:

Cabinet has the responsibility to ensure effective budgetary control to contain expenditure within the approved limits set by Council.

### Capital Budget Monitoring 2018/19 - Quarter 1

#### Background

This report presented the capital monitoring information for the first quarter of the financial year, including outturn forecasts and reference to new schemes and virements. The approved capital programme for 2018/19 was £226.8m, which included £93.7m carried forward from 2017/18.

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

**The Cabinet noted the noted the spending forecasts summarised at Table 1 of the report.**

### Reasons

Cabinet has the responsibility to ensure effective budgetary control to contain expenditure within the approved limits set by Council.

### 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:**

**107/2018      The Cabinet agreed to unfreeze the following posts, as detailed in Appendix 1 to the report:**

**Business Support Department**

**a) Lawyer, Property, Place Team, Legal Services**

**Children and Adults**

**b) Youth Offending Team Officer (Maternity Cover)**

**Regeneration, Culture, Environment and Transformation**

**c) Head of HR**

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### Reasons:

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

### **Gateway 1 Procurement Commencement: Medway Integrated Community Equipment Service**

#### **Background:**

This report sought approval to commence the procurement of a new Medway Integrated Community Equipment Service (MICES) contract following review and discussion at Procurement Board on 4 July 2018. The report explained that the aims of the contract were to provide and support service users with the appropriate equipment that meets therapeutic, rehabilitation, mobility, and independence needs.

The report noted that the initial term of the current contract was due to expire in June 2019 and although there was an option to extend for a further two years, this could not be taken up as the Contracting Authorities were obligated to start a new procurement process as a result of the contract variation. The new integrated community equipment service would cover a period of 3+1+1 at a projected cost of £2.4m per annum.

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

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

**108/2018**      **The Cabinet approved the commencement of a procurement process to commission a 5 year contract for the delivery of an integrated community equipment service in compliance to the Public Contract Regulations.**

#### **Reasons:**

The procurement of a 5 year contract for the delivery of an integrated community equipment service will support the purpose of the service - to loan, obtain, deliver, install and maintain a personalised community equipment service to the people of Medway. The contract is an investment in preventative treatment, and promoting independence at home and in the community. The preferred option will support the delivery of an improved community equipment service and address the following:

- Controlled Budget – delivering a financially constrained service
- Ongoing Development – a service supported by continued innovation
- High Quality – enhanced service for the people of Medway
- Prescriber Ownership – practitioner engagement to improve delivery
- Robust Key Performance Indicators (KPIs) – meeting current community equipment demands.



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### Gateway 5 Report: Housing Revenue Account (HRA) Repairs and Maintenance Contract

#### Background:

This report provided a review of the progress of the Housing Revenue Account (HRA) repairs and maintenance contract currently delivered through the supplier Mears Group Plc and was set out at paragraph 5.1 to the report.

The report noted that the current contract had been in operation since the 1 September 2014. It was initially awarded for a five-year period and included a 5 year extension period, subject to satisfactory performance and agreement of both parties.

The Procurement Board considered this report on 4 July 2018 and supported the recommendations set out in the report.

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

#### **Decision number:**

**109/2018**

#### **Decision:**

**The Cabinet approved the extension of the Housing Revenue Account (HRA) Repairs and Maintenance contract with Mears Group PLC with effect from 1 September 2019 for a further 5 years.**

#### Reasons:

Approval of the contract extension would provide value for money for the Council.

Excellent performance continues when benchmarked with other similar sized housing organisations.

The Housing Management Team complete quarterly benchmarking with Housemark and comparisons to similar organisations with a stock size of 1,000 to 5,000 properties.

At the end of the last quarter, performance was in the top quartile for the following areas:

- Percentage of rent lost through dwellings being vacant
- Average re-let time in days (standard re-lets)
- Percentage of units re-let during the period
- Percentage of repairs completed at first visit
- Appointments kept as a percentage of appointments made
- Satisfaction with repairs.

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At year end for 2016/17 performance was in the top quartile for the following areas:

- Percentage of calls answered
- Percentage of rent lost through dwellings being vacant
- Average re-let time in days (standard re-lets)
- Average re-let time in days (major works units, including time spent in works)
- Average re-let time in days (all re-lets, including time spent in works)
- Percentage of properties vacant and available to let
- Percentage of repairs completed at first visit
- Satisfaction with repairs service.

The Council has a statutory duty as a stock retained authority to maintain its stock in a safe and repaired condition.

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**Leader of the Council**

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**Date**

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