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## **CABINET**

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**MINUTES** of the Meeting held in the Council Chamber, Swale House, East Street, Sittingbourne, Kent, ME10 3HT on Wednesday, 7 December 2016 from 7.00pm - 8.05pm.

**PRESENT:** Councillors Mike Cosgrove, Alan Horton, Gerry Lewin (Vice-Chairman, in the Chair), Ken Pugh and David Simmons.

**OFFICERS PRESENT:** Anne Adams, Alister Andrews, Vicky Hadfield, Dan Gooch, Jo Millard, Donna Price, Mark Radford, Dave Thomas, Graeme Tuff, Nick Vickers and Phil Wilson.

**ALSO IN ATTENDANCE:** Councillors Sarah Aldridge, Mike Baldock, Paul Fleming, Nicholas Hampshire, Mike Henderson, James Hunt, Ghlin Whelan and Ted Wilcox.

**APOLOGIES:** Councillors Bowles and Duncan Dewar-Whalley.

### **1045 EMERGENCY EVACUATION PROCEDURE**

The Vice-Chairman, in the Chair, outlined the emergency evacuation procedure.

### **1046 MINUTES**

The Minutes of the Meeting held on 9 November 2016 (Minute Nos. 990 – 998) were taken as read, approved and signed by the Chairman as a correct record.

### **1047 DECLARATIONS OF INTEREST**

During the course of the discussion, Councillor Nicholas Hampshire declared an interest in the Lower Medway Internal Drainage Board as he sat as a Council representative on the Board; and Councillor Sarah Aldridge declared an interest in Grove Park School as she was a trustee.

### **Part A – Recommendations to Council**

### **1048 MEDIUM TERM FINANCIAL PLAN AND 2017/18 BUDGET**

#### **The 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 Medium Term Finance Plan (MTFP) and the draft 2017/18 budget.

The Deputy Cabinet Member for Finance and Performance introduced the report, and highlighted the payment to the Lower Medway Internal Drainage Board on page 10 of the report. He explained that the payment had been reduced temporarily in 1987 and had only just been increased again, with no back payment required.

The Deputy Cabinet Member for Finance and Performance referred to the 2017/18 Revenue and Capital Programme document provided to Members.

**Recommended:**

- (1) That the Medium Term Financial Plan be endorsed.**
- (2) That the budget proposals be endorsed.**

**Part B – Reports for decision by Cabinet**

**1049 FINANCIAL MANAGEMENT REPORT - APRIL TO SEPTEMBER 2016**

**Cabinet Member for Finance and Performance**

Cabinet considered the report of the Head of Finance and the above Cabinet Member, which showed the revenue and capital projected outturn for 2016/17 as at the end of September 2016.

The Deputy Cabinet Member for Finance and Performance highlighted the projected underspend on services of £617,700 and the capital expenditure of £831,704, mostly made up of significant additional income, and savings from contracts;

**Resolved:**

- (1) That the projected revenue underspend on services of £617,700 be noted.**
- (2) That the capital expenditure of £831,704 to end of September 2016 be noted.**
- (3) That £76,000 of funding for two new capital schemes as detailed in paragraph 3.12 of the report be approved.**

**1050 SCRUTINY COMMITTEE REPORT ON THE LEISURE AND TOURISM REVIEW**

**Cabinet Member for Regeneration**

Cabinet considered the report of the Interim Head of Economies and Communities and the above Cabinet Member. The Cabinet Member for Regeneration thanked the Scrutiny Committee for their input.

In reply to a question from a Member, the Chief Executive advised that the formal response to the recommendations would be reported to the Cabinet meeting on 1 February 2017.

**Resolved:**

- (1) That the report of the Scrutiny Committee on Leisure and Tourism be noted, and the recommendations be considered and responded to at a subsequent Cabinet meeting.**

**1051 CONTRACT FOR THE PROVISION OF A PEST CONTROL SERVICE WITH SWALE****Cabinet Member for Safer Families and Communities**

Cabinet considered the report of the Interim Head of Economics and Community Services and the above Cabinet Member which sought authority to award the pest control service contract to the preferred supplier.

The Cabinet Member for Safer Families and Communities spoke of the valuable pest control service, and drew Members' attention to the assessment score table on page 64 of the report. A Member was pleased that a Kent-based company had been awarded the contract.

**Resolved:**

- (1) That Goodwin Pest Management be agreed as Pest Control Service provider from 1 January 2017 for an initial period of three years (with an option to extend for up to a further two years).**

**1052 APPROVAL OF NEW PLAY AREA, TRIM TRAIL AND PLAY AREA IMPROVEMENTS****Cabinet Member for Environment and Rural Affairs**

Cabinet considered the report of the Head of Commissioning and Customer Contact and the above Cabinet Member which sought authority to award contracts for new play areas, a new trim trail, and play area improvements.

The Cabinet Member for Environment and Rural Affairs welcomed Dan Gooch, the Green Spaces Officer, to the meeting.

The Cabinet Member for Environment and Rural Affairs outlined where equipment would be installed, and highlighted that Section 106 monies had been received to help finance some of the equipment. He explained that a public consultation held at Thistle Hill in October 2016 had attracted 300 people. A Member congratulated those involved in the consultation and the Chairman thanked officers.

**Resolved:**

- (1) That the contract for the Thistle Hill Play areas be awarded to HAGS-SMP, for the sum of £169,976.98.**
- (2) That the contract for the Thistle Hill Trim Trail be awarded to Wicksteed Playgrounds, for the sum of £33,385.00.**
- (3) That the contract for the 'all-inclusive' play equipment at King George's Playing Field, Sittingbourne be awarded to Proludic Ltd, for the sum of £5,300.00.**
- (4) That the Head of Commissioning and Customer Contact and Head of Legal Services, in consultation with the Cabinet Member for Environmental and Rural Affairs, be delegated to complete the contract awards.**

**1053 GROUNDS MAINTENANCE EXTENSION OF CONTRACT****Cabinet Member for Environmental and Rural Affairs**

Cabinet considered the report of the Head of Commissioning and Customer Contact and the above Cabinet Member which sought a five-year extension of the grounds maintenance contract.

The Cabinet Member for Environmental and Rural Affairs explained that substantial savings had already been negotiated on the contract, and negotiations for further savings would be on-going. He drew attention to paragraph 2.8 of the report, which explained that Kent County Council (KCC) would be carrying out their own grass-cutting and soft landscaping works in the future, and advised that there was a risk that any reduced standard would have an impact on perceptions of the Borough.

A Member was pleased with the proposals, but raised concern about the standard of work. The same Member raised issues of indexation charges in the contract and the Cabinet Member for Environmental and Rural Affairs acknowledged that this would be considered. He explained that savings had been made on the waste contract previously, and Blenwood would be pressed to improve their standards. There had also been initiatives on dog fouling and littering in order to help improve the perception of visitors and residents to the Borough.

A Member suggested that Parish Councils could assist with soft landscaping works, but another Member suggested that KCC should improve their standards. The Cabinet Member for Environmental and Rural Affairs highlighted that not all of the Borough was part of a designated parish, and pointed out that there would be additional Council Tax costs to those living in parishes if they undertook the work.

**Resolved:**

- (1) The extension of the Grounds Maintenance contract with Blenwood limited for a period of five years be approved.**
- (2) The removal of the Kent Highways component of the contract, and continued negotiations on other items to deliver financial savings to the Council be noted.**
- (3) The Head of Commissioning and Customer Contact, in consultation with the Cabinet Member for the Environment and Rural Affairs and Cabinet Member for Finance, be given delegated authority for agreeing and signing the final terms of the contract extension.**

**1054 LEASE OF LAND AT THE MEADS TO ASPIRE FREE SCHOOL****Cabinet Member for Finance and Performance**

Cabinet considered the report of the Head of Property Services and the above Cabinet Member, which sought approval to enter into a 125-year lease with Grove Park Academies Trust, for the provision of a school for children with Autistic Spectrum Disorder (ASD).

The Deputy Cabinet Member for Finance and Performance identified the need for the facility, and advised that the Education Funding Agency had not yet confirmed how much land was required.

A Member was in full support of the proposal, but raised concern that any land not required should not be used for further housing. In the debate that followed, the following points were raised:

- local residents were mostly in support of the proposal;
- if any land was not required, there should be further discussions on its future use;
- possibility of expansion of the school in the future;
- it was a much needed resource within the area;
- supportive of proposal and how it could relieve pressure on parents of children with needs; and
- highlighted the benefits of the location for Swale residents.

The Chief Executive advised that should any land be unused, negotiations would be entered into and a separate decision for the use of that land would be brought forward.

**Resolved:**

- (1) *That a 125-year lease be entered into with the Grove Park Academies Trust, on land at Staplehurst Road, for the provision of a school for children with Autistic Spectrum Disorder.*
- (2) *That the agreement of the final terms of the lease (including the site area) be delegated to the Head of Property Services in consultation with the Head of the Legal Partnership and the Cabinet Member for Finance.*

**1055 EXCLUSION OF THE PRESS AND PUBLIC**

It was not necessary to pass this resolution.

**1056 EXEMPT APPENDIX: LEASE OF LAND AT STAPLEHURST ROAD TO GROVE PARK ACADEMIES TRUST**

There was no discussion on this item.

**1057 CALL-IN OF CABINET DECISION REGARDING CAPITAL FINANCING AND INVESTMENT**

**Cabinet Member for Finance and Performance**

The Chairman reminded Members that the item for discussion was the Response to the Scrutiny Committee recommendations on capital financing and investment, as detailed on the tabled report circulated to Members.

The Deputy Cabinet Member for Finance and Performance said Cabinet supported the recommendation that further detailed work was required, and this would be carried out in the further due diligence already highlighted. He warned against further delays.

In response to a Member, the Chief Executive advised that the Extraordinary Scrutiny Meeting on 29 November 2016, at which the recommendations were made, had been legally convened.

A Member drew attention to the Scrutiny recommendations (c) and (d) on the tabled report, and highlighted that information was provided to the Extraordinary Scrutiny Committee, but not to the Cabinet Meeting where the proposal was originally discussed.

A Member welcomed the recommendations, which he agreed with, but disagreed that the report should be referred back to Cabinet as this could cause further delays.

The Cabinet Member for Safer Families and Communities agreed that the Scrutiny Committee had made sound recommendations, but that it was not necessary to go back to Cabinet. He reminded Members of the opportunity to invest and benefit from a healthy income into the future.

The Chairman advised that information gathering would be on-going as the investment reached different stages. When data was available, it would be considered, and the Section 151 Officer would use this to inform his decision-making. He said the Council did not want to lose the opportunity to invest for the future benefit of the Borough.

The Director of Corporate Services clarified the proposal in front of Members.

**Resolved:**

- (1) That approval be given to funding and acquiring of the leisure and bigbox retail development in Sittingbourne.**
- (2) That borrowing of up to £28m be approved, in-line with the Council decision on 16 March 2016.**
- (3) That investment of up to £2.2m in highways-related infrastructure for Sittingbourne Town Centre be approved.**
- (4) That funding of up to £500,000 to underwrite unconditional pre-works demolition costs, which will be funded from South East Local Enterprise Partnership (SELEP) funding, be approved. If the development agreement does not go unconditional, the Council will be required to repay this funding to SELEP.**
- (5) That delegation be given to the Head of Finance, in consultation with the Leader and Cabinet Member for Finance and Performance, the final decisions on the amount of borrowing within the limit set, other**

***financing and release of the funds for highway works and demolition costs.***

- (6) That delegation be given to the Head of Finance, in consultation with the Leader and Cabinet Member for Finance and Performance, to agree the final Terms of the Agreement.***
- (7) That further due diligence be carried out as part of an ongoing process.***

Chairman

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