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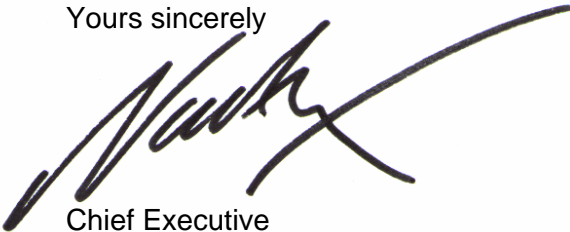
19 July 2011

Dear Councillor

NOTICE IS HEREBY GIVEN THAT a special meeting of the **CABINET** will be held at these Offices (Council Chamber) on Wednesday 27 July 2011 at 5.00 pm when the following business will be transacted.

Members of the public who require further information are asked to contact Kate Batty-Smith on (01304) 872303 or by e-mail at kate.batty-smith@dover.gov.uk.

Yours sincerely



Chief Executive

Cabinet Membership:

Councillor P A Watkins	Leader of the Council
Councillor S S Chandler	Deputy Leader and Portfolio Holder for Community, Housing and Youth
Councillor N J Collor	Portfolio Holder for Access and Property Management
Councillor M D Conolly	Portfolio Holder for Corporate Resources and Performance
Councillor P G Heath	Portfolio Holder for Health, Well-Being and Public Protection
Councillor N S Kenton	Portfolio Holder for Environment, Waste and Planning
Councillor C J Smith	Portfolio Holder for Skills, Training and External Relations

AGENDA

1. **APOLOGIES**
2. **DECLARATIONS OF INTEREST**

Members are required to disclose the existence and nature of a personal interest under this item of business or when the interest becomes apparent. An explanation in general terms of the interest should also be given to the meeting. If the interest is also a prejudicial interest, the Member should then withdraw from the room or chamber.

BUDGET/POLICY FRAMEWORK – NON-KEY DECISIONS

3. **SHARED WORKING PROTOCOL BETWEEN DOVER DISTRICT COUNCIL AND SHEPWAY DISTRICT COUNCIL FOR THE APPOINTMENT OF A JOINT CHIEF EXECUTIVE** (Pages 3-8)

To consider the joint report of Dover District Council's Solicitor to the Council and Shepway District Council's Corporate Director – Communities which is attached.

Responsibility: Leader of the Council

4. **COMMISSIONING OF UPGRADE TO IDOX PLANNING SOFTWARE SYSTEM**

To consider the attached joint report of the Director of Finance and Director of Community and Development .

Responsibility: Portfolio Holder for Environment, Waste and Planning and Portfolio Holder for Corporate Resources and Performance

Access to Meetings and Information

- Members of the public are welcome to attend meetings of the Council, its Committees and Sub-Committees. You may remain present throughout them except during the consideration of exempt or confidential information.
- All meetings are held at the Council Offices, Whitfield unless otherwise indicated on the front page of the agenda. There is disabled access via the Council Chamber entrance and a disabled toilet is available in the foyer. In addition, there is a PA system and hearing loop within the Council Chamber.
- Agenda papers are published five clear working days before the meeting. Alternatively, a limited supply of agendas will be available at the meeting, free of charge, and all agendas, reports and minutes can be viewed and downloaded from our website www.dover.gov.uk. Minutes are normally published within five working days of each meeting. All agenda papers and minutes are available for public inspection for a period of six years from the date of the meeting. Basic translations of specific reports and the Minutes are available on request in 12 different languages.
- If you require any further information about the contents of this agenda or your right to gain access to information held by the Council please contact Kate Batty-Smith, Democratic Support Officer, telephone: (01304) 872303 or email: kate.batty-smith@dover.gov.uk for details.

Large print copies of this agenda can be supplied on request.

REPORT OF THE SOLICITOR TO THE COUNCIL (DOVER DISTRICT COUNCIL)
AND CORPORATE DIRECTOR – COMMUNITIES (SHEPWAY DISTRICT
COUNCIL)

RESPONSIBILITY – LEADER OF THE COUNCIL

NON-KEY DECISION

BUDGET/POLICY FRAMEWORK

SPECIAL CABINET – 27 JULY 2011
COUNCIL – 27 JULY 2011

**SHARED WORKING PROTOCOL BETWEEN DOVER DISTRICT COUNCIL AND
SHEPWAY DISTRICT COUNCIL FOR THE APPOINTMENT OF A JOINT CHIEF
EXECUTIVE**

Recommendation

(a) <i>That Cabinet:</i>
(i) <i>Receives and notes the report.</i>
(ii) <i>Withdraws from the shared working protocol.</i>
(b) <i>That Council:</i>
(i) <i>Receives and notes the report.</i>
(ii) <i>Dissolves the Joint Appointments Committee.</i>

Contact Officer: Harvey Rudd, extension 2321.

Purpose of the report

1. This report provides the current position and makes recommendations on the withdrawal from the shared working protocol and the dissolution of the Joint Appointments Committee.

Introduction

2. Shepway District Council' cabinet at its meeting on 2 March 2011 considered report C/10/68 and passed the following resolutions (minute 85):

"RESOLVED:

1. *To receive and note report C/10/68.*
2. *To agree the Shared Working Protocol (Appendix 1) and authorise the Leader of the Council to sign the protocol on behalf of the Council.*
3. *To delegate to the Leader (in consultation with the Deputy Chief Executive and the Head of Corporate Services) the function of agreeing and authorising any legal agreements necessary to give effect to the Protocol.*
4. *To approve the creation of a Cabinet advisory group, comprising of five members, which will sit with an equal size group from Dover District Council as the Joint Implementation*

Forum, operating within the terms of reference as set out in the Shared Working Protocol.

5. *To delegate the task of appointing an external HR specialist to support the Joint Implementation Forum and the Joint Appointments Committee with the selection and appointment of the joint Chief Executive to the Head of Corporate Services, acting in consultation with the Solicitor to Dover District Council.*

3. On the same day the council considered report A/10/23 and passed the following resolutions (minute 84):

"Resolved:

1. *To receive and note report A/10/33.*
2. *To approve the creation of a politically balanced Joint Appointments Committee and agree its terms of reference (appendix 2 of the report) and composition and procedure rules (appendix 3 of the report).*
3. *To request the head of corporate services to initiate a review of the constitution of the council with a view of reporting to a future Constitutional Advisory Committee meeting on any changes to the constitution which are necessary to facilitate the proposals set out in the report.*
4. *To withdraw £200k from the invest-to-save reserve to fund the post of the joint chief executive and to facilitate the delivery of this project." (Appointments were also made to the joint appointments committee).*

4. Dover District Council' cabinet resolved on 28 February 2011 (CAB 89):

- (a) *That the Shared Working Protocol (as set out at Annex 1 of the report) be approved and the Leader of the Council authorised to sign the Protocol on behalf of the Council.*
- (b) *That the Leader of the Council (acting in consultation with the Solicitor to the Council and the Director of Governance) be delegated the function of agreeing and authorising any legal agreements necessary to give effect to the Protocol.*
- (c) *That the creation of a single party Cabinet advisory group, comprising 5 members, which will sit with an equal size group from Shepway District Council as the Joint Implementation Forum, operating within the terms of reference as set out in the Protocol (as set out at Annex 1 of the report), be approved.*
- (d) *That the task of appointing an external Human Resources specialist to support the Joint Implementation Forum and the Joint Appointments Committee with the selection and appointment of the joint chief executive, to the Solicitor to the Council, acting in consultation with the Head of Corporate Services of Shepway District Council and the Head of the East Kent Human Resources Partnership."*

5. Dover District Council on 23 March 2001 resolved (minute 516):
- "(a) That the shared working protocol, as set out in Annex 1 of the report, be approved.
 - (b) That, subject to the selection of a Joint Chief Executive which is mutually agreed with Shepway District Council, the current post of Chief Executive be deleted from the establishment and replaced by the post of Joint Chief Executive.
 - (c) That the creation of a politically balanced Joint Appointments Committee be approved.
 - (d) That the Terms of Reference, as set out in Annex 4 of the report, and the Composition and Procedure rules, set out in Annex 5 of the report, for the Joint Appointments Committee be approved.
 - (e) That the Director of Finance and ICT, in consultation with the Leader of the Council, be given delegated authority to use up to £50,000 of general fund balances or earmarked reserves as a supplementary budget to meet the costs of the project.
 - (f) That the Director of Governance be requested to initiate a review of the Constitution of the Council with a view to reporting to the Governance Committee on any changes to the Constitution which are necessary to facilitate the proposals set out in this report."

Current Situation

6. The Joint Appointments Committee met on 5 July 2011. The minutes of the meeting are attached. It will be noted that the Joint Appointments Committee did not make any recommendation on an appointment to the position of joint chief executive.
7. Paragraph 41 of the protocol provides:
- "41. In the event that the views of members on the JAC are so evenly balanced that it is unable to arrive at a decision without the use of the Chairman's casting vote, then JAC will have no power to make any recommendation. In such circumstances there would need to be further dialogue between the councils both acting in good faith, to either agree a way forward or withdraw from this Protocol."*
8. Discussions have taken place and it is considered appropriate for both councils to withdraw from the protocol.
9. The protocol was agreed by the cabinets the cabinets should make the decision to withdraw from the protocol and the councils to dissolve the joint appointments committee.

Background Papers

None

Resource Implications

None.

Attachments

Appendix 1 – Minutes of the Joint Appointments Committee meeting held on 5 July 2011.

HARVEY RUDD

Solicitor to the Council
Dover District Council

MARK PARKINSON

Corporate Director – Communities
Shepway District council



Minutes

Joint Appointments Committee

Held at:	Ashford International Hotel, Ashford
Date	Tuesday, 5 July 2011
Present	Councillors Robert Bliss (SDC), Susan Chandler (DDC), Nigel Collor (DDC), Brian Copping (SDC), Gordon Cowan (DDC), Mike Eddy (DDC), Rory Love (SDC), David Monk (SDC), Russell Tillson (SDC) and Paul Watkins (DDC)
Apologies for Absence	There were no apologies for absence
Officers Present:	Nadeem Aziz (Chief Executive, Dover District Council) and Alistair Stewart (Chief Executive, Shepway District Council) for minute 9 (in part)
Others Present:	Lisa Butterfill (East Midlands Councils) and Sam Maher (East Midlands Councils)

95 Election of Chairman

RESOLVED: That Councillor Robert Bliss be appointed as chairman for the meeting.

(Voting: For 10, against 0, abstentions 0,)

96 Declarations of interest

There were no declarations of interest.

97 Minutes

The minutes of the meeting held on 6 June 2011 were submitted and approved as a correct record and signed by the chairman.

98 Exclusion of the public

Proposed by Councillor Robert Bliss
Seconded by Councillor Paul Watkins and

RESOLVED: To exclude the public for the following item of business on the grounds that it is likely to disclose exempt information as defined in paragraph 1 of Part 1 of Schedule 12A of the Local Government Act 1972.

(Voting: For 10; Against 0; Abstentions 0)

99 Selection of the joint Chief Executive Officer for Dover District Council and Shepway District Council

The committee in accordance with the previously agreed selection process interviewed the chief executives of Dover and Shepway District Councils.

Proposed by Councillor Robert Bliss
Seconded by Councillor Paul Watkins and

RESOLVED: To make no recommendation on an appointment to the post

JOINT REPORT OF THE DIRECTOR OF FINANCE AND DIRECTOR OF
COMMUNITY AND DEVELOPMENTRESPONSIBILITY – PORTFOLIO HOLDER FOR ENVIRONMENT, WASTE AND
PLANNING AND PORTFOLIO HOLDER FOR CORPORATE RESOURCES AND
PERFORMANCE

NON-KEY DECISION

BUDGET/POLICY FRAMEWORK

CABINET – 27 JULY 2011

COUNCIL – 27 JULY 2011

COMMISSIONING OF UPGRADE TO IDOX PLANNING SOFTWARE SYSTEM**Recommendation**

1. *Cabinet approves the replacement of the obsolete Planning system "Acollate" module with the IDOX DMS module.*
2. *The Chairman of the Council approves the suspension of Call In, so the item can be considered by Council on 27 July. This enables the authority to acquire the replacement module at a favourable price, ahead of a supplier deadline of 29 July 2011.*
3. *Council approves the provision of funds for the replacement of the obsolete Planning system "Acollate" module with the IDOX DMS module.*

Contact Officers: Mike Dawson, extension 2460 and Mike Davis, extension 2107.

Purpose of Report

1. To commission the supplier to replace the obsolete document image management support module with the latest IDOX DMS product. This will enable the Council to continue to accept and publish electronic images of planning applications and drawings for use by officers, developers and the general public.

Summary of resource Implications

Requirement	Current Year	Full Year
Capital and special projects	£22,000	£0
Revenue budget savings	£0	£0

Background

2. The current Acollate module of the IDOX planning system is no longer supported by the supplier and must be replaced.
3. The current system is used in the following areas:
 - Development Management
 - Building Control

- Land Charges
 - Public access using the Internet
4. The module manages the scanning, storage and delivery of electronic images of Planning and Building Control applications and associated drawings. Whilst it is vital to these functions, it is also fundamental to the way in which the Development Management system operates, as without it:
 - The public would not be able to view applications and make comments online.
 - It would not be possible to take continue the roll out of electronic consultation to parish councils and other statutory consultees (some of these no longer accept paper documents).
 - The main internal processes of Development Management could not operate effectively.
 5. The use of electronic document images has enabled the section to achieve efficiencies in a number of areas:
 - Staff savings – one post has been directly removed, and staff have been deployed to higher grade work, enabling vacancies at Planning Officer level to remain unfilled.
 - The system supports self service by the public, reducing staff time spent responding to queries.
 - Savings in printing and postage costs.
 6. It is notable that when the system failed for two days earlier this year, there was major disruption affecting the service to the public and severely impairing the ability to work, resulting in missed deadlines and adversely affecting performance against targets. Fortunately, the supplier was able to solve the problem on that occasion, but the system is not now supported, which represents a significant risk to service delivery. If the current system fails again, the only options would be to try and persuade the supplier to fix the old system on a time and materials basis or reintroduce paper systems – a laborious and costly process which would cause major disruption and an increase in staffing. The first option is expensive and we cannot be sure the supplier would want to provide the required service. The second option is not practical.
 7. Similar considerations also apply to much of the operation of the Building Control system where efficiencies are crucial to retain market share in the face of commercial competition. If this system is not replaced, it would not be possible to achieve further efficiency savings by increasing the amount of remote working.
 8. The supplier has indicated that the current system is no longer supported, and requires replacement at a cost of £22,000 to implement the latest IDOX DMS module. This cost is for implementation, project management and training services as the charge of the new software is nil.
 9. The annual maintenance charge is unchanged, so the revenue impact is nil.
 10. The supplier has indicated that this price is only available until 29 July, after which the Council could expect to pay significantly more for the software and services. Therefore, this report includes a request to suspend call in, so that a decision can be made and the order placed at the current price.

11. As the replacement involves significant costs, a number of options were evaluated, to establish the costs and any potential savings which could be achieved by sharing systems or capacity with the other East Kent partner authorities:
- Canterbury use the IDOX Planning system, but store document images in a different system (Northgate Information@Work)..
 - Thanet also use the IDOX system, with a different document image system again (Civica W2).
 - Migration to either system is feasible, but would involve additional costs for:
 - Licences
 - Supplier charges for implementation, conversion and training.
 - Support and maintenance
 - Internal staff time
 - The costs involved in migrating to either of these systems are significantly greater than the proposed IDOX solution, by a factor of 300%, so these alternatives were rejected.
12. In view of the above it is proposed that Dover District Council should procure and hold the licensing of the software itself rather than through East Kent Services, although East Kent Services have been involved in the evaluation of the solution.

Impact on Corporate Objectives and Corporate Risks

Corporate Objectives

This upgrade is required in order to continue to facilitate the electronic storage and delivery of documents to Members, Officers, Partners and the Public.

Community Impact

Not applicable.

Customer Access Review

No CAR study has been conducted, as the project involves the replacement of an existing facility.

Comments from Equalities Officer

Not applicable.

Project deliverables and desired outcomes

The new module will provide all the facilities offered by the existing document management system and also the ability to blank out ("redact") personal information on documents published on the Internet.

Bid for Resources to be released for Capital or Revenue Projects

Scheme Name/Details			
Nature of expenditure	Housing Revenue Account Capital	General Fund Capital	General Fund Project Reserve
<i>(Please tick appropriate box)</i>		✓	

Budget Requirement	2011/2012	2012/2013	2013/2014	2014/2015	2015/2016	Total
<i>(Please round to nearest £100)</i>	£000	£000	£000	£000	£000	£000
Implementation services	22.0					22.0
Total capital expenditure	22.0					22.0
Total expenditure	22.0					22.0
Less: available finance	Nil					
Net requirement	22.0					22.0

Final financing will be determined at the end of the 2011/2012 financial year, at present it is proposed to finance the project from the Special Projects Reserve.

Ongoing Revenue Costs

There are no additional revenues costs, as the current maintenance charge for the system is unchanged.

Attachments

None.

MIKE DAVIS

MIKE DAWSON

Director of Finance

Director of Community and Development