

AGENDA

CABINET MEETING



Date: Wednesday 13 January 2010
Time: 6.30 pm
Venue: Town Hall, High Street,
Maidstone

Membership:

Councillors Garland (Chairman), Ash, Greer, Moss,
Mrs Ring and Wooding

Page No.

1. Apologies for Absence
2. Urgent Items
3. Notification of Visiting Members
4. Disclosures by Members and Officers
5. Disclosures of lobbying
6. To consider whether any items should be taken in private because of the possible disclosure of exempt information
7. Minutes of the Meeting held on 16 December 2009

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Continued Over/:

Issued on 6 January 2010

The reports included in Part I of this agenda can be made available in **alternative formats**. For further information about this service, or to arrange for special facilities to be provided at the meeting, **please contact JANET BARNES on 01622 602242**. To find out more about the work of the Cabinet, please visit www.digitalmaidstone.co.uk

**David Petford, Chief Executive, Maidstone Borough Council,
Maidstone House, King Street, Maidstone Kent ME15 6JQ**

KEY DECISION REPORTS

- | | | |
|----|--|---------|
| 8. | Report of Assistant Director of Customer Services and Partnerships - Close Circuit Control Centre and Multi-Agency Community Safety Unit | 5 - 16 |
| 9. | Report of the Director of Prosperity and Regeneration - Budgetary Provision for Kent International Gateway | 17 - 24 |

NON-KEY DECISION REPORTS

- | | | |
|-----|---|---------|
| 10. | Report of the Head of Internal Audit and Risk Strategy - Internal Audit Partnership | 25 - 30 |
| 11. | Report of the Leader of the Council - Forward Plan | 31 - 34 |

PART II

To move that the public be excluded for the items set out in Part II of the Agenda because of the likely disclosure of exempt information for the reasons specified having applied the Public Interest Test.

- | | <u>Head of Schedule 12A
and Brief Description</u> | |
|-----|--|---------|
| 12. | Exempt Appendix to the Report of the Head of Internal Audit and Risk Strategy - Internal Audit Partnership | 35 - 69 |
| | 1 – Individual | |
| | 2 – Identity | |
| | 3 – Financial/ Business Affairs | |
| | 4 – Labour Relations | |

MAIDSTONE BOROUGH COUNCIL

CABINET

MINUTES OF THE MEETING HELD ON WEDNESDAY 16 DECEMBER 2009

Present: Councillor Garland (Chairman), and
Councillors Ash, Greer, Moss, Mrs Ring and Wooding

Also Present: Councillors Mrs Marshall, Mrs Stockell and
Yates

1. **APOLOGIES FOR ABSENCE**

There were no apologies for absence.

2. **URGENT ITEMS**

There were no urgent items.

3. **NOTIFICATION OF VISITING MEMBERS**

There were no Visiting Members wishing to speak.

4. **DISCLOSURES BY MEMBERS AND OFFICERS**

There were no disclosures by Members or Officers.

5. **DISCLOSURES OF LOBBYING**

There were no disclosures of lobbying.

6. **EXEMPT ITEMS**

RESOLVED: That the items on the Agenda be taken in public as proposed.

7. **MINUTES**

RESOLVED: That the Minutes of the Meeting held on 11 November 2009 be approved as a correct record and signed.

8. **BUDGET STRATEGY 2010/11 ONWARDS**

DECISION MADE:

1. That a provisional spending level based upon the revised strategic projection set out in Appendix B of the report of Management Team, incorporating the revisions to growth items as identified in Appendix A of the report of Management Team and the savings as identified in Appendix C of the report of Management Team be agreed;

2. That updates, as soon as available, on progress to achieving the savings targets from staffing as outlined in the report of Management Team be requested;
3. That the updated Capital Programme detailed in Appendix D of the report of Management Team, along with the budget set out therein for 2012/13, be agreed;
4. That the outcome of the budget consultation exercise set out in section 1.11 and Appendix G of the report of Management Team be noted and Cabinet's gratitude be expressed to all those who participated;
5. That the updated medium term financial strategy as set out in Appendix H of the report of Management Team and its stronger connection to the strategic plan be agreed;
6. That a continued Council Tax strategy which is materially within the Government's Council Tax capping strategy as outlined in the report of the report of Management Team be agreed;
7. That the Corporate Services Overview and Scrutiny committee be consulted on the budget strategy based on the above decisions.

For full details of this Record of Decision, please follow this link:-

<http://meetings.digitalmaidstone.co.uk/ieListDocuments.aspx?Cid=146&Mid=685&Ver=4>

9. COLLECTION FUND ADJUSTMENTS

DECISION MADE:

That the projected surplus on the Collection Fund as at 31 March 2010 relating to Council Tax of £65,979 to be split as shown below for the purposes of setting the Council Tax for 2010/11 be agreed.

| <u>Authority</u> | <u>Amount</u> <u>£</u> |
|------------------------------------|---------------------------|
| Maidstone Borough Council | 10,504 |
| Kent County Council | 46,396 |
| Kent Police Authority | 6,090 |
| Kent & Medway Towns Fire Authority | <u>2,989</u> |
| TOTAL | <u>65,979</u> |

For full details of this Record of Decision, please follow this link:-

<http://meetings.digitalmaidstone.co.uk/ieListDocuments.aspx?Cid=146&Mid=685&Ver=4>

10. CONSIDERATION OF GROWTH POINT REVENUE EXPENDITURE

DECISION MADE:

That the revenue expenditure items as set out in the attached Appendix be approved.

For full details of this Record of Decision, please follow this link:-

<http://meetings.digitalmaidstone.co.uk/ieListDocuments.aspx?CI=146&MI=685&Ver=4>

11. STRATEGIC PLAN 2009-12 - UPDATE FOR 2010-11

DECISION MADE:

1. That the first draft of the Strategic Plan 2009-12 update for 2010-11 (attached as Appendix A to the report of Management Team) be agreed for consultation.
2. That the progress to date on the current key objectives for the period April-October as is set out in Appendix B to the report of Management Team be noted.

For full details of this Record of Decision, please follow this link:-

<http://meetings.digitalmaidstone.co.uk/ieListDocuments.aspx?CI=146&MI=685&Ver=4>

12. ORGANISATIONAL ASSESSMENT 2009

The Cabinet considered the report of Management Team regarding the Audit Commission's 2009 Organisation Assessment Report on the Council.

RESOLVED: That the report be noted.

13. AUDIT COMMISSION'S ANNUAL AUDIT AND INSPECTION LETTER

The Cabinet considered the report of Management Team regarding the Audit Commission's draft Annual Audit Letter covering the year 2008/09.

RESOLVED: That the report be noted.

14. DATES OF CABINET MEETINGS - 2010/11

DECISION MADE:

1. That the dates for the Cabinet meetings in the municipal year 2010/11, as set out below, be approved.

20 May 2010 (Thursday at 4.00 pm)

9 June 2010

14 July 2010

11 August 2010

8 September 2010
13 October 2010
10 November 2010
22 December 2010
12 January 2011
9 February 2011
9 March 2011
13 April 2011

2. That Cabinet meetings continue to be held on the second Wednesday of every month at 6.30 pm, subject to the amendment made above.

For full details of this Record of Decision, please follow this link:-

<http://meetings.digitalmaidstone.co.uk/ieListDocuments.aspx?CIId=146&MId=685&Ver=4>

15. FORWARD PLAN

The Cabinet considered the report of the Democratic Services Manager regarding the Forward Plan for the period 1 January 2010 to 30 April 2010.

RESOLVED: That the Forward Plan for the period 1 January 2010 to 30 April 2010 be noted, subject to the following amendments:-

i) Cabinet

Maidstone 2020 Sustainable Community Strategy Performance Report – to be added for decision on 10 February 2010

ii) Cabinet Member for Environment

Review of Contaminated Land Strategy – delayed until March 2010

Food Safety Plan and Environmental Health Enforcement Policy – to be added for decision in February 2010

16. DURATION OF MEETING

10.30 a.m. to 11.45 a.m.

MAIDSTONE BOROUGH COUNCIL

CABINET

13 JANUARY 2010

REPORT OF ASSISTANT DIRECTOR OF CUSTOMER SERVICES AND PARTNERSHIPS

1. CLOSE CIRCUIT CONTROL CENTRE & MULTI AGENCY COMMUNITY SAFETY UNIT

1.1 Issue for Decision

1.1.1 To agree the location of the CCTV control room and the location of the new multi-agency Community Safety Unit (CSU).

1.2 Recommendation of Assistant Director of Customer Services and Partnerships

1.2.1 It is recommended that the Cabinet:-

- i. Instructs officers to proceed with option 2 for CCTV as set out in the report below;
- ii. Invest £50,000 of the proposed saving in five additional mobile cameras to increase the effectiveness of the service in addressing anti-social behaviour hotspots within the borough; and
- iii. Delegates authority to the Chief Executive to finalise the location of the new CSU, subject to consultation with staff and key partners.

1.3 Reasons for Recommendation

1.3.1 Following the Best Value Review of CCTV in 2007 a recommendation was made that the CCTV control room remain at the Town Hall, subject to completing works to address health and safety issues. In March 2009, the council reviewed this decision and decided that the control room should be moved to the 6th floor Maidstone House and located with a new multi-agency Community Safety Unit (CSU).

- 1.3.2 Due to the current external financial landscape and the council's ambitious capital programme the Leader and Cabinet asked officers to review the council's capital programme in order to identify potential savings. Part of this process has included revisiting the decision to relocate the CCTV control room.
- 1.4 Considerations
- 1.4.1 Mindful of the council's stated objective in its Corporate Improvement Plan to "make more cost-effective use of the CCTV system" and current external economic conditions and pressures on the council's budgets, the suitability of the existing location in the Town Hall was reviewed, paying particular attention to initial health and safety concerns and to the implications for the new multi-agency Community Safety Unit (CSU). Changes to the working environment and a new survey on air handling have enabled the proposal for the CCTV control room to remain at the Town Hall to be made.
- 1.4.2 The previous proposal (option 1), to relocate the CCTV control room in Maidstone House, was allocated a capital budget of £620k. The alternative option (option 2), of retaining the CCTV control room at the Town Hall, upgrade elements of the technology and improve the working environment requires capital funding of £222k. The saving to the capital programme will be £398k, excluding the creation of the new CSU.
- 1.4.3 Alongside the proposal listed as "option 2", to retain CCTV at the Town Hall, it is proposed that an investment of £50k is made in five additional mobile cameras. Whilst the level of crime and anti social behaviour is reducing within the borough, the additional cameras would significantly increase the capacity of the service to deploy mobile units to crime and ASB "hot spots", to increase public confidence, act as a deterrent and support the identification and prosecution of offenders.
- 1.4.4 The proposal to retain the CCTV control room at the Town Hall and invest in five new mobile cameras will result in a saving of £348k to the capital programme, excluding the cost of the new CSU.
- 1.5 Health and Safety – The Town Hall Control Room
- 1.5.1 One of the key issues in considering relocating CCTV from the Town Hall was health and safety, however, since the Best Value review in 2007 a number of steps have been taken to address these issues which have reduced the risk score accordingly. Improvements already implemented include a new fire alarm system, improved egress through better signage and replacement

of the matrix and cabling. This work has been completed at a cost of £72,000. As part of the council's ongoing commitment to the health and safety of staff a new evacuation chair is currently being installed along with fire suppressant technology in the equipment racks. A survey was undertaken in December 2009 to identify the works required to improve the air handling within the environment, which has confirmed that the works are achievable.

- 1.5.2 Included as an appendix to this report is the Risk Assessment carried out by the council's Health and Safety Officer in November 2008 and more recently in December 2009. These demonstrate that the risk score has fallen from 40 to 30. This would categorise the risk as "low" and bring the facility in line with other accepted corporate risk assessments.
- 1.5.3 Additional use of Mobile CCTV
- 1.5.4 There are currently 116 fixed cameras deployed in Maidstone; the majority of which are in the town centre. A frequent concern that has been raised is about the flexibility and responsiveness of the CCTV coverage. It is the intention to increase this flexibility by purchasing five Stryker 'Polecat' mobile cameras that can be readily deployed in hot-spot areas where there is a concern about levels of anti social behaviour (ASB) (there are currently two 'Polecat' cameras available for deployment by Community Safety Unit staff and they have been found to be highly effective in gathering evidence and also acting as a deterrent for ASB affected locations).
- 1.5.5 In advance of deploying the new cameras an audit of existing cameras (fixed and mobile) will be undertaken and matched against reported incidents of ASB to ensure that the additional cameras are deployed in the areas of greatest need and achieve the maximum benefit in reducing crime and ASB.
- 1.5.6 Multi-agency Community Safety Unit (CSU)
- 1.5.7 The new CSU is still to be located on the 6th floor in Maidstone House. The capital cost of creating the multi-agency is £73k. Mid Kent Police have committed £65k as their contribution to the creation of the unit, with £20k of the total required for ICT. The net capital cost to the council is £28k.
- 1.5.8 A number of options have been considered with regards to the size and positioning of the new unit. The new unit will accommodate sixteen fixed desks and have full access to the council's existing facilities.

- 1.5.9 Although it has previously been reported that locating the CCTV control room with the proposed CSU would provide additional operational benefits, these points have been reviewed and, after further discussion with partners, it is not now considered to be the case. CCTV is only one aspect, the new CSU will have a much broader and more strategic role. The current location of the control room in the Town Hall allows easier access to the control room by town centre police. This may be seeking to view tapes of incidents or taking part in operational activity controlled from the control room. This central location is considered to be most convenient, providing 24 hour access for a range of partners, including the police. Daily briefings are currently held in the control room.
- 1.5.10 In keeping with the ethos of partnership working, a multi-agency CSU should seek not to duplicate the work of partners but to add collective value. A useful definition of the scope of the CSU is provided by the National Community Safety Network "preventing, reducing or containing the social, environmental and intimidatory factors which affect people's right to live without fear of crime and which impact upon their quality of life. It includes preventative measures that contribute to crime reduction and tackle anti-social behaviour".
- 1.5.11 It is anticipated that the new CSU will be operational by the end of February 2010 and as part of the process the Cabinet member and the Maidstone CDRP will receive a more detailed report that sets out the confirmed membership, philosophy, terms of reference, service plan and key objectives.
- 1.5.12 Through initial discussion the council has received expressions of interest from KCC Community Wardens, programmes running for Youth Intervention & Support, Family Intervention and Parenting Intervention and a confirmed commitment from Mid Kent Police. Negotiations are continuing with other partners.
- 1.6 Impact on Corporate Objectives
- 1.6.1 The Crime and Disorder Act 1998 requires public bodies to work together in reducing crime and disorder through partnerships. The Crime and Disorder Reduction Partnership in Maidstone is the 'Safer Maidstone Partnership' and involves a number of agencies. The new Community Safety Unit will extend this multi-agency partnership working still further.
- 1.6.2 Violent crime, burglary and vehicle crime are reducing. Maidstone has an extensive CCTV network that covers the town centre and some other areas of the borough. Option 2 above includes

additional funding for mobile CCTV cameras to improve the targeting of 'hot spots'.

1.7 Risk Management

1.7.1 Copies of the latest two risk assessments of the CCTV control room are attached. As part of the project to manage this programme a full risk register will be compiled.

1.8 Other Implications

1.8.1

| | | |
|----|---------------------------------------|---|
| 1. | Financial | X |
| 2. | Staffing | |
| 3. | Legal | X |
| 4. | Social Inclusion | |
| 5. | Environmental/Sustainable Development | |
| 6. | Community Safety | X |
| 7. | Human Rights Act | |
| 8. | Procurement | X |
| 9. | Asset Management | |

1.8.2 Financial – The cost of CCTV option 2 as set out in the report is £222k, with a further cost of £50k should investment be made in mobile cameras. The new Community Safety Unit will be created at a cost of £73k, providing a total cost of £345k.

1.8.3 A contribution of £65k has been committed by Mid Kent Police to the creation of the Community Safety Unit, from which £20k will be required to meet the cost of the Police system network requirements, providing a net contribution from the Police of £45k and net cost for the project of £300k. After allowing for costs in the project to date, this will provide a net saving of £278k against the capital budget.

1.8.4 Whilst there is no increase in the ongoing revenue cost for the revised proposal (option 2), the original proposal (option 1) would have an additional annual revenue cost of £16k. The increased footprint of the new Community Safety Unit whilst utilising existing

accommodation will increase the internal recharge by £30k, which will be met through existing budgets.

- 1.8.5 Legal implications – The council is required under the Crime and Reduction Act 1998 to work together in partnership to reduce crime and disorder.
- 1.8.6 Procurement – The procurement of all works and equipment will be made in line with the council’s financial standing orders.
- 1.8.7 Asset Management – Works to the Town Hall will require Listed Building Consent. Re-planning of the 6th floor of Maidstone House will release the office space currently occupied by the Community Safety team.
- 1.9 Background Documents
 - 1.9.1 Report from the Best Value Review undertaken in November 2007 and report to Cabinet Member in February 2009 seeking approval for the earlier scheme.

NO REPORT WILL BE ACCEPTED WITHOUT THIS BOX BEING COMPLETED

Is this a Key Decision? Yes No

If yes, when did it appear in the Forward Plan? _____

Is this an Urgent Key Decision? Yes No

Reason for Urgency

Progress on implementing the improvement to the CCTV control room has been delayed whilst the scheme is reviewed. The nature of the works are key to improving Health and Safety and increasing the effectiveness of the Community Safety Unit is addressing issues of crime and disorder.

RISK ASSESSMENT RECORD

| | | |
|--|---|---|
| 1. Directorate Deputy Chief Executive | 2. Section Licensing and Community Safety | 3. Location/Site CCTV Control Room Town Hall |
| 4. Assessment Ref No. ASB/CCTV/1108/1 | 5. Revision Ref No. | 6. Assessment Date 21 November 2008 |
| 7. Assessor Details (Name/Position) Alastair Barker Health and Safety Officer | | 8. Activity/Process Detail Use of CCTV control Room |
| 9. Identify Hazard(s) <ol style="list-style-type: none"> 1) Means of Escape only one route out of basement area 2) Fire Basement area of Town Hall contains boiler room, UPS system, a number of store rooms and main service inlets 3) Electrical Equipment (CCTV recording and monitoring equipment 4) CCTV monitors (screen flickers) 5) Trailing Cable from back of cabinets causing trip hazards 6) Restricted access / egress routes to front and rear of CCTV screens 7) Trip hazard due to changes in floor levels to rear of CCTV monitoring Station. 8) Emergency escape route at far end of CCTV room small door limited access 9) No means of escape for disabled person if lift fails (person may become incapacitated during working day (note: lift is not a fire lift) 10) Excessive Heat 11) Lack of Fresh Air Ventilation 12) Risk of Violence if public gain access to CCTV Control Room | | |
| 10. People At Risk CCTV room operators and Visitors Town Hall staff Contractors Town Hall Visitors | | |

11. EXISTING RISK – Severity of Injury Vs Probability

(Scale 1-10, 1 = Low, 10 = High. – Worst Case Scenario)

| | | | | |
|----|---|---|---|----|
| 10 | x | 9 | = | 90 |
|----|---|---|---|----|

EXISTING RISK FACTOR

12. List Existing Controls

- 1) Escape route marked and kept clear
- 2) Emergency lighting in place
- 3) Maintenance in place for plant and equipment. Fire Alarm system in place and checked
- 4) CCTV equipment maintained
- 5) Trailing cables kept to a minimum, Staff in CCTV aware.
- 6) Staff in CCTV aware or restricted routes and have walked to escape routes
- 7) Staff Aware of trip hazards (Access to area restricted for safety reasons)
- 8) Staff have used door and can get through
- 9) Lift can be used in a none fire situation
- 10) Air condition system in place
- 11) Ventilation system in place (limited)
- 12) Door access control system, CCTV monitoring of access doors

13. Further Controls/Actions Required – YES

- 1) Consideration to be given to installing second escape route either via basement kitchen or new staircase from UPS room.
- 2) Fire alarm system to be replaced with modern system with auto fire door closures
- 3) CCTV equipment to be replaced with modern equipment that produces less heat, reduces screen flicker, removes need for large UPS.
- 4) CCTV room layout to be improved to give better access / egress and removes trip hazards
- 5) Consideration to be given to obtaining stair climbing electric evac chair
- 6) Upgrade air con system to provide fresh air ventilation

14. MITIGATED RISK – Severity of Injury Vs Probability

(Scale 1-10, 1 = Low, 10 = High. – Worst Case Scenario)

| | | | | |
|----|---|---|---|----|
| 10 | x | 3 | = | 40 |
|----|---|---|---|----|


MITIGATED RISK FACTOR

15. Passed To For Action
Brian Morgan

16. Date 28th November 2008

17. Action By Date

18. Action Review Date

| | | |
|---|--|---------------------------------------|
| 19. Action(s) Taken | | 20. Completion Date |
| | | 21. New Review Date |
|  | | |
| Assessor Signature: | | Date: ...21 November 2008..... |
| 22. Section Manager/Director Signature | | |
| Date: | | |
| 23. Date Copy Sent To: Env Health | 24. Date Received By: Env Health: | |
| | | |
| 26. Input Date:..... By: | | |

RISK ASSESSMENT RECORD

| | | |
|--|---|--|
| 1. Directorate Resources and Partnership | 2. Section Community Safety | 3. Location/Site CCTV Control Room Town Hall |
| 4. Assessment Ref No. ASB/CCTV/1209/1 | 5. Revision Ref No. | 6. Assessment Date 9 December 2009 |
| 7. Assessor Details (Name/Position) Alastair Barker Health and Safety Officer | 8. Activity/Process Detail Use of CCTV control Room | |
| 9. Identify Hazard(s) | | |
| <ul style="list-style-type: none"> 1) Means of Escape only one route out of basement area 2) Fire Basement area of Town Hall contains boiler room, UPS system, a number of store rooms and main service inlets 3) Electrical Equipment (CCTV recording and monitoring equipment 4) CCTV monitors (screen flickers) 5) Restricted access / egress routes to front and rear of CCTV screens 6) Trip hazard due to changes in floor levels to rear of CCTV monitoring Station. 7) Emergency escape route at far end of CCTV room small door limited access 8) No means of escape for disabled person if lift fails (person may become incapacitated during working day (note: lift is not a fire lift) 9) Excessive Heat 10) Lack of Fresh Air Ventilation 11) Risk of Violence if public gain access to CCTV Control Room | | |
| 10. People At Risk | | |
| <p>CCTV room operators and Visitors Town Hall staff Contractors Town Hall Visitors</p> | | |

11. EXISTING RISK – Severity of Injury Vs Probability

(Scale 1-10, 1 = Low, 10 = High. – Worst Case Scenario)

$$\boxed{10} \times \boxed{9} = \boxed{90}$$

EXISTING RISK FACTOR

12. List Existing Controls

- 1) Escape route marked and kept clear
- 2) Emergency lighting in place
- 3) Maintenance in place for plant and equipment. Fire Alarm system in place and checked
- 4) CCTV equipment maintained
- 5) Trailing cables kept to a minimum, Staff in CCTV aware.
- 6) Staff in CCTV aware or restricted routes and have walked to escape routes
- 7) Staff Aware of trip hazards (Access to area restricted for safety reasons)
- 8) Staff have used door and can get through
- 9) Lift can be used in a none fire situation
- 10) Air condition system in place
- 11) Ventilation system in place (limited)
- 12) Door access control system, CCTV monitoring of access doors

13. Further Controls/Actions Required – YES

- 1) Consideration to be given to installing second escape route either via basement kitchen or new staircase from UPS room.
- 2) CCTV equipment to be replaced with modern equipment that produces less heat, reduces screen flicker, removes need for large UPS.
- 3) CCTV room layout to be improved to give better access / egress and removes trip hazards
- 4) Provision of fire suppression system in CCTV cabinets in control room
- 5) Consideration to be given to obtaining stair climbing electric evac chair
- 6) Upgrade air con system to provide fresh air ventilation
- 7) Provision of internal CCTV to monitor escape routes from CCTV area

14. MITIGATED RISK – Severity of Injury Vs Probability

(Scale 1-10, 1 = Low, 10 = High. – Worst Case Scenario)

$$\boxed{10} \times \boxed{3} = \boxed{30}$$


MITIGATED RISK FACTOR

15. Passed To For Action
Steve McGinness

16. Date 9 December 2009

17. Action By Date

18. Action Review Date

| | | |
|---|--|----------------------------|
| 19. Action(s) Taken | | 20. Completion Date |
| | | 21. New Review Date |
| <div style="text-align: center; margin-bottom: 10px;">  </div> Assessor Signature: Date: ...9th December 2009..... | | |
| 22. Section Manager/Director Signature | | |
| Date: | | |
| 23. Date Copy Sent To: Env Health | 24. Date Received By: Env Health: | |
| | | |
| 26. Input Date:..... By: | | |

MAIDSTONE BOROUGH COUNCIL

CABINET

13 JANUARY 2010

REPORT OF THE DIRECTOR OF PROSPERITY AND REGENERATION

Report prepared by Alison Broom

1. BUDGETARY PROVISION FOR KENT INTERNATIONAL GATEWAY

1.1 Issue for Decision

1.1.1 To consider the budgetary provision for costs associated with the consideration of the proposed Kent International Gateway and subsequent planning inquiry.

1.2 Recommendation of the Director of Prosperity and Regeneration

1.2.1 That the Cabinet consider the options concerning financial provision for the costs of the Kent International Gateway project and agrees that provision is made for the additional costs by means of allocation of Housing and Planning Delivery Grant (£526k), reprofiling of the financial provision for the LDF enabling £304k to be applied for KIG in 2009/10 and use of balances (£720k).

1.2.2 That options for the replenishment of balances be considered as part of the Medium Term Financial Strategy and reported to Cabinet as part of the standard cycle of budgetary and financial monitoring reports.

1.3 Reasons for Recommendation

1.3.1 On 16th December 2009 the cabinet received a report from the Corporate Management Team setting out the budget strategy for 2010/11 onwards. This flagged up the current budgetary pressure concerning Kent International Gateway.

1.3.2 The initial provision was £400,000 made from balances. However, given the depth of research necessary to enable proper consideration of the planning application and the subsequent planning appeal the cost of the project has exceeded this provision.

1.3.3 In August 2009 Cabinet noted that the cost of the project would exceed this provision and that uncommitted Housing and Planning Delivery Grant received up to 2008 would be allocated to cover additional costs for the short term. The current forecast for this contribution is £186k. Cabinet also agreed in principle to the use of balances already set aside for the production of the Local Development Framework (LDF). This decision recognised the fact that work completed for one project could be of benefit to the needs of the other.

1.3.4 Cabinet on 16th December 2009 was advised that as the public enquiry was near completion a forecast of final costs suggested a total net expenditure of £1.7 million compared to current revenue budgets of £0.5 million and a contribution from the LDF. An analysis of the projected use of balances for the development of the Local Development Framework ("LDF") demonstrates that of the original £1M provision £884k remained available at 1st April 2009; the forecast spend for 2009/10 is £227k and the need for 2010/11 is £353k leaving a balance of £304k potentially available to support the cost of the public enquiry. This is not enough to fully cover the KIG costs and would require new provision for the LDF to be built into future years including 2011/12 when there is a major cost associated with the examination in public for the LDF. Taking into account reallocation of LDF resources – there would on current estimates be a shortfall of £810k. There are further possible courses of action:

- a) Use uncommitted balances to support the public enquiry costs;
- b) The use of available Housing and Planning Development Grant ("HPDG") funds notified in December 2009; the provisional allocation is £584k

The budget report included a growth item of £200,000 for the LDF for 2011/12 and 2012/13, to enable alternative options to be considered; a commitment was made that Cabinet would receive a further report on the possible use of uncommitted revenue balances and other available resources in January 2010.

1.3.5 Housing and Planning Delivery Grant; in December 2008 the Cabinet member for Regeneration made decisions concerning the allocation of HPDG which anticipated that grant would continue to be received in 2010/11. The impact was a commitment of £145k through various staffing arrangements (£37k) and support for expert advice (£20k), LDF (£36k), training (£15k) and IT systems (£29k) and licenses (£8k). £5k was carried forward from previous years' allocations and hence the initial call on any new allocation was £140k. The new provisional allocation, notified in December 2009, is £584k.

1.3.6 The overall aim of HPDG is to incentivize local authorities to improve delivery of housing and other planning outcomes including the LDF.

The principles that have been applied in prioritizing how HPDG is spent in previous years are

- Improvement of the council's development management and housing and planning policy services
- Co-ordination with other sources of funding including growth point
- Investment to improve the quality and efficiency of customer interaction/care relating to the planning service
- Sustainable investment for future service delivery improvements
- Investment to secure HPDG reward grant in future years where this is practicable
- No long term commitments beyond the period when HPDG will be available

1.3.7 It is suggested that these principles remain valid for allocation of the most recent HPDG provisional allocation. Nevertheless it would be appropriate to review the anticipated initial allocation for 2010/11 as 12 months have elapsed since this planning was undertaken. Details of the historical allocations and the proposed amended allocation are set out in Appendix A. This would commit £250k from HPDG to housing and planning services for 2010/11 leaving a balance of £340k from the 2009 HPDG allocation available for KIG. In brief the factors underlying the recommended allocation of HPDG are as follows

- Continued support for planning enforcement but at a reduced level; the support is required due to the increased number of enforcement appeals now resulting from both tackling the backlog and a more proactive approach to enforcement action; funding would cover a planning enforcement officer and legal costs.
- Enabling production of the LDF through continuation of fixed term contracts for the conservation and design officer and one planning support officer plus provision for consultancy to support production of a transport strategy.
- Experience of the demands for DC assessment of planning proposals and the expectations created through the regeneration strategy creates a need for expert advice for example with respect to highways, ecology and financial viability; hence it is recommended that provision is made at a level of £20k as originally envisaged
- Provision for the housing home track license
- Provision to support improvement and extension of the IT systems across housing and planning to achieve efficiency (work carried out over the last 12 months has enabled administrative costs to be reduced as reflected in the medium term budget proposals for 2010/11)

1.3.8 If the recommendations for the use of HPDG are accepted then the balance of funding required for KIG is £470k. The remaining options

would be to cease spending on other council services or fund the gap from balances.

- 1.3.9 The December cabinet report on the budget indicated significant revenue budget pressures and the associated assumptions and commitments in terms of management action. The conclusion was that not all pressures could be contained and that there would be a potential demand on balances of £250k. Given this position it is unlikely that any resources could be released to cover the cost of KIG in the period before the end of the financial year.
- 1.3.10 Uncommitted balances are currently projected at £3.1M; the Council has previously taken a decision that balances should not drop below £2.3M ie there is currently headroom of £800k. The option of using balances to accommodate the pressures both of the general revenue position (£250k) and KIG (£720k) is viable.
- 1.3.11 However, if this option is pursued then it would be prudent to identify actions which would result in at least a partial replenishment of balances. It is therefore recommended that this is built into the medium term financial strategy and reported as part of the cyclical budget reports.

1.4 Alternative Action and why not Recommended

- 1.4.1 It is imperative that financial provision is made to cover the costs associated with the Kent International Gateway activity. Alternatives include ceasing or reducing other services to achieve an under spend in these areas. The stage in the financial year, the evaluation needed to inform decision making and the relatively short period before the end of the year means that this is unlikely to yield significant sums.

1.5 Impact on Corporate Objectives

- 1.5.1 The Kent International Gateway proposal has been brought forward by AXA. The Council has opposed the development because it conflicts with its core objectives as expressed in the planning policy framework.

1.6 Risk Management

- 1.6.1 The use of balances creates a risk that resources may not be available if an unanticipated incident occurs with significant financial cost or the revenue pressures currently apparent significantly worsen. However, the level of balances although reduced remains above the minimum threshold that the cabinet has previously identified (£2.3M) which is in turn above the minimum recommended by the Council's auditors (£2M). Hence, with current knowledge the risk is low.

1.6.2 The intention of HPDG is to incentivize housing and planning service performance; although the grant is not ringfenced for this purpose investing for future improvements potentially has the benefit of future success. For 2010/11 the Council is well placed in terms of progress on the Strategic Housing Land Allocation Assessment (which is complete) and Strategic Housing Market Assessment (which is procured and currently in progress) – both of which will impact on the award of grant in 2010. The remaining key factors are housing completions and meeting milestones in the Local Development Scheme for the LDF. With respect to the former the key issues will be support for affordable housing which is secure and largely committed for 2010/11 and the private sector housing market which is uncertain but where the Council’s influence is largely confined to the planning service which will be unchanged. With respect to the LDF, if the recommendations above are accepted then financial provision would be made at £353k from the original allocation and £36k from HPDG.

1.7 Other Implications

1.7.1

| | | |
|----|---------------------------------------|---|
| 1. | Financial | X |
| 2. | Staffing | |
| 3. | Legal | |
| 4. | Equality Impact Needs Assessment | |
| 5. | Environmental/Sustainable Development | |
| 6. | Community Safety | |
| 7. | Human Rights Act | |
| 8. | Procurement | |
| 9. | Asset Management | |

1.7.2 Financial – these are covered in the body of the report.

1.8 Background Documents

None that are required to be listed

NO REPORT WILL BE ACCEPTED WITHOUT THIS BOX BEING COMPLETED

Is this a Key Decision? Yes No

If yes, when did it appear in the Forward Plan? ___Not in Forward Plan___

Is this an Urgent Key Decision? Yes No

Reason for Urgency

To ensure that timely adequate financial provision is made to cover costs incurred by the Kent International Gateway project.

| REVENUE | | | | | |
|---|------------------|-------------------------------|------------------------------|------------------------------|--|
| | 2009/10 Proposed | 2009/10 Projected Out turn | 2010/11 Proposed Dec 2008 | 2010/11 Proposed Jan 2010 | |
| DEVELOPMENT CONTROL | | | | | |
| Planning Officer Development Control | 0 | 0 | | | |
| Planning Support Officer Development Control | 0 | 0 | | | |
| IT Support Officer | | | | | |
| Business Support Development Control | | | | | |
| APAS - pre-application IT module | 2,400 | 0 | 2,400 | | |
| Planning Expert System (5 year contract) | 10,800 | 0 | 10,800 | | |
| PLANNING AND ENVIRONMENTAL ENFORCEMENT | | | | | |
| Planning Officers - Enforcement Backlog | 65,000 | 52,900 | | 40,000 | |
| Administrative Officer - Enforcement Backlog | 22,736 | 8,500 | | | |
| Legal support Enforcement Backlog | 35,000 | 13,900 | | 35,000 | |
| Gypsy Liaison Officer - Environmental Enforcement | | | | 0 | |
| Gypsy & Traveller site improvements | | | | 0 | |
| PLANNING POLICY/HOUSING | | | | | |
| Planning Support Officer 3 yrs 2007/8 to 2009/10 | 29,512 | 29,550 | 0 | 0 | |
| Planning Support Officer - 2 yrs 2008/9 to 2009/10 | 28,329 | 28,330 | 9,454 | 29,000 | |
| Conservation & Design Officer - 2 yrs 2008/9 to 2009/10 | 41,299 | 41,300 | 13,795 | 42,000 | |
| Landscape Officer - 2 yrs 2008/9 to 2009/10 | 41,299 | 41,300 | 13,795 | 13,795 | |
| Planning Policy - Staff oncosts | | 9,800 | | | |
| LDF Costs | 0 | | 36,000 | 36,000 | |
| Housing Survey | 30,000 | 50,000 | | | |
| Home track licence | 8,000 | 8,000 | 8,000 | 8,000 | |
| Expert advice (eg economic valuation, ecological) | 20,000 | 3,000 | 20,000 | 20,000 | |
| Back Scanning | | | | | |
| Officer Training | 13,000 | 0 | 13,000 | 10,000 | |
| IT/Anite support and training | 15,000 | 0 | 15,000 | 15,000 | |
| Member Training | 2,000 | 0 | 2,000 | 2,000 | |

| | | | | | |
|-------------------------------------|----------------|----------------|----------------|----------------|--|
| Legal Advice - Business Development | | 800 | | | |
| Wellpoint Machine - Gateway | | 2,000 | | | |
| Staff Training - Hazlitt Theatre | | 5,000 | | | |
| KIG | | 185,920 | | | |
| Total | 364,375 | 480,300 | 144,244 | 250,795 | |
| Resources available | 369,035 | 484,960 | 4,660 | | |
| HPDG Award | TBA | | TBA | 584 | |
| Carry Forward | 4,660 | 4,660 | -139,584 | | |
| | | | | | |

MAIDSTONE BOROUGH COUNCIL

CABINET

13 JANUARY 2010

REPORT OF HEAD OF INTERNAL AUDIT & RISK STRATEGY

Report prepared by Brian Parsons

1. INTERNAL AUDIT PARTNERSHIP

1.1 Issue for Decision

1.1.1 To consider the final Business Case for the creation of a four-way Internal Audit Partnership between Maidstone, Ashford, Swale and Tunbridge Wells Borough Council.

1.2 Recommendation of the Head of Internal Audit & Risk Strategy

1.2.1 That Cabinet agree that Maidstone Borough Council form an Internal Audit Partnership with Ashford, Swale and Tunbridge Wells Borough Council in accordance with the aims and structures that are set out in the Business Case, which appears as an exempt appendix to this report, subject to:

- a) All four partner authorities agreeing to form an Internal Audit Partnership.
- b) Final agreement on any remaining financial issues being delegated to the Director of Change and Environmental Services in consultation with the Director of Resources and Partnerships.

1.3 Reasons for Recommendation

1.3.1 At an early meeting of the Mid Kent Improvement Partnership in 2008, it was identified that Internal Audit would be an appropriate service to be provided in partnership across the four MKIP authorities.

1.3.2 A report was provided to the Cabinet Member for Corporate Services on 27 March 2009 seeking approval to move to the next stage in creating a four-way partnership. The proposal had previously been discussed at a meeting of the Audit Committee on 16 February 2009.

1.3.3 The decision of the Cabinet Member was that:

- i) An Internal Audit Partnership with Ashford Borough Council, Swale Borough Council and Tunbridge Wells Borough Council, subject to the proposals on Risk Management being in place before the partnership commences and that the [Audit] committee receive a report on this matter, be agreed.
- ii) The structure for the service, as set out in Appendix B to the Report of Management Team be agreed.
- iii) A provisional level of 36 audits per year for Maidstone equating to a total of 540 'chargeable' days audit work per annum be agreed.
- iv) Delegated authority be given to the Director of Change and Environmental Services to put in place arrangements to cease the current Audit arrangements between Ashford Borough Council and Maidstone Borough Council and to progress the Audit Partnership.
- v) A report be presented to Cabinet in May 2009, after all of the boroughs have considered the proposals.

Actions taken since March 2009

- 1.3.4 The arrangements have taken considerably longer to progress than was envisaged in March. This has been largely because of the need to take all aspects of the partnership arrangements through the decision making process of the four partner authorities and to adhere to four separate sets of policies for dealing with personnel.
- 1.3.5 As part of the decision making process, further financial analysis was required by Tunbridge Wells Borough Council. An interim business case was therefore prepared and reported to the Tunbridge Wells Cabinet on 23 June 2009. The interim business case contained a more detailed assessment of costs and also made comparisons with the private sector. The private sector comparisons clearly demonstrated that the in-house approach would not only be less expensive but also had a number of other benefits over the out-sourced option. Tunbridge Wells was therefore able to agree to move forward following the June meeting.
- 1.3.6 As all four authorities had confirmed their intention to proceed in principle, it was possible to appoint the Head of Internal Audit Partnership (in designate). The post was subject to interview on the 2 September 2009, which resulted in the appointment of Brian Parsons, the current Head of the Internal Audit Partnership for Maidstone and Ashford.

- 1.3.7 The Head of Internal Audit Partnership's first priority was to complete an updated Business Case, which would include a staffing structure and job descriptions for each of the new posts.
- 1.3.8 The draft Business Case was completed by the end of September and provided to all audit staff in the four authorities as part of the formal consultation process.
- 1.3.9 The individual job descriptions were worked up to become Job Evaluation Questionnaires, which allowed each post to be evaluated and a salary to be established. The results of the job evaluation have been made available to staff.
- 1.3.10 The staffing structure has the effect of deleting one operational auditor post with subsequent savings as set out in the Business Case. This means that the efficiencies for Maidstone will predominantly occur from the commencement of the partnership. However, this creates a potential redundancy scenario whereby, should the current Principal Auditor not be successful in her application for the post of Audit Manager in the new structure, there will be four audit staff seeking appointment for only three jobs. The potential impact of a redundancy is shown on the final page of the exempt appendix – the Business Case.
- 1.3.11 The Business Case was considered by the Audit Committee at its meeting on 30 November 2009. The Committee endorsed the creation of the four-way partnership having been satisfied that proper arrangements will be put into place for Risk Management.
- 1.3.12 Although the Business Case is comprehensive and sufficient to allow a decision by the Cabinet to commit to the Audit Partnership, a number of issues remain unresolved at this point in time. The actual redundancy costs will not become clear until staff are appointed to the various posts. Furthermore, discussions are continuing at the MKIP Board level about how the costs of any potential redundancies at the other authorities will be met and in particular, whether those costs will be funded by the savings that will arise from the creation of the partnership. In order to be able to progress to a point where the interviews can take place, it is recommended that the Cabinet agree to enter the partnership but delegate any final decision based on final costs to the Director of Change and Environmental Services. A delegation has already been agreed at Ashford and at Tunbridge Wells. A similar approach at Swale may be delayed pending further 'due diligence' work on the impact of the Business Case, which includes a service review by the external auditors.

1.3.13 Any costs arising from the setting up of the partnership will be met on an 'invest to save' basis from the future savings as set out in the Business Case.

1.3.14 If any of the four partner Councils decide not to proceed with the partnership, the Business Case set out in the current document will need to be re-evaluated. Therefore, a decision by Cabinet to form the partnership is subject to all four partner authorities agreeing to proceed.

1.4 Alternative Action and why not Recommended

1.4.1 In the course of the lengthy process that has preceded this report, all other options have been considered, including the potential for outsourcing the service. It is considered that the proposals contained within the exempt appendix Business Case provide the best option moving forward.

1.5 Impact on Corporate Objectives

1.5.1 The partnership proposals meet the Council's vision and priorities in the context of 'A place with efficient and effective public services' - through working in partnership with others.

1.6 Risk Management

1.6.1 There are a number of risks arising from the Internal Audit Partnership and these are set out in the Business Case which appears as an exempt appendix in Part Two of the meeting agenda.

1.7 Other Implications

1.7.1

| | | |
|----|---------------------------------------|---|
| a) | Financial | X |
| c) | Staffing | X |
| d) | Legal | X |
| e) | Equality Impact Needs Assessment | |
| f) | Environmental/Sustainable Development | |
| g) | Community Safety | |
| h) | Human Rights Act | |

- i) Procurement
- j) Asset Management

| |
|---|
| X |
| |

1.7.2 The four-way partnership will produce financial savings as set out in the Business Case. However, there remains a potential redundancy scenario which could substantially reduce the savings. Nevertheless, the costs are reasonable given the savings that can be achieved over the next few years. Any costs arising from the setting up of the partnership will be met on an 'invest to save' basis from the future savings as set out in the Business Case.

1.7.3 Staff have been kept informed about the progress of the partnership and were asked to comment on the proposals contained within the Business Case as part of the formal consultation process. The consultation process expired on the 20 November 2009 and responses have since been provided to staff.

1.7.4 The arrangements between the four authorities will be governed by a legal agreement which will set out the responsibilities of the partners. The agreement will include a exit strategy.

1.7.5 The four-way partnership has been tested against the alternative procurement of audit services from the private sector, which has confirmed that the partnership provides the most economic and efficient service option.

1.8 Conclusions

1.8.1 The Business Case provides a number of compelling reasons for Maidstone Borough Council to join the four-way Internal Audit Partnership. The approval of the Cabinet to join the partnership is therefore sought.

1.9 Background Documents

1.9.1 Report 'Mid Kent Internal Audit Partnership', Audit Committee 16 February 2009 and minutes of meeting
 Report 'Mid Kent Internal Audit Partnership', to Cabinet Member for Corporate Services 27 March 2009 and record of decision.

NO REPORT WILL BE ACCEPTED WITHOUT THIS BOX BEING COMPLETED

Is this a Key Decision? Yes No

If yes, when did it appear in the Forward Plan? _____

Is this an Urgent Key Decision? Yes No

Reason for Urgency

[State why the decision is urgent and cannot wait until the next issue of the forward plan.]

MAIDSTONE BOROUGH COUNCIL

CABINET

13 JANUARY 2010

REPORT OF THE LEADER OF THE COUNCIL

Report prepared by Jill Lucas

1. **FORWARD PLAN**

1.1 Issue for Decision

1.1.1 To note the Forward Plan for the period 1 February 2010 – 31 May 2010.

1.2 Recommendation of the Leader of the Council

1.2.1 That the proposed Forward Plan for the period 1 February 2010 – 31 May 2010 be noted.

1.3 Reasons for Recommendation

1.3.1 The Forward Plan is a way to ensure that members of the public have longer from the point at which they learn that a decision is coming up, until the time it is made, to encourage greater interaction between stakeholder and decision makers.

1.3.2 The Forward Plan is published monthly, to cover decisions starting on the first day of each month and is a rolling four month programme of decisions.

1.3.3 The current index to the proposed Forward Plan is attached as an Appendix to this report. However, please note that Officers have until 12 Noon on 13 January 2010 to submit further entries or make any amendments.

1.3.4 If Members wish to receive a complete copy of the Forward Plan it can be obtained from Janet Barnes (01622) 602242 and from 15 January 2010 will be on public deposit in the following locations: The Gateway, Public Libraries and the maidstone.gov.uk website.

1.4 Alternative actions and why not recommended

1.4.1 The proposed Forward Plan includes key decisions as defined in the Constitution and the development of the budget and plans which form the policy framework. The entries have been made by the relevant managers who have the best idea of the issues likely to be coming up.

1.5 Impact of Corporate Objectives

1.5.1 The Forward Plan should help to realise on the core values set out in the Corporate Plan as follows:

“It (the Council) welcomes, encourages and values public participation in its activities and will inform, advise and listen carefully to people in developing its key strategies, policies and programmes”.

1.6 Risk Management

1.6.1 There are no risk management implications in this report.

1.7 Other Implications

| | | |
|-------|---------------------------------------|--------------------------|
| 1.7.1 | Financial | <input type="checkbox"/> |
| | Staffing | <input type="checkbox"/> |
| | Legal | <input type="checkbox"/> |
| | Equality Impact Needs Assessment | <input type="checkbox"/> |
| | Environmental/sustainable development | <input type="checkbox"/> |
| | Community safety | <input type="checkbox"/> |
| | Human Rights Act | <input type="checkbox"/> |
| | Risk Management | <input type="checkbox"/> |
| | Procurement | <input type="checkbox"/> |
| | Asset Management | <input type="checkbox"/> |

1.8 Financial Implications

1.8.1 None resulting directly from this report.

Background Documents

None

NO REPORT WILL BE ACCEPTED WITHOUT THIS BOX BEING COMPLETED

Is this a Key Decision? Yes No

If yes, when did it appear in the Forward Plan? _____

Is this an Urgent Key Decision? Yes No

Reason for Urgency

Not applicable

Index February 2010– May 2010

| Title | Decision Maker and Date of Decision | Page No |
|--|---|----------------|
| The Best Value Review of Waste and Recycling Implementation Plan | Cabinet 10 February 2010 | |
| Maidstone 2020 Sustainable Community Strategy (SCS) performance report | Cabinet 10 February 2010 | |
| Budget Strategy 2010/11 Onwards | Cabinet 10 February 2010 | |
| Treasury Management Strategy 2010/11 | Cabinet 10 February 2010 | |
| Strategic Plan 2009-12, 2010 update | Cabinet 10 February 2010 | |
| Food Safety Plan and Environmental Health Enforcement Policy | Cabinet Member for Environment Before 28 February 2010 | |
| Review of Contaminated Land Strategy | Cabinet Member for Environment Before 31 March 2010 | |

By virtue of paragraph(s) 1, 2, 3, 4 of Part 1 of Schedule 12A of the Local Government Act 1972.

Document is Restricted

By virtue of paragraph(s) 1, 2, 3, 4 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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