

## Annual Council Meeting Agenda – Wednesday 5 May 2021

### Addendum to Agenda Item 9 - Report A/21/06

As the Council did not hold its Annual Meeting for the municipal year 2019/20 due to COVID-19, this Addendum has been attached and forms part of Agenda Item 9. Various policies and strategies along with urgent decisions taken during that year are listed below and members are asked to note these alongside Report A/21/06.

### **ANNUAL POLICIES AND STRATEGIES ADOPTED BY CABINET AND AN UPDATE ON URGENT DECISIONS 2019/20**

Policies and strategies that have been adopted, revised or updated during the 2019/20 municipal year were:

- Kent Joint Municipal Waste Management Strategy Refresh.
- Places and Policies Local Plan (PPLP) - Gypsy and Traveller allocation site
- Dungeness Sustainable Access and Recreational Management Strategy (SARMS)
- Regulation of Investigatory Powers Act 2000 – Policy (RIPA)
- Medium Term Financial Strategy 2020/21 to 2023/24
- Children, Young People and Vulnerable Adults Safeguarding Policy 2019
- Budget Strategy 2020/21
- The Play Area Strategy 2020-2030
- Treasury Management Strategy Statement 20/21
- Housing Revenue Account Business Plan Update 2020 – 2050
- Investment Strategy 2020/21
- Capital Strategy 2020/21

### **DECISIONS TAKEN UNDER THE URGENCY PROVISIONS**

There were two instances of urgent key decisions being taken in the last municipal year.

These decisions are set out in the table below:

Decision	Reason for urgency
At its Special meeting on 31 July 2019, the Cabinet considered Report C/19/16, which advised that the former contractor for gas servicing and heating installations, P&R installation Company Ltd (P&R), triggered a no fault break clause under the terms of the contract with a termination date 3 July 2019. The four councils, with DDC acting as the lead, started the	It was necessary to take the decision under the constitution's 'Call in and Urgency' rule (Part 6.3, rule 7) for the reasons shown below. The current gas servicing and heating contractor, P&R Ltd, gave formal notice of their intention to terminate the contract on 2 April 2019 bringing the contract to an end on 3 July 2019. The successful completion of the

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<p>procurement for a new contract. The report detailed the outcome of this procurement process and made a recommendation for reward. The report also outlined risk controls to be implemented by East Kent Housing to improve the management of the next contract. The Cabinet made the following resolution:</p> <ol style="list-style-type: none"> <li><b>1. That report C/19/16 be received and noted.</b></li> <li><b>2. That the contract be awarded to Company A subject to the risk mitigation measures set out in 5.5.</b></li> <li><b>3. That an additional budget provision of £ 93,201 be agreed, as set out in 5.6 and 5.7, to be funded from the Housing Revenue Account for contract management improvements to be implemented by EKH.</b></li> </ol> <p>(Voting figures: 6 for, 0 against, 0 abstentions).</p>	<p>procurement process in that time was ambitious and it became clear at the evaluation stage that additional due diligence and clarifications to bidders were needed and it was not be possible to successfully award the contract before the end of the contract. A temporary interim contract has been set up with a single supplier for a limited period provisionally set for 4 months.</p> <p>Reasons for urgent decision:</p> <ul style="list-style-type: none"> <li>○ It is also imperative in terms of service to council tenants and to meet the landlord’s responsibilities under Gas Safety (Installation and Use) Regulations 1998 and Landlord Tenant Act 1985.</li> <li>○ Service is being provided under an interim contract and swiftly moving to more stable long-term working arrangements would be in the interest of tenants.</li> </ul>
<p>At its meeting on 20 December 2019, the Cabinet considered report C/19/53, which recommended the acquisition of further interests at Otterpool Park. The Cabinet made the following resolution:</p> <p><b>RESOLVED:</b></p> <ol style="list-style-type: none"> <li><b>1. That report C/19/53 be received and noted.</b></li> <li><b>2. That the interests and assets identified in the report be acquired on the terms reported orally to the meeting.</b></li> </ol> <p>(Voting figures: 5 for, 0 against, 0 abstentions).</p>	<p>It was necessary to take the decision under the constitution’s ‘Call in and Urgency’ rule (Part 6.3, rule 7) because of the need to complete the acquisition urgently to enable the Otterpool Park garden town project to proceed expeditiously and to meet the seller’s timescales.</p>

Council was informed of these decisions