

Record of Cabinet decisions

Tuesday, 13 May 2014

3.00pm to 3.32pm

Date of publication: 14 May 2014

Subject to call-in these decisions will be effective from 22 May 2014

Present:	Councillor Rodney Chambers, OBE	Leader
	Councillor Alan Jarrett	Deputy Leader and Portfolio Holder for Finance
	Councillor David Brake	Portfolio Holder for Adult Services
	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: Dr Alison Barnett, Director of Public Health
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
David Quirke-Thornton, Deputy Director, Children and Adults Services

Apologies for absence

There were none.

Record of decisions

The record of the meeting held on 8 April 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 Filmer declared an interest in agenda item 9 (Transfer of Grounds Maintenance Services to Medway Norse) because he was a Director of Medway Norse. He chose to leave the room during consideration and determination of this item.

Review of Health Inequalities - In-depth Task Group Report

Background:

This report presented the final report of the Review of Health Inequalities in Medway In-depth Task Group, which had been established by the Health and Adult Social Care Overview and Scrutiny Committee. The focus of this review had been Health Inequalities across Medway wards and how to direct investment where it was most needed.

It was noted that the Task Group had met with a cross section of service managers, working for the Council and key stakeholders, to establish standards of working across Medway. A summary of the evidence was set out in Appendix 3 to the review document.

The Health and Adult Social Care Overview and Scrutiny Committee had recommended the review document and accompanying recommendations to Cabinet on 8 April 2013. The Health and Wellbeing Board had also commended the recommendations with some suggestions and comments on 22 April 2014.

The main findings of the review were set out under a number of theme headings. These included:

- Targeted work to minimise the impact of wider determinants on health inequalities
- An investigation into inequity in access and outcomes at GP practices in Medway
- The development of alcohol, smoking and workplace health good practice
- A new strand within the Health and Wellbeing Boards engagement plan relating to barriers to the uptake of services
- The development of a framework to enable the application of proportionate universalism in a structured way
- The use of health equality audits in identifying and addressing health inequalities
- The use of health impact assessments at an early point in the planning of local services and service redesign

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- The adoption of three key principles to assist the Council and partners to direct investment where it is most needed.

A Diversity Impact Assessment Screening form had been completed and was attached at Appendix 1 to the review document. This indicated that a full assessment was not necessary.

Decision number: **Decision:**

83/2014 **The Cabinet tasked the Council to continue to work with landlords, developers, partners and residents to aspire to raise housing standards. Where it was apparent that the legal standards were not being met, to seek a resolution to those issues in line with the Council's Housing Enforcement Policy.**

84/2014 **The Cabinet tasked the Director of Public Health to engage with the Director of Regeneration, Community and Culture to inform the development of the Medway Local Plan and establish a joint officer project group to ensure that the Local Plan maximises the opportunity to improve the wider determinants of health through the planning system.**

85/2014 **The Cabinet tasked the Director of Public Health to continue to engage with Licensing Officers to maximise the opportunity to improve the wider determinants of health through licensing, building on the partnership working to date between Public Health, Licensing and other departments and agencies to provide ongoing messages to licensees and the public on public safety and public health issues.**

86/2014 **The Cabinet agreed to request NHS England (Kent and Medway Local Area Team) to work with NHS Medway Clinical Commissioning Group (CCG) to investigate inequity in access and outcomes at GP practices and report back to the Health and Wellbeing Board with its plan to address the issue.**

87/2014 **The Cabinet noted that as a large employer Medway Council plays an important leadership role in reducing health inequalities. As such the implementation of workplace health initiatives are welcomed, and it was agreed that the drug and alcohol policy for the Medway Council workforce would be refreshed covering all types of workers.**

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- 88/2014** The Cabinet requested the Director of Regeneration, Community and Culture and the Director of Public Health to expand and build on work with local businesses to support them to implement workplace health initiatives within the framework of the Public Health Department's 'A Better Medway' services.
- 89/2014** The Cabinet requested the Health and Wellbeing Board engage with members of the public and seek views on barriers to uptake of health and social care services – whether they be Council, NHS or volunteer – in the development and implementation of the Health and Wellbeing Board engagement plan in the next 12 months. The findings of this engagement exercise should be used to programme and target further work to address health inequalities with Council service managers, NHS colleagues and the voluntary sector.
- 90/2014** The Cabinet noted that one mechanism for providing services to reduce health inequalities, consistent with proportionate universalism, is to provide a universal service with targeted support where appropriate, and requested Public Health to investigate developing a framework to enable the application of proportionate universalism approaches in a structured way in the planning and delivery of all services.
- 91/2014** The Cabinet requested the Health and Wellbeing Board to identify where health equity audits may help to determine action that would reduce health inequalities across council services and those commissioned by the CCG and NHS England (Kent and Medway Local Area Team). The Public Health department should then provide support or leads on conducting those which are determined to be the highest priority by the Health and Wellbeing Board.
- 92/2014** The Cabinet tasked the Director of Regeneration, Community and Culture and Director of Public Health to work together to develop a protocol for dealing with any future planning developments in Medway that may have a significant impact on the health and wellbeing of the local populations. (This is to enable the Director of Public Health's comments to be considered as a material consideration in the determination of those applications).

93/2014 **The Cabinet supported the following three principles to assist the Council and partners, where relevant, to direct investment where it is most needed in order to tackle health inequalities:**

Principle 1: Actively seek ways of working in partnership across teams and agencies to tackle health inequalities and direct resources

Principle 2: Assess the impact of all significant decisions on health inequalities before decisions are made

Principle 3: Review and evaluate how equitable services are, e.g. through health equity audit, and adjust service delivery to address any inequalities found.

Reasons:

The decisions bring forward a comprehensive package in the interests of all Medway's residents and are designed to direct investment to where it is most needed.

Outcomes of Consultation for the Proposed Prescribed alterations at Abbey Court Special School

Background:

This report outlined the outcomes of the informal consultation period on the Council's proposals to 'Increase pupil numbers' and 'transfer to a new site' at Abbey Court Special School, by way of statutory prescribed alterations and requested authority to commence the period of statutory consultation.

The report and accompanying appendices set out details of the seven week period of informal public consultation, where proposals were published and made available to interested parties. This had included a public consultation document and a public meeting.

A breakdown of the 150 written responses received was set out in the report. It was noted that 144 (96%) supported the proposal, five objected and one, from Temple Mill Primary School that shared the Temple site, ticked neither box but raised some concerns. A transcript of the public meeting was attached as Appendix 3 to the report and a response from the children of Abbey Court was included at Appendix 6 of the report. The report provided officer responses to the issues and concerns raised.

It was noted that the Children and Young People Overview and Scrutiny Committee had considered the response to the informal consultation on 25 March 2014. Details of the Committee's discussion were set out in the report.

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**Decision
number:**

Decision:

- 94/2014** The Cabinet noted the responses to the informal consultation process together with the comments of the Children and Young People Overview and Scrutiny Committee and agreed to instruct the Director of Children and Adults Services to commence the period of statutory representation of the proposals for the expansion of Abbey Court as set out in section 12.2 of the report, when statutory notices and full proposals will be published.
- 95/2014** The Cabinet agreed to delegate authority to the Director of Children and Adults Services, in consultation with Portfolio Holder for Children's Services (Lead Member), to determine whether to approve the proposals at the end of the statutory consultation period if no objections are received. However, if any objections are received during that time then a report will be prepared and presented to Cabinet for determination.

Reasons:

Approval to proceed to a period of statutory representation will ensure the Council complies with its duty to follow the full consultation process when proposing changes to school organisation.

Expansion of Primary School Places in Hoo St. Werburgh Village

Background:

This report requested authorisation from Cabinet to take action to provide sufficient primary school places in Hoo St Werburgh from September 2015.

It was noted that the School Organisation Plan had been reviewed in July 2013 and that the updated action plan, which accompanied the review, included the action to provide additional primary places in Hoo St Werburgh village for September 2015. The report gave details of the increasing demand for primary school places and considered the two options of expanding the current primary school or supporting the establishment of an all-through academy in partnership with the Williamson Trust on the Hundred of Hoo Academy site.

**Decision
number:**

Decision:

- 96/2014** The Cabinet instructed the Director of Children and Adults Services, in consultation with the Portfolio Holder for Children's Services (Lead Member), to proceed with supporting the establishment of an all-through academy, working in partnership with the Williamson Trust, to

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provide the additional primary school places required in Hoo St Werburgh, to be implemented in readiness for 1 September 2015 and therefore authorised officers to request an in-year variation from the Office of the Schools Adjudicator to enable the PAN at Hoo St Werburgh Primary School to revert to 60.

Reasons:

To ensure the Council meets its duty to provide sufficient good school places.

To comply with the actions in the approved School Organisation Plan 2011-16 and its review in July 2013, which highlight the need for additional places in the Hoo St Werburgh village area for September 2015.

Queen Street/Slickett's Hill Car Parks, The Brook, Chatham

Background:

This report requested that Cabinet delegate authority to officers to declare surplus and then dispose of the Queen Street/Slickett's Hill car park site, so that it can be disposed of for development on the best terms reasonably obtainable.

It was noted that the Council owned the freehold of the site (edged black on the plan attached to the report) and that outline planning consent had been granted in 2013 for a mixed use scheme, comprising of residential and 3,375 sq metres of commercial space (retail Classes A1 and A2) with ancillary parking for 146 spaces/202 cycle spaces.

The report considered the implications of disposing of the car park site and also the Council's regeneration objectives for Chatham. Members noted the availability of alternative car parking within Chatham and considered, in particular, the condition of the Market Hall multi-storey car park.

Decision number:

97/2014 **The Cabinet delegated authority to the Assistant Director, Legal and Corporate Services in consultation with the Portfolio Holder for Finance, to declare surplus and then dispose of the Queen Street/Slickett's Hill car park site, so that it can be disposed of for development on the best terms reasonably obtainable.**

Reasons:

To bring forward the site for development.

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.

Decision number:

Decision:

98/2014

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 Directorate

- (a) Chief Finance Officer
- (b) Democratic Services Officer (0.6FTE up to 1.0FTE)
- (c) Civic and Ceremonial Officer

Children and Adults

- (d) Assistant Director, Inclusion
- (e) SEN Case Officer
- (f) SEND Pathfinder Project Officer
- (g) SEND Pathfinder Project Manager and Personal Budget Practitioner Lead
- (h) SEN Team Co-ordinator
- (i) Partnership Commissioning Officer, Maternity Cover for one year
- (j) Head of Partnership Commissioning

Regeneration, Community & Culture

- (k) RCC Business Support Officer
- (l) Graduate Trainee Project Officer.

Reasons:

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

Transfer of Grounds Maintenance Services to Medway Norse

Background:

This report recommended an amendment to the decision made by Cabinet on 29 October 2013 on the report entitled 'Establishing a subsidiary company for the transfer of grounds maintenance services'.

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The revised proposal was that the Council should transfer the grounds maintenance services to a division of Medway Norse rather than establish a subsidiary company.

It was noted that as part of finalising the financial model for transferring the grounds maintenance services, it had become clear that minimising costs in relation to the services being transferred was necessary and therefore it was suggested and agreed that a division rather than a subsidiary company should be created. However, the specific nature of the original recommendations in the October 2013 report meant that before the deed of variation to the original contract with Medway Norse was signed, a revised decision was needed for the activities to be transferred into Medway Norse. It was reported that Medway Norse had taken on responsibility for the grounds maintenance services and therefore the deed of variation needed to be signed as soon as possible.

It was reported that, in line with rule 16.11 of Chapter 4, Part 5 of the Constitution, call-in would be waived on this item to enable the deed of variation to be sealed as soon as possible. It was noted that the Chairman of the Business Support Overview and Scrutiny Committee had agreed that the decisions proposed were reasonable in all the circumstances and to them being treated as a matter of urgency and to waive call-in.

Decision number:

Decision:

99/2014

The Cabinet agreed the revised proposal for the transfer of grounds maintenance services, as follows: That the transfer of grounds maintenance services should be to a division of Medway Norse.

100/2014

The Cabinet agreed that decision 178/2013, naming the subsidiary company, was no longer required.

The Cabinet noted that decisions 176/2013, 177/2013 and 179/2013 (as set out in Appendix 1 to the report) made by Cabinet on 29 October 2013 remain unchanged.

101/2014

The Cabinet agreed that the decision at 99/2014 was urgent and therefore should not be subject to call in.

Reasons:

The need to minimise costs related to transferring the grounds maintenance services.

The need to have the contract signed as soon as possible.

Gateway 3 Contract Award: Local and Yellow Bus Contracts Retendering

Background:

This report provided details of the proposed Yellow and Local Bus service contracts.

It was noted that, in contrast with previous practice, both the Yellow and Local Bus contracts had been amalgamated and tendered together as one procurement exercise. This was designed to maximise opportunities for economies. The process was run through an OJEU open procedure in order to appeal to the largest market available with the understanding that there were a finite number of capable contractors.

The contract was made up of 48 individual Local Bus routes and 9 Yellow Bus routes and the outcome of the tender process was set out in the exempt appendix accompanying the report.

The Strategic Procurement Board had considered this report on 22 April 2014 and supported the recommendations set out in the report.

An exempt appendix contains key information in respects of financial analysis.

Decision number:

102/2014 The Cabinet noted the evaluation process and approved the award of the Lots as detailed within section 2.3 and 2.4 of the Exempt Appendix as follows:

Service no.	Operator
100 (M-F)	Arriva
100 (Sats, Op1)	Arriva
101 (Eves, Op2)	Arriva
113/114	Arriva
116 (am)	Arriva
116 (eves)	Arriva
120/121 (M-F)	Arriva
120/121 (Sat, Op1)	Arriva
130/131	Nu-Venture
132 (Op 2 Suns)	Arriva
132/141 (eves)	Arriva
133 (infill)	ASD
135/145	Arriva
136 (am)	Arriva
136 (eves)	Arriva
140/141 (Op 2 Sun)	Arriva
141 (am)	Arriva
142/185	Nu-Venture
156/197	ASD

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164 (eves)	Arriva
164 (Suns)	Arriva
169/179/675	Arriva
172-175/192	Nu-Venture
176 (eves)	Arriva
176 (Suns, Op 2)	Arriva
181 (eves)	Arriva
182 (Suns)	Arriva
191 (Infill)	Arriva
191 (eves)	Arriva
191/193	Arriva
196	Arriva
600	Arriva
638	Arriva
701A/702 (Suns)	Arriva
702 (eves)	Arriva
783	ASD
M1	ASD
MM	ASD
N1/N2	ASD
MY1/MY2	ASD
MY3	ASD
MY4-MY7	ASD
MY8/MY9	ASD

Reasons:

The decisions are made due to the cost savings to the Council and the improved service that this would provide.

Gateway 3 Contract Award: Young People's Community Substance Misuse Service in Medway

Background:

This report sought permission to award a contract for the Young People's Community Substance Misuse Service in Medway.

The service would include:

- Early intervention for vulnerable young people
- Named drug worker within the Youth Offending Team
- One-to-one support and treatment
- Support for young people who require prescribing and needle exchange services provided by Medway's Adult Integrated Substance Misuse Service
- Drug use screening tool (DUST) training for the wider children's workforce and consultation for professionals and parents/carers
- Defined processes to ensure that the Child Assessment Framework (CAF) and Team around the Child (TAC) are followed

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- A robust transition policy for 19 year olds transferring to adult services
- Protocols for working with mental health services for those young people with dual diagnosis.

It was reported that the proposed procurement would provide the opportunity to deliver a cohesive young people's substance misuse service in Medway, with the potential for saving costs by amalgamating the current service level requirements into one specification to be tendered.

It was noted that this Gateway 3 Report had been approved for submission to Cabinet after review and discussion at the Children and Adults Directorate Management Team Meeting on 15 April 2014 and Procurement Board on 22 April 2014

An exempt appendix contained key information in respect of financial analysis and tender evaluation result.

Decision number: **Decision:**

103/2014 **The Cabinet approved the award of Young People's Community Substance Misuse Service in Medway to Open Road.**

Reasons:

The supplier received an overall weighted score of 81%, which, as the highest score demonstrated that it is the most economically advantageous tender.

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Leader of the Council

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Date

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