

Record of Cabinet decisions

Tuesday, 19 April 2011

3.00pm to 3.40pm

Date of publication: 20 April 2011

**Subject to call-in these decisions will be effective from 4 May 2011
The record of decisions are subject to approval at the next meeting of the Cabinet**

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
	Councillor David Wildey	Portfolio Holder for Children's Social Care
In Attendance:	Neil Davies, Chief Executive	
	Mick Hayward, Chief Finance Officer	
	Richard Hicks, Assistant Director, Customer First, Leisure, Culture, Democracy and Governance	
	Julie Keith, Head of Democratic Services	
	Anthony Law, Democratic Services Officer	
	Andy McGrath, Assistant Director, Front Line Services	
	Deborah Upton, Assistant Director, Housing and Corporate Services/Monitoring Officer	

Apologies for absence

There were none.

Record of decisions

The record of the meeting held on 29 March 2011 was agreed and signed by the Leader as correct.

Declarations of interest

There were none.

Quarter 3 Council Plan Monitoring

Background:

This report presented details of the Council's performance for the third quarter of 2010/2011 against indicators and actions agreed in the 2010-2013 Council Plan.

Appendix 1 to the report provided a summary of performance against the six priorities in the Council Plan and Appendix 2, as an exceptions report, set out the performance achieved against actions and indicators where performance was below target.

It was noted that of the 51 key measures that could be reported this quarter 36 (71%) had achieved or outperformed the target and a further 4 (8%) were below target but within acceptable variance limits. 11 (22%) key measures were below target and outside acceptable variance limits.

The report set out in detail the discussions that had taken place on the report at the council's Overview and Scrutiny Committee meetings.

Decision number: **Decision:**

The Cabinet noted performance for Quarter 3 2010/2011.

Reasons:

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

Grant of Easement at Pier Approach Road, Gillingham

Background:

This report sought authority to grant an easement for a right of way to serve the former Akzo Nobel site at Pier Approach Road, Gillingham.

It was noted that the approved masterplan for Berkeley Homes (Eastern) Limited's development of the former Akzo Nobel site required a secondary emergency access over Pier Approach Road, as the level of residential development was above the threshold for a single access route. The Council in its capacity as the Gillingham Pier Authority owned a short section of land on Pier Approach Road, as shown hatched on the plan attached to the report, and therefore consent had been requested for a vehicular right of way for emergency vehicles.

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Decision number: **Decision:**

59/2011 **The Cabinet agreed to delegate authority to the Assistant Director of Housing and Corporate Services, in consultation with the Portfolio Holder of Finance, to grant a Deed of Easement in relation to Pier Approach Road at the best consideration reasonably obtainable.**

Reasons:

The proposed Deed of Easement will enable the Council to obtain a capital receipt for the continued management and maintenance of the Pier and facilitate the continued regeneration of the area.

Letting of Eastgate Annex, High Street, Rochester

Background:

This report sought authority to grant a lease of Eastgate Annex, High Street, Rochester on the best terms reasonably obtainable.

It was noted that Eastgate Annex had recently become vacant and, as the Council did not have an immediate operational use for the building, there was an opportunity to let the premises in the short to medium term.

Decision number: **Decision:**

60/2011 **The Cabinet delegated authority to the Assistant Director of Housing and Corporate Services, in consultation with the Portfolio Holder for Finance, to grant a lease of Eastgate Annex, Rochester on the best terms reasonably obtainable.**

Reasons:

The letting will increase income and reduce costs in maintaining an empty building.

Recruitment Freeze

Background:

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).

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Appendix 1 to the report provided details of the posts, with a further post being circulated under separate cover.

Decision number: **Decision:**

61/2011 **The Cabinet agreed to unfreeze the following posts, as detailed in Appendix 1 to the report and within the supplementary agenda, to enable officers to commence the recruitment process:**

Children and Adults

a) **Support Services Assistant (CAST Team)**

Regeneration, Community and Culture

b) **Bus Station Assistant (2 Posts)**

c) **Markets Officer – Part Time.**

Reasons:

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

Gateway 3 Procurement Tender Process Review and Contract Award Report: Mercury Abatement and Improvements to Medway Crematorium - Cremator Works

Background:

This report sought permission to secure the design skills of a specialist supplier to supply and fit cremators and abatement equipment by December 2012 at Medway Crematorium. The scheme had been tendered as single stage tender, but would be let as a two-part contract. The first part being the design stage and the second being the supply and installation.

The supplier would join a design team delivering the wider project that incorporated the new equipment at the crematorium and enlarging chapel accommodation and parking space.

It was reported that the Cabinet had agreed to commence procurement (Gateway 1) on 8 June 2010 and the report gave details of the procurement process, the options available and an evaluation of the tender information. An exempt appendix set out details of the whole life costings for the contract, together with the detailed tender evaluation information.

It was noted that the Strategic Procurement Board had considered this report on 30 March 2011 and referred it to Cabinet for approval.

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**Decision
number:**

Decision:

62/2011

The Cabinet agreed to approve the procurement contract award for Mercury Abatement and Improvements to Medway Crematorium – Cremator Works to Crawford Equipment Europe Ltd. as the most economically advantageous tender subject to satisfactory financial assurances.

Reasons:

The contractor satisfied the compliance checks and its proposal indicated that the scheme would be within budget. The criteria as set out in the Invitation to Tender were met and the Public Contracts Regulations 2006 (as amended) require the decision to award the contract be on the basis of the most economically advantageous tender.

Gateway 4 Procurement Post Project Completion Review: Grounds Maintenance, Bereavement Services

Background:

This report provided a review on the progress of the Bereavement and Registration Services Grounds Maintenance Contract, which was currently awarded to The Landscape Group (previously English Landscapes).

The contract was for the provision of grounds maintenance activities at Medway Crematorium and 5 cemeteries across Medway and included grass cutting; litter collection; road and hard surface cleaning; the maintenance of trees, hedges, roses, flower and shrub borders; the fixing of memorials and some premises security.

This Procurement Gateway 4 report has been approved for submission to Cabinet after review and discussion at the Business Support Directorate Management Team meeting on 22 March 2011 and the Strategic Procurement Board on 30 March 2011.

**Decision
number:**

Decision:

63/2011

The Cabinet approved the continuation of the current Bereavement and Registration Services Grounds Maintenance Contract and to subject the contract to further Gateway 4 and/or Gateway 5 reporting requirements.

Reasons:

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There are no adverse observations regarding this contract and the contractor is performing to a standard equal or better than that set out in the contract specification.

Gateway 5 Procurement Contract Management Report: Extension of Housing Responsive Maintenance Contract and Proposal for Fixed Fee Approach for Repairs and Voids Service

Background:

This report sought permission to extend the responsive repairs and maintenance contract, approve a pilot fixed fee approach for three months and give authority, subject to the success of the fixed fee trial, to enter into arrangements to formalise this arrangement for the remainder of the contract period. The contract was currently awarded to Mears PLC.

The contract included repairs to tenanted properties (including sheltered schemes and communal areas), vacant property repairs, out of hours emergency repairs, gas servicing/breakdowns and capital works.

It was noted that approval to extend the contract was based upon the procurement process undertaken during 2006, which led to an award of contract in December 2006 to Erinaceous Property Maintenance and commenced 1 April 2007. The Contract was subsequently novated to Mears PLC, and the contract contains provisions, which allow for it to be extended.

The Strategic Procurement Board reviewed a Gateway 4 Appraisal Report on 16 February 2011 and this Gateway 5 report was ratified by the Strategic Procurement Board on 30 March 2011 and recommended for referral to Cabinet.

Decision number: Decision:

- 64/2011 The Cabinet agreed:**
- a) that the Responsive Repairs and Maintenance Contract be extended for two years with effect from 1 April 2012,**
 - b) that the pilot approach for delivery of the repairs and maintenance service, incorporating voids via a “fixed fee” approach, be approved for a three calendar month period, subject to completion of successful negotiations which is to be delegated for agreement to the Assistant Director of Housing and Corporate Services in conjunction with the Portfolio Holder for Housing and Corporate Services.**
 - c) subject to a successful pilot of the fixed fee that the Assistant Director of Housing and Corporate**

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Services be delegated authority, in consultation with the Housing and Community Services Portfolio Member, to enter into arrangements with Mears PLC to formalise these arrangements for the remainder of the contract term.

Reasons:

The reasons for the decisions are set out in Option 1 in section 4.1 of the report. This option provides for:

- budgetary stability
- further development of improvements with Mears that have been made over the last 12 months
- further efficiencies in terms of other cost savings
- increased speed of customer service
- development of ICT to improve service delivery
- Officers to concentrate on management of the existing contract rather than be distracted by work to re-tender the contract and potentially have a new contractor to build working methods and relationships with from April 2012.

Leader's Announcement

The Leader announced that Councillor Janice Bamber would be leaving the Council in May and Members recorded their thanks for her contribution and support during her term of office.

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Leader of the Council

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Date

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