

URGENT REPORT TO THE LEADER

16 SEPTEMBER 2022

FUTURE HOO PROGRESS REPORT

Portfolio Holder: Councillor Alan Jarrett, Leader of the Council
Councillor Rodney Chambers OBE, Portfolio Holder for Inward Investment, Strategic Regeneration and Partnerships
Councillor Jane Chitty, Portfolio Holder for Planning, Economic Growth and Regulation

Report from: Richard Hicks, Director of Place and Deputy Chief Executive

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Summary

This report requests the Leader, using urgency powers, to agree to extend the consultation period on the draft Hoo Development Framework document, specified in decision no. 89/2022 from 7 weeks to 9 weeks, in light of discussions at the Special Council meeting on 8 September 2022 (which was adjourned and then reconvened on 15 September 2022) which considered the call-in by the Regeneration, Culture and Environment Overview and Scrutiny Committee on 11 August 2022, in relation to Cabinet decisions (89-91/2022).

1. Budget and policy framework

- 1.1. The Leader has urgency powers to make decisions which would ordinarily be made by the Cabinet. These provisions are set out in the Constitution (paragraph 2.2 of Part 3 (Responsibility for Cabinet functions) of Chapter 3 (Responsibility for Functions) of the Constitution.
- 1.2. The Chairman of the Regeneration, Culture and Environment Overview and Scrutiny Committee has agreed that the taking of these decisions are urgent and cannot be reasonably deferred until the next Cabinet meeting on 18 October 2022, in accordance with Section 11 (Cases of special urgency) of the Local Authorities (Executive Arrangements)(Meetings and Access to Information)(England) Regulations 2012 and Rule 17 (Special Urgency) of the Access to Information Rules (Part 2 of Chapter 4 in the Constitution). This is because Full Council has agreed to take no further action on this matter, which means that Cabinet decisions 89-91/2022 now take effect. Therefore, it is critical that the consultation period commences at the earliest opportunity (i.e. 23 September 2022).

2. Background

2.1. The Cabinet considered a report entitled Future Hoo Progress Report on 26 July 2022.

2.2. The Cabinet's decisions were as follows:

Decision number: ***Decision:***

89/2022 **The Cabinet approved the commencement of consultation on the draft Hoo Development Framework document for a 7-week period and noted that the document would return to Cabinet for consideration following that consultation.**

90/2022 **The Cabinet approved the continuation of progress on the preparation of the applications for all aspects of the Future Hoo project.**

91/2022 **The Cabinet agreed to delegate authority to the Director of Place and Deputy Chief Executive, in consultation with the Leader, the Portfolio Holder for Strategic Regeneration, Inward Investment and Partnerships and the Portfolio Holder for Planning, Economic Growth and Regulation, to make any changes considered prudent to appendices 1-5.**

Reasons:

To enable the Future Hoo programme to continue to meet its programme and funding requirements for delivery and to unlock £170m of Government Funding that has been secured to enable the delivery of infrastructure and sustainable development on the Hoo Peninsula

2.3. The above decisions were subsequently called in by eight Members of the Council from the Conservative Group.

2.4. A report was included on the agenda of the Regeneration, Culture and Environment Overview and Scrutiny Committee meeting held on 11 August 2022 which provided details of the call in, together with comments in response from the Director of Place and Deputy Chief Executive, the Monitoring Officer and the Chief Operating Officer.

2.5. The Committee agreed to refer the Cabinet decisions to Council for consideration.

2.6. The Cabinet considered a further report on 23 August 2022 which set out the outcome of consideration of a call-in by the Regeneration, Culture and Environment Overview and Scrutiny Committee on 11 August 2022, in relation to Cabinet decisions 89-91/2022.

2.7. The Cabinet's decisions were as follows:

Decision number: Decision:

The Cabinet noted the decision of the Regeneration, Culture and Environment Overview and Scrutiny Committee at its meeting on 11 August 2022 to refer the Cabinet decisions to Council for consideration.

103/2022 The Cabinet agreed that an explanatory document would be produced and submitted to Full Council when the matter was due to be discussed in September.

Reasons:

To enable the Cabinet to provide any additional comments to Council for its consideration of the Regeneration, Culture and Environment Overview and Scrutiny Committee's referral

- 2.8. A special Council meeting was held on 8 September 2022 (which was adjourned and then reconvened on 15 September 2022) to consider the call in referral. The explanatory document referred to above was included in the agenda, as was an Infrastructure Delivery Plan – Executive Summary.
- 2.9. At the special Council meeting, it was agreed to take no further action. This means that the original Cabinet decisions 89/2022, 90/2022 and 91/2022 as set out in paragraph 2.2 above can now be implemented.
- 2.10. During the special Council meeting, the Leader of the Council undertook to extend the period of consultation specified in decision no. 89/2002 from 7 weeks to 9 weeks.
- 2.11. Subject to the Leader's formal approval, using urgency powers, to extend the consultation period from 7 weeks to 9 weeks, the consultation will start on 23 September 2022 for a period of 9 weeks, ending on 25 November 2022.
- 2.12. There is no requirement to undertake statutory consultation on the draft Hoo Development Framework document, therefore, it is possible to vary the consultation period originally agreed. It is considered that extending the period of consultation from 7 weeks to 9 weeks is appropriate.
- 2.13. Decision no. 89/2022 specifies that the draft Hoo Development Framework document will return to Cabinet for consideration following consultation.

3. Risk management

- 3.1. Risk management is an integral part of good governance. The Council has a responsibility to identify and manage threats and risks to achieve its strategic objectives and enhance the value of services it provides to the community.

Risk	Description	Action to avoid or mitigate risk	Risk rating
Consultation remains at 7 weeks	Cabinet agreed to a consultation period of 7 weeks on 26 July 2022, therefore a formal decision is required to extend this.	Leader of the Council takes an urgent decision so that the consultation period can be formally extended from 7 weeks to 9 weeks.	D2

4. Financial and legal implications

- 4.1. None arising from this report, beyond those set out in the Cabinet Report 26 July 2022.

5. Recommendation

- 5.1. The Leader is asked to agree, using urgency powers:
- 5.1.1. to extend the consultation period on the draft Hoo Development Framework document, specified in decision no. 89/2022 from 7 weeks to 9 weeks;
 - 5.1.2. for the consultation period to commence on 23 September 2022.

6. Suggested reasons for decision

- 6.1. To enable the Council to commence the consultation on the draft Hoo Development Framework at the earliest opportunity.

Lead officer contact

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Appendices

None

Background papers

None

.....(signed) September 2022 (date)

Councillor Alan Jarrett, Leader of the Council