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**From: Gary Cooke, Cabinet Member for Corporate and Democratic Services**

**David Cockburn, Corporate Director, Business Strategy & Support**

**To: Policy and Resources Cabinet Committee – 20 June 2013**

**Decision No: 13/00030**

**Subject: Cavendish Road - The granting of a lease for the purposes of providing supported accommodation and completion of a nominations agreement.**

**Classification: Unrestricted.**

**FOR INFORMATION ONLY**

**Summary:** The attached urgent decision was taken between meetings as it could not reasonably be deferred to the next programmed meeting of the Policy & Resources Cabinet Committee for the reason(s) set out below.

- 1.1 For the reason(s) set out below it has not been possible for this decision to be discussed by the Cabinet Committee prior to it being taken by the Cabinet Member. Therefore, in accordance with the process set out in Appendix 4 Part 7 paragraph 7.18 of the Constitution, the Chairman and Group Spokespersons for this Cabinet Committee and the Chairman and Spokesmen for the Scrutiny Committee were consulted prior to the decision being taken and their views were recorded on the Record of Decision (attached at Appendix 1). After the decision was taken, it was published to all Members of this Cabinet Committee and the Scrutiny Committee.
- 1.2 This decision was initially approved by Graham Gibbons in 2010 (the Cabinet member for FSC at the time) and also supported by the local Member for Herne Bay at the time, Jean Law. A formal decision report was undertaken delegating authority to complete this lease and was signed by Roger Gough (Cabinet Member for Corporate Support Services & Performance Management at that time) in July 2010.
- 1.3 However, as all of legal documentation became ready for completion, it became evident that certain statutory requirements had not been fulfilled. Therefore Democratic Services Officers recommended that in order to satisfy legislative requirements, a new decision should be taken.
- 1.4 The deadlines and dates of the Policy & Resource Committee would have delayed the decision and it was imperative that the legal

documentation completed in March. If the lease and nominations agreement had not been completed by then, Town and Country Housing Association would have lost their 'Homes and Community Agency' funding and the project would have fallen. With this deadline in mind, Democratic Services advised that KCC urgency provisions should be followed and that the decision should be taken as a matter of urgency in order to meet the tight deadline.

**2. Recommendation:** Members of the Cabinet Committee are asked to note Decision no 13/00030 - Cavendish Road – taken in accordance with the process in Appendix 4 Part 7 paragraph 7.18 :-

i) a 125 year lease be granted to the Town and Country Housing Group for the purposes of providing supported accommodation for KCC Families and Social Care (FSC) Clients on the site at Cavendish Road, Herne Bay;

ii) authority be delegated to the Director of Property and Infrastructure Support to negotiate the final terms and conditions;

iii) a nominations agreement between TCHG and KCC to allow KCC to nominate clients to receive services for the duration of the lease be established; and

iv) authority be delegated to the Director of Learning Disability and Mental Health to sign the nominations agreement, subject to him being satisfied as to the detailed terms and conditions.

**Background documents:**

- Record of Decision No. 13/00030 – Attached at Appendix 1

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