

COUNCIL

26 APRIL 2012

LEADER'S REPORT

Rodney Chambers, Leader of the Council, will give a report on key developments since the last ordinary Council meeting on 12 January 2012.

He will include:

- City Status
- Thames Estuary Airport
- Medway Regeneration
- Decisions made by the Cabinet on 17 January, 14 February, 13 March and 17 April 2012.

Record of Cabinet decisions

Tuesday, 17 January 2012

3.05pm to 4.00pm

Date of publication: 18 January 2012

**Subject to call-in these decisions will be effective from 26 January 2012
The record of decisions are subject to approval at the next meeting of the Cabinet**

Present:	Councillor Rodney Chambers	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 Tom Mason	Portfolio Holder for Corporate Services
	Councillor Mike O'Brien	Portfolio Holder for Community Safety and Customer Contact
	Councillor Les Wicks	Portfolio Holder for Children's Services
	Councillor David Wildey	Portfolio Holder for Children's Social Care

In Attendance: Rose Collinson, Director of Children and Adults
Robin Cooper, Director of Regeneration, Community and Culture
Neil Davies, Chief Executive
Mick Hayward, Chief Finance Officer
Richard Hicks, Assistant Director, Customer First, Leisure, Culture, Democracy and Governance
Anthony Law, Democratic Services Officer

Apologies for absence

There were none.

Record of decisions

The record of the meeting held on 20 December 2011 was agreed and signed by the Leader as correct.

Declarations of interest

There were none.

Outcomes of the Children's Services Assessment and the Ofsted/Care Quality Commission Announced Inspection of Safeguarding and Children in Care

Background:

This report provided Cabinet with an overview of the main findings of the recent Ofsted 'Children's Services Assessment' and the outcomes of the 2011 joint 'Announced Inspection of Safeguarding and Looked After Children' reported by Ofsted and the Care Quality Commission.

The annual Children's Services Assessment had rated Medway Council's Children's Services as 'performing well', which represented sustained performance over the previous year. The report set out the strengths of the service and areas for improvement.

It was noted that the announced inspection of Safeguarding and Looked After Children had involved a thorough inspection of children's social care, health and education support for vulnerable children. The overall outcome of this inspection was that Medway performed 'adequately' on Safeguarding and Looked After Children. The report summarised areas where the partnership was performing well and specific recommendations for improvement.

An action plan addressing the recommendations from both reports had been developed and was attached at Appendix 1 to the report.

It was noted that this report would be submitted to the Children and Young People Overview and Scrutiny Committee on 19 January 2012.

Decision number: ***Decision:***

1/2012 **The Cabinet noted the findings of the recent announced inspection for the Council and its partners and the Children's Services Assessment rating and supported and endorsed the actions in the Action Plan, which would be overseen by the Medway Safeguarding Children Board.**

Reasons:

To provide Cabinet with the results of the two inspections of children's services and to highlight action being undertaken to address the recommendations made.

The Stirling Centre

Background:

This report advised Members of an opportunity to secure significant external investment into the Stirling Centre Rochester, one of Medway's seven leisure centres.

It was reported that a third party provider had approached the Council with a proposal to take on the management of the Stirling Centre under a long-term lease. This would involve a significant level of investment into the site by the third party provider, with guarantees over enhancing community use, widening the hours the facility was open and the prices charged to the public.

The report evaluated the options available to the Council. It was recommended that the opportunity be offered to the open market with all responses evaluated to ensure the best possible position for Medway and leisure customers. It was anticipated that a development agreement, including clauses confirming the level of investment, scope of works and timescales for completion, would precede a long lease. Appendix 1 to the report set out the details of the principal terms and conditions.

It was noted that a Diversity Impact Assessment screening form had been completed and it was attached as Appendix 2 to the report. This considered existing access and use by the community, along with the potential impact of the proposal in enhancing service provision. It showed that a full Diversity Impact Assessment was not necessary.

Decision number: ***Decision:***

- 2/2012** **The Cabinet agreed to grant a development agreement, followed by long leasehold interest of the Stirling Centre, following external marketing, and to grant delegated authority to the Chief Finance Officer in consultation with the Portfolio Holder for Finance and the Portfolio Holder for Housing and Community Services to:**
- a) consider any objections made pursuant to the advertisement under section 123(2A) of the Local Government Act 1972 and to determine, in the light of those objections and all other relevant matters, whether to proceed with the development agreement and lease and if so;**
 - b) to enter into the necessary legal agreements with the successful bidder, if necessary using its well being powers under circular 06/03 Local Government Act 1972 general disposal consent (England) 2003, to complete the development agreement and lease upon the best terms reasonably obtainable.**

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Reasons:

To secure significant third-party investment into the facility, whilst continuing and enhancing community access with price guarantees.

The proposal will also achieve budget savings and minimise the Council's future liability for ongoing maintenance costs.

Modification to the Decision to Amalgamate Barnsole Infant and Junior Schools

Background:

This report requested approval to modify a previous decision to amalgamate Barnsole Infant and Junior Schools, by bringing forward the implementation date from 1 September 2013 to 1 September 2012.

It was noted that in 2010 it had been decided, following completion of the full statutory process, to approve proposals to amalgamate the federated Barnsole Infant and Junior Schools on 1 September 2013. Whilst the decision to amalgamate the two schools was not conditional upon building works, this date would coincide with the completion of proposed work. However, following the Government's spending review the Council's capital grant allocations had been significantly reduced. This meant that it had not been possible to allocate any further funding to the Council's Primary Capital Programme, including the proposed project at Barnsole.

Members were informed that the governing body of the Barnsole Schools Federation had written to the Council requesting that the amalgamation date was brought forward, as there was no longer an advantage in waiting until September 2013. The report considered the options and a copy of the letter from the governing body was attached as Appendix 1 to the report.

A Diversity Impact Assessment (DIA) screening form had been completed and submitted with the original proposals. This was attached as Appendix 2 to the report. It was noted that the change to the implementation date would not alter any of the findings in that report and therefore a new DIA was not considered necessary.

Decision number:

Decision:

3/2012

The Cabinet approved the modification to the implementation date of the amalgamation of Barnsole Infant and Junior Schools, by advancement of one calendar year from 1 September 2013 to 1 September 2012 of the original related proposals to:

- (i) close Barnsole Junior School and**
- (ii) expand the upper and lower age limits of Barnsole Infant School.**

Cabinet, 17 January 2012

Reasons:

By approving the modification to the implementation date as set out above, the Cabinet is endorsing the School Organisation Plan principles, approved by Cabinet in 2009, which intend where possible and practical to reduce the number of transitions for pupils between the various stages of education.

The advancement of the implementation date would enable the school to avoid unnecessary delays in operating as one school, which would afford the school the opportunity to strengthen its combined teaching and learning practices sooner. This is expected to have a positive impact on the outcomes of children attending the school.

Community Infrastructure Levy

Background:

This report provided an update on the Community Infrastructure Levy (CIL), which came into force in April 2010. It recommended that work start on a Medway CIL Charging Schedule, the final version of which would be considered for formal adoption by the Council in 2013.

It was reported that CIL was a levy that local authorities (known as Charging Authorities, after adoption of CIL) could choose to apply to new developments in their area. The levy could apply to every new dwelling and commercial development, and only be spent on providing infrastructure to support the development within that authority's area. The report also gave details of how, after April 2014, the use of pooled contributions through Section 106 obligations would be limited.

The report gave details on the background and implications of CIL, together with details of setting CIL and the approach being adopted by other authorities in Kent. The report considered the options available and recommended the preparation of a Medway CIL. An outline timetable was included within the report.

Decision number: **Decision:**

4/2012 The Cabinet agreed that work commence in January 2012 on preparing a Community Infrastructure Levy (CIL) to enable Medway Council to become a CIL Charging Authority before 6 April 2014, in accordance with option 1 of the report, and in consultation with other Kent authorities.

Reasons:

To enable a mechanism to be in place by April 2014 to collect contributions from developers to support development.

Surplus Estate Following Decisions on Future Provision of Mental Health Social Care Service

Background:

This report requested that 5 and 7 Montgomery Avenue, Chatham were declared surplus so that these properties could be disposed of.

It was noted that on termination of the contract with Kent and Medway NHS and Social Care Partnership Trust (KMPT), the Mental Health Social Care service would come into Council management from 1 February 2012. The service, incorporating the Community Support Outreach Recovery Team (CSORT) which is based in Montgomery Avenue, would move to occupy an area on the ground floor of the Compass Centre South Block. The options for the future of the properties were considered, as were the operational advantages in locating the CSORT team in the same location as the Care Management team.

A plan showing the location of these properties was attached to the report.

Decision number:

- | <i>Decision number:</i> | <i>Decision:</i> |
|--------------------------------|--|
| 5/2012 | The Cabinet declared surplus 5 and 7 Montgomery Avenue, Chatham. |
| 6/2012 | The Cabinet delegated authority to the Chief Finance Officer in consultation with the Portfolio Holder for Finance to dispose of 5 and 7 Montgomery Avenue, Chatham for best consideration. |

Reasons:

These decisions will allow 5 and 7 Montgomery Avenue, Chatham, to be disposed of.

As the value of 5 and 7 Montgomery Avenue is over £100,000 but below £1,000,000, their disposal is a matter for Cabinet.

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.

Cabinet, 17 January 2012

**Decision
number:**

Decision:

7/2012

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 Department

- a) Legal Support Officer
- b) Accounting Technician
- c) Maintenance Co-Ordinator

Children's and Adults

- d) Project Officer
- e) Senior Administration Officer
- f) SEN Officer (Transition)

- g) Assistant to Business Manager (YOT)

Regeneration, Community and Culture

- h) European Projects and Tourism Officer
- i) Tourism Project Officer.

Reasons:

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

Gateway 4 Procurement Post Project Completion Review: Waste Collection and Disposal Contracts

Background:

This report reviewed the progress of the Waste Collection and Disposal Contracts currently delivered through Veolia Environmental Services. The report also sought agreement for the collection contract extension from 7 years to 9 years to achieve efficiencies as laid out in the exempt appendix to the report.

It was noted that this contract related to residual waste collection, recycling collection from kerbside and bring sites, materials recycling facility provision and end markets for all recycling materials, food and garden waste collection and street cleansing.

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This was based upon the procurement process undertaken during 2007-2010 and had led to an award of contract by Cabinet on 18 March 2010 for service commencement on 4 October 2010.

The report set out details of a number of options, together with their respective advantages and disadvantages. It had been approved for submission to the Cabinet after review and discussion at the Regeneration, Community and Culture Directorate Management Team meeting on 24 November 2011 and Strategic Procurement Board on 30 November 2011.

A performance report providing an overview of the work carried out in the first year of the contract was attached at Appendix 1 to the report and an exempt appendix contained key finance and whole life costing information and efficiencies in relation to the two-year extension of the collection contract.

Decision number: **Decision:**

The Cabinet noted the progress made to date with the collection and disposal contracts.

8/2012 The Cabinet agreed that the waste collection contract with Veolia be extended by 2 years to enable the authority to realise the cost savings as detailed in the exempt appendix to the report.

Reasons:

The decisions are provided on the basis of value for money, a realisation of annual cost savings and that Veolia have a track record of delivering high quality services for the residents of Medway with very high satisfaction levels recorded.

Gateway 4 Procurement Post Project Completion Review: Household Waste Recycling Centres

Background:

This report reviewed the progress of the Household Waste Recycling Centre (HWRC) contract currently delivered by Waste Recycling Group (WRG).

This contract broadly consisted of the following elements:

- the management of three HWRCs
- the haulage of all materials arising at the sites with the exception of waste electrical and electronic equipment and household batteries, which were covered by producer compliance schemes
- the marketing and sale of materials arising at the sites with the exception of residual waste, wood waste, and those detailed above
- achievement of a 50% recycling rate target at each site in the first 12 months after commencement, and 60% for each following 12 month period

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- the provision and maintenance of containers necessary to provide the service to supplement those provided by the Council
- the provision of all plant and equipment necessary to provide the service including remote access to the CCTV system, an electronic data management system and an automatic number plate reader system at each site.

This was based upon the procurement process undertaken during 2009 -2010 and had led to an award of contract by Cabinet on 20 July 2010 for service commencement on 1 October 2010.

The report set out details of a number of options, together with their respective advantages and disadvantages. It had been approved for submission to Cabinet after review and discussion at Regeneration, Community and Culture Directorate Management Team on 24 November 2011 and Strategic Procurement Board on 30 November 2011.

A performance report providing an overview of the work carried out in the first year of the contract was attached to the report and an exempt appendix set out details of key information in relation to finance and the whole life costings for this contract.

Decision number: ***Decision:***

The Cabinet noted the progress made to date with the collection and disposal contracts and the requirement to return with a Gateway 5 report once negotiations with the contractor regarding 2-year extension and efficiencies were completed.

Reasons:

The decision is on the basis that this contract is providing value for money, and that WRG have achieved their year one target of a 50% recycling rate while delivering high quality services for the residents of Medway with high satisfaction levels recorded.

Gateway 4 Procurement Post Project Completion Review: Organic Waste (Garden and Kitchen) Processing

Background:

This report reviewed the progress of the garden and food waste processing contract currently delivered through Countrystyle.

It was noted that this contract was for the processing of collected garden and food waste (i.e. materials collected and delivered to their site at Ridham Docks, Sittingbourne, under the waste collection contract) with the aim of diverting biodegradable waste from landfill and producing a compost style product suitable for use on local agricultural land.

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This was based upon the procurement process undertaken during 2007 - 2009 and had led to an award of contract by Cabinet on 22 September 2009 for service commencement on 4 October 2010.

This report set out details of a number of options, together with their respective advantages and disadvantages. It had been approved for submission to Cabinet after review and discussion by the Regeneration, Community and Culture Directorate Management Team on 24 November 2011 and Strategic Procurement Board on 30 November 2011.

A performance report providing an overview of the work carried out in the first year of the contract was attached to the report and an exempt appendix set out details of key information in relation to finance and the whole life costings of this contract.

Decision number: ***Decision:***

The Cabinet noted the progress made to date with the garden/food waste processing contract.

9/2012 The Cabinet agreed to continue with the current contract, negating the need for further Gateway 4 or Gateway 5 reporting requirements, unless a change in contract term was required.

Reasons:

The decisions are on the basis that this contract is providing value for money, and that Countrystyle are delivering high quality services for the residents of Medway while greatly assisting to achieve our statutory Landfill Allowance Trading Scheme (LATS) targets.

Exclusion of the press and public

Decision number: ***Decision:***

10/2012 The Cabinet agreed that the press and public be excluded from the meeting during consideration of agenda item 14 (Gateway 5 Report Contract Procurement Management Report: Disability Services/Sensory Impairment) because consideration of this matter in public would disclose information falling within Paragraph (3) of Part 1 of Schedule 12A to the Local Government Act 1972 as specified in agenda item 13, and, in all the circumstances of the case, the Cabinet considered that the public interest in maintaining the exemption outweighed the public interest in disclosing the information.

Gateway 5 Report Contract Procurement Management Report: Disability Services/Sensory Impairment

Background:

This exempt report reviewed the progress of the Disability Services/Sensory Impairment contract and set out details of a number of options, together with their respective advantages and disadvantages. It had been approved for submission to the Cabinet after review by the Director of Children and Adult Services on 9 December 2011 and Strategic Procurement Board on 21 December 2011.

It was noted that a Diversity Impact Assessment screening form had been completed and was attached as Appendix 1 to the report. This showed that a full Diversity Impact Assessment was not necessary.

Decision number: Decision:

11/2012 The Cabinet agreed to the 'preferred option' highlighted in Section 4.1 of the report (bringing the core assessment function in-house and retendering the advice and information element of this service).

12/2012 The Cabinet authorised a short term extension to the current contract if this was necessary in order to achieve a smooth transition of the service from the current provider to in-house provision and to comply with any TUPE implications.

Reasons:

These decisions ensure that the service continues to be responsive to the needs and wishes of current and future service users.

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Leader of the Council

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Date

Wayne Hemingway/Anthony Law, Democratic Services Officers
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Record of Cabinet decisions

Tuesday, 14 February 2012

3.00pm to 5.00pm

Date of publication: 15 February 2012

**Subject to call-in these decisions will be effective from 23 February 2012
The record of decisions are subject to approval at the next meeting of the Cabinet**

Present:	Councillor Rodney Chambers	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 Tom Mason	Portfolio Holder for Corporate Services
	Councillor Mike O'Brien	Portfolio Holder for Community Safety and Customer Contact
	Councillor Les Wicks	Portfolio Holder for Children's Services
	Councillor David Wildey	Portfolio Holder for Children's Social Care

In Attendance:	Neil Davies, Chief Executive
	Rose Collinson, Director of Children and Adults
	Robin Cooper, Director of Regeneration, Community and Culture
	Angela Drum, Head of Legal Services
	Mick Hayward, Chief Finance Officer
	Wayne Hemingway, Democratic Services Officer
	Richard Hicks, Assistant Director, Customer First, Leisure, Culture, Democracy and Governance
	Julie Keith, Head of Democratic Services
	Tricia Palmer, Assistant Director, Organisational Services
	John Staples, Media Manager

Apologies for absence

There were none.

Cabinet, 14 February 2012

Record of decisions

The record of the meeting held on 17 January 2012 was agreed and signed by the Leader as correct.

Declarations of interest

There were none.

Medway Council's Vision for Commissioning and Providing Adult Social Care Social Services in Medway (Outcome of Consultation)

Background:

This report provided details of the outcome of consultation on the future of the services at Balfour Day Centre, Robert Bean Lodge, Platters Farm Lodge and Nelson Court, following Cabinet's earlier decision to approve consultation on 29 November 2011.

The report set out the background for each of the facilities including usage and budget levels together with the proposals. This involved the proposal to decommission the Balfour Day Centre and the proposals to outsource Robert Bean Lodge, Platters Farm Lodge and Nelson Court, to independent providers, including the sale of the Nelson Court site.

The consultation process was included in the report. This included writing to existing service users, carers and families, Medway Council Members, Medway Members of Parliament, Medway LINK, NHS partners and Social Care staff. It also included presentations to the Health and Adult Social Care Overview and Scrutiny Committee, on 26 January 2012. Consultation meetings were held as part of the listening exercise.

The Health and Adult Social Care Overview and Scrutiny Committee received a presentation from the Social Care Commissioning and Voluntary Sector Manager on 26 January 2012 regarding the consultation with service users, staff and stakeholders in respect of the proposed closure of the Balfour Day Centre and the proposed outsourcing of Nelson Court, Platters Farm Lodge and Robert Bean Lodge. The Committee's comments were set out in Appendix 1 to the report.

A number of petitions in respect of the proposals had been received, some of which were submitted at the Full Council meeting on 12 January 2012, as set out in paragraph 9.6 of the report.

The outcome of consultation for each of the facilities was included in paragraphs 10-13 of the report. This included a proposal from Medway Community Healthcare regarding the Balfour Day Centre. Diversity Impact Assessments for each of the facilities were included in Appendices 4-9 of the report.

The Cabinet accepted this as an urgent matter to enable the Cabinet to consider the outcome of consultation at the earliest opportunity, and to give service users and

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other stakeholders certainty over the future of services at Balfour Day Centre, Robert Bean Lodge, Platters Farm Lodge and Nelson Court.

Decision number:

Decision:

The Cabinet noted the issues identified in the Full Diversity Impact Assessment regarding the Balfour Day Centre as set out in Appendix 6 to the report.

- 13/2012** The Cabinet noted the expression of interest from Medway Community Healthcare regarding the Balfour Day Centre and instructed officers to explore this, consult with service users, carers and staff and report back to Cabinet for determination.
- 14/2012** The Cabinet noted the issues identified in the Full Diversity Impact Assessment as set out in Appendix 8 to the report and agreed to outsource the services provided at Platters Farm Lodge.
- 15/2012** The Cabinet adopted the implementation plan as set out in the Full Diversity Impact Assessment for Platters Farm Lodge.
- 16/2012** The Cabinet noted the issues identified in the full Diversity Impact Assessment as set out in Appendix 7 to the report and agrees to outsource the services provided at Nelson Court, including sale of the site and to receive a further report to approve the terms of proposed disposal in due course.
- 17/2012** The Cabinet adopted the implementation plan as set out in the full Diversity Impact Assessment for Nelson Court.
- 18/2012** The Cabinet noted the issues identified in the full Diversity Impact Assessment as set out in Appendix 9 to the report and agreed to outsource the services provided at Robert Bean Lodge.
- 19/2012** The Cabinet adopted the implementation plan as set out in the full Diversity Impact Assessment for Robert bean Lodge.

Reasons:

Balfour Day Centre

To ensure that all potentially viable options for the future of the Balfour Day Centre are properly investigated before a decision is made.

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Platters Farm Lodge, Nelson Court and Robert Bean Lodge

Benchmarking the quality of Nelson Court, Platters Farm Lodge and Robert Bean Lodge against the independent sector demonstrates that the services are relatively expensive and that efficiencies can be achieved without compromising the quality of outcomes delivered by each service.

The implementation plans within the full DIAs provide assurance that suitable adjustments will be made to ensure that any impact on those using the service is minimised.

In relation to the sale of the Nelson Court site, the imposition of a covenant will protect the future of the site.

Fairer Contribution for Fairer Access to Services (Outcome of Consultation)

Background:

This report provided details of the outcome of consultation regarding proposed changes to the council's policies on charging contributions for non residential Adult Social Care services and the Major Adaptations Policy relating to the Disabled Facility Grant for adaptations, following Cabinet's earlier decision to approve consultation on 29 November 2011.

This report set out the background to each of the proposals together with details of the consultation process which ran from 12 December 2011 – 9 February 2012. The consultation programme included writing to existing service users, carers and families, Medway Council Members, Medway Members of Parliament, Medway LINK, NHS partners and Social Care staff. It also included presentations to the Health and Adult Social Care Overview and Scrutiny Committee, on 26 January 2012, the comments of which were set out in Appendix 1 to the report. In addition a total of five consultation meetings were held as part of the listening exercise.

The outcome of consultation was included in paragraph 5 of the report and Diversity Impact Assessment screening forms were undertaken on both of the proposals as set out in Appendices 3 and 4 to the report followed by a full Diversity Impact Assessment in Appendix 5 to the report.

The Cabinet accepted this as an urgent item to enable its views to be reported to Full Council on 23 February 2012.

Decision number: **Decision:**

20/2012 **The Cabinet noted the issues identified in the full Diversity Impact Assessment as set out in Appendix 5 to the report and recommended to Full Council that the Fairer Contributions Policy as set out in this report and the implementation plan as set out in the full Diversity Impact**

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Assessment for the Fairer Contributions Policy being adopted.

21/2012 The Cabinet agreed to the Major Adaptations Policy as set out in this report being adopted in Medway.

Reasons:

Fairer Contributions Policy

The proposed changes to this policy will ensure that all people with eligible needs are treated equally but there is a recognition that some groups that will be financially assessed for the first time may be disproportionately and adversely impacted by the changes if reasonable adjustments are not put in place.

The personalisation agenda is such that the current approach to charging in relation to services rather than a personal budget will perpetuate an output-led rather than an outcomes-focused approach to adult social care.

The completion of a full diversity impact assessment, which takes into account the information gathered from the consultation process as well as intelligence gathering by officers, demonstrates that any disproportionate and adverse impact can be mitigated against.

Major Adaptations Policy

The policy will enable people to proceed with adaptations that are in excess of the £30,000 limit of the Disabled Facilities Grant so that they can live independently in their own home.

Capital and Revenue Budgets 2012/2013

Background:

This report presented proposals for the capital and revenue budgets for 2012/2013. The Cabinet had considered initial budget proposals on 29 November 2011, which had been developed in accordance with the principles set out in the Medium Term Financial Plan 2012/2015. The implications of both the Comprehensive Spending Review 2010 and Local Government Finance Settlement were set out in the report, together with proposed measures to address the 8.3% cut in government funding (excluding the Council Tax freeze grant).

The report gave details of the changes made since the Financial Settlement was reported to Cabinet in December 2011, summarised the budget build and gave details of the directorate savings proposals.

It was noted that the proposed capital programme for 2012/2013 and future years, incorporating existing schemes and new funding announcements to date, was approaching £90.3 million. The net revenue budget for 2011/2012 amounted to £332.2 million, which it was reported would not require an increase in Council Tax

Cabinet, 14 February 2012

but was predicated upon receipt of Government grant that equated to an equivalent 2.5% increase.

The report set out details of the Council Plan, which had been developed alongside the budget setting process to ensure the link between resource and business planning was maintained. This was considered as a separate item on the agenda.

Budget proposals had been referred to all the Overview and Scrutiny Committees for consideration. The Overview and Scrutiny Committees' views were detailed in the report, with the recommendations of the Business Support Overview and Scrutiny Committee set out for Cabinet consideration.

The summarised Housing Revenue Account was set out in Appendix 4 to the report with the capital component in Appendix 2 to the report. A report setting out details of proposed rents for 2012/2013 was considered as a separate item on the agenda.

The schedule of fees and charges was attached at Appendix 5 to the report.

The report set out the requirements under equality legislation and a diversity impact assessment, that aggregated the impact of reductions in funding to services, was attached at Appendix 6 to the report.

The Cabinet agreed to consider this report as an urgent item to enable its recommendations to be forwarded to the Budget Council meeting on 23 February 2012.

The Portfolio Holder for Finance proposed a number of changes to the revenue budget (as set out in decision nos. 24 and 25/2012 below), which represented a call on reserves amounting to £1.175m. These would be financed by £340,000 of balances in 'earmarked' reserves that were no longer required, £200,000 from the unspent budgets allocated to the Sure Start centres and £143,000 from the Dedicated Schools Grant (DSG) reserve, leaving £492,000 to be taken from the general reserve balance.

These measures would result in the funding for the Freedom Pass, free swimming, apprenticeships, graffiti removal and Christmas parking being built into future years base budgets. There were one-off funding streams for the 2012 year of celebration, opposition to the airport proposals, investment generation and additions to the DSG. The £300,000 call on reserves due to the Employment Matters Committee recommendation would be replicated in 2013/14 to support lower paid staff.

The Portfolio Holder for Finance also proposed the funding mechanism for the unfunded £3.397m of capital expenditure (see decision no. 23/2012).

An amended Appendix 3A (Children and Adults revenue budget build) was tabled at the meeting.

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**Decision
number:**

Decision:

The Cabinet noted the recommendations from overview and scrutiny committees as summarised in Section 7 and detailed in Appendix 1 of this report.

22/2012

The Cabinet considered the recommendations from Employment Matters Committee described in Section 8.4 and recommended the following to Council:

- (i) Increments are frozen for the financial years 2012/13 and 2013/14 with a review of the pay and grading structure being developed and consulted upon during this time;
- (ii) The Assistant Director, Organisational Services is given delegated authority to continue negotiations with the Trade Unions with a view to reaching a collective agreement on this proposal, which achieves, within the present financial constraints, some protection for lower paid staff
- (iii) If this collective agreement is not reached, that individual employees are asked whether they will agree to a variation of their contracts of employment for a freeze of their increments for two years
- (iv) For individuals who do not agree to this variation, that notice be given that their present contracts of employment are terminated and new contracts are offered stating their increments for 2012 and 2013 will be frozen
- (v) Incremental progression linked to competency levels/qualifications achieved should be retained for the following:
 - Social Workers covered by the Children's Care Career Grade Scheme,
 - The progression from B1 grade to B2 grade for Care Managers in Adult Social Care who achieve the Post Qualifying 1 award; and
 - Soulbury staff eligible for SPA increments (Structured Professional Assessment).

23/2012

The Cabinet recommended to Council the capital budget proposals, as set out in Appendix 2 and that the unfunded expenditure of £3.397 million referred to at Table 4 be met

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from prudential borrowing, at a cost of £280,000 per annum to be met initially from unspecified savings from the Regeneration, Community and Culture Directorate.

24/2012

The Cabinet recommended to Council that the net revenue budget summarised at Table 9, amounting to £322.248 million, should be adopted and that this be funded by a nil increase in Council Tax for 2012/2013 with the equivalent Band D figure remaining at £1,119.15 with the following additions:

- (i) an additional £221,000 of income by increasing the car parking tariff by an additional 10 pence (an increased tariff on all parking bands, with ½ hour bands being increased on a pro rata basis)**
- (ii) Nelson Terrace car park - to increase the 0-1 hour band to 50p and the 1-2 hour band to 100p**
- (iii) Residents parking charges will remain at £25.00, rather than the £26.00 set out in the report**
- (iv) business permits to remain at current levels of £126.00**
- (v) Note: with regards to the measures outlined at (i) to (iv) - car parking charges to be fixed for a further three years from 1 April 2013**
- (vi) Freedom Pass - £250,000 – to be funded from additional income from parking charges (£221,000) the surplus shown in table 8 (£17,000) and a draw on reserves of £11,000**
- (vii) Free Swimming - £200,000 – to be funded from reserves**
- (viii) Apprenticeships - £100,000 – to be funded from reserves and £100,000 to be funded from the new Government Youth Contract scheme and EU funds. Funding to be released by the Chief Finance Officer in consultation with the Portfolio Holder for Finance**
- (ix) Graffiti Team - £70,000 – to be funded from reserves**
- (x) Free parking at Christmas – £50,000 – to be funded from reserves**
- (xi) Employment Matters Committee recommendation for lower paid staff - £300,000 – to be funded from**

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reserves

- (xii) 2012 celebrations – £200,000 – to be funded from reserves
- (xiii) Opposition to Airport proposals – £50,000 – to be funded from reserves. Funding to be released by the Chief Finance Officer, in consultation with the Leader
- (xiv) Investment in Medway - £50,000 – to be funded from reserves. Funding to be released by the Chief Finance Officer, in consultation with the Leader
- (xv) Key Stage 2/Governor Training - £143,000 – to be funded from the DSG/Standards Fund.

25/2012 The Cabinet recommended to Council the fees and charges set out at Appendix 5 to this report as amended by decision 24/2012 above and the amendment of the proposed “fee for a resident for service times” which should read £25 (bottom of page 46 of Appendix 5 - Fees and Charges refers).

26/2012 The Cabinet requested the Chief Finance Officer to calculate the formal requirements under Sections 30 to 36 of the Local Government Finance Act 1992 for resolution by Special Council on 23 February 2012.

27/2012 The Cabinet recommended Council to approve a delegation to the Chief Finance officer, in consultation with the Finance Portfolio Holder, to adjust budgets in respect of the transfer of Housing services to the Regeneration, Community and Culture directorate.

Reasons:

The constitution requires that Cabinet’s budget proposals must be forwarded to Council for consideration and approval.

The Council is required by statute to set a budget and council tax levels by 11 March each year.

Council Plan 2012/2013 (Policy Framework)

Background:

This report presented the Council Plan 2012-2013 prior to consideration by Council on 23 February 2012. The plan had been developed by taking into account recent developments including continuing financial pressures, the Munro Review of child

Cabinet, 14 February 2012

protection and changes in the education and health systems. It was noted that monitoring of the Council Plan would continue on a quarterly basis, focusing on the key measures of success.

The Business Support Overview and Scrutiny Committee considered this report on 2 February 2012 and the views of the Committee were set out in paragraph 6 of the report.

It was noted that a Diversity Impact Assessment screening had been undertaken on the draft plan. It was found that there was no need to carry out a full assessment. It was noted that officers would continue to assess and monitor the plan, both prior to its agreement by Council, and throughout the life of the plan, to ensure compliance with all statutory requirements.

Decision number: **Decision:**

The Cabinet noted the comments of the Business Support Overview and Scrutiny Committee.

28/2012 The Cabinet recommended the Council Plan 2012/13, as set out in Appendix 1 to the report, to Full Council for approval as part of the Council's Policy Framework.

Reasons:

Strong business planning processes and a clear strategic framework are regarded as best practice, and will enable the organisation to demonstrate how it is using resources to meet locally specific objectives.

Housing Revenue Account Capital and Revenue Budgets 2012/2013

Background:

This report provided details of the Housing Revenue Account (HRA) revenue and capital budgets for 2012/2013 including the impact of the new self-financing regime from 1 April 2012. The report also provided details of the proposed rent and service charges levels for 2012/2013 and provided information around rent charging inconsistencies in two areas and the proposals for correcting these.

It was noted that the proposed average rent increase would be £5.39 per week or 7.26%, whilst the average service charge (excluding supporting people eligible charges) increase would be 29p per week or 6.99%.

The Business Support Overview and Scrutiny Committee considered this report on 2 February 2012 and its views were set out in Appendix E to the report.

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**Decision
number:**

Decision:

The Cabinet noted the recommendations from the Business Support Overview and Scrutiny Committee as presented in Appendix E to the report.

29/2012

The Cabinet recommended to Council:

- (i) the proposed revenue and capital budgets for 2012/2013, inclusive of an average rent increase of £5.39 per week (based upon 50 collection weeks and equating to an increase of 7.26%).
- (ii) That service charges for 2012/13 reflect the costs incurred in providing that service, where possible, and that where costs are not fully recovered, the uplift is such that costs can be fully recovered by 2014/15 using above inflation increases to do so as per Appendix C to this report. The average increase will be 6.99%.

30/2012

The Cabinet agreed that the application of the Warden Service charge to residents in the Annexe at Longford Court be applied over a three year period with effect from 1 April 2012 for current tenants.

31/2012

The Cabinet agreed that properties identified with “pods” at Beatty Avenue and Cornwallis Avenue to be charged for only bedrooms on the upper floors of properties from 1 April 2012 and pods, regardless of their usage, be disregarded for rent charging purposes.

32/2012

The Cabinet agreed that refunds to be made to current tenants only, who have been overcharged for rent for properties in Beatty Avenue and Cornwallis Avenue

33/2012

The Cabinet agreed the approach for rent charging for any further properties identified that have “pods” fitted, be set as described in the context of this report in the future.

Reasons:

Full Council is required to carry out an annual review of rents and notify tenants not less than 28 days prior to the proposed date of change. The Council is required under the Local Government and Housing Act 1989 to ensure that the Housing Revenue Account does not fall into a deficit position.

Treasury Management Strategy 2012/2013

Background:

This report presented the Council's Treasury Management Strategy for 2012/2013. The strategy incorporated the Treasury Management Policy Statement, Annual Investment Strategy and Minimum Revenue Provision Policy. Treasury Management Practices were also set out.

The annual presentation of a Treasury Management Strategy was a requirement under the CIPFA Code of Practice on Treasury Management, adopted by the Council on 25 February 2010. It covered the various aspects of the treasury management function and was based on the treasury officers' views on interest rates, supplemented with leading market forecasts provided by the Council's treasury adviser, Sector.

The Business Support Overview and Scrutiny Committee considered this report on 2 February 2012 and its views were set out in paragraph 18 of the report.

A Diversity Impact Assessment screening had been undertaken and was set out in Appendix 8 to the report. It was not necessary to proceed to a full impact assessment. It was noted that the Treasury Management Strategy did not directly impact on members of the public as it dealt with the management of the local authority's investments and cash flows, its banking, money market and capital market transactions; the effective control of the risks associated with those activities; and the pursuit of optimum performance consistent with those risks.

Decision number:

Decision:
The Cabinet noted the comments of the Business Support Overview and Scrutiny Committee.

34/2012 The Cabinet recommended to Council the Treasury Management Strategy and associated policies and strategy statements as attached in Appendices 1-6 to the report

35/2012 The Cabinet approved the amendments to the Treasury Management Practices as set out in Appendix 7 to the report.

Reasons:

Cabinet has the responsibility to make recommendations to Full Council on the approval of the Council's Treasury Management, Investment Strategy and Minimum Revenue Provision Policy Statement along with scrutinising the Treasury Management Practices and associated schedules.

School Admission Arrangements 2013

Background:

This report provided details of the outcome of the consultation to the draft primary and secondary co-ordinated admission schemes and arrangements for 2013 admissions. The schemes set out how the Local Authority would co-ordinate the processing of applications to schools and the arrangements set out the relevant entry arrangements (oversubscription criteria) for Community and Voluntary Controlled schools. Academies, Voluntary Aided and Foundation schools undertook their own consultation on entry arrangements (oversubscription criteria), but had to co-ordinate with the Local Authority schemes.

The report also provided the outcome of consultation and analysis with regards to proposals to move the Medway Test from a number of test centres to individual schools.

The report had been considered by the Children and Young People Overview and Scrutiny Committee on 19 January 2012 and its comments were set out in paragraph 9 of the report.

A Diversity Impact Assessment screening form had been undertaken on the proposals around testing in own schools for the Medway Test and the proposals to change the denominational criteria for voluntary controlled schools.

Decision number:

Decision:

- | | |
|----------------|---|
| 36/2012 | The Cabinet agreed the Secondary Admissions co-ordinated scheme and admission arrangements, as set out in Appendix A to the report. |
| 37/2012 | The Cabinet agreed option A for the future delivery of the Medway Test from the options as set out in paragraph 3.1 of the report having had regard to the issues and representations set out in the report, in particular in paragraphs 5.3 to 5.36 of the report. |
| 38/2012 | The Cabinet agreed that children attending independent Medway schools should be permitted to undertake testing in their own school, subject to officers putting in place suitably robust quality assurance arrangements. |
| 39/2012 | The Cabinet agreed the Primary Admissions co-ordinated scheme and admission arrangements, as set out in Appendix B to the report, including the amendments to Published Admission Numbers (as shown in section 3.2 of the report) and the introduction of a supplementary information form for Church of England voluntary controlled schools. |

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40/2012 **The Cabinet approved the continuation of in-year co-ordination from September 2013, subject to the majority of schools in each phase signing up to a co-ordinated scheme and to delegate authority to the Director of Children and Adults in consultation with the Portfolio Holder for Children's Services to approve the implementation of appropriate arrangements if required.**

Reasons:

The Council is required to undertake a detailed consultation exercise prior to the determination of its school admission arrangements and schemes. The decisions take into account the responses from consultation.

South Thames Gateway Building Control Business Plan 2011/2014 and Building Control Partnership Second Term

Background:

This report provided details of the draft South Thames Gateway Building Control Partnership Business Plan for 2011/2014 (incorporating the financial Plan 2011-15), and also provided details of the proposal for agreement for Medway to continue in the Partnership for a second term.

On 8 December 2011 the South Thames Gateway Building Control Joint Committee agreed the draft South Thames Gateway Building Control Partnership's Business Plan for 2011/14 as set out in an exempt appendix. This encompassed the comments already received from the Partner Authorities. However, the three year business plan extended beyond the first term of the Partnership agreement. Therefore, at the Joint Committee, Members also considered a report regarding the Partnership continuing for a second term and unanimously supported the proposal.

Gravesham Borough Council's Cabinet agreed to continue in the partnership for a second term and agreed the Business Plan at its meeting on 9 January 2012.

A Diversity Impact Assessment screening form had been undertaken on the Business Plan and it was found that it was not necessary to carry out a full impact assessment.

Decision number: ***Decision:***

41/2012 **The Cabinet agreed that Medway continue in the Partnership for a second five year term and enter into a further Memorandum of Agreement for five years from 1 October 2012.**

42/2012 **The Cabinet agreed to authorise the Director of Regeneration, Community and Culture, in consultation with**

Cabinet, 14 February 2012

the Portfolio Holder for Strategic Development and Economic Growth, to take all necessary actions to enable the proposals for the second term of the Partnership, including all necessary legal agreements, to be finalised and implemented.

43/2012 The Cabinet agreed the proposed business plan for 2011/14 (incorporating Financial Plan 2011-2015) for the South Thames Gateway Building Control Partnership and that the proposed contribution of £186,439 from Medway be noted.

Reasons:

The Constitution of the Joint Committee requires approval of the Business Plan for the following year by the Cabinet of each Partner Authority and each authority requires approval of Cabinet to carry on to a second term.

Third Quarter Revenue Budget Monitoring

Background:

This report detailed the revenue budget forecasts as at the end of Quarter 3 (October - December 2011).

It was noted that the returns from budget managers forecast a potential underspend of £195,000 compared to the potential overspend of £5.1m reported in quarter 2. Management action to control expenditure, less than anticipated demand on some services and additional income receipts, had combined to achieve a significant reduction in forecasts.

The Cabinet agreed to accept this report as urgent to enable Cabinet to receive and consider the third quarter budget monitoring information at the earliest opportunity.

Decision number: ***Decision:***

44/2012 The Cabinet noted the significant improvement in the revenue monitoring position for 2011-12 and instructed directors to maintain the moratorium on non-essential expenditure in order to ensure that the improved position is achieved.

Reasons:

Cabinet has the responsibility to ensure effective budgetary control to contain expenditure within the approved limits set by Council. Where a budget overspend is forecast, Cabinet supported by the corporate management team must identify measures to remove any excess expenditure

Third Quarter Council Plan Monitoring

Background:

This report presented details of the Council's performance for the third quarter of 2011/2012 against the Council Plan 2011-2012 objectives. The Council Plan was a key part of the Council's budget and policy framework.

Appendix 1 to the report, provided a table showing whether the performance indicators met the required standard whilst Appendix 2 provided an update on the six Cabinet priority areas. Overall, performance on 59 key performance indicators were rated in quarter 3, of which, 42 had achieved or outperformed the target, 5 were below target but within acceptable variance limits and 12 were outside acceptable variance limits.

The Cabinet accepted this report as urgent to enable it to receive and consider the third quarter monitoring information at the earliest opportunity.

Decision number:

Decision:

The Cabinet noted performance for Quarter 3 2011/2012 reviewing outcomes achieved against priorities.

Reasons:

Full and accurate performance reporting to elected members is consistent with best practice, and allows them to review the Council's performance.

Third Quarter Capital Monitoring

Background:

This report presented the capital monitoring forecast for the period to December 2011 (the end of the third quarter), with an outturn forecast for 2011/12 and future years.

It was noted that the approved capital programme for 2011/12 and future years was £154.5m, being £53.1m in respect of brought forward schemes and £55.7m in respect of new approvals. The report commented on the delivery of the capital programme and updated Members on a number of issues, including a number of virements and proposed additions to the Capital Programme.

The Cabinet accepted this report as urgent to enable Cabinet to receive and consider the third quarter budget monitoring information at the earliest opportunity.

Cabinet, 14 February 2012

**Decision
number:**

Decision:

The Cabinet noted the spending forecasts summarised at Table 1 in the report.

The Cabinet noted the virements made to the capital programme under director delegations, as described at paragraph 4.2.2 in the report.

45/2012

The Cabinet recommended to Council the following additions to the capital programme:

- £65,000 for café improvements at the All Saints' Children's Centre to be funded from a revenue contribution;
- £1,141,467 for the Twydall Primary School project, to be funded from the Primary Capital Programme, following Gateway 3 approval in December 2011;
- £246,000 additional Local Transport Plan grant allocation;
- £20,000 additional funding for the English Heritage Local Management Agreement;
- £143,000 of additional S106 contributions to fund various schemes.

46/2012

The Cabinet recommended to Council the removal of £3,440,000 of underspent and uncommitted budget against the Adult Social Care Programme, Primary Capital Programme, SEN Programme, Condition Programme and Woodlands Primary School scheme, allowing the Council to reduce its borrowing requirements in 2012-13.

Reasons:

Cabinet has the responsibility to ensure effective budgetary control to contain expenditure within the approved limits set by Council.

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.

Cabinet, 14 February 2012

**Decision
number:**

Decision:

47/2012

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 Department

- a) Sheltered Scheme Manager
- b) Macmillan Physical Activity Instructor
- c) Lawyer (Adult Services)
- d) Lawyer (Children's Services)
- e) Legal Support Assistant

Children's and Adults

- f) Support Services Assistant (Children's Care)
- g) Support Services Assistant (Children's Care)
- h) Support Services Assistant (CAST Team)
- i) Commissioning Portfolio Manager
- j) Temporary Staff – Family Information Service
- k) Contracts Administrator.

Reasons:

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

Gateway 4 Procurement Post Project Completion Review: SEN School Transport Contract Renewal September 2010

Background:

This report reviewed the progress of the Special Educational Needs (SEN) School Transport Contracts that began in September 2010 with contracts awarded to various contractors as highlighted within paragraph 2.1.2 of the report. These contracts provided both scheduled Home to School and ad hoc respite care transport to students with special educational needs. The report set out a number of options together with their respective advantages and disadvantages.

An exempt appendix provided key information in relation to finance and the whole life costings for this contract.

Cabinet, 14 February 2012

Decision number: **Decision:**

48/2012 **The Cabinet approved the preferred option highlighted at Section 4.1 'Preferred Option' (continuing with the current contracts as set out in section 2.1 of the report, for the remainder of the contract term and negating any further Gateway 4 or Gateway 5 requirements).**

Reasons:

The contracts awarded are running successfully; with all operators meeting the required level of service and carrying out their routes in line with the necessary specification. This has allowed Medway Council to maintain its statutory duty of providing free home to school transport to those passengers who have qualified for the service.

The contracts having been awarded as a result of a competitive tender process, having ascertained the most economically advantageous operator, the contracts still represent best value.

Gateway 4 Procurement Post Project Completion Review: Woodlands School - Improvements to Nursery, Reception and SEN Provision

Background:

This report provided a post project review/appraisal of a contract completed at Woodlands School to deliver improvements to the nursery, reception and Special Educational Needs (SEN) provision as highlighted within paragraph 2.1.2 of the report. This was a one-off construction contract and the works were completed in accordance with the contract terms.

An exempt appendix provided key information in relation to finance and the whole life costings for this contract.

Decision number: **Decision:**

The Cabinet noted the findings outlined in this report.

Reasons:

The project has been completed to specification and within budget.

Cabinet, 14 February 2012

.....
Leader of the Council

.....
Date

Wayne Hemingway/Anthony Law, Democratic Services Officers

Telephone: 01634 332509/332008

Email: democratic.services@medway.gov.uk

Record of Cabinet decisions

Tuesday, 13 March 2012

3.00pm to 4.30pm

Date of publication: 16 March 2012

**Subject to call-in these decisions will be effective from 26 March 2012
The record of decisions are subject to approval at the next meeting of the Cabinet**

Present:	Councillor Rodney Chambers	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 Tom Mason	Portfolio Holder for Corporate Services
	Councillor Mike O'Brien	Portfolio Holder for Community Safety and Customer Contact
	Councillor Les Wicks	Portfolio Holder for Children's Services
	Councillor David Wildey	Portfolio Holder for Children's Social Care

In Attendance: Rose Collinson, Director of Children and Adults
Neil Davies, Chief Executive
Richard Hicks, Assistant Director, Customer First, Leisure, Culture, Democracy and Governance
Julie Keith, Head of Democratic Services
Anthony Law, Democratic Services Officer
Mick Hayward, Chief Finance Officer
Perry Holmes, Monitoring Officer
Deborah Upton, Former Assistant Director Housing and Corporate Services

Apologies for absence

There were none.

Record of decisions

The record of the meeting held on 14 February 2012 was agreed and signed by the Leader as correct.

Declarations of interest

Councillor Mason declared a personal interest in agenda item 7 (Park and Ride Site, Marconi Way, Rochester), as he was a member of Kent and Medway Fire and Rescue Authority who may have an interest in the site. He retained his right to speak and vote on the item.

Councillor Mason also declared a personal interest in agenda item 8 (Tobacco Control Update) due to his work as a hypnotherapist. He retained his right to speak and vote on the item.

Strategic Plan for Special Educational Needs

Background:

This report set out proposals for the development of additional Medway based Special Educational Needs (SEN) provision, based on an analysis of need, including actual and forecast pupil numbers for the next five years.

The report set out the background to the proposals, including the provisions set out in the Special Educational Needs – An Inclusive Policy and Strategy for Medway 2009-2014 and the School Organisational Plan. The report set out details of the individual proposals including the need for additional SEN provision at sites across Medway together with information on site provision and the funding position.

The Children and Young People Overview and Scrutiny Committee considered the report on 6 December 2011 and its comments and recommendations were set out in paragraph 9 of the report.

It was noted that a Diversity Impact Assessment screening form would be completed in relation to any specific proposals that were taken forward.

Decision number:

49/2012 The Cabinet agreed to defer this item to a future meeting.

Reasons:

The report would be brought back to a future meeting of the Cabinet following further examination of the options and more work on the financial models.

Proposed CCTV Services Partnership

Background:

This report provided details of a proposal to establish a CCTV Services Partnership involving Gravesham, Maidstone, Medway and Swale Councils. The report set out the history of the Medway Control Centre, which had been in operation since 1998

Cabinet, 13 March 2012

and had expanded from around 20 cameras to the current network of around 550 cameras. The report stated that the Council had been awarded a contract for the complete management of Swale Borough Council's CCTV infrastructure in 2010 and that more recently Gravesham Borough Council had also agreed the transfer of its CCTV infrastructure to the Council and Maidstone Borough Council had also awarded a tender to the Council to manage its CCTV infrastructure. This would see a further increase from 550 cameras to 700 cameras from 1 April 2012.

The report set out the basis for the establishment of a CCTV Services Partnership between these local authorities in terms of financial benefits, expertise and greater capacity.

An exempt appendix set out the outline business case, detailed financial implications, partnership structure and provisional heads of terms.

Decision number: **Decision:**

50/2012 **The Cabinet approved the proposals for the proposed CCTV Services Partnership between Medway, Swale, Maidstone and Gravesham Councils.**

51/2012 **The Cabinet agreed to authorise the Director of Regeneration, Community and Culture, in consultation with the Portfolio Holder for Community Safety and Customer Contact, to take all necessary actions to enable the proposal for the Partnership, including all necessary legal agreements, to be finalised and implemented by 1 June 2012.**

Reasons:

The proposed Partnership will enable the provision of improved and more cost effective CCTV services.

Pier Road Depot, Gillingham

Background:

This report provided details of a proposal to declare surplus or lease the Pier Road Depot, Gillingham. The report provided details of the site history, which related to the property being used by the Council and its contractors as a waste transfer facility and depot for a number of years. The current lessee, Veolia, had made its own arrangements and had terminated the lease on Pier Road.

The report also stated that the site did not have a direct frontage onto the public highway, with highway access currently being across Council owned private highway. It was proposed that this land was offered with the benefit of a right of way to the public highway.

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Decision number: ***Decision:***

52/2012 **The Cabinet agreed to recommend to Full Council that it delegates authority to the Chief Finance Officer, in consultation with the Portfolio Holder for Finance, to declare surplus the Pier Road Depot and dispose of it (together with a right of way between the site and the public highway) and/or lease it (together with a right of way between the site and the public highway).**

Reasons:

This will reduce revenue costs, realise revenue income and or capital receipts and gain investment in the Medway area.

Park and Ride Site, Marconi Way, Rochester

Background:

This report provided details of a proposal to declare surplus the Park and Ride site, Marconi Way, Rochester, to enable its disposal. The report stated that following a review of the park and ride bus service, a decision had been made to withdraw the service and close the car park from 1 April 2012. It was considered that it was not worth keeping the car park on a contingency basis owing to the costs involved.

Decision number: ***Decision:***

53/2012 **The Cabinet agreed to delegate authority to the Chief Finance Officer, in consultation with the Portfolio Holder for Finance, to declare surplus and dispose of the Park and Ride site, Marconi Way, Rochester.**

Reasons:

To reduce revenue costs, realise a capital receipt and gain investment in the Medway area.

Tobacco Control Update

Background:

This report provided details of progress on tobacco control including information on the three priority areas for Medway: tackling illegal supply; de-normalising smoking and; advancing the smokefree agenda, as developed by the Tobacco Control Alliance.

Cabinet, 13 March 2012

The report provided detailed information on a number of issues including the prevalence of smoking in Medway, health statistics, achievements to date, current activity and planned activity.

The report stated that the Tobacco Control Alliance, supported by the NHS funded Tobacco Control Coordinator, would continue to develop and deliver a comprehensive programme of work.

Decision number: **Decision:**

The Cabinet noted the contents of the report and noted the three tobacco control priorities, as set out in paragraph 2.2 of the report, identified by Medway's Tobacco Control Alliance from local research.

Reasons:

To ensure that a comprehensive programme of work to tackle tobacco issues is given a clear focus within Medway and that the Cabinet can be assured that progress is being made.

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:**

54/2012 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 Department

- a) Accounting Technician**
- b) Management Information Officer**
- c) Management Information Officer**
- d) Political Assistant to the Conservative Group**

Cabinet, 13 March 2012

Children's and Adults

- e) SEND Pathfinder and Personalised Budgets Project Manager
- f) Support Services Assistant (Redvers Centre)
- g) Support Services Assistant (Woodlands Place)
- h) Temporary Support Service Assistant (Gun Wharf)

Regeneration, Community and Culture

- i) Transport Contracts Inspector
- j) Transport Contracts Assistant.

Reasons:

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

Gateway 1 Procurement Commencement School Transport Contracts 2012

Background:

This report provided details of the proposed procurement process for tendering for a number of school transport contracts, including services to students with Special Educational Needs, for the 2012/2013 academic year.

The Strategic Procurement Board considered this report on 15 February 2012 and supported the recommendations set out in the report.

An exempt appendix provided key information in respect of finance and whole-life costing, as well as the cost of the contracted routes with end dates of July 2012.

Decision number:

Decision:

55/2012

The Cabinet approved the commencement of this procurement project for the re-tendering of the contracts set out in Appendix 1 of the report, on the basis set out in paragraph 4.1 of the report and delegated authority to the Chief Finance Officer, in consultation with the Portfolio Holders for Children's Services and Front Line Services, to award the School Transport Contracts 2012.

Cabinet, 13 March 2012

Reasons:

This approach will ensure that services can be in place by end of July which will minimise the disruption to students with special educational needs and therefore reduce the number of actual complaints from parents in respect of the retendering process as well as mitigating the severity of any complaints.

In expediting the process of procuring these substantive SEN contracts, the Council will also secure a lower spend in providing these transport services by negating the need for more costly temporary arrangement should this process not be complete by the start of the new academic year.

The tendering process for SEN transport contracts this year, like last, will provide for an efficient and pro-active contract management. The comprehensive terms and conditions together with the improved evaluation method will demand the highest level of quality in the service.

Gateway 3 Procurement Tender Process Review and Contract Award: Connexions Services

Background:

This report provided details of the proposed contract for Connexions Services as required to fulfil Medway's statutory obligations under s68 of the Education and Skills Act 2008. This placed an obligation on local authorities to make available to young people under 19 and relevant young adults (i.e. those aged 20-25 with learning difficulties) support which would encourage, enable or assist them to participate in education and training.

An exempt appendix provided key information in respect of finance and whole-life costing and detailed procurement process tender evaluation information.

Decision number: ***Decision:***

56/2012 **The Cabinet agreed to refer this matter back to the Strategic Procurement Board for more detailed analysis.**

Reasons:

To enable further consideration at the Strategic Procurement Board.

Gateway 5 Procurement Contract Management Report: Community Meals Service

Background:

This report provided details of progress on the Community Meals contract currently delivered by Apetito Ltd. Cabinet agreed the original contract award on 29 October 2002 and subsequently agreed a single source exemption to award the contract to the current service provider on 19 February 2008. The service currently provided around 220 Medway residents with a meal service 365 days per year.

The Strategic Procurement Board considered this report on 15 February 2012 and supported the recommendations set out in the report.

An exempt appendix provided key information in respect of finance and whole-life costing.

Decision number:

57/2012

Decision:

The Cabinet agreed an extension to the contract to 31 March 2013 with the current community meals supplier, in its current form, and explore a move towards a personalised approach to the provision of a community meals service.

Reasons:

On the basis of the requirement to provide social care service users with increased choice and control about the services that they receive.

Gateway 5 Procurement Contract Management Report: Learning Disability Care Services Contract

Background:

This report provided details of progress with the Learning Disability Care Services Contract currently delivered by multiple providers. The report sought permission to extend the contract for residential and nursing care by 12 months to 31 March 2013, and to include a variation to the current contract terms and conditions for the same period.

It was noted that the commencement and delivery of this service pre-dated the establishment of a Procurement Board for Medway Council and no previous Gateway reports were available.

This report had been approved for submission to the Cabinet after review and discussion at the Children and Adult Directorate Management Team meeting on 2 February 2012 and Strategic Procurement Board on 15 February 2012.

Cabinet, 13 March 2012

An exempt appendix provided key information in respect of finance and whole-life costing, providers and an efficiencies spreadsheet.

<i>Decision number:</i>	<i>Decision:</i>
58/2012	The Cabinet approved the extension of the current contract for the provision of residential and nursing care for Adults with a Learning Disability.
59/2012	The Cabinet approved the variation to the existing terms of the Learning Disability Care Services contracts to include the mandatory requirement for all providers to complete and comply where requested with the outcomes of the Care Funding Calculator tool.

Reasons:

The extension of the Learning Disability Care Services contracts will allow for the continuation of a successful and necessary service. It will also allow officers additional time to prepare for the restructuring of the service post March 2013 to ensure further continuity, service improvements and potential cost savings. The contract variation and inclusion of the Care Funding Calculator tool will ensure that for the remaining twelve-month period the service is operating with improved efficiencies. The additional twelve-month period will also allow for more robust analysis of the operation of the Calculator and its possible future use.

Exclusion of the Press and Public

<i>Decision number:</i>	<i>Decision:</i>
60/2012	The Cabinet agreed that the press and public be excluded from the meeting during consideration of the exempt material relating to agenda item 15 (HR Matter) because consideration of these matters in public would disclose information falling within Paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972, and, in all the circumstances of the case, the Cabinet considered that the public interest in maintaining the exemption outweighed the public interest in disclosing the information. The Cabinet decided under the provisions of the Local Authorities (Executive Arrangements) (Access to Information) (England) Regulations 2000 that Councillors who are not members of the Cabinet should not have access to the exempt report and should be asked to leave the meeting.

Cabinet, 13 March 2012

HR Matter

Background:

Members heard from the Chief Executive regarding the settlement of a staffing issue for resolution.

Due to the urgency of the matter, as set out in the report, it was exempt from call-in in line with rule 16.11 of Chapter 4, Part 5 of the Constitution. The Chief Executive confirmed that this had been agreed by the relevant chairmen of the overview and scrutiny committees. Additionally, and in line with Rule 16 (Special Urgency) Access to Information Rules (Part 2 of Chapter 4 of the Constitution), it was noted that the chairmen of the overview and scrutiny committees had agreed that the taking of these decisions could not be reasonably deferred.

Decision number:

Decision:

- | | |
|----------------|---|
| 61/2012 | The Cabinet agreed that the recommendations in the paper would be adopted. |
| 62/2012 | The Cabinet agreed that these decisions were considered urgent and therefore not subject to call-in. |

Reasons:

The reasons were explained in the report.

.....
Leader of the Council

.....
Date

Wayne Hemingway/Anthony Law, Democratic Services Officers

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Record of Cabinet decisions

Tuesday, 17 April 2012

3.05pm to 4.45pm

Date of publication: 18 April 2012

Subject to call-in these decisions will be effective from 26 April 2012
The record of decisions are subject to approval at the next meeting of the Cabinet

Present:	Councillor Rodney Chambers	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 Tom Mason	Portfolio Holder for Corporate Services
	Councillor Mike O'Brien	Portfolio Holder for Community Safety and Customer Contact
	Councillor Les Wicks	Portfolio Holder for Children's Services
	Councillor David Wildey	Portfolio Holder for Children's Social Care

In Attendance: Rose Collinson, Director of Children and Adults
Robin Cooper, Director of Regeneration, Community and Culture
Neil Davies, Chief Executive
Mick Hayward, Chief Finance Officer
Richard Hicks, Assistant Director, Customer First, Leisure, Culture, Democracy and Governance
Perry Holmes, Monitoring Officer
Julie Keith, Head of Democratic Services
Anthony Law, Democratic Services Officer

Apologies for absence

There were none.

Record of decisions

The record of the meeting held on 13 March 2012 was agreed and signed by the Leader as correct.

Declarations of interest

There were none.

Community Safety Plan (policy framework)

Background:

This report provided details of the Community Safety Plan 2012/2013. The Plan was required under section 6 of the Crime and Disorder Act 1998 which placed obligations on Crime and Disorder Reduction Partnerships, also known as Community Safety Partnerships (CSPs), to produce a Community Safety Plan to formulate and implement a strategy to reduce crime and disorder, combat substance misuse, and reduce re-offending.

The report stated that the regulations governing the formulation and implementation of the Plan had been amended resulting in the Community Safety Partnership being required to consult with the community, prepare a strategic assessment, and prepare and implement its plan for its area on behalf of the responsible authorities.

The report provided details of the seven priorities together with key performance against those priorities.

The Regeneration, Community and Culture Overview and Scrutiny Committee considered this report on 3 April 2012 and its comments were set out in paragraph 6 of the report.

It was noted that a Diversity Impact Assessment screening form was attached at Appendix 2 to the report, which showed that a full Diversity Impact Assessment was not required.

Decision number: **Decision:**

63/2012 **The Cabinet noted the comments of the Regeneration, Community and Culture Overview and Scrutiny Committee and recommended the draft Community Safety Plan 2012-2013 to Council on 26 April 2012 for final approval.**

Reasons:

The Community Safety Plan discharges the council's statutory requirement to produce a plan for community safety.

The Community Safety Plan forms part of the Policy Framework and the Constitution requires the Cabinet to finalise its proposals for the Council to consider having taken into account any proposals from Overview and Scrutiny.

Improving Performance at Key Stage 2 - Review by the Effective Challenge of Underperformance Task Group

Background:

This report provided details of the Review by the Effective Challenge of Underperformance Task Group into improving performance at Key Stage 2. The Children and Young People Overview and Scrutiny Committee had identified Key Stage 2 as an area for review, so to look at ways of improving Key Stage 2 attainment in Medway, as well as identifying barriers to improvement and interventions to overcome them.

The review document, attached to the report, set out the background to the review and included key findings, a summary of evidence gained from various sources, information and context drawn from other publications and policies along with the findings of the Task Group.

It was noted that during its work the task group had spoken with various schools and experts, as well as inviting feedback from Medway's Citizen Panel. The Task Group's visits had included three outstanding primary schools outside of the Medway area. It was noted that the Task Group was impressed by the various examples of good practice and had identified areas for improvement and development to help improve performance and attainment at Key Stage 2 locally.

The Children and Young People Overview and Scrutiny Committee considered this report on 14 March 2012 and its views were set out in paragraph 6 of the report.

Decision number:

64/2012

Decision:

The Cabinet agreed that:

- (i) In partnership with Medway Governors Association, a minimum requirement for Governor training should be agreed so that some courses are compulsory for Governors to attend, either as part of their induction and ongoing development or as a consequence of particular roles and responsibilities.**
- (ii) Medway Councillors should be encouraged to demonstrate effective practice in the skills and qualities required for good governance and put themselves forward to act as a local authority representative on at least one governing body, particularly at schools judged to be satisfactory or those of concern.**
- (iii) Leadership teams judged as satisfactory or below should be supported to move to at least good**

through effective local improvement partnerships and accessing, then embedding, national and local best practice.

- (iv) Leadership teams should focus on improving the quality of learning and raising aspirations for all pupils by improving the quality of teaching to consistently good or better. This will translate into Medway pupils making good progress between Key Stage 1 and 2 in both English and mathematics, i.e. above the national median of 87% English and 86% mathematics.
- (v) The outcomes of the Bromley, Bexley, Medway and Kent collaborative group should be used to embed sustained good leadership.
- (vi) Additional targeted funding should be used to commission specialist expertise to improve leadership and management.
- (vii) That a Medway Chartered Teacher Award, which acknowledges what great teachers do in Medway should be explored to make a difference to children's learning and life chances.
- (viii) That guidance should be issued to schools on brokering external consultancy, which will have impact and be sustainable, including accredited professional development to meet the needs of groups of teachers thus improving quality of provision in schools.
- (ix) That all schools have a recommended synthetic phonics programme that all staff confidently apply, which accelerates pupil learning and progress so that they achieve well in both reading and writing.
- (x) That best practice about effective interventions should be shared between schools including 1:1 tuition for pupils and target 1:1 funding on underachieving groups.
- (xi) That schools must embed best practice in assessment for learning so that all pupils know next steps in their learning and how to achieve them.
- (xii) Schools that have been judged satisfactory for two or more consecutive Ofsted inspections

Cabinet, 17 April 2012

should: -

- Invite a local authority adviser to be included in Deputy Headteacher, as well as Headteacher, appointments;
- Implement outcomes of leadership reviews commissioned by the Governing Body;
- Challenge and remove low expectations;
- Promote high aspiration for all pupils and engage effectively with parents;
- Use tracking data effectively so that all pupils make accelerated progress;
- Embed and sustain strategies and interventions, which are proved to impact on pupil progress.

Reasons:

These decisions will aim to improve performance at Key Stage 2 in Medway and will assist with the Council's commitment to champion strong leadership and high standards in schools so that all children can maximise progress and achievement, realise their potential, and the gaps between the least advantaged and their peers are narrowed.

Special Educational Needs Transport Policy

Background:

This report provided details of a new proposed Special Educational Needs (SEN) Transport Policy for consultation. The report noted that the current SEN Transport Policy had been written in 2003 and was now out of date. Nationally, practice had changed and the new proposed policy had been written to ensure that Medway's practice was in line with legislative requirements.

The report highlighted particular issues in the current policy and the main differences in the proposed new policy. The policy would be subject to formal consultation and would be reported back to the Children and Young People Overview and Scrutiny Committee and Cabinet in summer 2012.

Decision number: **Decision:**

65/2012 **The Cabinet agreed to consult on the proposed Special Educational Needs Transport Policy, as set out in Appendix 2 to the report.**

Reasons:

The current policy is outdated and requires revision to ensure that it is compliant with legislation. The practice in Medway is currently out of step with other local authorities

Cabinet, 17 April 2012

and the changes proposed would enable better value for money as well as well as support independence.

Outcomes of Consultation for the Proposed Prescribed Alterations at Wainscott Primary School

Background:

This report provided details of the outcomes of the consultation period on the Council's proposals to expand the lower age range and enlarge the premises at Wainscott Primary School, by way of statutory prescribed alterations. The Cabinet had originally agreed to go out to consultation on these proposals on 1 November 2011. The first stage of the statutory process required the Council to hold a period of informal consultation and this took place between 9 January 2012 and 26 February 2012.

The report set out the outcome of consultation and it was noted that of the 42 responses received to the proposal to lower the age limit from four to three, 29 responses were supportive and 13 objected. 45 responses were received to the proposal to enlarge the physical premises to accommodate the additional pupils, with 27 in favour of the proposal and 24 against.

The report also provided details of proposed new public meeting procedures as set out in appendix 8 to the report. The new procedures would ensure that the consultation is clearly, accurately and transparently reported, ensuring confidence in the council's consultation process.

The Children and Young People Overview and Scrutiny Committee considered this report on 14 March 2012 and its views were set out in paragraph 12 of the report.

A Diversity Impact Assessment (DIA) screening form was attached at Appendix 2 to the report. The DIA looked at how the proposed changes could impact upon various groups. The report showed that there could potentially be some impact upon certain groups based upon age, however it showed that any impacts were expected to be positive.

Decision number:

Decision:

- | | |
|----------------|---|
| 66/2012 | The Cabinet noted the responses to the consultation together with the advice and analysis from officers and the recommendations from the Children and Young People Overview and Scrutiny Committee, and agreed to proceed to formal representation, when statutory notices and full proposals will be published. |
| 67/2012 | The Cabinet approved the revised public consultation meeting procedures, as attached in appendix 8 to the report. |

Cabinet, 17 April 2012

68/2012 **The Cabinet agreed to delegate authority to the Director of Children and Adults, in consultation with Portfolio Holder for Children's Services, to determine whether to approve the proposals at the end of the statutory consultation period, if no objections are received. However if any objections were received during that time then a report will be prepared and placed before Cabinet for determination.**

Reasons:

To ensure the council's duty to provide sufficient good school places is met. Accounting for the expected additional demand in the Strood area caused by higher birth rates, inward migration and local developments such as Liberty Park.

To comply with the actions in the approved School Organisation Plan 2011-16, which highlighted the need for additional places in the Wainscott area.

To enable the council to fulfil its policy to incorporate an integrated foundation stage in primary schools wherever possible.

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

By approving the revised meeting procedures, the council will be ensuring transparency, clarity and accuracy of the consultation process.

Review of the Guide to Developer Contributions

Background:

This report provided details of a revised Guide to Developer Contributions Supplementary Planning Document (SPD). The report stated that in the four years since the guide was adopted, much of the information had changed including new sections on affordable housing, waste and recycling. The draft Guide reflected current requirements but did not increase the overall level of contributions sought.

The report also provided some information on the emerging Community Infrastructure Levy (CIL) and it was noted the Guide for Developer Contributions would become obsolete once the Council becomes a CIL charging authority by 31 March 2014.

Decision number: **Decision:**

69/2012 **The Cabinet agreed for consultation to be undertaken on the updated 2012 draft Guide to Developer Contribution, as set out in Appendix 1 to the report.**

- 70/2012** **The Cabinet agreed to delegate authority to the Director of Regeneration, Community and Culture, in consultation with the Portfolio Holder for Strategic Development and Economic Growth, to make any minor amendments needed to the draft Guide to Developer Contributions, prior to the consultation process.**
- 71/2012** **The Cabinet agreed that the draft Guide be re-submitted to the Regeneration, Community and Culture Overview and Scrutiny Committee for consideration and Cabinet for final approval, following consultation.**

Reasons:

The consultation process will enable the Guide to Developer Contributions to be updated to reflect current contacts and information/evidence base. This will support planning officers and developers negotiating Section 106 contributions.

6 Monthly Review of the Council's Corporate Business Risk Register

Background:

This report provided details of the six monthly review of the Council's Corporate Business Risk Register. It was noted that since the last review, risk owners had reviewed their risks and amendments were recommended to SR27 (Government changes to Local Authority's responsibility for schools), SR29 (Transition to a new provider for Mental Health Social Care Services) and SR30 (Delivering Better for Less transformation).

The Business Support Overview and Scrutiny Committee had considered this report on 21 March 2012 and its views and recommendations were set out in paragraph 5 of the report.

Decision number: ***Decision:***

- 72/2012** **The Cabinet approved the amendments to the Council's Risk Register as detailed in paragraphs 3 and 5.5 of the report and Appendix B to 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.

Green Street Adult Education Centre, 46 Green Street and Garages at Dawes Street, Gillingham

Background:

This report provided details of a proposal to declare surplus 46 Green Street site including the Adult Education Service and five garages in Dawes Street.

It was reported that the property had been used as an Adult Education Centre for many years and that 46 Green Street had originally formed part of the centre, with a number of the buildings' services shared between the buildings. Members were advised that the Adult Education Centre was no longer considered fit for purpose due to its age, layout, and general lack of facilities appropriate for current and anticipated learning provision.

The report and an addendum report tabled at the meeting provided information on the proposals and how existing services would be delivered in the future.

In response to a question from another Member of the Cabinet the Portfolio Holder for Finance advised that in relation to Home-Start Medway, who occupied three ground floor rooms at the rear of 46 Green Street under an internal repairing periodic tenancy, that this tenancy had security of tenure protection. They had expressed interest in the vacant first floor offices and were willing to take a 5-year lease 'contracted out' of the Landlord and Tenant Act 1954. A one-month rent-free period was proposed to reflect internal alteration works to be undertaken by Home-Start prior to occupation. The lease was to include a mutual break option on one-year's notice.

Decision number:

- | | |
|----------------|---|
| 73/2012 | The Cabinet agreed to declare the Green Street site surplus and delegated authority to the Assistant Director, Legal and Corporate Services in consultation with the Portfolio Holder for Finance to dispose of 46 Green Street, Gillingham, including five garages in Dawes Street, as shown edged black on the plan at appendix 1 to the report. |
| 74/2012 | The Cabinet agreed to delegate authority to the Assistant Director, Legal and Corporate Services in consultation with the Portfolio Holder to take a lease or leases of premises to use for the delivery of the Adult Education Service on the best terms reasonably obtainable. |

Reasons:

In order to reduce revenue costs, improve service delivery, realise capital receipts and gain investment in the Medway area.

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:

75/2012

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 Department

- a) Assistant Homechoice Officer x 2
- b) Principal Accountant RCC/BSD
- c) Legal Support Officer

Children's and Adults

- d) Part-time Service Support Assistant (Elaine Centre)
- e) Service Support Assistant (Elaine Centre)
- f) Service Support Assistant (Redvers Centre)
- g) Service Support Assistant (Revers Centre)
- h) Admin Assistant
- i) School Improvement Support Officer

Regeneration, Community and Culture

- j) WORK Programme Job Broker Advisor
- k) WORK Programme Support Administrator (additional hours)
- l) WORK Programme Contract & Partnership Manager (contract extension)
- m) WORK Programme Post Employment Support & Centre Manager (contract extension)
- n) WORK Programme Job Broker Advisors (contract

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extensions) x3.54

- o) WORK Programme Administrator & Receptionist (contract extension)
- p) WORK Programme Support Administrator (contract extension)
- q) SUCCES Job Broker
- r) Project Assistant
- s) GI Coordinator
- t) LLPG Custodian
- u) DNA Community Programme Co-ordinator (P/T)
- v) NDI Business Innovation Co-ordinator (P/T)
- w) GAPS Project Officer
- x) INCOMPASS Project Officer

Reasons:

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

Gateway 3 Procurement Tender Process Review and Contract Award: Improvements to Medway Crematorium Stage 2

Background:

This report provided details of the proposed contract for the provision of new cremators, mercury abatement equipment, better car parking facilities and the enlargement of two chapels at the Medway Crematorium, Bluebell Hill Village.

It was noted that the Strategic Procurement Board had considered this report on 14 March 2012 and supported the recommendations set out in the report.

An exempt appendix provided key information in respect of finance and whole-life costings and detailed procurement process tender evaluation information.

Decision number:

Decision:

- | | |
|----------------|---|
| 76/2012 | The Cabinet approved the procurement contract award to Provian Construction. |
| 77/2012 | The Cabinet agreed to recommend to Full Council an |

addition of £969,437 to the existing Capital Programme as set out in paragraph 8.1.3 of the report.

Reasons:

The provision of abatement equipment is required through legislation. The current cremators are coming to the end of their economic life and the chapel accommodation is too small for service users. There is also insufficient car parking space for current demand and additional car parking would be required as a condition of enlarging the chapels.

The recommendations had been provided on the basis that the contractor satisfied the compliance checks and its proposal indicated that the scheme would be within budget. The criteria as set out in the ITT were met and the Public Contracts Regulations 2006 (as amended) require the decision to award the contract be on the basis of the most economically advantageous tender.

Gateway 3 Procurement Tender Process Review and Contract Award: Family Group Conference

Background:

This report provided details of the proposed contract for the provision the Family Group Conference (FGC) service to meet the needs of children on the edge of care and vulnerable adults in need of safeguarding. It was noted that within a clear structure, laid down by safeguarding professionals, Family Group Conferences enabled a child or vulnerable adult's family and support network to establish a plan to keep the child or adult safe and deal with a range of issues that may be affecting them adversely.

The Strategic Procurement Board had considered this report on 14 March 2012 and supported the recommendations set out in the report.

An exempt appendix provided key information in respect of finance and whole-life costings and detailed procurement process tender evaluation information.

Decision number: **Decision:**

78/2012 **The Cabinet approved the procurement contract award to Family Action.**

Reasons:

The recommendations had been provided on the basis of the information gathered during the procurement process. This contractor meets the requirements of the specification and would give best value.

Gateway 5 Procurement Contract Management Report: HRA Maintenance (Comprehensive Responsive Repairs and Capital Works) Contract

Background:

The report provided details of progress on the HRA Maintenance (Comprehensive Responsive Repairs and Capital Works) Contract. The current contract was tendered in accordance with the procurement process and was let by Medway Council on 1 April 2007 initially for a five-year period. Approval was given by Cabinet in April 2011 to extend the contract for a further two years with effect from April 2012. The contract allowed the Council to ensure it met its statutory repairing obligations and maintained properties in a good state of repair.

The Strategic Procurement Board had considered this report on 14 March 2012 and supported the recommendations set out in the report.

An exempt appendix provided key information in respect of finance and whole-life costings.

Decision number: **Decision:**

79/2012 **The Cabinet approved the continuation of this contract negating the need for any further Gateway five reports.**

Reasons:

The recommendations had been provided on the basis of

- Current performance is satisfactory
- Continuity of service to Tenants and Leaseholders
- Continuation allows a 9-month pilot of several new transformation initiatives as set out in this report.

.....
Leader of the Council

.....
Date

Wayne Hemingway/Anthony Law, Democratic Services Officers

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