

Record of Cabinet decisions

Tuesday, 3 September 2013

3.00pm to 3.38pm

Date of publication: 4 September 2013

**Subject to call-in these decisions will be effective from 12 September 2013
The record of decisions are subject to approval at the next meeting of the Cabinet**

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

Apologies for absence

There were none.

Record of decisions

The record of the meeting held on 6 August 2013 was agreed and signed by the Leader as correct.

Declarations of disclosable pecuniary interests

There were no declarations of disposable pecuniary interests.

Councillor Hicks declared a potential conflict of interest in agenda item 7 (Chatham World Heritage Planning Policy Document – Draft for Consultation) due to the reference within the Planning Policy Document to the High Street at Upper Upnor.

Councillor Jarrett declared on behalf of the Assistant Director Legal and Corporate Services /Monitoring Officer a potential conflict of interest in agenda item 7 (Chatham World Heritage Planning Policy Document – Draft for Consultation) as the Assistant Director lived within the scope of the Planning Policy Document.

Overnight Short Breaks Provision for Disabled Children and Young People in Medway

Background:

Overnight short breaks for individuals aged five to eighteen with complex health and social care needs in Medway and Swale are currently provided by Medway NHS Foundation Trust at Preston Skreens (Minster, Sheppey) and Aut Even (Rainham). This report outlined the consultation undertaken, between 6 March 2013 and 12 June 2013, following notification by the Trust of their intention to stop providing overnight short breaks at Preston Skreens.

The report summarised the options that had framed the consultation, with further detail given within Appendix 1. Members were advised that the options had been informed by the views of stakeholders, best practice and previous reviews of short breaks provision in Medway. It was also noted that surveys, consultation events, one-to-one interviews, and taster sessions had been adopted to ensure that all families who already, or may need to, access overnight short breaks in Medway had the opportunity to respond.

Members were advised that there were 91 responses to the proposed options survey:

- 88 (97%) of responses were received from Medway residents;
- 29 (32%) of responses were from overnight short breaks users;
- 62 (68%) of responses were from non-users of overnight short breaks.

Overall, the preferred option from the main survey was Option 1A (Extend the range of day, evening and overnight short breaks for disabled children and young people and their parent carers living in Medway and Swale). It was, however, noted that users of overnight short break units were more likely to choose Option 1B (To bring together local authority and NHS funding to extend provision at Aut Even to seven days a week and purchase additional overnight short breaks from alternative residential overnight short break providers).

To ensure that all recipients of overnight short breaks had an opportunity to respond, a further booster survey was sent out to families at Preston Skreens and Aut Even. From this an additional 19 responses were received. 13 out of the 19 respondents to the booster survey said that their preferred option was Option 1B. This included 3 of

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the 6 respondents from Preston Skreens.

The Children and Young People Overview and Scrutiny Committee had considered this report on 16 July 2013 and details of the discussion were set out in the report. It was noted that the Committee had recommended that the Cabinet agree that Option 1A and 1B be implemented and that the Medway NHS Foundation Trust be requested to continue provision at Preston Skreens until adequate alternative provision is available for affected families. An update since the Overview and Scrutiny Committee was set out in the report.

The Portfolio Holder, during the discussion on this item, further updated Members by advising that agreement had recently been obtained to enable access from 16 years of age, to the services provided at the Napier Unit and through Medway's Shared Lives scheme.

A Diversity Impact Assessment was attached to the report. It was noted that a full impact assessment was not considered necessary.

Decision number: ***Decision:***

138/2013 **The Cabinet agreed that officers continue to develop options 1a and b, as set out in the report, as recommended by the Children and Young People Overview and Scrutiny Committee.**

139/2013 **The Cabinet agreed to delegate authority to the Director of Children and Adult Services, in consultation with the Portfolio Holder for Children Services, to finalise and implement the recommended option.**

Reasons:

To demonstrate to families that the Council have listened to their responses to the short breaks consultation; to minimise destabilisation of the short breaks service during a period of uncertainty and to ensure that the Council has capacity to meet current and future short break needs.

Ofsted Inspection of Looked After Children Services

Background:

This report provided Cabinet with the findings from the July 2013 Ofsted unannounced inspection into the arrangements for looked after children in Medway.

It was noted that the current Ofsted framework had four areas that were graded as part of an inspection. These were:

- Capacity to improve
- Outcomes for looked after children and young people
- The quality of provision
- Leadership and management.

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Taken together these four areas lead to an 'overall effectiveness' grading.

It was reported that in terms of overall effectiveness Medway was judged to be inadequate, however the 'capacity to improve' judgement was rated as adequate. Details of the findings contained within the Ofsted report were set out; this included the findings that no child was found to be at immediate risk of harm, an acknowledgement that Medway was actively addressing inadequacies and that it was too soon to see the impact of changes already introduced.

Members were advised that an independently chaired Improvement Board would oversee the implementation of the actions contained within the Improvement Notice issued in relation to the 2013 Safeguarding Inspection, and the areas for improvement in both that and this Ofsted report.

It was reported that Ofsted were moving to a new inspection regime for children's social care, bringing together safeguarding and looked after children inspections into a single approach to reflect the 'journey of the child'. Ofsted planned a further change for 2014/2015 with the development of a multi-agency inspection regime for children being introduced.

Decision number:

Decision:

The Cabinet noted the findings of the Ofsted inspection.

140/2013

The Cabinet agreed that a further report is brought to Cabinet in three months to update Cabinet on the progress, particularly in relation to the immediate actions required.

Reasons:

To note the findings of the recent Ofsted inspection and the arrangements that are being implemented to secure urgent and sustainable service improvements.

Medway Adult Mental Health Social Work: First Year Review and Options for the Future

Background:

This report reviewed progress and performance of the Medway Adult Mental Health Social Work service since 1 February 2012, which was when the social care staff transferred to Medway Council from the Kent and Medway NHS and Social Care Partnership Trust.

The report took account of consultations undertaken with users and other stakeholders, performance measures and financial information. It referred to other relevant reports and documents, including a summary report written on behalf of the team on the areas of work. It also considered the broader context across Medway, which was having an impact on mental health service users, as well as national

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policy directives. The importance of improving the Council's response to children and families was also taken into account.

The report presented options available to the Council in relation to the management and position of this service as a part of its broader strategy for the development of mental health social care, to serve the needs of the community of Medway and to bring about better social care outcomes for mental health service users and their families. It was noted that there was essentially three options, with some scope for variation, and these were:

- The service remains within Council management;
- Independent social work practice established in a social enterprise;
- Market tender.

Each option was reviewed within the report.

It was noted that the Health and Adult Social Care Overview and Scrutiny Committee had considered this report on 20 August 2013. The report set out details of the discussion and the committee's recommendation that the service remains within Council management and be reviewed again in 2016.

Decision number:

Decision:

141/2013

The Cabinet agreed that the adult mental health social work team should remain in Council management and be reviewed again in 2016.

142/2013

The Cabinet agreed that operational working arrangements between the Council's housing teams, its adult mental health social work team and local NHS mental health teams be strengthened to respond to the risk of homelessness to vulnerable adults with mental health problems, recognising that Medway has limited housing resources and many areas of need.

143/2013

The Cabinet agreed that the management arrangements, set out in paragraph 2.10.21 of the report, be recruited to immediately.

The Cabinet noted that the Health and Adult Social Care Overview and Scrutiny Committee believed that it was essential that Medway had at least the national average of acute beds locally to ensure that service users needs are met and other services are not over burdened.

The Cabinet noted that the Health and Adult Social Care Overview and Scrutiny Committee supported the work being carried out in Appendix 3 of the report.

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Reasons:

To ensure that the needs of adults with mental health needs and their families in Medway are met and that social work practice locally has a significant and positive impact on their lives; that Medway Council fulfils its statutory duties in relation to mental health and safeguarding; and that the Council Plan priorities and values are honoured as per Council commitments.

Chatham World Heritage Planning Policy Document - Draft for Consultation

Background:

This report sought approval to launch public consultation on a draft Chatham World Heritage Planning Policy Document, which was attached as Appendix 1 to the report.

The Chatham World Heritage Planning Policy document had been drafted to provide a single-point framework for decision making to support the effective balance of heritage and regeneration within the potential World Heritage Site of Chatham Dockyard and its Defences, and its buffer zone.

The document consisted of three parts. The first provided an outline of existing planning policy guidance, drawing together the various existing policy documents which relate to the site. It included reference to key management plans for significant components of the site, which contain detailed advice about how individual heritage assets or groups thereof will be managed. The second part described how some of the site's principal heritage assets (known as attributes) were represented in key views and how these should be managed to ensure that the uniqueness of Chatham Dockyard is protected and enhanced. Part three of the document set out the methodology, in line with national guidance, that would be used to assess future development and regeneration proposals in the context of Chatham's world class heritage and its bid for World Heritage Site status.

It was noted that the Chatham World Heritage Planning Policy Document had been prepared to have the status of, and the same planning weight as, a Supplementary Planning Document (SPD). When the Core Strategy was adopted, it was the intention to upgrade the Planning Policy to full SPD status.

Cabinet was advised that the policy document had been produced in close consultation with members of the Chatham World Heritage Steering Group and following workshops and consultations on the developing draft. Details of a six-week public consultation exercise, planned in accordance with the Medway Statement of Community Involvement, were set out in the report.

A Diversity Impact Assessment screening report was attached as Appendix 2 to the report. The conclusion of this was that a full Diversity Impact Assessment was not required. The assessment would be reviewed following the consultation process set out in the report.

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Decision number:	Decision:
144/2013	The Cabinet agreed that the draft Chatham World Heritage Planning Policy Document proceed to formal public consultation.
145/2013	The Cabinet authorised the Director for Regeneration, Community and Culture, in consultation with the Leader and Portfolio Holder for Strategic Development and Economic Growth, to approve any minor corrections and factual amendments to the draft to improve its clarity and consistency prior to consultation launch.

Reasons:

An adopted Chatham World Heritage Planning Policy Document will provide a single-point framework for decision making to support the effective balance of heritage and regeneration within the potential World Heritage Site of Chatham Dockyard and its Defences, and its buffer zone. It will thereby demonstrate to government that this balance is at the heart of Medway Council's decision-making, and thus assist in securing a nomination date for World Heritage Site status.

Procurement Strategy

Background:

This report provided details of a new procurement strategy for the Council, which was attached at Appendix A to the report.

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

The report set out details of the consultation undertaken since initial consideration by Cabinet on 9 July 2013. This included a Supplier Event attended by over 100 representatives from the business community and posting on the Council's website. The responses were set out in the report and accompanying appendix.

It was noted that the Business Support Overview and Scrutiny Committee had considered this report on 13 August 2013. The report set out details of the discussion and committee's recommendation that the Procurement Strategy be approved.

A Diversity Impact Assessment was attached to the report (Appendix C). It was noted that a full impact assessment was not considered necessary.

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**Decision
number:**

Decision:

146/2013

The Cabinet approved the Procurement Strategy as set out in Appendix A to the report.

Reasons:

The proposed strategy sets out how the Council will 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.

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:

147/2013

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) Category Specialist**
- (b) Accounting Technician**

Children and Adults Services

- (c) Service Support Assistant**
- (d) Administrative Assistant**

Regeneration, Community and Culture

- (e) European Project Officer**
- (f) Project Coordinator (GREENFIT)**
- (g) Social Regeneration Officer**
- (h) WORK Programme Administrator/Receptionist**
- (i) Head of Regeneration and Economic Development.**

Reasons:

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

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Leader of the Council

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Date

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