

Record of Cabinet decisions

Tuesday, 28 October 2014

3.00pm to 4.02pm

Date of publication: 29 October 2014

**Subject to call-in decisions will be effective from 6 November 2014
The record of decisions is subject to approval at the next meeting of the Cabinet**

Present:	Councillor Rodney Chambers,	Leader
	OBE	
	Councillor Alan Jarrett	Deputy Leader and Portfolio Holder for Finance
	Councillor Jane Chitty	Portfolio Holder for Strategic Development and Economic Growth
	Councillor Howard Doe	Portfolio Holder for Housing and Community Services
	Councillor Phil Filmer	Portfolio Holder for Front Line Services
	Councillor Peter Hicks	Portfolio Holder for Community Safety and Customer Contact
	Councillor Mike O'Brien	Lead Portfolio Holder for Children's Services
	Councillor Kelly Tolhurst	Portfolio Holder for Educational Improvement
	In Attendance:	Kim Carey, Interim Deputy Director - Children and Adults Services
Robin Cooper, Director of Regeneration, Community and Culture		
Neil Davies, Chief Executive		
Mick Hayward, Chief Finance Officer		
Richard Hicks, Deputy Director, Customer Contact, Leisure, Culture, Democracy and Governance		
Perry Holmes, Assistant Director, Legal and Corporate Services/Monitoring Officer		
Julie Keith, Head of Democratic Services		
Anthony Law, Democratic Services Officer		

Apologies for absence

An apology for absence was received from Councillor David Brake (Adult Services).

Record of decisions

The record of the meeting held on 30 September 2014 was agreed and signed by the Leader as correct.

Declarations of disclosable pecuniary interests and other interests

Disclosable pecuniary interests

There were none.

Other interests

Councillor O'Brien declared an interest in agenda item 8 (Funding Formula for Mainstream Schools and Academies) because members of his extended family worked in schools.

Health and Lifestyle Trainers Service

Background:

This report advised Cabinet of a recommendation from the Health and Adult Social Care Overview and Scrutiny Committee relating to the forthcoming expiry of the Health and Lifestyle Trainers (HALT) contract with the Sunlight Development Trust.

It was noted that the Overview and Scrutiny Committee, at its meeting on 30 September 2014, had recommended to Cabinet that no action be taken to end the contract until such time as an assessment has been undertaken of the extent to which ceasing the service would have an impact on future targets of the Council and future health of Medway residents. Details of the Committee's discussion and recommendation were set out in section five of the report, with the documentation from the Chair of the Sunlight Development Trust, that had been circulated at that meeting, attached at Appendix 1 to the report.

The report detailed the background to the potential de-commissioning of the HALT service and provided details of the service. An impact assessment detailing the current service activity and the impact of stopping the service was attached at Appendix 2 to the report. To further assist the Cabinet in considering the impact of allowing the contract to expire, without re-procuring the service, a Diversity Impact Assessment setting out the likely impact of the cessation of the service was set out in Appendix 3 to the report.

It was also noted that a petition on this matter had been presented at Full Council on 16 October, details of which were set out in paragraph 6.2 of the report.

Councillor Price asked to address the Cabinet in his capacity as Chair of the Sunlight Development Trust Board of Trustees. He spoke in support of the benefits of the HALT service and as to the impact of cessation of the service on service users, stakeholders and staff.

Decision number: **Decision:**

The Cabinet noted:

- a) **the recommendation of the Health and Adult Social Care Overview and Scrutiny Committee, as set out in section 5 of the report, and the accompanying documentation from the Sunlight Development Trust, as set out at Appendix 1 to the report,**
- b) **the Impact Assessment, as set out at Appendix 2 to the report, and the Diversity Impact Assessment, as set out at Appendix 3 of the report, and**
- c) **that the existing contract for the Health Trainers Service will expire on 30 November 2014 without being re-procured.**

Reasons:

As requested by the Health and Adult Social Care Overview and Scrutiny Committee the Cabinet considered the current provision of the Health and Lifestyles service, which will discontinue on the termination of the existing contract on 30 November 2014, with due regard to a Diversity Impact Assessment and an impact assessment. These assessments set out the potential impact of ceasing the Health and Lifestyles service, as well as what actions that can be taken to mitigate impact.

Draft Medway Cultural Strategy 2014 - 2019

Background:

This report brought forward the draft Medway Cultural Strategy 2014-2019, reviewing the last five years and setting out aspirations for the forthcoming period. The draft strategy was attached at Appendix A to the report

It was noted that Medway's cultural offer was vital for Medway's place making agenda, and established Medway's credentials as a city in all but name. The cultural offer set Medway apart as a vibrant, dynamic place that attracted interest regionally, nationally and internationally, supporting the essential place making of Medway and establishing Medway as the destination for culture, heritage, sport and tourism, putting Medway on the map. It was reported that the Cultural Strategy would help to re-shape perceptions of Medway and secure recognition as a city, bringing benefits to the residents of Medway.

The report set out details of the consultation undertaken, which, in addition to its development through the Cultural Partnership, had included the Citizens' Panel, an online survey and distribution to a number of groups. The Regeneration, Community and Culture Overview and Scrutiny Committee had also considered the draft

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Medway Cultural Strategy 2014-2019 on 2 October 2014 and section five of the report provided details of the discussion.

It was noted that a Diversity Impact Assessment had been undertaken on the proposals and was set out in Appendix B to the report.

Decision number:

Decision:

The Cabinet noted the comments of the Regeneration, Community and Culture Overview and Scrutiny Committee, as set out in section five of the report.

176/2014

The Cabinet approved and adopted the Cultural Strategy 2014-2019, as attached at Appendix A to the report.

Reasons:

The Cultural Strategy provides the framework for taking forward Medway's cultural offer and will ensure a coherent approach is adopted over the next five years, working in partnership to further establish Medway as a City in all but name, a great place to live, work, study and visit.

New Rent Setting Policy 2015

Background:

This report provided details of the Government's new rent setting guidance for Social Housing that would be effective from April 2015. The report set out proposals for a new rent setting policy and information about the options open to the Council to increase rents for council tenants in households with taxable income of more than £60,000 per year. The report also sets out proposals for defining bedrooms when these were on the ground floor in houses.

It was noted that the Business Support Overview and Scrutiny Committee had considered this matter over two meetings, initially on 26 August 2014 and then on 7 October 2014, and section seven of the report set out details of the Committee's discussion. Details of consultation with tenants were set out in section six of the report and it was reported that a Tenant Forum in August 2014 had raised no significant objections to the policy.

The report also informed Members that the Chief Executive would be asked to consider the use of his urgency powers to agree rents for 13 new build council dwellings currently under construction, which would be ready for letting in early 2015. This was necessary before the normal Housing Revenue Account rent and budget setting annual process in February 2015 and the next full Council meeting in January 2015.

**Decision
number:**

Decision:

177/2014

The Cabinet agreed:

- a) where properties are let to new households with a yearly taxable income of £60,000 or more, the rent payable will be based on “affordable” rents from April 2015.
- b) from April 2015 bedrooms will only be counted as bedrooms if they are not on the ground floor of a property, with the exception of the properties listed in Appendix A to the report.
- c) discretion be applied to those households who receive compensation or a one off redundancy payment which exceed £60,000.
- d) social housing rents for existing stock with rent increases in 2015/2016 based on the social housing rent formula of CPI + 1%.
- e) social housing rents for newly built or acquired Council Housing with rent increases in 2015/2016 based on the social housing rent formula of CPI + 1%.
- f) to continue to move properties to formula rent when void.
- g) the retained 1-4-1 Right to Buy receipts, and any future retained receipts within the timescale for the new homebuilding project to be used to part fund the Housing Revenue Account new build programme.

The Cabinet noted the proposals that the Chief Executive (using urgency powers (in place of referring this matter to Full Council)) should set the rent for 13 new building properties on various former Council owned HRA garage sites across Medway and arrange for this to be subsequently reported to Full Council.

Reasons:

The Council needs to have a clear rent setting policy in place to ensure the right income levels are charged to Tenants of the Council own housing stock that complies with Government Legislation and Guidance.

Co-Sponsorship of Academies

Background:

This report set out details of government guidance and a changed national approach to academies.

It was explained that Medway Council needed to review the current arrangements as co-sponsor to three academy schools in Medway, so to ensure they were consistent within the new national framework.

The report recommended that Medway ceased to be a co-sponsor of one school Bishop of Rochester Academy (BORA) and take forward a review of co-sponsorship with the other two schools Brompton Academy and Strood Academy.

Decision number:

Decision:

- 178/2014** **The Cabinet authorised the Director of Children and Adults Services, in consultation with the Portfolio Holder for Children’s Services (Lead Member), to take all necessary steps to terminate the Council’s sponsorship of the Bishop of Rochester Academy (BORA) and to support BORA to secure a new single sponsor with a strong track record of secondary school improvement.**
- 179/2014** **The Cabinet authorised the Director of Children and Adults Services, in consultation with the Portfolio Holder for Children’s Services (Lead Member), to:**
- i) review the co- sponsorship arrangements at Brompton Academy and Strood Academy, to consider the withdrawal of the Local Authority’s sponsorship in the most timely way to meet the new national framework around Local Authority sponsorship of academy schools. This review will need to be undertaken with the other sponsors and the Governing Bodies of both academies. The review will take place over the next academic term and;**
 - ii) take all necessary steps to implement the outcome of this review.**
- 180/2014** **The Cabinet agreed that clarification be obtained on the position of the £500,000 received by all three schools from the Council, which was to be held on trust for educational purposes.**

Reasons:

The Council's review of its sponsorship arrangements with these academies is in line with current Government guidance.

Funding Formula for Mainstream Schools and Academies

Background:

This report provided details of the proposed funding arrangements for Medway's schools and academies through the Dedicated Schools Grant following consultation and initial consideration by the Schools Forum on 8 October 2014.

The report detailed the government's reforms to mainstream schools and academies since 2012 and specifically explored the implications of the latest changes relating to sparsity factor (aimed at small rural schools and academies) and lump sum arrangements for amalgamated schools and academies.

It was noted that the deadline for notifying the Department for Education of the provisional funding formula was 31 October 2014. The final allocation would be based on actual pupil numbers from the autumn census and the data released by the Department for Education in December 2014.

Decision number:

Decision:

181/2014

The Cabinet instructed officers to implement the 2015-2016 funding formula for schools and academies as follows:

- a) **To continue to cap the gains from the funding formula at 1.5% per pupil, as set out in paragraph 2.9 of the report.**
- b) **To continue to use the tapering method up to a maximum of £100,000 for the Sparsity factor, as set out in paragraph 3.5 of the report.**
- c) **To continue to support amalgamated schools and academies with a Lump Sum for one year, as set out in paragraph 3.8 of the report.**
- d) **To use the funding factors listed to balance the total allocated through the funding formula back to the funding actually received from government via the Dedicated Schools Grant (DSG), as set out in paragraph 4.3 of the report.**

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Reasons:

The local authority is required to implement the funding formula changes from 2015-16 in accordance with the regulations and to inform the Education Funding Agency of the formula by 31 October 2014.

Annual Review of the Risk Management Strategy and Six Monthly Review of the Council's Corporate Business Register

Background:

This report provided details of a review of the Council's Risk Management Strategy and Risk Register.

The report gave details of proposed amendments to the Risk Register, following consideration by the 'risk owners', and it was noted that the Risk Management Audit 2013/2014 had produced a satisfactory opinion albeit there remained three outstanding medium priority recommendations as described in the report.

It was reported that the Business Support Overview and Scrutiny Committee had considered this report on 7 October 2014. The Audit Committee had also considered a report that updated the Committee on the Council's risk management activities on 25 September 2014. Comments of both Committees were set out in the report.

Decision number:

Decision:

182/2014 **The Cabinet approved the Risk Management Strategy, as set out in Appendix A to the report.**

183/2014 **The Cabinet approved the amendments to the Council's Risk Register, as detailed in section 3 of the report;**

The Cabinet noted the progress on the three medium priority recommendations from the Risk Management Audit 2013/2014, as detailed at 3.3 of the report.

Reasons:

The establishment of a corporate framework for risk management is recommended by CIPFA and SOLACE and will complement and support the work already being carried out within each directorate to manage risks.

Recruitment Freeze

Background:

This report presented information on vacancies that officers had requested approval to commence recruitment for, following the process agreed by Cabinet on 7 January 2003 (decision number 9/2003). Appendix 1 to the report provided details of the posts.

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Decision number: **Decision:**

184/2014 **The Cabinet agreed to unfreeze the following posts, as detailed in Appendix 1 to the report, to enable officers to commence the recruitment process:**

Business Support

(a) Head of Category Management - People

Children and Adults

(b) Client Affairs Assistant

(c) SSA (Cookham Wood)

(d) Medway Action for Families (MAfF) Project Manager x2

(e) Medway Action for Families (MAfF) Team Leader

Regeneration, Community & Culture

(f) Highway Technician - Projects and Finance.

Reasons:

The posts presented to Cabinet will support the efficient running of the Council.

Gateway 1 Procurement Commencement: Housing Revenue Account (HRA) Estate Services

Background:

This report sought permission to commence the procurement of a service provider to deliver the Housing Landlord Service Estate Services function (Caretakers).

It was explained that one of the key priorities of the housing service in Medway was to provide high quality cost effective services and, as a landlord, Medway Council had a duty to ensure the communal areas of its housing stock were kept tidy and safe.

The estate service function (caretakers) was subject to charges that were applied via tenant rent accounts and leaseholder service charge accounts. It was noted that all leaseholders were notified in August 2014 of Medway's intention to start this procurement process. Further notices would be issued following receipt of the final tenders in March 2015 and leaseholders would be ultimately advised which supplier had been awarded the contract. Tenants and Leaseholders would also be consulted on the development of the specification and the chairman of the Estate Services Forum would also represent residents on the interview panel.

The report had been approved for submission to Cabinet after review and discussion at the Regeneration Community and Culture Directorate Management Team Meeting on 25 September 2014 and Procurement Board on 8 October 2014.

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An exempt appendix contained key financial analysis information.

Decision number: **Decision:**

185/2014 **The Cabinet approved the procurement of a service provider via the Kent Business Portal to deliver the Housing Landlord Service estate services function.**

Reasons:

Approval of the tendering of this service contract will provide a quality service and value for money for tenants and improve the customer satisfaction level for the overall landlord housing service.

Gateway 1 Procurement Commencement: Sexual Health Services Re-Commissioning

Background:

This report sought permission to commence two separate procurements. The first was for a single provider to deliver an integrated sexual health service in Medway, which included Genito-Urinary Medicine and Contraceptive and Sexual Health Services. The second procurement was for a contractor to carry out the refurbishment works on the premises identified as a centre in Chatham.

It was noted that the objectives of the service would be to support delivery against the three main sexual health Public Health Outcome Framework measures, which related to under 18 conceptions; Chlamydia diagnoses (15 – 24 year olds) and people presenting with HIV at a late stage of infection. It would also support the delivery of a more aware and responsible community; evidence based, patient centred, outcome focussed provision; and a healthier community.

The report had been approved for submission to Cabinet after review and discussion at the Public Health Directorate Management Team Meeting on 2 October 2014 and the Procurement Board on 8 October 2014.

A Diversity Impact Assessment had been undertaken on the proposals, which was annexed to the report. This assessed the impact of this service.

An exempt appendix contained key financial analysis information.

Decision number: **Decision:**

186/2014 **The Cabinet approved the procurement of a service provider via the Kent Business Portal to deliver the Integrated Sexual Health services in Medway.**

Cabinet, 28 October 2014

187/2014 The Cabinet approved the procurement of a contractor to carry out the refurbishment works to the proposed premises for the service hub for the integrated sexual health services in Medway.

Reasons:

The proposed procurement will provide the opportunity to deliver improved sexual health services, as detailed in section 4.1 of the report, whilst performing against Council strategic objectives including local and national public health obligations.

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Leader of the Council

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Date

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