

# Public Document Pack



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1 December 2016

Dear Councillor

I am now able to enclose, for consideration at the meeting of the **CABINET** on Monday 5 December 2016 at 11.00 am, the following reports that were unavailable when the agenda was printed.

5      **LORRY PARKING SURVEY UPDATE** (Page 3)

To consider the recommendations of the Scrutiny (Policy and Performance) Committee.

6      **ENVIRONMENTAL ENFORCEMENT SERVICE DELIVERY OPTIONS** (Page 4)

To consider the recommendations of the Scrutiny (Policy and Performance) Committee.

7      **INTRODUCTION OF FIXED PENALTY NOTICES FOR FLY-TIPPING** (Page 5)

To consider the recommendations of the Scrutiny (Policy and Performance) Committee.

8      **PERFORMANCE REPORT - SECOND QUARTER 2016/17** (Page 6)

To consider the recommendations of the Scrutiny (Policy and Performance) Committee.

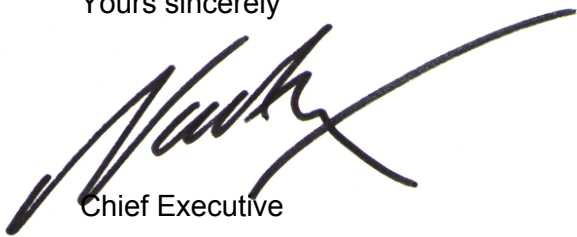
9      **AWARD OF CONTRACT FOR GAS SERVICING AND HEATING INSTALLATIONS** (Page 7)

To consider the recommendations of the Scrutiny (Policy and Performance) Committee.

10     **AYLESHAM VILLAGE EXPANSION - UPDATE AND DEED OF VARIATION** (Page 8)

To consider the recommendations of the Scrutiny (Community and Regeneration) Committee.

Yours sincerely

A handwritten signature in dark ink, appearing to be 'N. K. S.', written in a cursive style with a long, sweeping underline that extends to the right.

Chief Executive

# ISSUES ARISING FROM OVERVIEW AND SCRUTINY OR OTHER COMMITTEES

## LORRY PARKING UPDATE

Responsibility: Portfolio Holder for Access and Licensing

### Decision Route

Scrutiny (Policy and Performance) Committee	15 November 2016	Minute No 87
Cabinet	5 December 2016	

### Scrutiny (Policy and Performance) Committee Recommendations

The Scrutiny (Policy and Performance) Committee, at its meeting held on 15 November 2016, made the following recommendations to Cabinet:

- (a) That the next enforcement survey includes reports for a full 24-hour period (i.e. 11pm–4am).
- (b) That the Cabinet be requested to write to the Member of Parliament for Dover to ask:
  - (i) That he lobbies for changes to the Traffic Management Act to give the Council's Civil Enforcement Officers the power to take enforcement action in respect of obstruction on the highway.
  - (ii) That he provides an update on the national parking strategy.
  - (iii) That he speaks with the Home Office and Foreign and Commonwealth Office about liaising with European counterparts to ensure foreign-registered vehicles pay parking fines.

### Background

At its request, the Scrutiny (Policy and Performance) Committee received an update from the Director of Environment and Corporate Assets on lorry parking issues.

## ISSUES ARISING FROM OVERVIEW AND SCRUTINY OR OTHER COMMITTEES

### ENVIRONMENTAL ENFORCEMENT SERVICE DELIVERY OPTIONS

Responsibility: Portfolio Holder for Property Management and Public Protection

Report of: Director of Governance

#### Decision Route

Cabinet	7 November 2016	CAB 75
Scrutiny (Policy and Performance) Committee	15 November 2016	Minute No 89
Cabinet	5 December 2016	

#### Scrutiny (Policy and Performance) Committee Recommendations

The Scrutiny (Policy and Performance) Committee, at its meeting held on 15 November 2016, endorsed Cabinet decision CAB 75 as follows:

That it be recommended to the Cabinet that decision CAB 75 be endorsed and that Option 2A (a combination of directly employed Environmental Enforcement Officers and external contractors to supplement the service with the contractor retaining 62% of each Fixed Penalty Notice they successfully issue) be agreed.

# ISSUES ARISING FROM OVERVIEW AND SCRUTINY OR OTHER COMMITTEES

## INTRODUCTION OF FIXED PENALTY NOTICES FOR FLY-TIPPING

Responsibility: Portfolio Holder for Property Management and Public Protection

Report of: Director of Governance

### Decision Route

Cabinet	7 November 2016	CAB 76
Scrutiny (Policy and Performance) Committee	15 November 2016	Minute No 90
Cabinet	5 December 2016	

### Scrutiny (Policy and Performance) Committee Recommendations

The Scrutiny (Policy and Performance) Committee, at its meeting held on 15 November 2016, endorsed Cabinet decision CAB 76 as follows:

- (a) That the issue of Fixed Penalty Notices (FPNs) for small scale fly-tipping offences, contrary to Section 33(1)(a) of the Environmental Protection Act 1990, be approved.
- (b) That the level of the FPNs be set at £400.
- (c) That powers be delegated to the Head of Regulatory Services to authorise persons to act as 'authorised officers' under Section 33ZA (12) of the Environmental Protection Act 1990 for the purposes of issuing FPNs.

## **ISSUES ARISING FROM OVERVIEW AND SCRUTINY OR OTHER COMMITTEES**

### **PERFORMANCE REPORT – SECOND QUARTER 2016/17**

Responsibility: Portfolio Holder for Corporate Resources and Performance

Report of: Director of Governance

#### **Decision Route**

Cabinet	7 November 2016	CAB 78
Scrutiny (Policy and Performance) Committee	15 November 2016	Minute No 91
Cabinet	5 December 2016	

#### **Scrutiny (Policy and Performance) Committee Recommendations**

The Scrutiny (Policy and Performance) Committee, at its meeting held on 15 November 2016, endorsed Cabinet decision CAB 78 as follows:

That it be recommended to the Cabinet that Decision CAB 78 be endorsed and that the Council's Performance Report and Actions for the Second Quarter 2016/17 be noted.

## **ISSUES ARISING FROM OVERVIEW AND SCRUTINY OR OTHER COMMITTEES**

### **AWARD OF CONTRACT FOR GAS SERVICING AND HEATING INSTALLATIONS**

Responsibility: Portfolio Holder for Housing, Health and Wellbeing

Report of: Director of Property Services, East Kent Housing

#### **Decision Route**

Cabinet	7 November 2016	CAB 81
Scrutiny (Policy and Performance) Committee	15 November 2016	Minute No 93
Cabinet	5 December 2016	

#### **Scrutiny (Policy and Performance) Committee Recommendations**

The Scrutiny (Policy and Performance) Committee, at its meeting held on 15 November 2016, endorsed Cabinet decision CAB 81 as follows:

- (a) That the award of a new heating contract to P&R Installations Co Ltd be approved, subject to the 30-day notice period required by Section 20 of the Landlord and Tenant Act 1985 and the Service Charges (Consultation Requirements) (England) Regulations 2003.
- (b) That the Head of Strategic Housing be authorised to discharge functions associated with the award of a long-term agreement (including having regard to observations received prior to awarding the contract), as required by Section 20 of the Landlord and Tenant Act 1985 and the Service Charges (Consultation Requirements) (England) Regulations 2003, and to confirm the award of the contract (or report further to Cabinet as appropriate).

## ISSUES ARISING FROM OVERVIEW AND SCRUTINY OR OTHER COMMITTEES

### AYLESHAM VILLAGE EXPANSION – UPDATE AND DEED OF VARIATION

Responsibility: Leader of the Council

Report of: Chief Executive

#### Decision Route

Cabinet	7 November 2016	CAB 80
Scrutiny (Community and Regeneration) Committee	16 November 2016	Minute No 58
Cabinet	5 December 2016	

#### Scrutiny (Community and Regeneration) Committee Recommendations

The Scrutiny (Community and Regeneration) Committee, at its meeting held on 16 November 2016, endorsed Cabinet decision CAB 80, subject to an additional recommendation (highlighted in bold) as follows:

- (i) That progress on the Aylesham Development be noted.
- (ii) That the Heads of Terms for the Deed of Variation be approved, and the Planning Delivery Manager be authorised to approve the final document, in consultation with the Leader of the Council and the Chief Executive.
- (iii) That the Planning Delivery Manager be authorised to negotiate the acquisition of the Market Square retail units and third-party land within the development site (to be funded from an element of the anticipated capital receipt), in consultation with the Director of Environment and Corporate Assets and the Portfolio Holder for Corporate Resources and Performance.
- (b) **That an amount of the capital receipt be ring-fenced for Aylesham facilities.**