

Cabinet

Monday, 4 January 2021

7.30 pm

Present:

Cllr John Burden (Chair)
Cllr Lee Croxton (Vice-Chair)

Councillors: Shane Mochrie-Cox
 Lenny Rolles
 Brian Sangha
 Narinderjit Singh Thandi
 Jenny Wallace

Nick Brown	Director (Housing & Operations) and Deputy Chief Executive
Kevin Burbidge	Director (Planning & Development)
Sarah Parfitt	Director (Corporate Services)
Simon Hookway	Assistant Director (Communities)
Daniel Killian	Assistant Director (Housing)
Jan Guylar	Head of Legal Services (Medway Council)
Shazad Ghani	Planning Manager (Policy)
Andy Rayfield	Communications Manager
Chris Wakeford	Committee Services Officer (Scrutiny)
James Bridges	Digital Developer (Technical Support)

50. Minutes

The minutes of the meeting held on 9 November 2020 were signed by the Chair.

51. Declarations of Interest

Cllr John Burden declared a voluntary, non-pecuniary interest in Item 16.South Thames Gateway (STG) Building Control Partnership Business Plan 2021-24 due to the fact he is the Council's representative on the South Thames Gateway (STG) Building Control Partnership. Cllr John Burden left the meeting during consideration of this item.

Cllr Lenny Rolles declared an Other Significant Interest in agenda item 17 - Wickes site, Stuart Road, Gravesend and Parrock Street Surface Car Park, Gravesend due to his role as Chair of the Rosherville Limited Board. Cllr Lenny Rolles left the meeting during consideration of this item.

Kevin Burbidge, Director (Planning and Development) also declared an interest in agenda item 17 - 17 - Wickes site, Stuart Road, Gravesend and Parrock Street Surface Car Park, Gravesend due to his role as a Director of the Rosherville Property Development Limited.

52. Delegated Decisions - Cabinet Members

The Leader advised that he had taken a delegated decision in respect of the appropriation of land in Bank Street, New Swan Yard and Crooked Lane Gravesend for planning purposes which had previously been circulated and published on the Council's website.

53. Minutes of meeting of Gravesham Joint Transportation Board

The Cabinet considered the minutes of the Gravesham Joint Transportation Board held on Wednesday 9 September 2020.

54. Meopham, Higham and Cobham Rural Housing Needs Surveys 2020

The Cabinet received an update on the outcome of Rural Housing Needs Surveys undertaken in 2020 for Meopham, Higham and Cobham and a request for approval to publish the surveys on the Council's website

The Borough Council has a statutory duty (1985 Housing Act) to investigate housing needs and examine ways of meeting those needs. Best practice recommends that in rural areas Housing Needs Surveys are carried out as part of a rolling programme every 5 years.

The key outputs from the surveys are highlighted in the report at Table 4: Affordable and Older Persons Housing Needs for Meopham, Higham and Cobham:

- Meopham: 21 affordable units
- Higham: 14 affordable units
- Cobham: 7 affordable units

The Cabinet noted that the Borough's housing figure, set by central government, remains at 655 units per annum based on the 2020 inputs to the standard method.

The Cabinet also noted that the surveys do not negate the need for developers to deliver against the affordable housing policy as set out in Policy CS16 of the affordable housing policy of the Local Plan Strategy

Resolved that the outcome of the Rural Housing Needs Surveys undertaken in 2020 for Meopham, Higham and Cobham be noted and published on the Council's website.

55. Householder Extensions/Alterations Design Guidance Supplementary Planning Document (SPD) Adoption

The Cabinet was presented with the draft Householder Extensions /Alterations Design Guidance Supplementary Planning Document (SPD) for approval and adoption as a material consideration in decision-making of planning applications.

In June 2020 Cabinet resolved to consult upon the draft Householder Extensions/Alterations Design Guidance SPD in line with the Council's adopted Statement of Community Involvement, whilst taking into account the Government's guidance in relation to Covid-19 at the time.

A total of nine responses were received with three respondents (Southern Water, TfL and the PLA) advising they wished to make no comments. The remaining respondents were Meopham Parish Council, Shorne Parish Council, Natural England, the Ebbsfleet Development Corporation, Historic England and a resident of the Borough. The responses and how these have been taken into account are set out in Appendix 2 to the report.

Based on the comments received officers have made a number of alterations to the draft SPD. Whilst the level of responses is low, but not surprising as the document had been based on best practice, no objections have been made to the contents of the draft guidance, as such Cabinet is asked to adopt the guidance document as a Supplementary Planning Document, so that it can be a material consideration when determining a planning application.

The Cabinet commended the document and highlighted the need for it to be easily accessible on the Council's website.

Resolved that the responses received on the draft Householder Extensions/Alterations Design Guidance SPD consultation be noted and the final Householder Extensions/Alterations Design Guidance document be adopted as a Supplementary Planning Document (SPD), with delegated authority being given to the Assistant Director (Planning), in consultation with the Cabinet Member for Strategic Environment, to make final amendments to the document (including updated graphics).

56. Proposed amendments to the Constitution

The Cabinet received a report which sought agreement to amend the Constitution to provide a delegation to the Monitoring Officer to authorise employees to appear on behalf of the Council in the County Court and/or Magistrates' Court and to add a Council side urgency provision to enable decisions reserved to Council to be made in urgent circumstances when it is not possible to wait for the next Council meeting.

The Cabinet were informed that there is currently no specific power delegated to any officer to authorise employees to appear in court on behalf of the Council. There are several posts across the Council that have the need to appear before the court such as licensing officers, environmental health officers and housing officers in order to fulfil their roles. It is therefore recommended that a delegation to the Monitoring Officer would enable such authorisations to be issued in a timely manner when required.

The Head of Legal Services highlighted that there is an urgency provision Cabinet side at Rule 18, Annex 2.2, of the Constitution that enables the Leader or another decision-taker, in certain circumstances, to take an urgent Cabinet decision when it is not practicable to convene a Cabinet meeting in time. The Covid-19 pandemic has highlighted a need to have a similar urgency provision for Council reserved matters. This would be in consultation with the Leaders of all groups and would be exercised only where the urgent matter is of such a nature that it may be against the Council's interest to delay and where it is not practicable to obtain the approval of the Council.

Resolved that:

- 1) A delegation be made to the Monitoring Officer to authorise employees to appear on behalf of the Council in the County Court and/or Magistrates' Court pursuant to S60 of the County Courts Act 1984 and S223 of the Local Government Act 1972, and;
- 2) A delegation be made to the Chief Executive and Directors to make urgent decisions on matters reserved to Council only where the urgent matter is of such a nature that it may be against the Council's interest to delay and where it is not practicable to obtain the approval of the Council.

57. Member Training 2019-20 - Annual Report

The Cabinet was provided with a summary of the training that had taken place for Members during the 2019-20 municipal year and presented with the draft Training Plan for 2021-22.

The Cabinet felt that a mixture of in person and virtual training would be the best option going forward.

The Cabinet discussed 'compulsory' training and felt that, although it is important Members receive training; attendance should be governed by the Leader of each group rather than made compulsory.

Resolved that Cabinet approved the draft Member Training Plan 2021-22, as detailed in Appendix Five to the report, and accepted the recommendations made by the Overview Scrutiny Committee, as detailed in paragraph 5.1 of the report.

58. Controlled Parking Zone (CPZ) review

The Cabinet was informed of the outcome of the formal consultation for the remaining Controlled Parking Zone's (CPZ) in the borough and approval was sought to implement the proposals as contained within the report that have been established in consultation with residents and businesses.

Resolved that it was agreed to proceed with Making the Order and implementing the changes to the five remaining Controlled Parking Zones in the Borough as per the Formal Consultation which commenced in September 2020.

59. Fire Door Procurement and Installation Programme

The Cabinet was informed of the current position in relation to flat entrance fire doors, taking into account fire safety recommendations and guidance following MHCLG's "Advice for Building Owners" and approval was sought to use a relevant framework to procure and award a contract to install compliant fire doors where required within Council housing stock, over a five year period, 2021/22 to 2025/26.

The Cabinet commended the report and commented that the safety of the Borough's tenants comes first.

Resolved that:

- 1) The Director (Housing & Operations) in consultation with the S.151 Officer and Lead Member be given delegated authority to conduct the procurement process and award a contract using a procurement framework by way of mini tender as outlined in the report.
- 2) The Director (Housing & Operations) in consultation with the S151 Officer and Lead Member be given delegated authority to grant annual extensions to the contract awarded subject to satisfactory contractor performance.

60. Development on Land at Constable Road/Rembrandt Drive

The Cabinet received a report that sought authority to award a build contract for the development of 7 new Council homes on land at Constable Road/Rembrandt Drive.

Resolved that authority be delegated to the Director (Planning and Development) in consultation with the Leader of the Executive and the Section 151 Officer, to award a build contract to Westridge Construction Limited following a selection process via the South East Consortium for 7 x 1 bed bungalows and associated parking, landscaping and improvements to the wider green space on land at Constable Road/Rembrandt Drive.

61. Exclusion

Resolved that pursuant to Section 100A(4) of the Local Government Act 1972 that the public be excluded during the following item of business because it was likely in view of the nature of business to be transacted that, if members of the public were present during the item, there would be disclosure to them of exempt information.

All Members and officers in remote attendance declared that there were no other persons present who were not entitled to be (either hearing or seeing) and/or recording the proceedings.

62. South Thames Gateway (STG) Building Control Partnership Business Plan 2021-24

The Cabinet received a report that sought agreement to the draft STG Building Control Partnership Business Plan for 2021-24.

The Cabinet welcomed the success of STG Building Control Partnership.

Resolved that Cabinet agreed:

- 1) To approve the proposed STG Building Control Partnership Business Plan 2021-24 (version 3), including the Financial Plan, and also the Delivery Plan (version 3), appended to it.

- 2) That the Secretary to the STG Joint Committee be notified accordingly.
- 3) To delegate to the Director (Planning and Development), in consultation with the Leader, the authority to approve any additional Gravesham contribution, to balance any deficit that may arise for the STG Building Control Partnership in 2020-21.

Note: Cllr John Burden left the meeting during consideration of this item.

63. Wickes site, Stuart Road, Gravesend and Parrock Street Surface Car Park, Gravesend

The Cabinet was presented with details of joint-venture development proposals in respect of Wickes site, Stuart Road, Gravesend and Parrock Street Surface Car Park, Gravesend and considered the way forward.

The Director (Planning & Development) clarified that recommendation two in the report should be amended by replacing 'Director (Planning & Development)' with 'Chief Executive'.

The Cabinet welcomed the proposed approach for this matter.

Resolved that Cabinet agreed:

- 1) To authorise appropriate officers to procure market intelligence in respect of the housing demands and opportunities in respect of the two sites;
- 2) To authorise the Chief Executive, in consultation with the Leader of the Executive and the Strategic Environment Portfolio Holder to bring forward proposals for the production of a Town Centre Supplementary Planning Document at the earliest opportunity; and
- 3) To authorise the Director (Corporate Services), in her role as s.151 Officer, to identify the necessary funding required for this work and to build that into the forthcoming General Fund Budget proposals.

Note: Cllr Lenny Rolles and Simon Hookway, Assistant Director (Communities) left the meeting during consideration of this item.

Close of meeting

The meeting ended at 9.09 pm