

**DECISIONS SHOULD NOT BE IMPLEMENTED
BEFORE WEDNESDAY, 15TH APRIL, 2009**

CABINET
31st March 2009

PRESENT – Councillor Williams (in the Chair); Councillors Chapman, Copeland, Dixon, Harker, McEwan, D.A. Lyonette, A.J. Scott and Wallis. (9)

INVITEES – Councillors Mrs. Scott and Swainston and Mr. A. MacConachie. (3)

ALSO IN ATTENDANCE – Councillors Coultas, Johnson and Richmond. (3)

APOLOGIES – Councillor I. Haszeldine.

C174. DECLARATION OF INTERESTS - There were no declarations of interest reported at the meeting.

C175. REPRESENTATIONS – In respect of Minutes C180(1) and C186 below, representations were made at the meeting. In addition, a Member asked a question in relation to the Scrutiny process, and the Chief Executive and the Borough Solicitor, responded thereon.

C176. MINUTES - Submitted - The Minutes (previously circulated) of the meeting of Cabinet held on 3rd March, 2009.

RESOLVED - That the Minutes be confirmed as a correct record.

REASON - They represent an accurate record of the meeting.

C177. ANNUAL AUDIT AND INSPECTION LETTER – The Leader introduced the report of the Chief Executive (previously circulated) presenting the Annual Audit and Inspection Letter 2007/08 (also previously circulated).

Ms. Philippa Corner from the Audit Commission and Mr. Paul Harrison of Pricewaterhouse Coopers, gave a presentation to Cabinet on the Audit Commission’s assessment of the Council, which was that it was improving strongly and that it had been classified at the maximum, four star, in its current level of performance under the Comprehensive Performance Assessment.

Particular concern was expressed at the meeting in respect of the Waste Management Contract, and the Director of Community Services and the Cabinet Member with the Sustainable Environment and Climate Change Portfolio, responded to those concerns thereon.

RESOLVED – (a) That the report and Annual Audit and Inspection Letter 2007/08, as appended to the submitted report, be noted.

(b) That all Council employees be thanked for their part in this Council achieving this excellent result.

(c) That the Annual Audit and Inspection Letter 2007/08, as appended to the submitted report, be referred to the Resources Scrutiny Committee.

REASON – (a) To receive the results of the external assessment.

(b) To record the thanks of Members to Officers.

(c) To assist the Scrutiny Committee in their work.

C178. MATTERS REFERRED TO CABINET - There were no matters referred back for reconsideration.

C179. ISSUES ARISING FROM SCRUTINY – There were no issues arising from Scrutiny.

C180. KEY DECISIONS – (1) Secondary Schools Strategy for Change – The Cabinet Member with the Children and Young People Portfolio introduced the report of the Director of Children’s Services (previously circulated) requesting that consideration be given to the draft Strategy for Change (also previously circulated) which each Local Authority must produce and have approved by Partnerships for Schools (PfS) before any of the Building Schools for the Future money can be released.

A member of public in attendance at the meeting welcomed the report and in doing so highlighted the importance of all schools in the Borough; made reference to the three schools that were still in need of repair; and the importance of submitting an expression of interest for early release of the funding.

Particular references were made to a number of issues including the Pupil Referral Unit, the Every Child Matters agenda and Longfield School Sports College. The Director of Children’s Services and the Cabinet Member with the Children and Young People Portfolio responded to those issues thereon.

RESOLVED – (a) That the draft Strategy for Change, as appended to the submitted report, be approved for submission to Partnerships for Schools (PfS).

(b) That the Director of Children’s Services, in consultation with the Cabinet Members with the Children and Young People and Resources Portfolios, be authorised to agree any amendments to the Strategy with the Partnership for Schools.

(c) That any significant changes to the Strategy be reported to a future meeting of Cabinet and on the final business case be brought forth to a future meeting of Cabinet for approval.

REASON – To secure early release of significant capital funding to support improvements to the Secondary School sector.

(2) School Admission Arrangements 2010/11 – The Cabinet Member with the Children and Young People Portfolio introduced the report of the Director of Children’s Services (previously circulated) requesting that consideration be given to the Local Authority’s Admission Policy for the 2010/11 Academic Year and to the co-ordinated arrangements (also previously circulated) for all schools in the Borough.

Particular references were made to the distance criteria and associated transport criteria, and the Director of Children's Services and Cabinet Member with the Children and Young People Portfolio responded thereon.

RESOLVED – That the Co-ordinated Admissions Schemes for Infant, Junior and Primary and Secondary applications for the 2010/11 Academic Year, both as appended to the submitted, be approved.

REASONS – (a) The Authority is under a statutory duty to consult and adopt an admission scheme for both Primary and Secondary school places for the Academic Year 2010/11.

(b) If the scheme is not approved and returned to the Department for Children, School and Families by 15th April, 2009, the Secretary of State may impose a scheme on the Authority.

(3) (URGENT ITEM) Housing Investment Programme 2009/10 – The Cabinet Member with the Neighbourhood Services and Community Safety Portfolio introduced the report of the Director of Community Services (previously circulated) advising Members of the resources available for housing capital investment during 2009/10 and requesting that consideration be given to a programme to utilise those resources.

RESOLVED – That the annual Housing Investment Programme for 2009/10, as detailed in the submitted report, be agreed and the funding be released.

REASON - To enable the works and projects identified in the annual Housing Investment Programme for 2009/10 to proceed.

(4) 2009 Capital Strategy and Asset Management Plan – The Cabinet with the Resources Portfolio introduced the report of the Director of Corporate Services (previously circulated) requesting that consideration be given to the draft 2009 Capital Strategy and Asset Management Plan (both also previously circulated).

RESOLVED – That the 2009 Capital Strategy and Asset Management Plan, both as appended to the submitted report, be approved.

REASON – To provide the Council with a Capital Strategy and Asset Management Plan on which capital and asset management decisions can be based.

C181. CENTRAL PARK – SITE CLEARANCE – The Cabinet Member with the Economy Portfolio introduced the report of the Assistant Chief Executive (Regeneration) (previously circulated) seeking approval to the full site clearance of asbestos and man-made structures on the recently vacated Hundens Lane Allotments, the fencing of the site and the release of funding of up to £75,000 for that work. A plan of the site was appended to the submitted report.

RESOLVED – (a) That funding, up to the value of £75,000, be released, to progress the work for site clearance of the vacated Hundens Lane allotments.

(b) That the cleared site be secured with fencing, as shown on the plan appended to the submitted report, in advance of future development of Central Park.

REASONS – (a) To clear the site of the vacated Hundens Lane allotments in order to progress the Central Park development.

(b) Removal of potentially hazardous materials and reduction of further anti-social behaviour on the site.

C182. PROPERTY SEARCH SERVICES – The Cabinet Member with the Resources Portfolio introduced the report of the Director of Corporate Services (previously circulated) requesting that consideration be given to the setting of charges for providing access to property search records and for the Director of Corporate Services to be authorised to set those charges.

RESOLVED – That delegated authority be given to the Director of Corporate Services, in consultation with the relevant Cabinet Member, to determine the scale of charges for providing access to property search information.

REASON – To enable the Council to recover the costs involved in providing information that can be lawfully charged for.

C183. MEMBERSHIP CHANGES – RESOLVED – There were no membership changes reported at Cabinet.

C184. EXCLUSION OF THE PUBLIC – RESOLVED – That, pursuant to Sections 100A(4) and (5) of the Local Government Act 1972, the public be excluded from the meeting during the consideration of the ensuing item on the grounds that it involves the likely disclosure of exempt information as defined in exclusion paragraph 3 of Part I of Schedule 12A to the Act.

C185. KEY DECISIONS – (1) Request For Delegated Powers To Procure Consultants To Undertake A Review of Local Taxation, Housing Benefits and Customer Services Centre (Exclusion Paragraph No. 3) – The Cabinet Member with the Resources Portfolio introduced the report of the Director of Corporate Services (previously circulated) requesting that consideration be given to the awarding of delegated powers to officers to enable the procurement of consultants to undertake a review of Local Taxation, Housing and Council Tax Benefits and the Council’s Customer Services Centre, to deliver efficiencies.

RESOLVED – (a) That the assessment of the procurement of consultants to review Local Taxation, Housing and Council Tax Benefits and the Council’s Customer Services Centre, be classed as non-strategic.

(b) That delegated powers be awarded to the relevant director to make the contract award decision.

REASONS - (a) The Contract Procedure Rules require Cabinet to approve the designation of contracts as strategic or non-strategic:

(b) The contract is of a lower value and lower significance in respect of the impact on residents and public safety

(2) (URGENT ITEM) Appointment of Companies to the Framework Agreement for Agency Staff (Exclusion Paragraph No. 3) – The Cabinet Member with the Resources Portfolio introduced the report of the Director of Corporate Services (previously circulated) requesting that consideration be given to the appointment of companies to a Framework

Agreement for the supply of Agency Workers, following the completion of a leading edge procurement review.

RESOLVED – That the organisations, as detailed in Appendix 2 to the submitted report, be appointed to the Framework Agreement for Agency Workers.

REASON - The tender process identified those organisations as offering the most economically advantageous tenders in accordance with the agreed criteria.

C186. BEAUMONT STREET – LAND AT (EXCLUSION PARAGRAPH NO. 3) – The Cabinet Member with the Economy Portfolio introduced the report of the Assistant Chief Executive (Regeneration) and the Director of Corporate Services (previously circulated) requesting that consideration be given to amending the terms of the Development Agreement with the Council’s preferred developer for the Beaumont Street site. A plan of the site was appended to the submitted report.

RESOLVED – (a) That the proposed development and disposal of part of the Beaumont Street site, as shown on the plan appended to the submitted, be approved.

(b) That the Assistant Chief Executive (Regeneration) and the Director of Corporate Services, in consultation with the Cabinet Members with the Resources and Economy Portfolios, be authorised to agree the terms of the sale.

(c) That the Borough Solicitor be authorised to complete the documentation accordingly.

REASON - To facilitate the development of Feethams.

C187. SCHEDULE OF TRANSACTIONS (EXCLUSION PARAGRAPH NO.3) - The Cabinet Member with the Resources Portfolio introduced the report and schedule of the Director of Corporate Services (previously circulated) requesting that consideration be given to the schedule of transactions (also previously circulated) and seeking approval of the terms negotiated.

RESOLVED – That the schedule, as appended to the submitted report, be approved and the transactions be completed under the terms and conditions detailed therein.

REASON – The terms negotiated require approval by Cabinet before binding itself contractually to a transaction.

**DECISIONS DATED -
FRIDAY, 3RD APRIL, 2009**