

Record of Cabinet decisions

Tuesday, 28 September 2021

3.00pm to 4.29pm

Date of publication: 29 September 2021

**Subject to call-in these decisions will be effective from 7 October 2021
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 Mrs Josie Iles	Portfolio Holder for Children's Services – Lead Member (statutory responsibility)	
	Councillor Martin Potter	Portfolio Holder for Education and Schools	
	Councillor Rupert Turpin	Portfolio Holder for Business Management	
	In Attendance:	Bhupinder Gill, Assistant Director, Legal and Governance	
		Richard Hicks, Director of Place and Deputy Chief Executive	
		Teri Reynolds, Democratic Services Officer	

Apologies for absence

There were none.

Record of decisions

The record of the meeting held on 24 August 2021 was agreed by the Cabinet and signed by the Leader as a correct record.

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Declarations of Disclosable Pecuniary Interests and Other Significant Interests

Disclosable pecuniary interests

There were none.

Other significant interests (OSIs)

Councillor Filmer declared an OSI in relation to item 8 (Acquisition of Land Interests – Housing Infrastructure Fund: New Routes to Good Growth) as the Exempt Appendix referred to members of his family. He therefore left the room for the duration of the debate and vote on this item.

Other interests

There were none.

Financial Outlook 2022/23

Background:

This report set out the initial assumptions underpinning the financial pressures projected by the Council's services alongside projections of the Council's income streams insofar as they impact the 2022/23 budget.

The report provided details of the resource projections and the impact of the one-off covid-19 related grant received for 2021/22.

The report stated that the Council faced a potential budget gap of £33.010 million in 2022/23. Officers would continue to seek to address this through examining activity data, challenging current costs and reassessing the trends projected. Officers and Portfolio Holders were also working to develop an urgent package of solutions to mitigate the financial pressures projected in the report and were continuing to lobby the government for a local government finance settlement that reflected the growing burdens in social care.

Decision number: ***Decision:***

The Cabinet noted the forecast level of budget pressures and funding for 2022/23 and the projected budget deficit identified.

99/2021 The Cabinet agreed to bring forward proposals, through the financial planning process, to address the projected budget deficit.

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Reasons:

This report is important in providing the framework underpinning the budget setting process for 2022/23.

Treasury Management Strategy Mid-Year Review Report 2021/22

Background:

This report presented the mid-year review of the Treasury Management Strategy 2021/2022, which had been approved by Full Council alongside the Capital and Revenue Budgets on 18 February 2021. This report had also been considered by the Audit Committee on 23 September 2021 prior to final consideration at Full Council on 7 October 2020. The minutes summarising the discussion at Audit Committee were provided to the Cabinet in an addendum report.

The report included an economic update for the first part of 2021/2022 and reviews of: the Treasury Management Strategy Statement and Annual Investment Strategy; the Council's Investment Portfolio and Borrowing Strategy; any debt rescheduling undertaken and compliance with Treasury and Prudential limits.

Decision **Decision:**
number:

The Cabinet noted the report, noted the comments from Audit Committee (as set out in the addendum report) and noted that the report would be referred to Full Council.

Reasons:

In accordance with the Chartered Institute of Public Finance Accountancy's (CIPFA) Code of Practice for Treasury Management, there should be a review of the strategy at least half yearly.

Publication of Medway Local Plan

Background:

This report outlined the proposed publication of the draft Local Plan in the autumn (recommending it be reported to full Council on 7 October 2021). The plan would set out the vision and spatial strategy for Medway's growth up to 2037. This report set out the proposed process, including an updated programme in the Local Development Scheme (as set out at Appendix 1) and also the process by which the Council would seek to meet the Duty to Cooperate on cross border strategic planning matters. It was also stated during the meeting that the consultation period was recommended to be extended to eight weeks from six weeks.

The vision for the plan would promote Medway's role as a city with revitalised centres and waterfront sites; growth which would be fit for the future. The policy areas in the plan would cover: development strategy and site allocations; housing,

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employment; retails and centres; natural environment; built environment; health and communities; infrastructure; transport; minerals; waste and energy.

A Diversity Impact Assessment would be prepared for the publication of the draft Local Plan.

Decision number: ***Decision:***

100/2021 **The Cabinet agreed that the draft Local Plan be reported to Full Council on 7 October 2021, seeking approval to publish the plan for representations for an extended period of 8 weeks from publication and recommended the Regeneration, Culture and Environment Overview and Scrutiny Committee to consider holding a meeting on 2 February 2022 to consider the item.**

101/2021 **The Cabinet approved the publication of the Medway Local Development Scheme, 2021, as set out at Appendix 1 to the report, as the formal programme for the preparation of the Medway Local Plan.**

102/2021 **The Cabinet agreed to delegate authority to the Director of Place and Deputy Chief Executive to, in consultation with the Portfolio Holder for Planning, Economic Growth and Regulation and the Head of Planning, to sign Statements of Common Ground on behalf of the Council on cross border strategic planning matters, as part of the requirements under the Duty to Cooperate.**

Reasons:

To confirm the timely progress of the publication of the draft Local Plan.

To provide an updated formal programme for the preparation of the Local Plan.

To provide a robust and effective governance process supporting the legal Duty to Cooperate.

Housing Infrastructure Fund: New Routes to Good Growth - Deed of Variation to Grant Determination Agreement

Background:

This report provided an update on the Housing Infrastructure Fun (HIF) project and reported the outcome of a Council led deep dive review of the onward programme including discussions with Homes England (HE) over a one-year extension to the HIF Project. Previously concluding in March 2024; the HIF project would now run until March 2025.

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This had caused HE to seek minor changes to the Grant Determination Agreement (GDA), which was set out in Exempt Appendix 1. Cabinet was also requested to grant delegated authority to officers to make any further Deeds of Variation, for the life of the project. Similar Deeds of Variation within this timeframe would include any further changes to milestones necessary for the programme and any further administrative changes to wording within the GDA that may be required by HE. Delegated authority would ensure that timely decisions could be made with HE, so that HIF grant funding claims were not delayed.

Decision number: ***Decision:***

- 103/2021** **The Cabinet agreed to the one year extension to the HIF project (to March 2025 - Option 1 set out in paragraph 3.1.1 to the report), as documented in the Programme Review, which was sent to and approved by Homes England in August 2021.**
- 104/2021** **The Cabinet agreed to enter into the Deed of Variation to accept the proposed changes, and the revised milestones proposed by the Council as a result of the recent programme review submitted to Homes England.**
- 105/2021** **The Cabinet agreed to delegate authority to the Director of Place and Deputy Chief Executive, in consultation with the Leader of the Council, Chief Finance Officer and Assistant Director, Legal and Governance to make the relevant changes, should any further Deeds of Variation be required, for the life of the project, on the basis set out in paragraph 4.2 of the report.**

Reasons:

Option 2 would result in no extension to the HIF project beyond March 2024. Denying this extra year would impact the quality of the delivery of the overall HIF scheme.

Option 1 continues to demonstrate commitment to delivery of the £170 m HIF programme.

Delegation of authority for any future Deeds of Variation to the Director of Place and Deputy Chief Executive, in consultation with the Leader of the Council, Chief Finance Officer and Assistant Director Legal and Governance, for the life of the project, would ensure timely changes can be made with HE and will not cause delay to monthly HIF grant draw down claims.

Acquisition of Land Interests - Housing Infrastructure Fund: New Routes to Good Growth

Background:

This report sought delegated authority to officers, to authorise acquisitions of Land and Interests in connection with the Housing Infrastructure Fund (HIF): New Routes to Good Growth Project. Advance purchase or options to purchase the required land would enable the construction of the new road, rail infrastructure and strategic environmental management scheme (SEMS) projects to come forward and lessen reliance or negate the need for compulsory purchase powers in the future. By granting the delegation, it would enable officers to contract quickly, which was key in concluding negotiations.

The current identified land to be acquired was set out in Exempt Appendix 1 and included a budget estimate for each interest. It was noted that this represented the current identified land required and could be subject to change on further consultation / design refinement. The values were also based on a desktop basis as no negotiations had taken place at the time of publication.

Decision number:* *Decision:

106/2021 The Cabinet agreed to delegate authority to the Director of Place and Deputy Chief Executive, in consultation with the Chief Finance Officer and the Leader of the Council, to authorise the acquisition of Land and Interests in connection with the Housing Infrastructure Fund: New Routes to Good Growth Project.

Reasons:

Having the delegation in place will enable timely acquisition of interests, minimise delays to the project and avoid the Council needing to use its compulsory acquisition powers.

Kent and Medway Suicide Prevention Strategies for Adults and Children and Young People

Background:

This report presented the Kent and Medway Suicide Prevention Strategies for Adults and Children and Young People to the Cabinet for approval. It also included the summary outcomes from local consultation and changes made in line with feedback received.

Effective suicide prevention relied on a multi-agency approach and partnerships. The Kent and Medway Suicide Prevention Network had over 150 organisations, agencies, charities and individuals which offered a unique insight to work to prevent suicides. The network would be regularly reviewing the progress of the strategies.

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The strategies had been considered by the Children and Young People Overview and Scrutiny Committee on 29 July 2021, the Health and Adult Social Care Overview and Scrutiny Committee on 17 August 2021 and the Health and Wellbeing Board on 2 September 2021. Their comments were set out at sections 5, 6 and 7 of the report, respectively.

Decision number: **Decision:**

The Cabinet noted the comments of the Children and Young People Overview and Scrutiny Committee, as set out in section 5 to the report, the comments of the Health and Adult Social Care Overview and Scrutiny Committee, as set out in section 6 to the report and the comments of the Health and Wellbeing Board, as set out in section 7 to the report.

107/2021 The Cabinet approved the Kent and Medway Suicide Prevention Strategies on a page for both Adults and for Children and Young People, as set out in section 4 of the report.

Reasons:

The Kent and Medway Suicide Prevention Strategies are a driver to reduce local suicides. The strategies will continue to develop effective suicide prevention by enabling and supporting a multi-agency approach and partnerships.

Statement of Gambling Policy 2022 to 2025

Background:

This report presented the Cabinet with the consultation responses received in respect of the draft revised Gambling Policy. The report included an evaluation of each response and provided a recommendation as to whether or not to amend the draft revised policy statement and, if so, in what way and to what extent.

The report had previously been considered by the Licensing and Safety Committee on 13 July 2021 and by the Business Support Overview and Scrutiny Committee on 19 August 2021 and their comments were set out in sections 5 and 6 respectively.

Following Cabinet, the Policy, attached at Appendix 1 to the report, would then be reported to full Council for approval.

Decision number: **Decision:**

The Cabinet noted the responses to the consultation as attached at Appendix 2 to the report and officers' proposed

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amendments to the policy document as set out in paragraph 3 of the report;

The Cabinet noted the comments of the Licensing and Safety Committee and the Business Support Overview and Scrutiny Committee, as set out in sections 5 and 6 of the report; and

108/2021 The Cabinet recommended the draft Medway Statement of Gambling Policy 2022-2025, as set out in Appendix 1 to the report, to full Council for approval.

Reasons:

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

Update to Covert Surveillance Policy

Background:

This report presented the Cabinet with an update to the Covert Surveillance Policy. The report amended the policy to reflect changes in job titles following restructures within the Regeneration, Culture and Environment (RCE) directorate and to include provisions regarding the use of social media following recommendations made after the last inspection by the Investigatory Powers Commissioner's Office.

The recommended amendments were set out as tracked changes to the current policy, attached at Appendix 1. The recommended changes would assist in ensuring that investigations could be successfully prosecuted and it mitigated the risk of complaints being made regarding the Council's use of surveillance to the tribunal.

Decision number: ***Decision:***

109/2021 The Cabinet approved the updated policy as set out at Appendix 1 to the report.

Reasons:

The updates to the policy address the ever increasing popularity of the use of social media and reflect updates to job titles for authorising officers.

Community Renewal Fund

This agenda item was withdrawn.

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Leader of the Council

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Date

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