

Record of Cabinet decisions

Tuesday, 7 September 2010

3.00pm to 4.00pm

Date of publication: 8 September 2010

Subject to call-in these decisions will be effective from 16 September 2010

Present:	Councillor Rodney Chambers	Leader of the Council
	Councillor Alan Jarrett	Portfolio Holder for Finance and Deputy Leader
	Councillor Janice Bamber	Portfolio Holder for Customer First and Corporate Services
	Councillor Jane Chitty	Portfolio Holder for Strategic Development and Economic Growth
	Councillor Howard Doe	Portfolio Holder for Housing and Community Services
	Councillor Phil Filmer	Portfolio Holder for Front Line Services
	Councillor Tom Mason	Portfolio Holder for Adult Services
	Councillor Mike O'Brien	Portfolio Holder for Community Safety and Enforcement
	Councillor Les Wicks	Portfolio Holder for Children's Services
	In Attendance:	Neil Davies, Chief Executive
Rose Collinson, Director of Children and Adults		
Robin Cooper, Director of Regeneration, Community and Culture		
Mick Hayward, Chief Finance Officer		
Wayne Hemingway, Cabinet Coordinator		
Richard Hicks, Assistant Director, Customer First, Leisure, Culture, Democracy and Governance		
Anthony Law, Acting Head of Democratic Services		
Deborah Upton, Assistant Director, Housing and Corporate Services		

Apologies for Absence

Apologies were received from Councillor Wildey (Children's Social Care).

Record of Decisions

The record of the meeting held on 17 August 2010 was agreed and signed by the Leader as correct.

Declarations of Interest

Councillor O'Brien declared a personal interest in any discussion that took place during the course of the meeting with reference to the NHS because some of his family members are employed by the NHS.

Councillor Filmer declared a personal and prejudicial interest in agenda item 13 (Gateway 3 Contract Award: Quality Public Transport Corridors) because his company undertakes work for one of the tenderers, and left the meeting for the duration of the consideration of the item.

Investing in Health: Annual Public Health Report 2009/2010

This report provided details of the Annual Public Health Report 2009/2010 from the Director of Public Health for Medway. The report was themed on programme budgeting relating to spending money, achieving outcomes and comparing with peers. The Annual Public Health report covered in detail the main causes of ill health and premature death in Medway including circulatory disease, cancer and mental health disorders.

The Health and Adult Social Care Overview and Scrutiny Committee considered this report on 23 August 2010 and its comments were set out in paragraph 4 of the report.

Decision number: ***Decision:***

The Cabinet noted the comments of the Health and Adult Social Care Overview and Scrutiny Committee and noted the Annual Public Health Report.

Reasons:

To provide the Cabinet with an analysis of NHS expenditure and health outcomes achieved in Medway.

Health and Wellbeing Strategy

This report set out the Health and Wellbeing Strategy for Medway. The framework for the strategy reflected the need to take action to reflect the health needs of people in Medway including tackling health inequalities, healthy places, healthy lives and healthy services.

Priorities and actions had been identified across the framework reflecting contributions to health improvement from many partners and the strategy would be monitored using outcome, output and process measures.

The Health and Adult Social Care Overview and Scrutiny Committee considered the report on 23 August 2010 and its views were set out in paragraph 6 of the report.

Cabinet, 7 September 2010

A Diversity Impact Assessment had been completed, as set out in appendix 2 to the report, and it was noted that it had not been necessary to carry out a full impact assessment.

Decision number: **Decision:**

120/2010 **The Cabinet noted the comments of the Health and Adult Social Care Overview and Scrutiny Committee and approved the Health and Wellbeing Strategy for Medway.**

Reasons:

The Strategy sets out a shared context and vision for health and well-being across Medway, together with shared priorities and actions. It provides a framework for addressing health inequalities in partnership.

Historic Rochester Conservation Area Appraisal

This report set out the proposals for changes to the Historic Rochester Conservation Area following a recent review and consultation process. The Area Appraisal was a planning tool which would set out the important features of the area and proposed principles for the preservation and enhancement of it. A Management Plan accompanied the appraisal which set out the principles and actions for the future management of the Conservation Area. It was also proposed to amalgamate two smaller Conservation Areas (Victoria Street and Church Fields) into the Rochester Conservation Area. The report also set out proposals regarding Article 4 directions and additional advertisement controls.

The Regeneration, Community and Culture Overview and Scrutiny Committee considered this report on 18 August 2010 and its views were set out in paragraph 6 of the report.

A Diversity Impact Assessment had been completed, as set out in appendix 4 to the report, and it was noted that it had not been necessary to undertake a full impact assessment.

Decision number: **Decision:**

The Cabinet noted the views of the Regeneration, Community and Culture Overview and Scrutiny Committee.

121/2010 **The Cabinet agreed to the adoption of the Rochester Conservation Area Appraisal document (appendix 2 of the report) and the new Management Plan (appendix 3 of the report), subject to the Director of Regeneration, Community and Culture being delegated authority to make**

Cabinet, 7 September 2010

minor amendments reflecting the proposals from the Regeneration, Community and Culture Overview and Scrutiny Committee as set out in paragraph 6 of the report.

- 122/2010** The Cabinet agreed the extension of the Conservation Area as shown on the map in appendix 1 of the report subject to the inclusion of the Pier on the Esplanade, as suggested by the Regeneration, Community and Culture Overview and Scrutiny Committee.
- 123/2010** The Cabinet agreed to the making of Article 4 Directions for residential dwellings as set out in the Management Plan.
- 124/2010** The Cabinet agreed to authorise the Director of Regeneration, Culture and Community, in consultation with the Portfolio Holder for Strategic Development and Economic Growth, to investigate the most effective method of additional advertisement control and to undertake all necessary procedures in order to apply for such controls, including the carrying out of any consultations and the consideration of any representations.

Reasons:

The Rochester Conservation Area Appraisal and management plan will help the Council provide clear guidance and robust justification in planning decisions.

Article 4(2) directions and additional advertising controls will help ensure the Council can uphold its statutory duty to 'preserve' or 'enhance' the character of the conservation area.

Gun Wharf Masterplan

This report set out the outcome of consultation on the proposals for a Masterplan for the Gun Wharf area of Chatham. Cabinet approved a six week programme of consultation on 16 February 2010 and the comments received back were set out in appendix 1 to the report. It was noted that English Heritage had raised some concerns about elements of the draft plan to which a number of changes to the plan had been proposed.

The Regeneration, Community and Culture Overview and Scrutiny Committee considered this report on 18 August 2010 and its comments were set out in paragraph 7 of the report.

A Diversity Impact Assessment had been completed, as set out in appendix 3 to the report, and it was noted that it had not been necessary to carry out a full impact assessment.

**Decision
number:**

Decision:

125/2010

The Cabinet adopted the Gun Wharf Masterplan as a Supplementary Planning Document subject to the Director of Regeneration, Community and Culture (in consultation with the Portfolio Holder for Strategic Development and Economic Growth) being delegated authority to incorporate the revised drawings appended to the report and amended to reflect the changes listed in the schedule of responses.

Reasons:

An up to date masterplan for the Gun Wharf area will inform planning decisions and encourage investment in the area.

Best Street/High Street Masterplan

This report set out the outcome of consultation on the proposals for a Masterplan for the Best Street/High Street area of Chatham. Cabinet approved a six week programme of consultation on 30 March 2010 and the comments received back were set out in appendix 1 to the report.

The Regeneration, Community and Culture Overview and Scrutiny Committee considered this report on 18 August 2010 and its comments were set out in paragraph 7 of the report.

A Diversity Impact Assessment had been completed, as set out in appendix 3 to the report, and it was noted that it had not been necessary to carry out a full impact assessment.

**Decision
number:**

Decision:

126/2010

The Cabinet adopted the High Street/Best Street Area Masterplan as a Supplementary Planning Document, subject to the Director of Regeneration, Community and Culture (in consultation with the Portfolio Holder for Strategic Development and Economic Growth) being given delegated authority to incorporate the minor changes set out in Appendix 1 of the report and appropriate references to the Nucleus Arts Centre.

Reasons:

To ensure there is an up to date planning framework for this important part of Chatham that will guide investment and planning decisions.

Cabinet, 7 September 2010

Quarter 1 Council Plan Monitoring

This report presented details of the Council's performance for the first quarter of 2010/2011. In particular it included performance against indicators and actions agreed in the Council Plan 2010/2011.

It was noted that of the 45 key measures that could be reported this quarter 22 (49%) had achieved or outperformed the annual target and a further 9 (20%) were below target but within acceptable variance limits. 14 (31%) key measures were below the annual target.

In addition, the report set out a number of proposed amendments to the Council Plan in light of changes to some inspection regimes and in-year budget reductions agreed by Council on 29 July 2010. It also set out the targets for approval for the measures of success in the Council Plan used to track delivery of the Council's priorities.

Decision number: **Decision:**

The Cabinet noted performance for quarter 1 2010/11 and outcomes achieved against priorities

127/2010 The Cabinet agreed the two stage process outlined at section 3.6 of the report for reviewing the Council Plan to ensure it responds to the national abolition of CAA and accurately reflects the Council's priorities and targets whilst taking into account resources to deliver them.

128/2010 The Cabinet referred the proposal to change Council Plan actions and measures highlighted in Appendix 2 to the report to the Business Support Overview and Scrutiny Committee for consideration.

129/2010 The Cabinet approved the targets for performance indicators included within Appendix 2 to the report.

Reasons:

Full and accurate performance reporting to Members is consistent with best practice, and allows Members to review the Council's performance.

Private Sector Housing: Harassment and Illegal Eviction Policy

This report set out the Private Sector Housing: Harassment and Illegal Eviction Policy. The policy stated how the Council would deal with reported incidences of harassment and illegal eviction, including the taking of legal proceedings against landlords when required. The draft policy was consulted with a number of stakeholders to which one response was received.

Cabinet, 7 September 2010

A Diversity Impact Assessment had been completed, as set out in appendix 2 to the report, and it was noted that it had not been necessary to carry out a full impact assessment.

Decision number: **Decision:**

130/2010 **The Cabinet agreed the proposed policy to deal with harassment and illegal eviction in private sector housing as set out in Appendix 1 to the report.**

Reasons:

An effective policy for dealing with harassment and illegal eviction will significantly add to the safety of tenants in Medway, deter landlords from taking such actions and consequently reduce applications for re-housing and homelessness. By providing an improved policy framework for dealing with these issues, the Council can ensure that decisions regarding possible enforcement action are made in a consistent, fair, transparent manner and proportionate to any breaches in legislation.

Recruitment Freeze

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).

Appendix 1 to the report provided details of the posts and included supporting Portfolio Holder comments.

Decision number: **Decision:**

131/2010 **The Cabinet agreed to unfreeze the following posts, as detailed in Appendix 1 to the report, to enable officers to commence the recruitment process:**

Regeneration, Community and Culture

- a) Jobs Broker – Future Jobs Fund (Voluntary and Community Sector)**
- b) ACCESS Project Officer**
- c) Medway Renaissance Temporary Project Officer**
- d) Admin Assistant – Processing and Income Recovery**
- e) Project and Finance Manager.**

Cabinet, 7 September 2010

Reasons:

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

Medway Street Car Park - Extension of Lease

This report set out details of the proposed renewal of the lease held by the Council for Medway Street car park, Chatham. The Council had originally approved the use of the car park in Autumn 2008 and it was noted that the car park was often full to capacity, following the loss of the Globe Lane car park due to the development of the Chatham Dynamic Bus Facility.

The proposed terms and conditions for the extension of the lease for a further 24 months was set out in the exempt appendix.

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

132/2010 The Cabinet approved the renewal of the lease held by Medway Council for Medway Street car park for a term of 24 months from 1 October 2010 on the terms set out in the exempt appendix.

Reasons:

The renewal of this lease will ensure that sufficient parking provision is maintained in this part of Chatham.

Gateway 3 Contract Award: Quality Public Transport Corridors

This report set out the basis for the engagement of the recommended contractor, Interserve, for the completion of works for two Quality Public Transport Corridors (QPTC) road improvement schemes (Corporation Street, Rochester, bus priority measures and Strood Riverside, sustainable transport link). It was noted that the preferred contractor had been procured through the Highways Agency East and South East Asset Management Framework.

The costings used for the original tendering of the Management Framework were set out in an exempt appendix.

The Cabinet considered that the decisions set out below were urgent and should therefore not be subject to call-in. In line with rule 16.11 of Chapter 4, Part 5 of the Constitution, call-in could be waived where any delay likely to be caused by the call-in process would seriously prejudice the Council's or the Public's interests. It was considered that a call-in of the decision set out below would jeopardise the ability to complete the works before 31 March 2011 and for funding therefore to be retained.

The Cabinet agreed to accept this as an urgent item. It was noted that the Chairman of the Regeneration, Community and Culture Overview and Scrutiny Committee had

Cabinet, 7 September 2010

agreed to waive call-in on this report on the basis that this matter is reasonable in all the circumstances and to it being treated as a matter of urgency.

Decision number:

Decision:

- 133/2010** **The Cabinet agreed, subject to the Director of Regeneration, Community and Culture, in consultation with the Leader, being satisfied with the traffic management proposals, that the contractor Interserve be engaged for works in relation to Quality Public Transport Corridors improvement works as follows; public realm and bus priority measures in Corporation Street, Rochester and the Sustainable Transport Link, at Strood Riverside.**
- 134/2010** **The Cabinet agreed that the acceptance of the tender from Interserve be delegated to the Director of Regeneration, Community and Culture, in consultation with the Leader, provided all costs are within the available CIF budget of £2.5million.**
- 135/2010** **The Cabinet agreed that these decisions are considered urgent and therefore should not be subject to call-in.**

Reasons:

To enable the scheme to be delivered within the available funding requirements and to minimise the traffic impact of the works.

Gateway 4 Contract Management: Corporate and Staff Catering Services at Gun Wharf

This report set out a review of the contract to provide corporate and staff catering services at Gun Wharf. It was noted that the current contract expired on 31 March 2011 and the proposed approach for procuring a new catering services contract was set out in the report.

The contractor's performance was set out in an exempt appendix to the report, together with a service improvement plan.

Decision number:

Decision:

The Cabinet noted the Service Improvement Plan, as set out in the exempt appendix, and the potential procurement routes being investigated for continuing the service.

Cabinet, 7 September 2010

Reasons:

To provide details of performance to date, the actions that have been taken to address shortcomings and the agreed Service Improvement Plan.

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Leader of the Council

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Date

Wayne Hemingway/Anthony Law, Cabinet Coordinators

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