
CABINET

MINUTES of the Meeting held in the Council Chamber, Swale House, East Street, Sittingbourne, Kent, ME10 3HT on Wednesday, 7 September 2016 from 7.00pm - 7.50 pm.

PRESENT: Councillors Bowles (Chairman), Duncan Dewar-Whalley, Alan Horton, Gerry Lewin (Vice-Chairman) and Ken Pugh.

OFFICERS PRESENT: Martyn Cassell, Vicky Hadfield, Abdool Kara, Jo Millard, Donna Price, Mark Radford, Baljinder Sandher and Nick Vickers.

ALSO IN ATTENDANCE: Councillors Cameron Beart, Andy Booth, Roger Clark, Sue Gent (Deputy Cabinet Member for Environment and Rural Affairs), Mike Henderson and James Hunt (Deputy Cabinet Member for Regeneration).

APOLOGIES: Councillors Mike Cosgrove and David Simmons.

852 EMERGENCY EVACUATION PROCEDURE

The Chairman drew attention to the evacuation procedure.

853 MINUTES

The Minutes of the Co-located Meeting held on 4 July 2016 (Minute Nos. 756 – 757) were taken as read, agreed and signed by the Chairman as a correct record.

The Minutes of the Meeting held on 13 July 2016 (Minute Nos. 781 – 790) were taken as read, agreed and signed by the Chairman as a correct record, subject to the following amendment:

Minute No. 788 Financial Management Report – Financial Outturn Report 2015/16 Resolution 6 to read: That the net revenue over-recovery on business rates of £1,744,380 be noted.

The Minutes of the Extraordinary Meeting held on 8 August 2016 (Minute Nos. 819 – 822) were taken as read, agreed and signed by the Chairman as a correct record.

854 DECLARATIONS OF INTEREST

Councillor James Hunt (Deputy Cabinet Member for Regeneration), declared a Disclosable Non Pecuniary Interest in respect of Item 7 as he was a member of Iwade Parish Council.

PART B REPORTS FOR DECISION BY CABINET

855 COMENSURA CONTRACT EXTENSION

Cabinet Member for Finance and Performance

Cabinet considered the report of the Head of Human Resource (HR) Services and the above Cabinet Member. The Cabinet Member for Finance and Performance outlined the successful arrangement with Comensura, and explained how the proposals could improve the current contract further.

In response to questions from Members, the HR Shared Services Manager advised that 'vendor-neutral' in paragraph 2.2 of the report referred to a third-party organisation. The Chief Executive clarified that 'non-cashable' savings were efficient savings such as having to deal with fewer invoices, and 'cashable' savings were those such as the ability to take on staff at a lower rate.

Resolved:

- (1) ***That the extension of the existing contract with Comensura for the provision of agency workers for a period of one year, from 1 October 2016 to 30 September 2017 as allowed for under the current contract be approved.***
- (2) ***That the Procurement team commence a tender exercise for Temporary Agency Resource services to be in place from 1 October 2017.***

856 GOVERNMENT FOUR YEAR EFFICIENCY PLAN

Cabinet Member for Finance and Performance

Cabinet considered the report of the Head of Finance and the above Cabinet Member which set-out the Council's Four Year Efficiency Plan to submit to Central Government, to secure the level of Revenue Support Grant to be allocated for the next three years.

The Cabinet Member for Finance and Performance explained that Swale Borough Council had managed the ongoing reduction in grant money well, and by 2020, the Council would be fully self-financing.

In response to a question from a Member, the Director of Corporate Services advised that the report did not make decisions regarding the allocation of money, only how the efficiency would be achieved, and was not therefore defined as a key decision in the Council's Constitution.

In response to questions from another Member, the Chief Executive advised that it was unlikely that Councils that had submitted an efficiency plan would be penalised if more funding became available. The Head of Finance advised that there was no intention to exclude those that cannot access technology in relation to the Transformation Project as highlighted on page ten of the report.

A Member highlighted the importance of communicating updates to Members. The Chief Executive added that there would be presentations to Members, updating them on the Transformation Project.

Resolved:

- (1) *That the Four Year Efficiency Plan for submission to Government be agreed.*
- (2) *That the Head of Finance, in consultation with the Cabinet Member for Finance and Performance be delegated to make any final amendments prior to submission of the plan.*

857 ASSET TRANSFER OF IWADE RECREATION GROUND AND ASSOCIATED FEATURES TO IWADE PARISH COUNCIL

Cabinet Member for Finance and Performance

Cabinet considered the report of the Leisure and Technical Services Manager and the above Cabinet Member.

In response to a question from a Member, the Cabinet Member for Finance and Performance advised that the sum of the rent, as referred to at paragraph 1.4 on page 21 of the report, was still under negotiations.

Resolved:

- (1) *That the Iwade Recreation Ground, including the children's playground and the changing pavilion, be transferred to Iwade Parish Council on a 125-year lease.*
- (2) *That authority be delegated to the Head of Commissioning and Customer Contact, and Head of Property, in consultation with the Cabinet Member for Finance and Performance, to negotiate the final terms of the lease.*

858 FINANCIAL MANAGEMENT REPORT: APRIL - JUNE 2016

Cabinet Member for Finance and Performance

Cabinet considered the report of the Head of Finance and the above Cabinet Member.

The Cabinet Member introduced the report. He drew attention to the forecast revenue underspend of £199,000, the capital expenditure of £346,000 to end of June 2016, and highlighted two deficits which came from capital projects -the Skate Park and the Faversham Swimming Pool refurbishment.

A Member thanked and praised the Cabinet Member for Finance and Performance for the clarity of the report, and also congratulated the Head of Finance, the Chief Accountant and their team.

A Member was pleased, but sought clarity, at the increase in 'Other Income' as shown on the table on page 26, and asked why some Councils have left and others had stayed within the business rate pool, highlighted at paragraph 3.7 on page 32 of the report? The Head of Finance advised that more money was being invested due to increased cash flow, and the Council had benefited from the CCLA Property Fund. He explained individual Councils' reasons for leaving or staying within the

business rate pool, and agreed to provide more information on the costs and savings in Economic Development and Learning and Skills.

Resolved:

- (1) ***That the projected net revenue underspend on services of £199,000 be noted.***
- (2) ***That the capital expenditure of £346,000 to end of June 2016 be noted.***

859 LIMITED LIABILITY PARTNERSHIP (LLP)

Cabinet Member for Finance and Performance

Cabinet considered the report of the Director of Corporate Services and the above Cabinet Member.

The Cabinet Member for Finance and Performance introduced the report advising Members that different methods of maximising the Council's assets were being explored, and the establishment of a limited liability partnership (LLP) was one of the options. He highlighted the benefits of establishing a limited liability partnership.

A Member sought assurance that no decisions were taken without Cabinet or Council approval, and the Chief Executive confirmed that the partnership was not a decision-making body.

A Member questioned why the Beachfields site was specifically referred to at paragraph 2.7 on page 44 of the report, and sought confirmation that the appropriate consultation would be held with interested parties on future uses. The Cabinet Member for Finance and Performance advised that a third party would be looking at projects with a fresh pair of eyes and this could only benefit. The Chief Executive added that the Beachfields site was an obvious site to look at as it had great potential for development. Any existing work commissioned by the Council would be taken into account.

Other Members were supportive of the proposal, highlighting its benefits which included:

- "free consultancy";
- access to extra skills;
- making better use of vacant buildings;
- assistance in the Regeneration projects; and
- positive experiences of other Councils that have implemented similar.

The Chief Executive advised that PSP Facilitating Limited (PSPF) would undertake a presentation to Members.

Resolved:

- (1) *That the creation of a limited liability partnership (LLP) between the Council and PSP Facilitating Limited (PSPF) be approved.*
- (2) *That the final terms of the necessary agreements be agreed by the Director of Corporate Services, the Head of Finance, and the Head of Legal, in consultation with the Cabinet Member for Finance and Performance, provided that all the due diligence checks have been carried out successfully.*
- (3) *That it be noted that the LLP arrangement requires the establishment of an LLP Members' Board with equal Council and PSPF representation, supported by an Operations Board for officers.*
- (4) *That the Council representation on these Boards be agreed by the Director of Corporate Services following consultation with the Leader, once the format of these boards is established as part of the final terms of the agreement; and that the Council representation on the LLP Board will be from members of the Cabinet.*
- (5) *That insurance and indemnity be provided for Member and Officer representatives of the LLP.*
- (6) *That it be noted that the LLP will be an additional option for the Council to use to deal with its property portfolio.*
- (7) *That it be noted that further reports will be submitted to Cabinet in respect of relevant proposals to pursue property related projects through the LLP.*

860 EXCLUSION OF THE PRESS AND PUBLIC

It was not necessary to pass this resolution.

861 EXEMPT APPENDICES: ESTABLISHMENT OF A LIMITED LIABILITY PARTNERSHIP (LLP)

There was no discussion on this item.

Chairman

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All Minutes are draft until agreed at the next meeting of the Committee/Panel