



Record of Cabinet decisions

Tuesday, 11 June 2024

7.00pm to 8.04pm

Date of publication: 13 June 2024

**Subject to call-in these decisions will be effective from 21 June 2024
The record of decisions is subject to approval at the next meeting of the Cabinet**

Present:	Councillor Vince Maple	Leader of the Council
	Councillor Teresa Murray	Deputy Leader of the Council
	Councillor Simon Curry	Portfolio Holder for Climate Change and Strategic Regeneration
	Councillor Naushabah Khan	Portfolio Holder for Housing and Property
	Councillor Harinder Mahil	Portfolio Holder for Heritage, Culture and Leisure
	Councillor Adam Price	Portfolio Holder for Children's Services (including statutory responsibility)
	Councillor Zoë Van Dyke	Portfolio Holder for Business Management

In Attendance: Richard Hicks, Chief Executive
Adam Bryan, Director of Place
Lee-Anne Farach, Director of People and Deputy Chief Executive
Bhupinder Gill, Assistant Director, Legal and Governance
Jon Pitt, Democratic Services Officer
Phil Watts, Chief Operating Officer

Apologies for absence

Apologies for absence were received from Councillor Coombs, Edwards and Osborne.

Leader's Announcements

The Leader thanked everyone who had attended the recent funerals of Honorary Alderman, Paul Harriott and of the Director of Public Health, James Williams. The Leader considered that both services had provided fitting tributes.

Cabinet, 11 June 2024

Record of decisions

The record of the meeting held on 30 April was agreed by the Cabinet and signed by the Leader as correct.

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.

Chatham Centre Design Code - Request to Adopt

Background:

This report requested Cabinet approval for the adoption of the Chatham Centre Design Code.

The Code would establish a vision and associated design coding to deliver a connected network of distinctive routes and spaces and high-quality, contextual development that would contribute to vibrant and urban streetscapes. It would contribute to the urban regeneration of Medway's primary centre whilst identifying the expected quality of development to better correspond with local character and enhance the natural environment.

The Chatham Design Code and its appendices were set out in Supplementary Agendas 1, 2 and 3.

A Diversity Impact Assessment had been undertaken in relation to the Code and was set out at Appendix 2 within the main agenda.

**Decision
number:**

Decision:

84/2024

The Cabinet agreed the adoption of the Chatham Centre Design Code.

Cabinet, 11 June 2024

Reasons:

The Chatham Centre Design Code would contribute to the urban regeneration of Medway's primary centre whilst identifying the expected quality of development to better correspond with local character and enhance the natural environment.

Medway Housing Delivery Test Action Plan

Background:

This report set out Medway's proposed Housing Delivery Test Action Plan (HDTAP), which was attached as Appendix 1 to the report. It had been prepared in response to the publication of the Housing Delivery Test results published in December 2023.

The report outlined the purpose of the document, rates of housing delivery in Medway and advised on implications for Medway Council. Approval was sought to publish the Action Plan which was required to take place during June 2024 to meet government requirements.

The report explained that the Test compared the net number of homes delivered over the preceding three years to the housing requirement for the same period. The 2022 HDT measurement published in December 2023 had given Medway a result of 79% delivery (3,372 homes compared to a requirement of 4,246) against its defined level of housing need, based on the government's standard method formula, covering the period from April 2019 to March 2022.

The adoption of a new Medway Local Plan was seen as the main measure the Council could take to boost the supply of housing, with new allocations to deliver the area's sustainable growth.

**Decision
number:**

Decision:

85/2024

The Cabinet approved the publication of the Medway Housing Delivery Test Action Plan 2023, as set out at Appendix 1 to the report.

Reasons:

The Housing Delivery Test is a measure of the number of homes delivered within a three-year period compared with the defined local housing need. Anything below 95% means a Council would have to produce an action plan within six months of the test's publication. The 2022 Housing Delivery Test was published in December 2023, so the Council was required to publish the action plan in June 2024.

Release of s106 funding for use on Deangate Community Parkland

Background:

This report requested that the Cabinet agree to the release of specific s106 funding to enable the development and subsequent ongoing management of Deangate Community Parkland, a site which sat on part of the Medway Council owned former Deangate Ridge Golf Course. This would ensure that the Council delivered the open space scheme, which had planning permission, subject to the approval of conditions. It was anticipated that the scheme would improve the quality and general management of this greenspace.

In February 2024, the Council had been successful in its application for Deangate Community Parkland. Following this, it had been identified that certain s106 contributions could become available for this area.

Decision number:

Decision:

86/2024

The Cabinet agreed the release of s106 monies to be used on the proposed Deangate Community Parkland.

The Cabinet noted that the Chief Operating Officer would make the following s106 additions to the Capital Programme, using authority delegated to him in the Council's Employee Delegation Scheme:

- i) £558,552.39 from s106 agreement MC/17/1884, £360,163.57 from MC/16/2837 and £149,005.73 from MC/18/0247.**
- ii) A further £98,374 from s106 agreement MC/19/3129 to be committed to the capital Programme when its trigger point was met.**

Reasons:

These decisions assisted the Council to deliver its obligations to create open space at Deangate and offer an enhanced greenspace for the wider community.

The s106 monies would enable a change of use from former golf course to community park comprising works to existing access and car park, cycle parking, formation of footpaths, landscaping, tree/shrub planting, boundary treatments, site interpretation and benches with associated works.

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Easement for use of Medway Council Land at Jeffery Street Car Park, Gillingham

Background:

This report asked the Cabinet to delegate authority to negotiate and issue a perpetual easement for access across and over its land by the adjoining site owner at 21 Jeffery Street.

The report stated that the site was privately owned and was purchased by the current owners in February 2022. Work had started on site in July 2022 and it was anticipated that development would complete in December 2024. The developer's scheme fully occupied the development site but 12 of the flats proposed to have balconies which oversail the Council's land to the westerly and southern boundaries. In addition, the two ground floor commercial units required a rear pedestrian access, all of which would be reliant on the Council granting such rights to use its land, by way of easement. The proposals would not interrupt the pay and display car park or the number of car parking spaces available.

An exempt appendix to the report set out commercially sensitive information in relation to the easement premium and party.

Decision number:

Decision:

87/2024

The Cabinet agreed to delegate authority to the Director of Place, in consultation with the Portfolio Holder for Housing and Property, to grant an easement on the best terms reasonably obtainable at a premium, as set out in the Exempt Appendix.

Reasons:

To regulate use and obligations of the parties in the land transaction and obtaining best consideration for the proposed transaction. Also, to assist in securing development of the adjoining site which will provide residential Private Rented Sector (PRS) units.

Capital and Revenue Outturn and Annual Debt Write Off Report 2023/24

Background:

This report provided details of the final revenue and capital outturn position for the financial year ended 31 March 2024. The report stated that these figures would form part of the Council's Statement of Accounts, which would be considered by the Audit Committee following completion of the External Audit.

The report advised that, at its meeting on 23 February 2023, the Council had set a total budget requirement of £388.269million for 2023/24. Since then, additional grant funding had been announced, primarily the Household Support Fund, Holiday Activity Fund, Market Sustainability and Improvement Fund (Workforce Fund) and

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Start 4 Life funding and the final allocations for Schools funding and the Public Health Grant had been confirmed. The net impact of these amendments took the final revenue outturn budget requirement to a total of £382.094million.

It was noted that the Council would still need to make difficult decision as it continued as it delivered the One Medway Financial Improvement and Transformation Plan.

The capital programme for 2023/24 and beyond had also been agreed by Council on 23 February 2023. The agreed value was £429.563million with additions and removals made during the year resulting in a final capital outturn budget of £319.537million. The report also recommended that the Cabinet recommend to Council two additions to the Capital Programme.

The report also presented a summary of debts written off during the 2023/24 financial year, in line with the constitutional requirement to submit a report to Cabinet on an annual basis setting out details of all debt written off. A total of £3,161,000 had been written off during 2023/24.

**Decision
number:**

Decision:

The Cabinet noted the 2023/24 revenue and capital outturn position as summarised in Section 5 of the report, and the Council's reserves position, as summarised in Section 13 of the report.

88/2024

The Cabinet recommended that Full Council agree to the following additions, as set out in Section 12 of the report:

- i) £430,000 to the capital programme to fund the overspend reported on the Operational Depot scheme, to be funded by Prudential Borrowing.**
- ii) £4,655 to the capital programme to fund the overspend on the Mountbatten House Purchase scheme, to be funded from borrowing in advance of the capital receipts expected from the sale of the building to Medway Development Company.**

Reasons:

Full Council is responsible for agreeing a balanced budget in advance of each financial year. Cabinet is responsible for ensuring that income and expenditure remain within the approved budget.

The transfer of reserves from earmarked to general reserves will enable the Council's general reserve balance to return to a position above the minimum level of £10million set by the Section 151 Officer, once the overspend on the 2023/24 outturn has been funded.

'Fair Tax' Motion - Update

Background:

This report provided an update in respect of the ten resolutions made by Full Council on 20 July 2023, when it had passed a motion approving the 'Councils for Fair Tax' declaration. The motion had included ten resolutions, which besides approval of the declaration had also included a request for an update on progress to be submitted to Cabinet and Full Council.

It was noted that the Climate Change Implications at 8.1 of the report incorrectly stated that there were 'now climate change implications arising directly from the contents of the report.' The word 'now' should have read 'no'.

Decision number: **Decision:**

The Cabinet noted the update provided in respect of each of the ten resolutions made by Full Council and noted that the report would also be submitted to Full Council for consideration on 18 July 2024.

Reasons:

In passing the motion approving the 'Councils for Fair Tax' declaration, Full Council resolved that the Cabinet should receive a report in due course regarding the implementation of the measures set out in in the other nine resolutions.

Medway Adult Education Annual Accountability Agreement

Background:

This report set out the Medway Adult Education (MAE) Annual Accountability Agreement, which the Council was required to submit to the Department for Education (DfE) as part of its annual grant agreement. The agreement was used by the DfE to assure the use of public funds and was required to be signed and approved by MAE's governing body, therefore this was a matter for Cabinet.

The report explained that the accountability agreement demonstrated how MAE was aligning with the Skills and Employability Plan for Medway and with the Kent & Medway Local Skills Improvement Plan. It also demonstrated how MAE was meeting the national priorities and working with key local stakeholders.

The MAE Annual Accountability Agreement was attached at Appendix 1 to the report. A Diversity Impact Assessment had been undertaken in relation to the Agreement, details of which were set out in Appendix 2 to the report.

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**Decision
number:**

Decision:

89/2024

The Cabinet considered and approved the Medway Adult Education Accountability Statement to be submitted to the Department for Education (DfE).

Reasons:

The draft accountability statement meets the DfE requirements and demonstrates MAE's contribution to national and local priorities, alongside partnership working with key stakeholders. It is in line with last year's approved statement.

Council Plan Performance Monitoring Report and Strategic Risk Summary - Quarter 4 2023/24

Background:

This report provided details of how the Council had performed during quarter 4 in 2023/24 against the Council's three priorities and the actions being taken to improve performance. The report also presented the quarter 4 review of strategic risks.

There were 47 Council Plan measures for 2023/24, of which it was possible to report on 46 as one measure was data only. In summary, 22 out of the 46 measures reported on had met or exceeded target, six were slightly below target and 18 were significantly below target.

The report was due to be considered by the overview and scrutiny committees during June 2024.

**Decision
number:**

Decision:

The Cabinet noted the Q4 2023/24 performance against the measures used to monitor progress against the Council's priorities.

90/2024

The Cabinet agreed the Strategic Risk Summary set out at Appendix 4 to the report.

Reasons:

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

Cabinet Advisory Groups

Background:

This report set out that two Cabinet Advisory Groups (CAGs), Corporate Parenting Board and Town Centres Board, had been established by Cabinet on 11 July 2024 and it was proposed that these groups were re-established for 2024/25.

As part of the previous year's report, the Cabinet had also agreed to set up two working groups, one in relation to climate change and the other in relation to the development of the Local Plan. The appointments and nominations to these, along with all other bodies appointed by Cabinet, had been agreed at Annual Council on 15 May 2024.

The appendices to the report set out the memberships of the Cabinet Advisory Groups and their Terms of Reference.

Decision number:

Decision:

91/2024

The Cabinet agreed the establishment of the Cabinet Advisory Groups for 2024/25 with the terms of reference set out in Appendices 2-3 to the report.

92/2024

The Cabinet agreed the appointment of Members to these groups, as set out in Appendix 1 to the report, for 2024/25.

Reasons:

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

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Leader of the Council

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Date

Jon Pitt, Democratic Services Officer/Teri Reynolds, Democratic Services Officer

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