

## Record of Cabinet decisions

**Tuesday, 9 July 2013**

**3.00pm to 4.55pm**

**Date of publication: 10 July 2013**

**Subject to call-in these decisions will be effective from 18 July 2013**  
**The record of decisions are subject to approval at the next meeting of the Cabinet**

<b>Present:</b>	Councillor Rodney Chambers, OBE	Leader
	Councillor Alan Jarrett	Deputy Leader and Portfolio Holder for Finance
	Councillor David Brake	Portfolio Holder for Adult Services
	Councillor Jane Chitty	Portfolio Holder for Strategic Development and Economic Growth
	Councillor Howard Doe	Portfolio Holder for Housing and Community Services
	Councillor Phil Filmer	Portfolio Holder for Front Line Services
	Councillor Mike O'Brien	Lead Portfolio Holder for Children's Services
Councillor Kelly Tolhurst	Portfolio Holder for Educational Improvement	

**In Attendance:** Dr Alison Barnett, Director of Public Health  
Robin Cooper, Director of Regeneration, Community and Culture  
Mick Hayward, Chief Finance Officer  
Richard Hicks, Deputy Director, Customer First, Leisure, Culture, Democracy and Governance  
Perry Holmes, Assistant Director Legal and Corporate Services/Monitoring Officer  
Anthony Law, Democratic Services Officer  
Barbara Peacock, Director of Children and Adults Services  
Neil Davies, Chief Executive

### **Apologies for absence**

An apology for absence was received from Councillor Hicks (Community Safety and Customer Contact).

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### Record of decisions

The record of the meeting held on 11 June 2013 was agreed and signed by the Leader as correct.

### Declarations of disclosable pecuniary interests

Councillor Mike O'Brien declared a personal interest in agenda item 18 (Children's Nursery, Kingfisher Primary School and Former Chatham South School Site) as his grandson attended Chatham Grammar School for Boys and item 20 (Gateway 3 Contract Award: Medway Local Welfare Provision Scheme) due to an association with one of the applicants. Councillor O'Brien left the meeting for the consideration of both items.

### Options for a New Lower Thames Crossing - Consultation Response

#### Background:

This report summarised the Department for Transport consultation on the options for additional road-based river crossing capacity in the Lower Thames area.

The location options considered were:

- option A: at the site of the existing A282 Dartford-Thurrock crossing
- option B: connecting the A2 with the A1089
- option C: connecting the M2 with the A13 and the M25 between junctions 29 and 30
- option C variant: connecting the M2 with the A13 and the M25 between junctions 29 and 30, and additionally widening the A229 between the M2 and the M20.

A map was attached to the report, which displayed the location of the three options and the variant for option C.

The report noted that the location of a new crossing could have a significant impact on land use and transport policies in Medway. The relative merits and disbenefits of the options, from Medway Council's point of view, were summarised and a recommended response to the consultation was set out at Appendix B to the report.

<b><i>Decision number:</i></b>	<b><i>Decision:</i></b>
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<b>105/2013</b>	<b>The Cabinet agreed that the Director of Regeneration, Community and Culture respond to the Options for a New Lower Thames Crossing Consultation Document by submitting a response which advises that:</b> <ul style="list-style-type: none"><li><b>(a) Medway Council does not support Option B;</b></li><li><b>(b) It would be helpful to see the effects of free flow charging on the existing Dartford crossings commencing in 2014 before determining whether Options A or C Variant merit further consideration;</b></li></ul>
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- (c) **Medway Council does not support Options D and E being reconsidered on the basis that the Department for Transport has previously ruled out these options on cost (value for money) grounds.**
- (d) **Medway Council believes the Variant route should be included in either option A or Option C.**

### **Reasons:**

To ensure the views of Medway Council are fully understood by the Department for Transport.

### **Rochester Airport**

#### **Background:**

This report recommended the addition of £4,400,000 to the Capital Programme to fund improvements at Rochester Airport. It also requested authority for officers to enter into contracts in respect of the works at the Airport and to declare land surplus, so that it could be disposed of for development. Approval of these matters was a matter for Full Council and would be referred to the meeting on 25 July 2013.

It was noted that since the Cabinet meeting on 18 December 2013 the Council had marketed the opportunity to let the airport and a preferred bidder had been selected. The report included details of the negotiations on the terms for the new letting of the airport and outlined the options for implementing development on the freed up land. It was reported that future use of the land would be determined through the Council's planning process.

It was also noted that a separate report on the agenda sought agreement for consultation on a Master Plan to guide the development of the airport and surrounding land.

#### **Decision number:**

**106/2013**

#### **Decision:**

**The Cabinet recommended to Full Council that it:**

- (a) **adds £4,400,000 to the capital programme to fund improvements at Rochester Airport. This is made up from £4,000,000 as a contribution towards the works, which the airport operator will carry out and the balance of £400,000 is to fund professional fees and works on the Council's retained land.**
- (b) **delegates authority to the Assistant Director of Legal and Corporate Services, in consultation with the Portfolio Holder for Finance, to declare land surplus at the Airport so that it can be disposed of for development on the best terms reasonably obtainable.**

- (c) **delegates authority to the Assistant Director of Legal and Corporate Services, in consultation with the Portfolio Holder for Finance, to enter into contracts in respect of the improvements works at the airport and any necessary agreements in respect of any disposal land.**

**Reasons:**

To safeguard the long-term future sustainability of the airport, to secure the improvement of the airport to provide a modern facility with improved public access and heritage offer and to release additional employment land, whilst meeting the Council's legal and fiduciary duties.

**Rochester Airport Masterplan**

**Background:**

This report sought approval to undertake consultation on a draft Masterplan for development at Rochester Airport.

The report identified the options available for progressing the development of the Rochester Airport site and recommended the adoption of a Masterplan that provided guidance on the development principles for investment and growth opportunities at land in and around Rochester Airport.

It was noted that there had been an initial stage of informal consultation on the emerging Masterplan, which centred on a two-day exhibition. A Consultation Feedback Analysis Report was submitted, within a supplementary agenda, that set out what information was shown at the exhibition, how the event had been publicised, details of the responses made by local people, and how the emerging Masterplan would be changed as a result of the comments made.

A proposed consultation draft of the Rochester Airport Masterplan was included at Appendix 2 of the report and it was reported that a formal statutory stage of public consultation was now proposed. This would inform the development of the final Masterplan and be undertaken in line with the Council's Statement of Community Involvement.

**Decision number:**

**Decision:**

**107/2013**

**The Cabinet agreed the content of the draft masterplan at Appendix 2 within Supplementary Agenda No.1 and authorised its publication for public consultation between 22 July to 20 September 2013.**

**108/2013**

**That Cabinet authorised the Director of Regeneration, Community and Culture, in consultation with the Portfolio Holders for Finance and Strategic Development and**

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### **Economic Growth, to agree any necessary minor amendments to the draft masterplan document prior to the statutory consultation.**

#### **Reasons:**

Cabinet approved this draft masterplan for consultation to progress work in bringing this site forward for economic development, and securing the future operations of the airport. The masterplan would provide the framework to guide development on the site to realise economic opportunities as well as addressing wider amenity issues.

#### **Statement of Accounts 2012/2013**

##### **Background:**

This report provided details of the Council's draft Statement of Accounts for 2012/2013, which was attached to the report. The Council was required under the Accounts and Audit Regulations 2003 (as amended) to produce an annual statement of accounts that was subject to scrutiny by the external auditors. The auditor would subsequently give an opinion on the accounts, and additionally interested parties would have the right to inspect the accounts and make representations to the auditor.

It was reported that the final accounts showed a revenue surplus of £2.828 million. It was noted that the final position was a significant achievement and a reflection both of the successful efforts to maintain services at minimum cost and the robustness of the budgets that were originally set.

The final Housing Revenue Account (HRA) for 2012/2013 showed a surplus of £1.311 million against a budgeted surplus of £1.059 million. However, a revenue contribution to capital expenditure of £1.8 million meant that the balance on the account fell to £4.346 million.

The final capital expenditure for 2012/2013 was £72.4 million with £6 million slipping to future years.

It was noted that the Audit Committee would consider draft Statement of Accounts on 11 July 2013.

Some amendments to the Statement of Accounts were tabled at the meeting (Comprehensive Income and Expenditure Statement; Directorate Income and Expenditure 2012/2013; and, Movement on the Housing Revenue Account Statement).

##### **Decision number:**

##### **Decision:**

**109/2013**

**The Cabinet noted the revenue and capital outturns as reported and recommended to the Audit Committee that it approve the draft Statement of Accounts for 2012/2013.**

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### Reasons:

Good practice recommends that Members approve the Statement of Accounts as soon after 30 June as practicable.

### Treasury Management Outturn Annual Report

#### Background:

This report provided an overview of treasury management activity during 2012/2013. The report covered a number of issues including the Council's treasury position as at 31 March 2013, performance measurement, the strategy for 2012/2013, borrowing and investment rates, the borrowing outturn, compliance with treasury limits and prudential indicators, investment outturn and debt rescheduling.

It was noted that overall the Interest and Financing budget made a surplus over its targeted budget by £1.068 million. In light of the continued historically low bank rate which continued at 0.5% throughout 2012/13, the overall rate achieved for investments averaged at 1.46%. The body of the report and the appendices outlined the significant financial implications and it was reported that any transactions undertaken on either investments or borrowings were governed by the London Code of Conduct, the Council's Treasury Policy Statement, and the CIPFA Code of Practice on Treasury Management in Local Authorities.

It was noted that the Business Support Overview and Scrutiny Committee considered this report on 20 June 2013. The Committee had requested that future reports include information on debt maturity analysis and requested that the mid-year review report includes information on the quantum of local authorities that use just in-house and a mixture of in-house and external fund manager services.

This report would also be referred to Audit Committee on 11 July 2013 for consideration and approval.

#### **Decision number:**      **Decision:**

**110/2013      The Cabinet, in accordance with the CIPFA Code of Practice, noted the content and recommended this report to the Audit Committee.**

#### Reasons:

In line with CIPFA's Code of Treasury Management Practice an annual report must be taken to Cabinet detailing the council's treasury management outturn within six months of the close of each financial year.

## De-Cluttering of Medway's Streets Task Group

### Background:

This report presented the final report of the De-cluttering Streets in Medway Task Group, which was attached at Appendix A to the report. The Regeneration, Community and Culture Overview and Scrutiny Committee had recommended the review document to Cabinet following consideration on 27 June 2013.

It was noted that the cross party Task Group of the Regeneration, Community and Culture Overview and Scrutiny Committee, had considered current legislation, government policy and established best practice in relation to street clutter. It had also reviewed the current picture in Medway and held a De-Cluttering Stakeholder Event to understand the needs of local interested parties.

The proposed way forward focused on the development of a Streetscape Manual for Medway, with supporting policy documents, a quality assessment process and a pilot scheme in Strood High Street. The Task Group had proposed a systematic approach to de-cluttering public spaces, with de-cluttering undertaken in association with future maintenance work or new capital schemes.

It was noted that a Diversity Impact Assessment screening form had been completed and was attached at Appendix 1 to the review document. It was reported that in taking forward the actions arising from this review officers would be asked to ensure that they comply with equalities obligations in line with good practice and legislation. The screening form showed that it was not necessary to undertake a full assessment on the review document.

**Decision number:**      **Decision:**

**1111/2013      The Cabinet agreed:**

- 1. That Medway Council systematically de-clutters its public spaces on a case-by-case basis and in association with future maintenance work or new capital and developer initiated schemes. That all Ward Members are consulted before the removal of any street furniture in their wards as part of the de-cluttering programme.**

**That an overarching Streetscape Manual, supported by policies relating to street furniture, traffic signs and road markings, would guide this process and these policies be tested as part of a pilot de-cluttering scheme in Strood Town Centre.**

**Streetscape Manual**

2. That the Director of Regeneration, Community and Culture develops a Streetscape Manual to ensure a consistent and coordinated approach to the design, management and maintenance of our public spaces. The Streetscape Manual would include policies relating to street furniture, traffic signs and road markings.

**Street furniture**

3. That a Pedestrian Guardrail Policy for Medway be developed and implemented. Prior to the implementation of this policy, pedestrian guardrail assessments should be undertaken in accordance with Transport for London's 'Guidance on the Assessment of Pedestrian Guardrail', May 2012.

The Integrated Transport team within the Regeneration, Community and Culture Directorate to lead on proposals to retain or remove pedestrian guardrails.

A record of all street furniture removed, will be recorded in CONFIRM (the Council's Asset Management System), so that collision monitoring can continue at sites where street furniture is removed.

4. That sections of bollards and railings be removed on a case-by-case basis. Where parking restrictions exist bollards should not be required and it is recommended that they be removed. At locations where there is an absence of parking restrictions, the introduction of specific verge parking restrictions should be considered to control parking at these locations. If bollards are required at certain locations then these should be of a consistent type.
5. That authorisation is obtained from the Department for Transport for all manufacturer types so to be able to replace the base-lit traffic bollards with either self-righting unlit retro reflective bollards or self-righting solar powered bollards.
6. That the Director of Regeneration, Community and Culture investigate the potential for reducing the number of lamp columns on Medway's streets by adopting a more cost effective and sustainable



lighting system, and installing traffic signals on lighting columns at certain locations, whilst not decreasing lighting levels in Medway.

7. That a policy on 'A' Boards, tables and chairs, and shop front displays be developed, that balances the needs of businesses and the public's expectation of an unobstructed highway.

#### Signage and Road Markings

8. A Signage Policy for Medway be developed and implemented, incorporating:
  - a) a review of destination signage;
  - b) the removal of warning signs unless there are genuine hazards that would not be readily apparent to the driver without the sign;
  - c) a review of existing Traffic Regulation Orders;
  - d) a risk-based analysis and individual site assessment undertaken when considering placing only one of the safety critical signs, such as 'No Entry' where it may still be appropriate to place two terminal signs;
  - e) consideration of the spacing of repeater signs in their relation to other repeater and terminal signs;
  - f) consideration be given to placing repeaters on 'major roads' within 100m of 'minor road' junctions that have a lower speed restriction and that the lower speed limit terminal signs on the 'minor road' be removed.
  - g) only terminal speed limit signs on principal roads should be lit;
  - h) that the size of signs be reduced where applicable
  - i) worded and diagrammatical markings, such as 'Keep Clear' and 'Slow', should be assessed to establish if there is a need for their retention;
  - j) an assessment of hatchings for each island;
  - k) A review of the condition and legality of waiting lines;
  - l) The use of yellow line markings to No.310 (primrose) or No.353 (deep cream) with a 50mm width should be considered in all conservation areas to minimise impact.
  - m) a 75mm size line be used for all routes with a speed limit of 40mph or less, which are outside the conservation areas.
  - n) 'At Any Time' plates be removed on a case-by-case basis as they no longer require restriction plates unless there are loading restrictions

- o) the “x” height for all street nameplates for junctions off the Primary Routes should be 90mm in height. Otherwise for all the other routes within a study area that an “x” height of 75mm be adopted.
9. A tourist signing policy be developed based on TA 93/04 ‘Traffic Signs to Tourist Attractions and Facilities in England: Guidance for Tourist Signing - General Introduction’, that is mindful of Medway Council’s bid for World Heritage Status for Chatham Dockyard and its defences. Decisions to be made after consultation with tourism destinations within Medway.

**Quality Assessment Process**

10. The following methodology be used as part of the assessment on any maintenance work or new capital scheme:

That experienced officers from traffic/road safety and highways maintenance, together with an officer with a design background walk roads in any study recording and commenting on:

- All forms of road signing including road markings.
- The feasibility of rationalising signs thereby reducing sign numbers.
- The appropriateness of existing signs and whether they supported the existing traffic regulation orders on site.
- The material of the existing signs.
- The condition and size of existing signs.
- The location of each item of street furniture or marking.
- Whether there would be any safety implications if the street furniture or markings were removed.
- Whether additional furniture or signs are appropriate.
- The requirements for existing guardrail.
- Whether street lighting could be reduced and improved, with the assistance of a street lighting engineer.

Additionally, when items at crossing locations have been identified for removal that discussion should be

**undertaken with relevant groups representing the visually and mobility impaired.**

**The study should also include:**

- **Litter bins; condition, location and need.**
- **Bus shelters; location and condition.**
- **Bollards and other similar street furniture.**
- **Traffic Islands, condition and comments on the crossing locations.**

**All information be recorded on data sheets, including a decision / recommendation for each individual item of street furniture. The results of the on-site surveys can then be collated and formalised with relevant photographs inserted to provide a readable spread sheet, which identified each item of street furniture, material, location, condition and whether the sign was required or could be reduced in size.**

#### **Pilot Scheme**

- 11. Prior to the final approval of the Streetscape Manual, Pedestrian Guardrail Policy, Signage Policy and Street Furniture Policy that a pilot scheme, funded via the Local Transport Plan, be undertaken in Strood High Street from Gun Lane to Station Road. This pilot will be used to inform the final manual and policies.**
- 12. Recognising that the quality of the streetscene was not solely within the purview of the Council that local businesses within the pilot area be advised of the de-cluttering pilot and encouraged to review their shop fronts and advertising during the course of this process.**

#### **Reasons:**

The Task Group had considered current legislation, government policy and established best practice in relation to street clutter. It had also reviewed the current picture in Medway and facilitated a De-Cluttering Stakeholder Event to understand the needs of local interested parties. The way forward focuses on the development of a Streetscape Manual for Medway, with supporting policy documents, that will ensure principles are adopted and applied that will design clutter out from the start.

#### **Review of School Organisation Plan 2011 - 2016**

##### **Background:**

This report updated Members on the School Organisation Plan 2011-2016, which established a framework for school organisation decisions to ensure an appropriate

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supply of school places linked to school improvement. The report reviewed the plan and the actions taken so far, and set out what further actions would need to be included in the ongoing implementation programme.

It was noted that the Plan had included an Action Plan, which highlighted specific proposals for developing provision in Medway over the lifetime of the plan, and an updated action plan was attached at Appendix 2 to the report. This showed the achievements in school planning and organisation, how each action had been approached and the status of any resultant actions.

Members were advised how situations had changed since Cabinet approved the School Organisation Plan in November 2011, and the impact these changes have had and would have on expected pupil numbers in the future. This included details of forecast figures for primary and secondary school places, schools that had converted to academy and early years provision.

It was noted that the Children and Young People Overview and Scrutiny Committee had considered this report on 4 June 2013, details of which were set out in the report. The Committee had recommended that the Cabinet approve the revised action plan taking into account the demographic changes to the population.

***Decision number:***

***Decision:***

- |                 |   |
|-----------------|---|
| <b>112/2013</b> | <b>The Cabinet noted the progress made so far to actions flowing from the School Organisation Plan 2011-16 and approved the revised Action Plan.</b>  |
| <b>113/2013</b> | <b>The Cabinet instructed the Director of Children and Adults to commence the options appraisals required to assess the options for providing the additional provision required in the Hoo St Werburgh area, and the Cuxton and Halling area. Proposals developed from the options appraisal would be presented to Cabinet at the appropriate time for approval and consent to progress with the necessary statutory processes.</b> |
| <b>114/2013</b> | <b>The Cabinet instructed the Director of Children and Adults to commence an options appraisal at the appropriate time to assess the options for providing additional primary provision in the Chatham and Rochester area, should the forecasts continue to indicate the need.</b>  |

**Reasons:**

By approving the recommendations the Cabinet are ensuring that the Council meets its statutory duty to ensure sufficient good school places.

Approval in advance to commence the necessary options appraisals and statutory processes will ensure the Council complies with its statutory duty to follow the full consultation process when proposing changes to school organisation.

## 2012/2013 Year End Performance Monitoring

### Background:

This report summarised the performance of the Council's Key Measures of Success for 2012/13 as set out in the Council Plan 2012/13 and the Council's annual report, Delivering Fair and Responsive Services.

The report also summarised the feedback from service users, as recorded within the 2013 Customer satisfaction Tracker Survey and the Customer satisfaction measurement at point of contact (GovMetric) October 2012 – March 2013.

Successful achievements as well as areas for improvement were highlighted within the report. This included, in relation to overall Council wide performance, 44 out of 78 Council Plan key measures of success being on target or exceeded their target; whilst 22 measures were significantly below target. Detailed background information supporting the report had been circulated within Supplementary Agenda No. 1.

It was noted that lessons learnt from 2012/13 had defined the focus for the performance monitoring programme for 2013/14 and information was given as to how the Council had developed improvement plans, such as the implementation of an Ofsted Inspection Plan to deliver a major programme of service improvements. Members were also advised that the Corporate Performance and Intelligence Hub would be developing and managing the Performance Action Plan to help drive up performance in underachieving areas, a review was ongoing on how Overview and Scrutiny Committees handled Council Plan Monitoring reports and further Member development in performance monitoring was being planned.

### **Decision**      **Decision:** **number:**

**115/2013**      **The Cabinet noted the fourth quarter/year end performance against the Key Measures of Success used to monitor progress against the Council Plan 2012/13.**

### Reasons:

Regular monitoring of performance by management and Members is best practice and ensures achievement of corporate objectives.

## Procurement Strategy

### Background:

This report introduced a new Procurement Strategy for the Council, which was attached at Appendix A to the report.

The proposed strategy set out how the Council spends its money with third parties in relation to four themes: Better services, Better outcomes; Intelligent spending;

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Reducing red tape; and, Improving the local economy. The strategy included measures for success and case studies to demonstrate the Council's commitment to improving procurement in Medway for the benefit of businesses and the general public.

Following Cabinet consideration the draft strategy would be the subject of consultation. This process included presentation at a supplier event on 26 July 2013 and sharing the document with the Federation for Small Business, the local Chambers of Commerce and Kent Business School. The outcome of the consultation process would be reported to Cabinet on 3 September 2013.

It was noted that the draft Strategy had been presented to the Business Support Overview and Scrutiny Committee on 20 June 2013. The Committee had made a number of suggestions to the strategy, which would be fully addressed as part of the consultation exercise, and agreed to consider the strategy again following the conclusion of the consultation exercise.

**Decision**      **Decision:**  
**number:**

**116/2013      The Cabinet approved the draft Procurement Strategy, as attached at Appendix A to the report, for consultation.**

**Reasons:**

The proposed strategy set out how the Council would spend public money better through designing services that deliver better outcomes; ensuring that public money contributes to a thriving local economy and creating local employment; reducing the bureaucracy relating to procurement and using intelligence about spend and the markets to achieve efficiencies.

Consultation will enable the business community to comment on the contents of the draft strategy.

### **Changing the Contract Procedure Rules and Processes in Medway**

**Background:**

This report provided an overview of changes proposed to the Council's Contract Procedure Rules to reduce red tape and encourage and support new and existing suppliers to the Council.

It was reported that encouraging and supporting a diverse and competitive marketplace of suppliers was key to the Council delivering Best Value and supporting local businesses and development where possible. The changes proposed would be implemented in two phases during the current financial year and the first phase, relating to process and procedures, was outlined within this report.

The options of continuing to use the existing or revised procedures and processes were outlined in the report. Details of implementing eTendering software and changes to the Council's Contract Procedure Rules were also set out. It was also

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noted that the proposed threshold and requirement changes had been benchmarked with members of the SE7 Group and other District and Borough Councils and were considered more aligned and proportionate to those currently adopted.

Members were advised that the Procurement Board had considered and recommended this report on 26 June 2013. The report would also be presented to the Audit Committee on 11 July 2013, prior to final consideration and approval at Full Council on 25 July 2013.

**Decision number:**      **Decision:**

**117/2013**      **That Cabinet recommend the revised Contract Procedure Rules attached at Appendix C to the report to Full Council for consideration on 25 July 2013.**

**Reasons:**

This decision will reduce 'red tape' and encourage / support new and existing Suppliers to the Council. It will also ensure that the Council's Contract Procedure Rules and processes remain fit for purpose, reflect proportionate controls and any changes in best practise or legislation.

### **Delegation of Drug and Alcohol Commissioning Function**

**Background:**

This report sought approval for the commissioning of adult drug and alcohol treatment to be delegated to Kent County Council (KCC) on behalf of Medway.

Commissioning of substance misuse treatment services became the responsibility of Medway Council on 1 April 2013 as a result of the Health and Social Care Act 2012. Previously the responsibility was with Medway Primary Care Trust although a partnership team was hosted by Medway Council to facilitate this.

It was noted that significant substance misuse commissioning expertise was required to design local services and ensure clinical need was still met without requiring substantial new investment. Members were advised that the Kent Drug and Alcohol Action team as part of KCC commissioned services had the subject and commissioning expertise to ensure that a new recovery focussed treatment system was commissioned for Medway clients.

The proposal to use KCC substance misuse commissioning team expertise to commission on the council's behalf had been approved by Medway DAAT Board and the Procurement Board, subject to final approval by the Leader/Cabinet.

It was noted that in accordance with the Council's Constitution (Article 10) the decision requested was a matter for the Leader of the Council given that the authority to establish joint arrangements concerning executive functions was devolved to the Leader.

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**Decision number:**      **Decision:**

- 118/2013**      **The Cabinet recommended that the Leader approve the delegation for the procurement of Adult Drug and Alcohol Treatment Services, as detailed in paragraph 3.3 of the report, to Kent County Council.**
- 119/2013**      **The Cabinet approved the delegation of a delegation agreement with Kent County Council in a form to be approved by the Assistant Director, Legal and Corporate Services.**
- 120/2013**      **The Leader approved the delegation for the procurement of Adult Drug and Alcohol Treatment Services, as detailed in paragraph 3.3 of the report, to Kent County Council.**

**Reasons:**

These decisions will mean a more expedient tendering of local services and that services are commissioned by substance misuse experts with a full understanding of how to achieve a recovery focused treatment system.

### **Implications of the Localism Act 2011 for Dealing with Landlord Services Complaints**

**Background:**

This report set out changes in the way complaints from the Council's Housing Revenue Account tenants were handled, as introduced by the Localism Act 2011.

It was noted that a tenant or leaseholder who had exhausted the Council's internal complaints procedure and remained unhappy with the response to their complaint could ask a 'designated person' to refer their complaint to the new Office of the Housing Ombudsman. It was noted that a 'designated person' could be any Member of Parliament or Councillor from the local housing authority district or there could be a designated tenant panel, i.e. a group of tenants that was recognised by a social landlord for the purpose of referring complaints against the social landlord.

The report set out structure options detailing how a 'Designated Person' could be identified, setting out the advantages and disadvantages of each. Whilst noting that every tenant or leaseholder still retained the right to refer their complaint to any designated person if they so wished the report recommended that a 'Designated Person Panel' be identified (option 2).

It was noted that the Regeneration, Community and Culture Overview and Scrutiny Committee had considered this report on 27 June 2013. Details of the discussion at the Committee, including an explanation as to how the new system would work if option 2 were to be adopted, was set out in the report. The Committee agreed to recommend adoption of option 2 and recommended that the Designated Person



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Panel should comprise 5 Councillors (3 Conservative members, 1 Labour member and 1 Liberal Democrat member nominated by Group Whips); that the advisory independent person should be from Gravesham Council (or another neighbouring Council) on the basis of a reciprocal arrangement with Medway and the advisory tenant representative should be nominated by the Tenant and Leaseholder Scrutiny Panel.

**Decision number:**      **Decision:**

**121/2013      The Cabinet agreed option 2, as set out in paragraphs 3.3 and 7.5 of the report, and that the Designated Person Panel should comprise 5 Councillors (3 Conservative members, 1 Labour member and 1 Liberal Democrat member nominated by Group Whips) with an advisory independent person from a neighbouring Council on the basis of a reciprocal arrangement with Medway and an advisory tenant representative to be nominated by the Tenant and Leaseholder Scrutiny Panel.**

**Reasons:**

This provides complainants with the option of discussing their complaint and possible referral to the Housing Ombudsman with a small panel of Councillors, working in their capacity as designated persons, who will build up a level of experience and knowledge of housing operations and obligations.

### **Housing Revenue Account Business Plan 2012 - 2042 and Asset Management Strategy**

**Background:**

This report provided an update on the Housing Revenue Account (HRA) Business Plan, following the introduction of HRA Self Financing and revisions to the Housing Asset Management Strategy.

It was noted that the Housing Revenue Account Business Plan was a strategic update of the 2005-35 HRA Business Plan. The Asset Management Strategy also provided up to date information on the nature and condition of the council's housing stock and HRA Assets and targets and options for these in the future.

Members were advised the Plan had been developed building on the work arising from the Annual Report to Tenants, along with resident surveys, consultation with Resident Forums and Focus Groups. The HRA's Asset Management Group, which includes tenant representatives, had also considered and approved the strategy.

It was further noted that the Regeneration, Community and Culture Overview and Scrutiny Committee had considered this report on 27 June 2013. The Committee discussed the potential to build up significant financial Headroom created by self-financing over the period of the Plan and questioned the absence of a clear strategy

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for use of this resource in the report. Officers had advised that the alignment of the HRA Business Plan and Asset Management Plan would be followed by a further report providing an options appraisal and possible projects for utilisation of this headroom. The Committee asked for this further report by the end of the calendar year.

***Decision number:***

***Decision:***

**122/2013**

**The Cabinet adopted the HRA Business Plan as attached to the report.**

**123/2013**

**The Cabinet agreed the recommendation from the Regeneration Community and Culture Overview and Scrutiny Committee that a further report providing an options appraisal and possible projects for utilisation of the Headroom created by self-financing should be presented to the Overview and Scrutiny Committee and Cabinet by the end of the calendar year.**

**Reasons:**

Local Authorities are required to produce and maintain a HRA Business Plan that meets the Government's 'fit for purpose' criteria. The adoption of this Business Plan would allow the Council to continue to meet this requirement.

### **Cabinet Advisory Groups**

**Background:**

This report recommended amendments to the ratio of the Airport Proposals Cabinet Advisory Group and the Corporate Parenting Group following changes to the size of political groups in June 2013.

The Cabinet had re-established a number of Cabinet Advisory Groups for the current municipal year on 11 June 2013. Some Cabinet Advisory Groups included membership across all political groups, including the former Independent Group. Following notification that the Independent Group Members had joined the Labour Group, it was necessary to review the Cabinet Advisory Group ratios.

***Decision number:***

***Decision:***

**124/2013**

**The Cabinet agreed the changes to the ratios and memberships for the Airport Proposals Cabinet Advisory Group and Corporate Parenting Group as set out in Appendix 1 to the report.**

**Reasons:**

To reflect the change in number and size of political groups.

## **Children's Nursery, Kingfisher Primary School and Former Chatham South School Site**

### **Background:**

This report set out proposals to grant delegated authority to officers to let a children's nursery at Kingfisher Primary School, Chatham and transfer some of the redundant land and buildings at the former Chatham South School site to Chatham Grammar School for Boys.

Members were advised that the existing tenant's 5-year lease for the children's nursery at Kingfisher Primary School was due to expire on 29 January 2014 and they were seeking a purchaser for the business. It was noted that the existing tenant had agreed terms for the sale of the business to another nursery provider and the council had provisionally agreed terms to take a surrender of the existing tenant's lease and grant a lease of up to 10 years to the new nursery provider.

In relation to the former Chatham South School site, it was noted that some of the land and buildings were not required for the creation of the new primary age Academy. On 12 June 2012 that Cabinet had approved the transfer of part of the accommodation to meet the curriculum needs of Chatham Grammar School for Boys and the school had approached the Council to add these buildings to its existing leasehold interest for use in delivering its curriculum.

The report considered the options available on both these sites.

The Cabinet agreed to accept this report as an urgent item, so to enable officers to progress both of these matters at the earliest opportunity.

### ***Decision number:***

### ***Decision:***

- |                 |  |
|-----------------|--|
| <b>125/2013</b> | <b>The Cabinet granted delegated authority to the Assistant Director of Legal and Corporate Services, in consultation with the Portfolio Holder for Finance, to take a surrender of the current lease and grant a new lease or leases of the nursery site at Kingfisher Primary School.</b>  |
| <b>126/2013</b> | <b>The Cabinet delegated authority to the Assistant Director of Legal and Corporate Services, in consultation with the Portfolio Holder for Finance, to:</b><br><b>(a) declare surplus to requirements those areas of the former Chatham South School site not needed for the new primary school provision and to dispose of these areas for use by Chatham Grammar School for Boys.</b><br><b>(b) vary or take a surrender of the existing lease to the Chatham Grammar School for Boys and grant a new lease(s) to the School of a revised area.</b> |

## Cabinet, 9 July 2013

### Reasons:

In respect of the Nursery at Kingfisher Primary School this decision will provide continuity of the nursery service to local residents and the school and to maintain a revenue stream from the asset.

The decisions will assist Chatham Grammar School for Boys to meet its existing curriculum needs and to enable the School to offer an improved performing arts curriculum for the whole School and in particular for the Sixth Form.

### 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, with details of one further post tabled at the meeting.

### Decision number:

### Decision:

127/2013

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

#### Business Support

- (a) Democratic Services Officer
- (b) Macmillan Customer Contact (Initial Contact)
- (c) Communications and Marketing Team (various)

#### Children and Adults

- (d) Support Services Officer
- (e) Support Services Assistant

#### Regeneration, Community and Culture

- (f) GAPS Cross Border Placements Coordinator
- (g) NDI Project Coordinator.

### Reasons:

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

## Cabinet, 9 July 2013

### Gateway 3 Contract Award: Medway Local Welfare Provision Scheme

#### Background:

This report sought permission from the Cabinet to award a contract to the supplier for the Medway Local Welfare Provision Scheme. This was based upon the recently undertaken procurement process.

It was noted that the Procurement Board and Cabinet approved the commencement and delivery of this service at Procurement Gateway 1 in April 2013. The report included contract details, an explanation of the procurement tendering process undertaken and set out the subsequent options available. An exempt appendix contained finance and whole-life costings information for this project, as well as detailed procurement process tender evaluation information.

A Diversity Impact Assessment had been undertaken for this service and was included as Appendix 1 to the report. The screening form showed that it was not necessary to undertake a full assessment.

It was reported that the Children and Adults Directorate Management Team and the Procurement Board had approved the Procurement Gateway 3 Report for submission to the Cabinet.

**Decision number:**      **Decision:**

**128/2013**      **The Cabinet approved the procurement contract award for the Medway Local Welfare Provision Scheme to West Kent Extra.**

#### Reasons:

The decision is made on the basis of the most economically advantageous tender being awarded the contract.

.....  
**Leader of the Council**

.....  
**Date**

**Wayne Hemingway/Anthony Law, Democratic Services Officers**

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**Cabinet, 9 July 2013**