

Cabinet

Monday, 08 November 2021

7.30 pm

Present:

Cllr John Burden (Chair)

Councillors: Shane Mochrie-Cox
Lenny Rolles
Lauren Sullivan
Narinderjit Singh Thandi
Jenny Wallace

Please note: Cllrs Baljit Hayre, Dakota Dibben and Leslie Hills were in attendance.

Nick Brown Director (Environment) & Deputy Chief Executive
Melanie Norris Director (Communities)
Sarah Parfitt Director (Corporate Services)
Daniel Killian Director (Housing)
Lisa Nyon Assistant Director (Corporate Services)
Andy Rayfield Communications Manager
Ben Clarke Committee Services Officer (Minutes)

44. Apologies for absence

An apology for absence was received from the Chief Executive.

45. To sign the minutes of the previous meeting

The minutes of the meeting of Cabinet held on Monday, 04 October 2021 were signed by the Chair.

46. To declare any interest members may have in the items contained on this agenda. When declaring an interest a member must state what their interest is.

Cllr Burden declared a non-prejudicial interest in item 14 as he was one of the Council's nominated trustees on the Elizabeth Huggins Charity Board; Cllr Burden agreed to leave the room and hand over control of the meeting to Cllr Sullivan for the duration of that item.

Cllr Rolles declared a non-pecuniary interest in item 10 as he was the Chair of Rosherville Limited Company.

47. Delegated Decisions - Cabinet Members

There were no further decisions for Cabinet to be updated on.

48. Minutes of the meeting of the Crime & Disorder Scrutiny Committee held on Thursday, 7 October 2021

The Cabinet were presented with the minutes of the Crime & Disorder Scrutiny Committee held on Thursday, 07 October 2021.

Cllr Mochrie-Cox referenced the discussion on the illegality of E-Scooters and asked that the point be continually emphasised that they were illegal to be ridden on the roads as they were classified as motor vehicles and needed to be insured and taxed. The Council had no powers to stop people riding E-Scooters, only the Police did. Cllr Mochrie-Cox had raised the issue with the Police & Crime Commissioner who agreed they were a safety hazard and needed Governmental legislation.

The minutes were noted.

49. Annual Review of the Legal Shared Service

The Cabinet were presented with the annual report giving an overview of the shared Legal service arrangement with Medway Council.

The Director (Communities) advised that the report gave an overview of the progress made against the current objectives and listed the five service improvements for the coming year. The new Head of Legal was being worked with closely by officers and all political parties to ensure that improvements continued to be made to the service.

The Chair felt that the range of services provided by Legal had improved and the initial communication issues with Medway had been rectified; originally the shared service had tried to impose Medway protocols on Gravesham but it had been realised that Gravesham was a separate entity. The new Head of Legal was working with Gravesham positively and the Chair was sure that the partnership would continue to improve.

Members echoed the comments made by the Chair and looked forward to achieving the proposed five service improvements next year.

Resolved that Cabinet agreed to the service improvements and noted the information contained within the report.

50. Formation of a Climate Change Advisory Board

The Cabinets approval was sought to establish a Climate Change Advisory Board as a formally constituted advisory board to the Cabinet.

The Director (Corporate Services) advised Members that the report looked to formalise the arrangements the Council had in place with climate change activities; a Climate Change Cross-Party Working Group was created in June 2019 and it was agreed that it would meet on a quarterly basis to oversee delivery of the action plan with annual updates to Full Council.

Given the importance of Climate Change, both internationally, nationally and more locally for the council, its residents and stakeholders, it was considered that there should be greater transparency and public reporting of the activity of the Council around Climate Change. Therefore, it was proposed that a Climate Change Advisory Board be established as a Public Meeting and report directly into Cabinet.

The Director (Corporate Services) advised that the proposed membership of the Board and the Terms of Reference were listed in the report.

The Chair advised that the proposed Membership of the Board would see two Members from the opposition parties (one Conservative and one Independent), two from Labour (Cabinet Member, Cllr Shane Mochrie-Cox and Cllr Sarah Gow) and Cllr Burden as Chair. The Chair hoped that the opposition parties would propose the same Members as the ones assigned to the cross party working group as Cllr Craske and Cllr Morton had provided valuable insight to the group.

Members echoed support for making the meeting public to make it more transparent and show the public all of the measures that the Council had taken to achieve the target of working towards becoming carbon neutral by 2030 and the measures already underway to combat climate change.

The Chair advised that consultants were invited to the previous cross party working group meeting where they advised the group that the two biggest areas that needed to be combatted to meet the 2030 target for council operations to become carbon neutral were the Council's buildings (the Civic Centre, the leisure centres and the depot) and the Council's vehicle fleet. Due to the measures already underway and the planned measures to come, it was considered that Council operations could become carbon neutral by 2030; by making the meeting public the work could be shared with all in Gravesham.

Resolved that Cabinet:

1. Approved the proposal to establish a Climate Change Advisory Board as a constituted advisory board to the Cabinet
2. Approved the Membership of the Climate Change Advisory Board set out in section 2.2 of the report
3. Approved the draft Terms of Reference for the Climate Change Advisory Board as set out at Appendix Two

51. Corporate Performance Report: Q2 2020-21

The Cabinet were presented with an update against the Performance Management Framework, as introduced within the Council's Corporate Plan, for Quarter Two 2021-22 (July to September 2021).

The Director (Environment) & Deputy Chief Executive advised that appendix two to the report provided Cabinet with a statistical overview of the Council's performance against the Corporate Plan for Quarter Two 2021-22, covering the period July to September 2021. Following Cabinet's review, all Cabinet Committees would be presented with individual performance reports tailored to the respective portfolio responsibilities.

The Director (Environment) & Deputy Chief Executive pointed out a typo on the agenda items title page; the agenda item title should read 'Quarter Two 2021-22'; it was not Quarter Two 2020-21.

Cllr Mochrie-Cox called attention to *PI13 - Total number of environmental enforcement actions taken* as there had been a slight dip in the performance. The dip was due to the level of complexity of the cases and the amount of time officers had to spend investigating and gathering evidence. A recent example was a case that was submitted to court and the accused was fined £1500 after being found guilty of advertising waste on Facebook where it was taken and fly tipped showing a lack of duty of care by the individual responsible for the waste. Cllr Mochrie-Cox advised that further work was underway to prosecute other cases of fly tipping in the Borough. The Director (Environment) & Deputy Chief Executive explained that all successful prosecutions would be publicised as widely as possible by the Communications Team, including using the Council's social media platforms as a deterrent to other potential fly-tippers.

The Chair reminded the Cabinet that people who posted pictures of white goods for collection outside their houses were fly tipping in the eyes of law and if evidence was found then the person who left the rubbish outside their home would be prosecuted. The Chair implored all residents that needed large waste to be collected to use the Council's bulky waste collection service.

Cllr Rolles drew Members attention to *PI54 - % of apprentices securing employment by end of apprenticeship* as he was very pleased to see the number of apprentices being employed by the Council following their apprenticeship. Cllr Rolles was hopeful that more apprentices would be hired and gain employment in the future.

The Chair agreed with the points raised and asked that Cabinet's thanks be passed to the officers managing and training the apprentices, which was exceptionally difficult to do remotely during the pandemic.

The Director (Communities) advised that she would pass on the thanks to the relevant teams; the Council had an Employability Coordinator who concentrated on apprentices and Kickstart apprentices and the number was steadily rising for both. Some of the kick-starters had a few issues but in the main, the teams were thrilled with their apprentices; positive feedback received and a number of apprentices had already been approached about taking up full time positions once their apprenticeships ended.

Resolved that Cabinet noted the information contained within the report.

52. General Fund Budget Monitoring Report 2021/22 - Quarter Two

The Cabinet were presented with information on actual performance against the approved Revenue and Capital budgets for 2021/22, including projected variances agreed or identified through budgetary control activity.

The Assistant Director (Corporate Services) advised that there was an item in the report for Cabinet to approve. It related to an addition to this year's capital programme within the communities directorate, which was the inclusion of the St Georges Creative Hub – details of which could be found in sections 4.2 and 4.3 of the report.

The Assistant Director (Corporate Services) explained to Members that the table at the top of page 59 in 3.1.2 showed the original budget, the forecast to the end of the year and related variances. It was predicted that there would be a budgeted underspend of around £235K. The main difference from Q1 was due to a favourable variance of £250K against

staff salaries and was due to natural staff turn over and posts being held vacant due to restructures within services.

The Assistant Director (Corporate Services) further guided Members through the report and updated them on other key areas of financial performance that may have an impact on the Council's Medium Term Financial Strategy, Medium Term Financial Plan (MTFP), or Financial Statements

The Assistant Director (Corporate Services) informed Members that at the time of writing the report the Chancellor had not presented his budget speech along with the Spending Review announcements.

However, the Council were now aware that the key headlines from the Spending Review were:

- Multi-year settlement spanning 3 years with an average increase of 3% in Core spending power for Local Authorities. With grant funding of 4.8bn
- Business rates multiplier would be frozen. No change to 3 yearly revaluations
- One-year 50% cut in Business Rates for the retail, hospitality and leisure sector. Local authorities will be compensated for this via S31 grants
- Council tax referendum limits expected to remain the same at 2%
- £1.8bn for affordable housing
- Adjustments to right to buy receipts – Authorities will be allowed to spend these over 5 years instead of the current 3
- £37.8m additional funding for LA's to tackle cyber security & resilience
- National living wage increasing to £9.50.

However, there was no mention of additional Covid funding and no further news on the New Homes Bonus or Negative Revenue Support Grant.

The Assistant Director (Corporate Services) explained that the Council should receive additional information when the provisional local government settlement was announced; which is usually announced in early to mid-December.

The Chair explained that no Revenue Support Grant funding had been received by the council for a number of years and, in fact, the council was in a position where, in future years, it would be expected to make payments back to the council through Negative Revenue Support Grant.. The Council were expected to pay £250K every year but the Government had not taken that payment this year; the Council were waiting to see if the Government expected that £250K to still be paid at some point in the future.

The Assistant Director (Corporate Services) advised that the Council had budgeted around £244K to pay to the Government but there had been no announcement on whether or not the money had to be paid.

Members voiced their approval that the Arts Centre was to be included in the Capital Programme and hoped that its strategic location would bring higher footfall to the town centre.

In response to a Member's question, the Director (Corporate Services) advised that the Government had released an additional £4.8 billion for local authorities which was intended to cover the pay award for 2022-23 (not 2021-22), national living wage increases and increased national insurance contributions. Currently there had not been any announcement on how the money would be distributed between local authorities or if it would cover any social care costs; more information on the matter would be included in the provisional settlement announcement.

Cllr Rolles praised the installation of the MOT lane and the Council becoming more entrepreneurial to generate more revenue that could be used to revitalise the Borough.

In response to a question the Director (Environment) and Deputy Chief Executive advised that the MOT lane was working very effectively which meant that the Council's fleet of vehicles could now be MOT'd in-house which was improving the efficiency of the vehicle workshop.

Resolved that Cabinet:

1. Noted the information contained within the report
2. Approved the addition of the St Georges Creative Hub to the current year capital programme as set out in sections 4.2 and 4.3 of this report

53. Housing Revenue Account Budget Monitoring Report - Quarter Two 2021/22

The Cabinet were presented with information on actual performance against the approved Revenue and Capital budgets for 2021/22, including known variances agreed or identified through budgetary control activity.

The Assistant Director (Corporate Services) directed Members to page 82 which held an executive summary of the report and highlighted key points concerning:

- HRA (Revenue)
- Housing Capital

The Assistant Director (Corporate Services) advised that as at the end of Q2 the HRA was expected to draw £417k from the HRA General Reserve. As reported at Q1 there was also a Vacancy Management favourable variance of £135K, which was due to a restructure within the Housing Team. However, it was not expected that the variance would increase as posts were expected to be filled. The table at paragraph 3.9.1, page 84, confirmed that the Council expected to maintain the £3m minimum working balance on the HRA as at the end of the financial year.

Members were updated on other key areas of financial performance that may impact on the Council's Medium Term Financial Strategy, Medium Term Financial Plan, HRA Business Plan or Financial Statements.

Resolved that Cabinet noted the information contained within the report.

54. Provision of Fixed Penalty Notice option for Household Duty of Care and Waste Carriage offences

The Cabinet were informed of a gap within the organisation in relation to the enforcement of 'Household Duty of Care' and 'Waste Carriage' offences. As it stood, Environmental Enforcement staff couldn't issue Fixed Penalty Notices for failure of a householder in their duty of care or offences relating to the unlawful carriage of controlled waste. The Fixed Penalty Notice (FPN) provided an alternative to prosecution. It allowed an individual to discharge liability for the offence by payment of a financial penalty, which reduced reliance on court prosecution for small scale offences.

The Cabinet were advised that currently delegated authority for changes to the environmental enforcement powers sat with Cabinet rather than the Director.

The Director (Communities) advised the Cabinet that a paragraph had been added to the report at 2.3 regarding victims of scams or false presentations as the Council were aware that some people were misled and taken advantage of, as they were vulnerable. Each case would be judged on its merits, a thorough investigation would be completed and leniency would be used for those vulnerable people but serious cases would still be dealt with through the courts.

The Chair voiced his approval for the introduction of fixed penalty notices as residents needed to be aware that fly-tippers would be found and would be prosecuted and it would act as a deterrent to those who would willingly and knowingly fly-tip.

Cllr Mochrie-Cox reiterated that officers could use their discretion and use their other powers such as warning notices for those vulnerable residents who had been misled but those who flagrantly fly-tipped or who were negligent to their duty of care would be taken to court.

Members praised the report and addition of protections for vulnerable residents.

Resolved that Cabinet:

1. Approved the use of Fixed Penalty Notices for Household Duty of Care and Controlled Waste Carriage offences by Environmental Enforcement Team staff at the fine level proposed in item 1.12. 2.
2. Gave delegated authority to Director (Communities) to exercise their powers in relation to environmental crime under the Environmental Protection Act 1990 (as amended), the Control of Pollution (Amendment) Act 1989 (as amended) to facilitate the use of new enforcement tools as the legislation is updated

55. Grant for Electric Vehicle Chargepoints

The Cabinet were informed of notification received confirming the award of grant funding for the installation of Electric Vehicle Charge Points (EVCP) aimed at residential use in Parrock Street Car Park.

The Director (Corporate Services) outlined the following key points:

- External funding from OZEV had been secured by the Parking & Environmental Enforcement Services Manager to go towards the cost of ten dual outlet fast

chargers to be installed in Parrock Street Car Park which would improve the offering of charging for residents in the Town Centre

- The total project value for the ten chargers was costed by BP Pulse (BPP) at £127K and the bid for external grant funding from OZEV was £95K (75% of the total costs) which the Council was successful in bidding for
- Under the existing hosting agreement, BPP would fund the remaining 25% of the total costs (£32K) meaning the project would be delivered at no extra cost to the Council
- Due to the urgency of responding to the notification of grant award, Cllr Burden, Cllr Croxton and Cllr Meade were contacted at the time the decision to accept the award was taken by the Director (Corporate Services).

The Chair agreed with the points raised and further explained the need for retrospective agreement.

Resolved that Cabinet:

1. Noted the grant award notification and ratified the decision to accept the award taken by the Director (Corporate Services), as notified to the Leader of the Executive, Deputy Leader of the Executive and Leader of the Opposition as Chair of the Overview & Scrutiny Committee
2. Gave delegated authority to the Director (Communities) in consultation with the Director (Corporate Services) and Parking & Environmental Enforcement Services Manager to make the necessary arrangements for the installation of Electric Vehicle Charge Points (EVCP) aimed at residential use in Parrock Street Car Park
3. Approved the addition of the project to the current year capital programme, and recognised that the full cost of the project was to be met from external funding.

56. The Elizabeth Huggins Cottages Charity Housing Association

Cllr Burden left the room for the duration of the item and Cllr Sullivan acted as Chair.

The Cabinet's approval and delegated authority was sought to enter in to a consortium agreement with The Elizabeth Huggins Cottages Charity Housing Association in order to access Homes England grant funding to help facilitate redevelopment of their site and increase affordable housing in the Borough for ex-military personnel.

The Director (Housing) advised that on 24 September 2021, Homes England confirmed that they had assessed the application submitted by Gravesham Borough Council on behalf of Elizabeth Huggins Cottages Charity Housing Association and awarded £500,000 to facilitate the planned redevelopment to increase affordable housing on the site through its Affordable Homes Programme 2021 to 2026. As Elizabeth Huggins was unable to access the funding directly, Gravesham Borough Council was required to ensure that conditions attached to the grant funding were complied with. One of the conditions was that Gravesham Borough Council enters into a Consortium Agreement / Memorandum of Understanding with Elizabeth Huggins Cottages Charity Housing Association to administer the funds.

Resolved that Cabinet:

1. Gave delegated authority to Director (Housing) in consultation with Deputy Leader of the Executive to enter in to a consortium agreement with The Elizabeth Huggins Cottages Charity Housing Association to access grant funding

-
2. Gave delegated authority to Director (Corporate Services) to adjust the Council's 2021/22 Capital Programme to reflect the Homes England grant funding awarded.

Close of meeting

The meeting ended at 20:24pm.