

COUNCIL

23 JANUARY 2014

LEADER'S REPORT

Rodney Chambers, Leader of the Council, will give a report on key developments since the last ordinary Council meeting on 17 October 2013.

He will include:

- Educational performance
- Business growth and enterprise
- Thames Estuary Airport
- Lower Thames Crossing
- Flood response
- World Heritage Site bid
- Medway Queen
- Decisions made by the Cabinet on 29 October 2013, 26 November 2013, 17 December 2013 and 14 January 2014 (circulated separately).

Record of Cabinet decisions

Tuesday, 29 October 2013

3.00pm to 3.45pm

Date of publication: 30 October 2013

**Subject to call-in these decisions will be effective from 7 November 2013
The record of decisions are subject to approval at the next meeting of the Cabinet**

Present:	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
Dr Alison Barnett, Director of Public Health
Robin Cooper, Director of Regeneration, Community and Culture
Mick Hayward, Chief Finance Officer
Wayne Hemingway, Democratic Services Officer
Richard Hicks, Deputy Director, Customer Contact, Leisure, Culture, Democracy and Governance
Perry Holmes, Assistant Director Legal and Corporate Services/Monitoring Officer
Helen Jones, Assistant Director, Partnership Commissioning
Julie Keith, Head of Democratic Services
Barbara Peacock, Director of Children and Adult Services

Apologies for absence

An apology for absence was received from Councillor Rodney Chambers (Leader of the Council).

Cabinet, 29 October 2013

Deputy Leader's Announcement

The Deputy Leader and the Portfolio Holder for Front Line Services paid tribute to staff and the contractor for the successful launch of weekly recycling collections on Monday 28 October 2013 despite the extreme weather conditions and that these thanks be conveyed to staff and the contractor.

Record of decisions

The record of the meeting held on 1 October 2013 was agreed and signed by the Deputy Leader as correct.

Declarations of disclosable pecuniary interests and other interests

Disclosable Pecuniary Interests

There were none.

Other interests

Councillor Brake declared an interest in agenda item 9 (Establishment of a Subsidiary Company of Medway Norse for Grounds Maintenance) because his son was employed by the current grounds maintenance contractor (Landscape Group) for Bereavement Services. He chose to leave the room during consideration and determination of this item.

Councillor Filmer declared an interest in agenda item 9 (Establishment of a Subsidiary Company of Medway Norse for Grounds Maintenance) because he was a Director of Medway Norse. He chose to leave the room during consideration and determination of this item.

Councillor O'Brien declared an interest in agenda item 8 (Funding Formula for Mainstream Schools and Academies) because a close family member was employed by the Howard School.

Outline Business Case for the Expansion of Will Adams Pupil Referral Unit

Background:

This report provided details of the outline business case (OBC) regarding the proposal to expand the Will Adams Pupil Referral Unit (PRU), Woodlands Road, Gillingham.

The report provided details of the eight options and recommended that option 8 be taken forward on a similar basis to option 5. This would involve the use of the recently vacated Outreach Centre which was adjacent to the PRU, with some of the facilities/provision scaled back to achieve a more affordable option. This offered the maximum compromise between budget availability and building content and would provide best value for money.

Cabinet, 29 October 2013

During discussion, it was noted that the Portfolio Holder for Children's Services (Lead Member) should be consulted on the detailed design work on the preferred option.

Decision number: ***Decision:***

168/2013 **The Cabinet approved the Business Case, which had been based on the initial options appraisal and allow this project to proceed for more detailed design work on the preferred option, as set out in paragraph 4.1 of the report.**

Reasons:

Option 8 delivers the maximum compromise between budget availability and building content and provides best value for money. The cost estimates indicate that the preferred scheme, which will deliver the identified accommodation requirements, is the most cost effective solution. Accurate cost estimates will be developed during the detailed design stage and presented for approval at Gateway 1 stage. Every effort will be made to include additional elements identified during the discussions with the Headteacher and unit Staff prior to the tendering process.

Housing Revenue Account Development Programme

Background:

This report provided details of the first two individual work streams within the Housing Revenue Account (HRA) Development Programme and sought approval to appropriate land at Beatty Avenue, Gillingham, from the General Fund to the Housing Revenue Account. Full Council had agreed the overall programme as an addition to the Capital Programme at its meeting on 17 October 2013.

The proposals included development on a number of sites as set out in Appendix A to the report which would provide 23 affordable homes and on surplus general fund land in Gillingham which could provide 43 affordable homes.

An addendum report was tabled at the meeting which presented a revised table at 4.2.4 of the report. This provided details of the proposed accommodation on the surplus General Fund Land.

Decision number: ***Decision:***

169/2013 **The Cabinet agreed to proceed with the option to develop additional housing on Housing Revenue Account (HRA) sites, as set out in paragraph 4.1 of the report and the option to develop additional housing on one General Fund site at Beatty Avenue, Gillingham, as set out in paragraph 4.2 of the report.**

Cabinet, 29 October 2013

- 170/2013** The Cabinet agreed to delegate authority to the Assistant Director of Legal and Corporate services in consultation with the Portfolio Holder for Finance and Deputy Leader to appropriate the land at Beatty Avenue from the General Fund to the Housing Revenue Account (HRA).
- 171/2013** The Cabinet agreed to delegate authority to the Director of Regeneration Community and Culture in consultation with the Portfolio Holder for Housing and Community Services to add further sites to the HRA site programme as they become available, as set out in paragraph 4.1.7 of the report.

Reasons:

This proposed development programme would both improve and add to the HRA's existing housing stock, which will benefit existing tenants and Medway residents that qualify for affordable housing.

Revenue Budget Monitoring 2013/2014

Background:

This report gave details of the forecast outturn for the 2013/2014 financial year based on actual income and expenditure to September 2013 (the end of the second quarter).

It was noted that on 21 February 2013 the Council had set a budget requirement of £348.511 million for 2013/2014, with a Council Tax increase of 1.99%.

This was the second quarterly report and it indicated, after management action, the outturn forecast for 2013/2014 stood at a potential overspend of £4.4 million. Directorate management teams would continue to focus attention on identifying management action to contain expenditure within the overall budgets.

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

Decision number: **Decision:**

- 172/2013** The Cabinet noted the forecast position following the second round of quarterly revenue monitoring for 2013/2014 and instructed Directors to come forward with further proposals for management action to reduce the potential deficit.

Cabinet, 29 October 2013

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.

Capital Budget Monitoring 2013/2014

Background:

This report gave details of the capital monitoring position for the period to September 2013 (the end of the second quarter), with a forecast outturn for 2013/2014.

The approved capital programme for 2013/2014 and future years was £81.6 million, consisting of £41.6 million in respect of brought forward schemes and £40 million in respect of new approvals.

The report commented on the delivery of the capital programme and updated Members on a number of issues. The current forecast showed that £53.8 million of the programme was forecast for spend during 2013/2014.

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

During discussion, Cabinet Members paid tribute to the work undertaken by officers on the Education Capital Programme.

Decision number: **Decision:**

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

The Cabinet noted the new approvals and virements outlined at paragraphs 4.2.3 and 4.3.1 in the report and authorised under Chief Officer delegations.

173/2013 The Cabinet recommended to Council the addition to the capital programme outlined at paragraph 4.2.2 in the report.

Reasons:

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

Funding Formula for Mainstream Schools and Academies

Background:

This report provided details of the proposed funding arrangements for Medway's Schools and Academies through the Dedicated Schools Grant following consultation and initial consideration by the Schools Forum on 9 October 2013.

It was noted that the changes to the funding formula for 2014/2015 would create some gains or losses for individual schools, however it was reflected that schools would need a period of time to adjust to lower levels of funding so the government had set the Minimum Funding Guarantee (MFG) at minus 1.5% for 2014/2015 (the same as 2013/14). This meant that a school could not have a cut in funding of more than 1.5% per pupil per year over this period.

The Schools Forum's recommendations were set out in paragraph 4.2 of the report.

Decision number:

Decision:

174/2013

The Cabinet instructed officers to implement a new funding formula for schools and academies as follows:

- (i) To allocate 5.2% of the schools block funding through the Deprivation factors, as set out in paragraph 3.5 of the report.**
- (ii) To include the new Sparsity factor within Medway's funding formula, as set out in paragraph 3.8 of the report.**
- (iii) To set the Lump Sum amount at the same level for both primary and secondary phases, as set out in paragraph 3.9 of the report.**
- (iv) To continue to cap the gains from the funding formula at 1.5% per pupil, as set out in paragraph 2.8 of the report.**

Reasons:

The Council is required to implement the funding formula changes from 2014-15 in accordance with the regulations and to inform the Education Funding Agency of the new formula by 31 October 2013.

Establishment of a Subsidiary Company of Medway Norse for Grounds Maintenance

Background:

This report provided details of a proposal to set up a subsidiary company of Medway Norse. This would enable the Council to benefit from all of its spend on grounds maintenance services being in one place. The report also stated that this would provide opportunities for economies of scale and therefore savings from that spend and a sufficient base to compete for external contracts across the southeast creating income for the Council.

The proposed grounds maintenance services included: Greenspaces Corporate contract and Partnership arrangement (General grounds maintenance services and seasonal bedding); Bereavement services contract (General grounds maintenance services and grave digging); Highways (General grounds maintenance services including hedge and tree cutting and traffic management) and; Medway Norse (General grounds maintenance including golfing greens).

The report set out the governance arrangements for the subsidiary company which would include quarterly reporting to the Business Support Overview and Scrutiny Committee and six monthly reporting to Cabinet.

A Diversity Impact Assessment (DIA) screening had been undertaken on the proposals as set out in Appendix 1 to the report. It was noted that it had not been necessary to proceed to a full impact assessment.

Decision number:

Decision:

- | | |
|-----------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 175/2013 | The Cabinet agreed to establish a subsidiary company that will be operational from 1 April 2014. |
| 176/2013 | The Cabinet agreed that the transfer should be for services described in paragraph 2.3 commencing 1 April 2014. |
| 177/2013 | The Cabinet agreed that regular reporting to Business Support Overview and Scrutiny Committee and the Cabinet by the subsidiary joint venture company, as per the timetable for reporting in relation to Medway Norse, takes place. |
| 178/2013 | The Cabinet agreed that the Director for Regeneration, Community and Culture Services determine the joint venture company name, in consultation with the Portfolio Holder for Housing and Community Services, following a consultation with Members. |
| 179/2013 | The Cabinet agreed that the Grounds Maintenance Operational Liaison Board be constituted (to support the |

subsidiary company) to meet with the same frequency as the current Operational Liaison Board for Medway Norse.

Reasons:

This arrangement will enable the council to better manage the spend on activities related to grounds maintenance and manage the quality of services that are delivered.

To allow the Council to take advantage of income opportunities and make efficient use of assets, workforce and knowledge.

Regular reporting will ensure transparency at all stages of the subsidiary joint venture company's development and to ensure that its activities are in keeping with the Council's priorities and operating model.

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:

180/2013

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

Business Support

- (a) Head of Service Adult Learning**
- (b) Head of Quality**
- (c) Employer Liaison Coordinator**
- (d) Senior Electoral Services Officer**
- (e) MCSC Coordinator**
- (f) Electoral Services Manager**
- (g) Democratic Services Officer**
- (h) Exchequer Officer/Contract Administrator**

Children and Adults Services

- (i) School Support Assistant**
- (j) SEN Team Co-ordinator**
- (k) Support Services Assistant (Safeguarding)**
- (l) Support Services Assistant (Safeguarding)**

(m) Social Worker

Public Health Directorate

(n) Health Improvement Assistant x2

Regeneration, Community and Culture

(o) Economic Development Manager.

Reasons:

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

Gateway 1 Procurement Commencement: Eastgate House Refurbishment Works

Background:

This report sought permission to commence the procurement process for the refurbishment and conservation of the Grade I Listed Building, Eastgate House, High Street, Rochester, which represented the focal point of the Eastgate Conservation Area.

It was noted that the project would address the urgent conservation requirements of the house by transforming and securing the future of the building. A new lift, sensitively designed to complement the site, and the reinstatement of a demolished staircase would allow access for all to floors closed for decades. A robust Conservation Management Plan would ensure that decisions throughout the project and beyond would be taken with full consideration and understanding of the historical, social, aesthetic and communal significance of all areas of the house.

It was also noted that the project would introduce new galleries and education spaces to facilitate the Council's learning and participation aims. Significant improvements to visitor facilities would generate new opportunities for income generation, creating new jobs and ensuring sustainability of the project.

This Gateway 1 report had been approved for submission to Cabinet after review and discussion at Regeneration, Community and Culture Directorate Management Team meeting on 16 October 2013 and Procurement Board on 15 October 2013.

A Diversity Impact Assessment (DIA) screening had been undertaken and was attached at Appendix 1 to the report. It was noted that it had not been necessary to proceed to a full impact assessment.

An exempt appendix set out key information concerning finance and whole-life costing.

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Decision number: **Decision:**

181/2013 **The Cabinet approved this project to progress to the invitation to tender stage.**

Reasons:

There is a design team and funding in place and the project meets the strategic needs of the Council.

Gateway 1 Procurement Commencement: Saxon Way Primary School - Expansion to Two Forms of Entry: Temporary Accommodation

Background:

This report sought permission to commence the procurement of temporary accommodation hire for 2 years (including enabling works) to allow Saxon Way Primary School, Gillingham, to expand to a two form of entry (2FE) listed as Option 3a on the outline business case as approved at Cabinet on 6 August 2013 (decision number: 136/2013).

The report provided details of the phasing of the works stating that two phases would only progress once the Council was sure that the expected number of students would materialise. Phase 1 would provide a purpose built staffroom, Planning Preparation and Assessment (PPA) room, a Special Educational Needs (SEN) group room and a speech, language and Special Educational Needs Coordinators (SENCO) office. A learning resource centre with ICT provision would also be created. Phase 2 would provide a single storey extension with four additional classrooms, required from September 2017 onwards.

This Gateway 1 report had been approved for submission to Cabinet after review and discussion at Children and Adults Directorate Management Team meeting on 1 October 2013 and Procurement Board on 15 October 2013.

An exempt appendix set out key information concerning finance and whole-life costing.

Decision number: **Decision:**

182/2013 **The Cabinet approved this Gateway 1 high risk report for progression to Gateway 2 of the procurement process for the further competition/mini tender within the Government Procurement Service Framework RM875 Modular Building Systems as set out in paragraph 4.1 of the report (preferred option).**

Cabinet, 29 October 2013

Reasons:

This will provide:

- Greater choice and flexibility;
- A quicker route to market;
- Procurement with confidence through a fully EU compliant offering.
- Reduced procurement costs and resources.
- Full compliance with building regulations including “part L/Section six” conservation of fuel and power.
- Up to sixty years design life with minimum maintenance costs.
- Covers both the hire of the modular building and the appropriate enabling or connection works.

Gateway 3 Contract Award: New Primary School in Chatham Refurbishment and Remodelling Works

Background:

This report sought permission from the Cabinet to award a contract following the procurement process for works to establish a new primary school in buildings on the former site of Bishop of Rochester Academy – West Campus site, Chatham.

This Procurement Gateway 3 Report had been approved for submission to the Cabinet after review and discussion at Children and Adults Directorate Management Team meeting on 1 October 2013 and the Procurement Board on 15 October 2013.

An exempt appendix set out detailed finance and whole costing information for this project and the detailed procurement process tender evaluation information.

Decision number:

Decision:

183/2013

The Cabinet approved the contract award to WW Martin Ltd.

184/2013

The Cabinet approved the virement set out in paragraph 2.1.1 of the exempt appendix to cover design, enabling works, construction works, professional fees and all associated project costs.

Reasons:

The preferred contractor provided the lowest price and highest quality overall and the urgency of remodelling this school is due to the shortage of primary school places within Medway.

Gateway 3 Contract Award: Greenvale Infant School - Phase 3 Works

Background:

This report sought permission to award a contract following the recently undertaken procurement process for the new build extension for the entrance and administration and a review of the existing accommodation to allow for extra classrooms at Greenvale Infant School, Chatham.

This Procurement Gateway 3 Report had been approved for submission to the Cabinet after review and discussion at Children and Adults Directorate Management Team meeting on 1 October 2013 and Procurement Board on 15 October 2013.

An exempt appendix set out detailed finance and whole costing information for this project and the detailed procurement process tender evaluation information.

Decision number:

185/2013

Decision:

The Cabinet approved the procurement contract award to Birkby Construction Ltd.

Reasons:

The project will deliver the objectives outlined in the business case and summarised in section 4.1 of the report, to support the Council's School Organisation Plan 2011 – 2016, approved by Cabinet on 12 June 2012 (decision number 85/2012), which highlights the need for more pupil places in the Chatham area.

Gateway 4 Procurement Post Project Completion Review: Elaine Primary School, Oaklands Primary School, Walderslade Primary School and Sir Joseph Williamson's Mathematical School

Background:

This report provided details of the review of the progress of the Elaine Primary School, Oaklands Primary School, Walderslade Primary School and Sir Joseph Williamson (SJW) Mathematical School works contracts which had been awarded between 2009-2011.

The report provided details of the contractor and works for each of the contracts and provided details of the outcomes of these works.

This Procurement Gateway 4 report had been approved for submission to Cabinet after review and discussion at Procurement Board on 15 October 2013.

An exempt appendix set out key information concerning finance and whole-life costing.

Cabinet, 29 October 2013

**Decision
number:**

Decision:

The Cabinet noted that the contracts were one-off contracts with no additional termed requirements, which were now complete and would therefore no longer be required (as set out as the preferred option within paragraph 4.1 of the report).

Reasons:

The contracts were one off procurements, which have now finished.

Gateway 4 Procurement Post Project Completion Review: Yes Medway Service

Background:

This report provided details of progress of the YES Medway Services contract (formerly Connexions) currently delivered through Medway Youth Trust. The Cabinet had awarded this contract on 12 June 2012 for the period 1 September 2012 – 31 October 2017 (with an option to extend until 31 October 2019). The report provided details of contract performance.

This Procurement Gateway 4 report had been approved for submission to the Cabinet following review and discussion at Children and Adults Directorate Management Team meeting on 1 October 2013 and Procurement Board on 15 October 2013.

An exempt appendix set out key information concerning finance and whole-life costing.

**Decision
number:**

Decision:

186/2013

The Cabinet agreed to continue with the current contract and subject contract to further Gateway 4 and/or Gateway 5 Reporting Requirements as detailed in paragraph 4.1 of the report.

Reasons:

This is based on the current performance of the service provider.

Exclusion of the Press and Public

Decision number: **Decision:**

187/2013 The Cabinet agreed to exclude the press and public from the meeting during consideration of the agenda item 18 (Business Case for Establishing a Communications Shared Service) because consideration of this matter in public would disclose information falling within paragraphs 3 and 4 of Part 1 of Schedule 12A to the Local Government Act 1972 as specified in agenda item 17 (Exclusion of Press and Public) and, in all the circumstances of the case, the Cabinet agreed that the public interest in maintaining the exemption outweighed the public interest in disclosing the information.

Business Case for Establishing a Communications Shared Service

Background:

This exempt report provided details of proposals for a shared communications service with East Sussex County Council that would provide communications services to the two Councils and deliver traded services to other local public sector bodies in the region.

The Business Support Overview and Scrutiny Committee considered this report on 19 September 2013 and its views were set out in paragraph 6 of the report.

It was noted that the Deputy Leader was acting on behalf of the Leader in accordance with paragraph 7.5 of Article 7 (The Leader and Cabinet) as set out in the Constitution.

Decision number: **Decision:**

188/2013 The Cabinet recommended that the Deputy Leader (in the absence of the Leader) delegate authority to the Assistant Director, Communications, Performance and Partnerships in consultation with the Portfolio Holder for Finance to proceed with the implementation of the communications shared service with East Sussex County Council as set out in the business case to launch in April 2014.

189/2013 The Deputy Leader, acting in the absence of the Leader, agreed to delegate authority to the Assistant Director, Communications, Performance and Partnerships in consultation with the Portfolio Holder for Finance to

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proceed with the implementation of the communications shared service with East Sussex County Council as set out in the business case to launch in April 2014.

Reasons:

This will allow the Council to introduce an innovative shared approach to delivering communications that will increase the resilience of its communications service and generate traded income from its activities.

.....
Leader of the Council

.....
Date

Wayne Hemingway/Anthony Law, Democratic Services Officers

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Record of Cabinet decisions

Tuesday, 26 November 2013

3.00pm to 4.15pm

Date of publication: 27 November 2013

**Subject to call-in these decisions will be effective from 5 December 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
Dr Alison Barnett, Director of Public Health
Robin Cooper, Director of Regeneration, Community and Culture
Stephanie Goad, Assistant Director Communications, Performance and
Partnerships
Mick Hayward, Chief Finance Officer
Wayne Hemingway, Democratic Services Officer
Richard Hicks, Deputy Director, Customer Contact, Leisure, Culture, Democracy
and Governance
Perry Holmes, Assistant Director Legal and Corporate Services/Monitoring
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 29 October 2013 was agreed and signed by the Leader as correct.

Declarations of disclosable pecuniary interests and other interests

Disclosable pecuniary interests

There were none.

Other interests

There were none.

Rochester Airport - Masterplan

Background:

This report provided details of the outcome of consultation on the draft Masterplan to guide development on land at and bordering Rochester Airport. The Cabinet had agreed for consultation to be undertaken on the draft Masterplan on 9 July 2013 and the Regeneration, Community and Culture Overview and Scrutiny Committee had considered the issue on 14 August 2013 and 3 October 2013.

The report stated that the Council had received 908 responses to the consultation held from 22 July to 20 September 2013. The majority of the responses (over 80%) were received in association with a campaign set up to object to the Masterplan proposals. The remaining 20% of responses were received via the Council's website, email, and forms completed at the exhibition events or returned by post to the Council. 89% of the responses made on the pre-printed forms were strongly opposed to the proposals. In considering the responses received independently, more mixed views were seen, with a small majority in support of the Masterplan.

The report stated that the Council had analysed the comments made in response to the consultation. A summary of the main issues and points raised was set out in paragraph 4 of the report. All responses submitted were set out in detail in Appendix A to the report. A copy of the consultation draft of the Masterplan was attached at Appendix G to the report with a number of proposed changes set out within paragraph 4.47 of the report.

The report noted that the Council intended to adopt the Rochester Airport Masterplan as a Supplementary Planning Document, once it had adopted its new Development Plan. Until then it was intended that the Council approve the Masterplan as an amendment to the current policy framework. This would afford it weight as a 'material consideration' in decisions on planning applications for Rochester Airport.

It was noted that the reference to paragraph 4.43 as set out within paragraph 4.23 of the report, should have referred to paragraph 4.47.

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Decision number:	Decision:
190/2013	The Cabinet recommended to Council that the proposed areas of changes to the draft Masterplan set out at section 4.47 of the report be agreed.
191/2013	The Cabinet recommended to Council that the Masterplan be adopted as an amendment to the current planning policy framework.
192/2013	The Cabinet agreed to authorise the Director of Regeneration, Community and Culture, in consultation with the Portfolio Holders for Finance and Strategic Development & Economic Growth, to make the revisions to the draft Masterplan as set out in the report and any necessary minor amendments to the document prior to its consideration by Full Council.

Reasons:

The amended Masterplan will respond to concerns raised through the consultation process and progress work in bringing this site forward for economic development, and securing the future operations of the airport. The Masterplan will provide the framework to guide development on the site to realise economic opportunities as well as addressing wider amenity issues.

Capital and Revenue Budgets 2014/2015

Background:

This report presented the Council's draft revenue budget for 2014/2015. In accordance with the Constitution, Cabinet was required to develop initial budget proposals before finalising the budget and setting council tax levels at the end of February 2014.

The draft budget was based on the principles contained in the Medium Term Financial Plan 2014/2017 approved by Cabinet in October 2013 and reflected the formula grant assumptions for 2014/2015 announced as part of the Local Government Finance Settlement 2014/2015 and 2015/2016 Technical Consultation in July and September.

It was reported that the initial budget proposals showed a current forecast budget gap of £4.812 million which would increase to £17.053 million for 2015/2016.

It was noted that the Council would not know the definitive position in terms of Government support until the final settlement in January 2014, although the provisional settlement due in December would provide greater certainty.

Cabinet, 26 November 2013

Budget proposals incorporating pressures were set out within the report and accompanying appendices. In relation to the capital budget proposals for 2014/2015 it was noted that, at this stage, it had been assumed that future investment would be restricted to the existing approved Capital Programme, supplemented by the Council's expectations in relation to Government grant.

The report also set out details of the main factors and assumptions that would form the basis of the 2014/2015 Housing Revenue Account budget.

**Decision
number:**

Decision:

- 193/2013** **The Cabinet instructed officers to work with the local MPs and lobby ministers and Government for a more equitable share of resources for Medway.**
- 194/2013** **The Cabinet requested that officers continue the work with Portfolio Holders to come up with solutions to bridge the funding gap.**
- 195/2013** **The Cabinet agreed to forward the provisional draft budget to Overview and Scrutiny as work in progress inviting them to offer comments on the proposals outlined.**
- 196/2013** **The Cabinet instructed the Chief Executive and Directors to undertake consultation with staff and trades unions concerning the proposals set out in paragraphs 7.3.1 to 7.3.3 of the report.**

Reasons:

It is the responsibility of Cabinet to develop draft budget proposals for consideration by overview and scrutiny committees. These draft proposals are the first stage of the budget consultation process leading to further discussion by Cabinet on 11 February 2014 and formal council tax setting on 20 February 2014.

Proposals for the Expansion and Relocation of Abbey Court Special School

Background:

This report provided details of the proposals for the expansion and relocation of Abbey Court Special School, based on an analysis of need, including actual and forecast pupil numbers for the next five years.

Abbey Court Community Special School was an outstanding school for pupils aged 3-19 with severe learning difficulties (SLD) and profound and multiple learning difficulties (PMLD), and was currently the only school in Medway able to cater for children with these most complex needs. The school was located on two separate sites, one in Rainham and the other in Strood, 12 miles apart.

Cabinet, 26 November 2013

The report set out the reasons for the additional provision, the benefits of relocating the school to a single site, together with the options for the relocation and expansion of the school.

Decision number:

Decision:

- 197/2013** **The Cabinet approved proposals for the relocation and expansion of SLD (Severe Learning Difficulties) / PMLD (Pupils with Multiple Learning Difficulties) provision at Abbey Court Special School to the former Temple site.**
- 198/2013** **The Cabinet approved proposals to procure a contractor through the Hampshire Contractors Framework to develop design and cost specifications for the proposed scheme and to vire £925,000 for this phase of the project from the education capital programme.**
- 199/2013** **The Cabinet approved proposals to commence statutory consultation for the relocation and expansion of Abbey Court, set out in paragraphs 6.15 to 6.17 of the report.**

Reasons:

The decisions will allow the Council to develop a detailed scheme to relocate and expand Abbey Court, which will:

- deliver benefits resulting from the relocation of Abbey Court to a single site, set out in paragraphs 3.16 to 3.22 of the report;
- deliver additional places to meet future demand set out in paragraphs 3.1 to 3.7 of the report;
- enable a reduction in the number of children who would otherwise need to be placed in expensive independent and out of area schools set out in paragraphs 3.8 to 3.15 of the report.

54 Northcote Road, Strood

Background:

This report provided details of a proposal to declare 54 Northcote Road, Strood, surplus. The report stated that design work on a scheme to realign the A228 Cuxton Road under the Darnley Arch Rail Bridge at the junction of Cuxton Road, Darnley Road, Northcote Road and Priory Road was underway and that it was possible that the scheme would involve undertaking works within the boundary of 54 Northcote Road. It was anticipated that work on the scheme would commence in the Spring/Summer 2014 with completion by the end of the year. Once the scheme had been completed the property would be declared surplus and sold.

Decision number: **Decision:**

200/2013 **The Cabinet agreed to delegate authority to the Assistant Director, Legal and Corporate Services, in consultation with the Portfolio Holder for Finance, to declare surplus 54 Northcote Road when the highway improvement has been completed, or once it has been ascertained that the Council does not need access to the property to complete the highway improvement, so that the property can be disposed of by the Assistant Director, Legal and Corporate Services, in consultation with the Portfolio Holder for Finance, for best consideration.**

Reasons:

To realise a capital receipt and to reduce revenue costs.

Gateway 1 Procurement Commencement: Community Drug and Alcohol Services for Under 18s

Background:

This report sought permission to commence the procurement of young people's community substance misuse services in Medway.

This Gateway 1 report had been approved for submission to Cabinet after review and discussion at the Children and Adults Directorate Management Team meeting on 29 October 2013 and Procurement Board on 13 November 2013.

A Diversity Impact Assessment (DIA) screening form had been undertaken on the proposals, as set out in Appendix A. It was noted that the procurement of this project would not have an adverse effect on the equality of access to the volunteer centre service or voluntary sector support service.

An exempt appendix set out key information concerning finance and whole-life costings.

Decision number: **Decision:**

201/2013 **The Cabinet approved the procurement of a comprehensive drugs and alcohol service in Medway, as set out in the preferred option at paragraph 4.1 of the report, that includes:**

- **Early intervention for vulnerable young people**
- **Targeted prevention and brief interventions to priority groups, including under 14s**

Cabinet, 26 November 2013

- **Named Drug Worker within the Youth Offending Team**
- **One-to-one support/treatment**
- **Prescribing and needle exchange services (with the aim of engaging in treatment to reduce/stop use)**
- **Training for the wider children's workforce to intervene early, including Drug Use Screening Tool (DUST)**
- **Consultation for professionals and parents/carers**
- **Defined processes to ensure that the Child Assessment Framework (CAF) and Team around the Child (TAC) are followed**
- **A robust transition policy for 18 year olds transferring to adult services**
- **Protocols for working with mental health services for those young people with dual diagnosis.**

Reasons:

The proposed procurement will provide an opportunity to demonstrate best value by testing the market.

Gateway 4 Procurement Post Project Completion Review: Family Group Conferences

Background:

This report provided details of progress of the Family Group Conference (FGC) contract currently awarded to Family Action. The FGC model was an internationally recognised method of meeting the required outcomes for children on the edge of care and as such could prevent the escalation of a child into care. Additionally, the model supported increased safety of the vulnerable adult within improved family support and functioning.

This Procurement Gateway 4 report has been approved for submission to Cabinet after review and discussion at Children and Adults Directorate Management Team meeting on 1 October 2013 and Procurement Board on 13 November 2013.

Decision number:

Decision:

202/2013

The Cabinet approved the Gateway 4 and the continuation of the service as set out in paragraph 4.1 of the report (preferred option).

Cabinet, 26 November 2013

203/2013 The Cabinet agreed that a further report on progress against the Action Plan be reported to Cabinet in March 2014.

Reasons:

- To give time to implement the proposed action plan to increase the usage of the FGC provision;
- The need to monitor service usage and the number of referrals over the next year;
- To review if there is a need for the service provision to remain at this level or be reduced.

.....
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, 17 December 2013

3.00pm to 4.36pm

Date of publication: 18 December 2013

**Subject to call-in these decisions will be effective from 31 December 2013
The record of decisions is subject to approval at the next meeting of the Cabinet**

Present:	Councillor Rodney Chambers,	Leader
	OBE	
	Councillor Alan Jarrett	Deputy Leader and Portfolio Holder for Finance
	Councillor 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:	Robin Cooper, Director of Regeneration, Community and Culture	
	Neil Davies, Chief Executive	
	Stephanie Goad, Assistant Director Communications, Performance and Partnerships	
	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	
Phil Watts, Finance Manager, Children & Adult Services		

Apologies for absence

There were none.

Record of decisions

The record of the meeting held on 26 November 2013 was agreed and signed by the Leader as correct.

Declarations of disclosable pecuniary interests and other interests

Disclosable pecuniary interests

There were none.

Other interests

Councillor Filmer declared an interest in agenda item 18 (Gateway 3 Contract Award Special Educational Needs Home to School Transport 2014) because he was a Director of Medway Norse. He chose to leave the room during consideration and determination of this item.

Councillor O'Brien declared an interest in agenda items 8 (Expansion at Danecourt Community Special School by way of Prescribed Alterations), 18 (Gateway 3 Contract Award Special Educational Needs Home to School Transport 2014) and 19 (Gateway 3 Contract Award: Speech and Language Therapy for School Age Children) because members of his extended family worked in these areas. He advised that further to advice from the Monitoring Officer he would stay and participate in the consideration and determination of these items.

Update on Ofsted Inspection of Looked After Children Services

Background:

This report provided the Cabinet with an update on Looked after Children's Services and considered progress made against the findings from the July 2013 Ofsted looked after children inspection.

The outcome of the Ofsted inspection was that the looked after children's services was rated as 'inadequate', although the inspection judgement around 'capacity to improve' was rated as 'adequate'; reflecting the positive progress made since the earlier inspection of safeguarding services. Medway had a formal Improvement Notice from the Department of Education (DfE) and has an established Improvement Board with an Independent Chairman.

It was noted that the Chairman of the Improvement Board had written a progress report to the Minister for Children in October 2013 and the Portfolio Holder for Children's Services and senior officers had met with the DfE Improvement Team during a visit to Medway in November 2013. It was reported that both the contents of the report and feedback following the visit concluded that whilst signs of positive change and developments were at an early stage, improvements were picking up pace and the focus on children, quality of the work and management and leadership was improving. The Portfolio Holder for Children's Services also referred to a recent letter from Edward Timpson MP, Parliamentary Under Secretary of State for Children and Families that acknowledged the improvements taking place in Medway.

The report detailed areas of progress, which included areas requiring continued improvement and greater focus.

Cabinet, 17 December 2013

Decision number: **Decision:**

The Cabinet noted the updates of progress made against the findings from the July 2013 Ofsted unannounced inspection into the arrangements for looked after children in Medway, as highlighted in the report.

Reasons:

To inform the Cabinet of the arrangements that are being implemented to secure urgent and sustainable service improvements.

Youth Justice Plan (Policy Framework)

Background:

This report provided details of the Medway Youth Justice Plan 2012-2014.

The Youth Justice Plan formed part of the Council's policy framework and had been developed following discussions with partner agencies. It set out the aims and objectives for 2012/2014 in relation to working with young people who offend or who were at risk of offending.

The plan, which was updated annually, reflected the requirements of the Youth Offending Team (YOT) Improvement Plan and the new requirements by the Youth Justice Board to submit a costed plan in respect of their grant to the Youth Offending Team. Copies of the Youth Justice Plan, a summary of changes made during this annual refresh and a statistical review of the Medway YOT for 2012/2013 had been circulated to Members within Supplementary Agenda No. 1.

It was noted that the Children and Young People Overview and Scrutiny Committee had considered this report on 10 December 2013 and its views were set out in an addendum report. It was noted that the Committee had requested that an update, on the issuing of inappropriate cautions to Looked After Children, be presented to the Corporate Parenting Group in the New Year.

A Diversity Impact Assessment screening form had been undertaken on the draft plan and was attached at Appendix D to the report. This indicated that a full impact assessment was not necessary.

Decision number: **Decision:**

204/2013 The Cabinet noted the views of the Children and Young People Overview and Scrutiny Committee and recommended approval of the Medway Youth Justice Plan, as set out at Appendix A, to Full Council.

Cabinet, 17 December 2013

Reasons:

The Medway Strategic Youth Justice Plan has been refreshed and needed to be reviewed by the Children and Young People Overview and Scrutiny Committee and Cabinet. There have been consultations with key partners and the adoption of a refreshed plan seeks to address the underlying local causes of youth crime.

Provisional Local Government Finance Settlement

This item was withdrawn, as the Government had not announced the Local Government Finance Settlement 2014/2015.

Localising Support for Council Tax

Background:

This report provided details of the proposed revisions to the Council Tax Reduction Scheme.

On 23 January 2013 Council adopted a localised Council Tax Reduction Scheme and each financial year the Council needed to consider whether to revise its scheme or to replace it. A copy of Medway's current scheme had been sent to Cabinet Members within Supplementary Agenda No.2 (Appendix C to the report).

Members were advised that, in order to maintain the balance between the Council Tax Reduction Scheme and the allowances to which claimants are entitled, it was proposed to link the allowances, premiums and disregards to legislation providing for increases in benefits. It was further proposed that the scheme was revised to enable this uprating to take place automatically in line with benefit changes.

Details of the proposed changes were set out in Appendix D to the report.

The report set out details of the consultation undertaken between October and December 2013. A summary of the responses was attached at Appendix B to the report. It was noted that the majority of respondents to the consultation were in agreement with the amendments to the scheme.

Decision number:

Decision:

205/2013

The Cabinet recommended the amended Council Tax Reduction Scheme to Council for adoption on 23 January 2014.

Reasons:

The amended scheme continues to balance the need for supporting those currently in receipt of Council Tax Reduction Scheme and the ability of the Council to fund the scheme within the current budgetary constraints.

The majority of respondents to the consultation were in agreement with the amendments to the scheme.

Amending the scheme will prevent the need for, and additional expense of, future annual consultation.

Expansion at Danecourt Community Special School by way of Prescribed Alterations

Background:

This report requested authorisation to commence the statutory process and proceed to public consultation on the proposals to make prescribed alterations to Danecourt Community Special School.

Danecourt was a community special school, which currently provided education for pupils with Moderate Learning Difficulties (MLD) and Autistic Spectrum Disorder (ASD) between the ages of 2 and 11 who were too complex to be supported within a mainstream setting. The proposals, as set out in the report, were to:

- (a) increase the numbers that attend the school by up to 40 pupils. This would enable more pupils to be placed at Danecourt where it was the most appropriate provision; thereby reducing the number of pupils needing to be placed outside of Medway.
- (b) increase the range of SEN designation by adding SLD (Severe Learning Difficulties) to the school's current range of provision. This would enable the school to provide suitable education for those children with needs more complex than their current designation allows.

Initial discussions had been held with the Headteacher at the school, who was supportive of these proposals. However, to make these prescribed alterations there was a requirement to follow a statutory process and conduct a public consultation. An indicative consultation timeline was included in the report, which would result in implementation on or before 1 September 2015.

It was noted that proposals for the physical building expansion project at Danecourt School would follow the Council's procurement processes and be presented to Cabinet for the approval at the appropriate time.

Decision number: **Decision:**

206/2013 The Cabinet instructed the Director of Children and Adults Services to commence the period of public consultation to allow views to be expressed on the proposal to make prescribed alterations to Danecourt Community Special

Cabinet, 17 December 2013

School, which would result in an increase in the number of pupils provided for and a change to the types of SEN provided for, on or before 1 September 2015.

Reasons:

The Council is required to consult on the proposals in accordance with the School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007.

Local Development Framework Medway Monitoring Report

Background:

This report provided details of the ninth Annual Monitoring Report, which analysed progress against a range of indicators associated with the adopted development plan and the draft Core Strategy that applied at the end of the monitoring period. In bringing together a great deal of information for the period 1 April 2013 to 31 March 2013 the Monitoring Report was a valuable reference for various bodies interested in the Council's performance.

It was noted that the Core Strategy had been withdrawn on 21 November 2013, following the decision by the Board of Natural England to confirm the site of the proposed new settlement at Lodge Hill as a Site of Special Scientific Interest. Ordinarily the Monitoring Report would assess progress against the individual policies in that plan. Given its withdrawal however, it was instead arranged under the themes in the Core Strategy and it would be re-formatted in future years to reflect the emerging replacement local plan.

The main highlights of this year's Monitoring Report included continued progress with the regeneration programme and, despite the number of housing completions being down on the Medway annual average to date, it was proportionately higher than elsewhere in Kent, with affordable housing completions well above target.

The Medway Annual Monitoring Report 2012 (Volume 1) had been circulated to Cabinet Members in Supplementary Agenda No.1.

Decision number:

Decision:

207/2013

The Cabinet approved the 2013 Medway Monitoring Report for publication.

Reasons:

To comply with the duty to compile and publish an annual report.

2013/14 Quarter 2 Council Plan Performance Monitoring

Background:

This report summarised the performance of the Council's Key Measures of Success for July – September (Quarter 2) 2013/2014 as set out in The Council Plan 2013/2015.

For each of the Council's four priorities and two values the report provided a summary of key measures of success (performance indicators) including service comments, customer perception and, where available, benchmarking information.

It was noted that over half of the council's key measures of success (62%), where targets had been set, were achieving target and over half of the key measures had improved since the previous quarter (53%). 48% of the council's key measure had improved over the long term compared with 47% which had improved last quarter. In relations to areas for improvement, it was reported that 25% of the council's key measures were significantly under performing (compared with 40% in the previous quarter). New benchmarking information relating to Finance and Adult Social Care services was included in this report for the first time.

Performance tables on the 86 key measures were set out in Appendix 1 to the report.

During the discussion of this item, the Chief Executive undertook to convey the Cabinet's appreciation for the work undertaken by staff in response to the recent tidal surge.

Decision number: ***Decision:***

208/2013 **The Cabinet noted the second quarter performance against the Key Measures of Success used to monitor progress against the Council Plan 2013/15 and agreed to work with officers to identify any areas for remedial action to build on current achievements.**

Reasons:

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

Housing Strategy Annual Review

Background:

This report provided details of the Housing Strategy, which had been approved in October 2011. The Strategy sought to deliver the strategic housing priorities for Medway and set the direction for housing in Medway until 2014. As such, it aimed to reflect policies and priorities at national, regional and local level. The Strategy was

Cabinet, 17 December 2013

designed around three aims (Bridging the Gap, Early Prevention and Health and Housing) with seven outcomes and this report reviewed and assessed progress up to November 2013.

Details of progress against each of the aims was set out in the report and it was noted that across all the themes there had been significant progress against the priority actions. A total of 17 actions had been completed and the majority were on target to be delivered by 2014.

It was noted that the Strategic Housing Partnership Board was responsible for monitoring performance on a quarterly basis. The Business Support Overview and Scrutiny Committee had also considered this report on 5 December 2013 and its comments were set out in the report. The Overview and Scrutiny Committee had requested further information on the number of Extra Care Units, the mix of affordable housing between rented and shared ownership units and details of the number of Houses in Multiple Occupation visited.

Decision number: ***Decision:***

The Cabinet noted the progress against the aims of the Housing Strategy.

Reasons:

The Housing Strategy and its Action Plan sets the strategic direction for Housing Services in Medway, contributing to the Council's core values and strategic priorities and giving context for the attraction and investment of resources.

Treasury Management Strategy Mid-Year Review 2013/2014

Background:

This report provided details of the mid year review of the Council's Treasury Management Strategy. This had been prepared in compliance with the Chartered Institute of Public Finance and Accountancy's (CIPFA) Code of Practice on Treasury Management and covered the following:

- An economic update for the first six months of 2013/14;
- A review of the Treasury Management Strategy Statement and Annual Investment Strategy;
- A review of the Council's investment portfolio for 2013/14;
- A review of the Council's borrowing strategy for 2013/14;
- A review of any debt rescheduling undertaken during 2013/14; and
- A review of compliance with Treasury and Prudential Limits for 2013/14.

The report considered the circa £23million that was externally managed by Investec Asset Management. It was noted that the performance of the portfolio to 30 September 2013 had been poor, with a loss from 31 March 2013 of 0.063%. Comparable investment performance data also highlighted that the in-house team had outperformed Investec Asset Management in nine out of the last ten years.

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The Audit Committee had considered the report on 6 December 2012 and its views were set out in the report. It was noted that the Committee had supported the controlled withdrawal of funds to the in-house team, which with support from the Council's financial advisor Sector would minimise the risk of further losses. At the request of the Committee, the report provided further information as to the capacity of the in-house team to expand its portfolio.

Decision number: **Decision:**

209/2013 **The Cabinet noted the contents of this report (including the views of the Audit Committee) and recommended the report to Full Council.**

210/2013 **The Cabinet instructed the Chief Finance Officer to commence discussions with Investec Asset Management to enable the movement of the portfolio managed by Investec Asset Management to the in-house team.**

Reasons:

The Treasury Management Strategy requires that Cabinet and Council receives and considers a mid year review of treasury management strategy and performance. The performance of the external fund manager has consistently failed to meet that achieved by the in-house team. The transfer therefore presents better value of money.

Integrating Youth Offending Team and Youth Service

Background:

This report provided information about how a more co-ordinated and focused 'adolescent offer' could achieve savings and better outcomes for vulnerable young people. It also considered proposals to bring the Youth Offending Team and Youth Service into one building, further integrating their work programmes and providing savings by maximising and sharing staff and resources.

The report also requested authority to declare surplus 67 Balfour Road and proposed to Full Council to add a scheme to the Capital Programme.

Decision number: **Decision:**

The Cabinet noted the proposal to integrate some of the working practices of the Youth Offending Team (YOT) and the Youth Service and noted that the Director of Children and Adults Services would undertake this reorganisation under delegated authority.

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211/2013 **The Cabinet agreed to delegate authority to the Assistant Director, Legal and Corporate Services, in consultation with the Portfolio Holder for Finance, to declare surplus 67 Balfour Road, when it is clear that the property is no longer needed for service provision so that the property can be disposed of by the Assistant Director, Legal and Corporate Services, in consultation with the Portfolio Holder for Finance for best consideration.**

212/2013 **The Cabinet recommended to Full Council to add up to £50,000 for the development of the Strood Youth Centre Training Room, as outlined in paragraph 6.2 of the report as an addition to the Capital Programme.**

Reasons:

This provides the Council with revenue savings, a capital receipt and seeks to improve service delivery for young people

Former Park and Ride Site, Marconi Way

Background:

This report sought delegated authority for officers to appropriate the former Park and Ride site at Marconi Way.

It was noted that the Park and Ride site had been closed and Cabinet in March 2012 had agreed to delegate authority to the Chief Finance Officer to declare surplus and dispose of the site. Kent Fire and Rescue Service (KFRS) had agreed to purchase the site and had recently obtained planning permission for a fire station on it.

Members were advised that the site and other land was subject to a covenant given by the Council in a lease of the adjoining site, not to use the site for any purpose other than a surface car park and ancillary purposes and for open space. The sale to KFRS was however conditional upon this covenant being released.

Members were advised of discussions had been held with the beneficiary of the covenant and the general power under Section 122 of the Local Government Act 1972 to appropriate land within its ownership for any purpose for which it was authorised to acquire land by agreement.

Decision number: **Decision:**

213/2013 **The Cabinet agreed to delegate authority to the Assistant Director of Legal and Corporate Services, in consultation with the Portfolio Holder for Finance, to appropriate the former Park and Ride site and to meet any compensation claims payable as a result.**

Cabinet, 17 December 2013

Reasons:

The appropriation of the land will allow the Council and KFRS to override the covenant so that the development of a fire station on the site can proceed.

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:

214/2013

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) Blue Badge Application Administrator
- (b) Business Administration Support Officer
- (c) Customer Relations Manager
- (d) Electoral Services Manager
- (e) Employment Liaison Coordinator
- (f) Senior Electoral Services Officer.

Reasons:

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

Gateway 1 Procurement Commencement: Will Adams Pupil Referral Unit

Background:

This report sought permission to commence the procurement of the expansion of the Will Adams Pupil Referral Unit, as per Option 8 of the Outline Business Case that was submitted to Cabinet on 29 October 2013.

It was noted that these proposals would provide for a more effective use of the existing accommodation, address the shortfall in current provision and provide flexibility for future expansion. This option also responded to comments made in an Ofsted Report concerning the shortage of places and facilities, following an inspection in September 2012.

The report considered the business case and procurement options for this works/construction procurement. This Gateway 1 report had been approved for

Cabinet, 17 December 2013

submission to Cabinet after review and discussion at Children and Adults Directorate Management Team meeting on 26 November 2013 and Procurement Board on 4 December 2013.

Decision number: **Decision:**

215/2013 **The Cabinet approved the use of the Kent County Council Select List, for procurement via a below EU threshold Select List, as set out in paragraph 4.1 of the report.**

Reasons:

The decision above is provided on the basis that this option addresses most of the PRU's needs and allows for future development if and when additional funding is made available. This provides more effective use of the existing accommodation, addresses the shortfall in current provision and provides flexibility for future expansion. This option also reduces the building costs and offers the most cost effective solution.

The Council has a statutory duty to provide school places for children resident in Medway as set out in the Education Act 1996. This project is required to enable the Council to discharge that duty.

Gateway 3 Contract Award: Hoo Peninsula Wireless Network

Background:

This report sought permission to award a contract to the supplier of a wireless network solution for schools and academies on the Hoo Peninsula.

The Cabinet had approved the commencement of this procurement at Gateway 1 on 1 October 2013 and this Gateway 3 Report had been approved for submission to the Cabinet, after review by the Children and Adults Directorate Management Team on 29 November 2013 and Procurement Board on 4 December 2013.

The report gave details of the procurement process undertaken and the evaluation criteria applied. An exempt appendix set out key information relating to analysis and tender evaluation information.

Decision number: **Decision:**

216/2013 **The Cabinet approved the contract award to install a wireless network solution for the Hoo Peninsula to MLL Telecoms, as outlined within section 2.2 of the Exempt Appendix.**

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Reasons:

The current network solution on the Hoo Peninsula was not fit for purpose and was inhibiting the delivery of high quality education for young people who learn there.

The procurement would provide an upgradable cost effective solution.

Gateway 3 Contract Award Special Educational Needs Home to School Transport 2014

Background:

This report set out detail the results of the tender for SEN home to school transport, and sought permission to make arrangements for transport provision for the following three schools (Warren Wood School, Brompton Academy and Rivermead School) and the provision of respite and "Write Trak" transport.

Details of the procurement process undertaken was set out in the report and an exempt appendix contained procurement process tender evaluation information and financial analysis. It was noted that a Teckal company had submitted a proposal for carrying out SEN home to school transport and the report considered the implications of this.

The Procurement Board had considered the report on 4 December 2013 and supported the recommendations as set out in the report.

Decision number:

Decision:

217/2013

The Cabinet approved Medway Norse making arrangements for the requirements set out in lots 1 and 2 of the original procurement, as set out in the report and exempt appendix.

Reasons:

Whilst the result of the tender exercise achieved a saving on the current spend on transport to the three school sites, the decision of accepting Medway Norse's proposal achieved a greater saving through the profit sharing arrangement in place.

This option also allows for greater certainty in budget setting by contracting this service for a set annual cost (a 25% change in passenger numbers built into the annual cost).

The single operator per school approach also allows for service quality improvements and consistency of operator and transport staff for the passengers, which had both been highlighted as important to parents and passengers who receive SEN transport.

Gateway 3 Contract Award: Speech and Language Therapy for School Age Children

Background:

This report proposed that the Council pool budgets with Medway Clinical Commissioning Group (MCCG) to deliver Speech and Language Therapy services to school aged children and young people whose statements of special educational need included these services.

It was recommended that MCCG commission Speech and Language Therapy services and that these arrangements be governed by MCCG entering into an agreement with the Council pursuant to Section 75 National Health Service Act 2006. It was noted that both the Council and MCCG currently purchased Speech and Language Therapy services from Medway Community Healthcare Trust.

It was reported that the service specification was being clarified to ensure those children with the greatest assessed need obtained the statutory support. The service specification also allowed for additional funding from MCCG, above and beyond the group's statutory duties, to complement those services funded by Medway Council.

Members were advised that an additional investment of £77,532 would enable Medway Council to fulfil the Council's legal obligations to meet the needs of children and young people whose statement of SEN or Education, Health and Care plans included speech and language therapy. By jointly commissioning this service, financial efficiencies would be realised. In addition to the above, MCCG had agreed a specific budget for children with primary health needs. It was noted that the additional investment from the Council was likely to reduce from September 2014 if the Children and Families Bill became law; as this would impose on MCCG a new duty to meet the needs of these children.

An exempt appendix set details of the finance and whole-life costings, together with tender evaluation information.

Decision number:

Decision:

218/2013

The Cabinet approved the letting of the Section 75 agreement with Medway Clinical Commissioning Group. A contract between Medway Clinical Commissioning Group and Medway Community Healthcare Trust would then be varied to clarify the specification and increase the funding to ensure statutory duties are met. The Cabinet also approved the increase in funding, as detailed in the report and exempt appendix, to enable the Council's statutory duties to be met.

Reasons:

The decision above will ensure that the council's statutory responsibilities are met with regard to the provision of Speech and Language Therapy for school age children.

Gateway 5 Contract Management Report: Waste Collection and Disposal, Household Waste Recycling Centres, Tree Maintenance and Highways Minor Works

Background:

This report provided details of a four high risk Gateway 5 reports that had recently been considered by Procurement Board.

It was noted that the council's procurement Gateway process, as contained in the Council's Contract Procedure Rules, required that high risk reports were submitted to Cabinet. Gateway 4 reports provided post-project appraisal reporting and were completed one year after the Gateway 3 contract award approval for termed contracts or post-delivery of one-off requirements. Gateway 5 reports provided comprehensive contract management reporting that must be completed annually.

The report set out summary information in relation to the following contracts:

- Household Waste Recycling Centres
- Waste Collection and Disposal
- Tree Maintenance
- Medway Highways Minor Works Contract.

Decision number:

Decision:

219/2013	The Cabinet noted the Household Waste Recycling Centres contract review and agreed that it continues to be subject to annual reporting.
220/2013	The Cabinet noted the Waste Collection and Disposal contract review and agreed that it continues to be subject to annual reporting.
221/2013	That Cabinet notes the Tree Maintenance contract review and agreed that it no longer be subject to annual reporting, as set out in paragraph 3.3 of the report.
222/2013	That Cabinet notes the Medway Highways Minor Works contract review and agreed that it continues to be subject to annual reporting.

Cabinet, 17 December 2013

Reasons:

Each Gateway 5 report had been submitted for consideration to Cabinet as it was high risk and as such had an annual Gateway reporting requirement.

Leader's Announcement

The Leader referred to the interim report published earlier in the day by the Airports Commission, which had shortlisted three options for expanding UK airport capacity. Concern was expressed that whilst Heathrow and Gatwick airport were identified as the Commission's preferred locations for future increased runway capacity in the UK, proposals for a new hub airport on the Isle of Grain had not been ruled out completely. The Leader restated the Council's opposition to these proposals.

.....
Leader of the Council

.....
Date

Wayne Hemingway/Anthony Law, Democratic Services Officers

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Email: democratic.services@medway.gov.uk