

# **COUNCIL**

**24 APRIL 2014**

## **LEADER'S REPORT**

Rodney Chambers, Leader of the Council, will give a report on key developments since the last ordinary Council meeting on 23 January 2014.

He will include:

- Government Opportunities (GO) Awards
- Bluewave communications partnership launch
- Chatham Dockyard closure and 30 years of regeneration
- Local Enterprise Partnership (LEP) Submission
- University Technical College
- Decisions made by the Cabinet on 11 February 2014, 11 March 2014 and 8 April 2014.



## Record of Cabinet decisions

**Tuesday, 11 February 2014**

**3.00pm to 4.45pm**

**Date of publication: 12 February 2014**

**Subject to call-in these decisions will be effective from 20 February 2014  
The record of decisions is subject to approval at the next meeting of the Cabinet**

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

### **Apologies for absence**

An apology for absence was received from Councillor David Brake (Adult Services).

## Cabinet, 11 February 2014

### Record of decisions

The record of the meeting held on 14 January 2014 was agreed and signed by the Leader as correct.

### Declarations of disclosable pecuniary interests and other interests

#### Disclosable pecuniary interests

There were none.

#### Other interests

Councillor Filmer declared an interest in agenda item 19 (Special Educational Needs Homes to School Transport – Transfer to Medway Norse) 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 19 (Special Educational Needs Homes to School Transport – Transfer to Medway Norse) because members of his extended family worked in Special Educational Needs.

### Council Plan Monitoring - Quarter 3

#### **Background:**

This report summarised the performance of the Council's key measures of success for 2013/2014 as set out in the Council Plan 2013/2015.

The report provided a summary of performance against the Council's four priorities and two values together with examples of success, customer perception and, where available, benchmarking information.

The report noted that over half of the Council's key measures of success (60%), where targets had been set and reported on a quarterly basis, were achieving target. This was slightly lower than last quarter (62%) but higher than quarter one (48%). 45% of key measures had improved since the previous quarter, which was lower than the 53% recorded in quarter two but compared favorably with the 38% recorded in quarter one. 53% of our key measures have improved over the long term (previous 4 quarters).

The report also noted that 29% of the key measures were significantly under performing compared with 25% in quarter two and 40% in quarter one.

The Cabinet accepted this report, as set out within Supplementary Agenda No. 2, as urgent to enable Members to receive and consider the latest performance monitoring information at the earliest opportunity.

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

**20/2014**      **The Cabinet noted the third quarter performance against the Key Measures of Success used to monitor progress against the Council Plan 2013/2015 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.

### **Revenue Budget Monitoring 2013/14**

**Background:**

This report gave details of the forecast outturn for the 2013/2014 financial year based on actual income and expenditure to December.

It was noted that on 21 February 2013 the Council had set a budget requirement of £348.511 million for 2013/2014, with Council Tax increased by 1.99%. Subsequent increases to the Dedicated Schools Grant (DSG) had increased the budget requirement to £352.029 million.

This was the third quarterly report and it indicated that, after management action, the outturn forecast for 2013/2014 stood at a potential overspend of £3.3 million for non-DSG services, which compared favorably to a forecast overspend of £4.4 million at quarter two. The report provided explanatory information as to the revenue budget position.

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

**21/2014**      **The Cabinet noted the forecast position following the third 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.**

**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 - Quarter 3

### Background:

This report and accompanying appendices gave details of the capital monitoring position for the period to December 2013 (the end of the third quarter), with a forecast outturn for 2013/2014.

The approved capital programme for 2013/2014 and future years was £98.5 million, consisting of £41.6 million in respect of brought forward schemes and £56.8 million 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 £51.033 million of the programme was forecast for spend during 2013/2014.

The Cabinet accepted this report, as set out within Supplementary Agenda No. 2, as urgent to enable Members to receive and consider the latest budget information at the earliest opportunity.

### **Decision number:**

### **Decision:**

#### **The Cabinet noted:**

- (a) **the spending forecasts summarised at table 1 of the report;**
- (b) **the new approvals outlined at paragraph 4.3.1 of the report authorised under officer delegations.**

### **Reasons:**

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

## Housing Revenue Account Capital and Revenue Budgets 2014/2015

### Background:

This report provided details of the Housing Revenue Account (HRA) revenue and capital budgets for 2014/2015. It also set out details of the proposed rent and service charges levels for 2014/2015.

It was noted that the new 'self-financing' regime for the HRA had come into force on 1 April 2012 and the report summarised the proposals for 2014/2015 as they related to: rent, service charges, performance management, expenditure assumptions, housing repairs, borrowing and headroom and new house building.

The Business Support Overview and Scrutiny Committee had considered this report on 4 February 2014. The Committee had supported the recommendations set out in

## Cabinet, 11 February 2014

the report and details of the discussion were set out in an addendum report (Supplementary Agenda No. 3). The addendum report also provided details of a budget consultation meeting that had taken place with tenants on 31 January 2014.

**Decision number:**

**Decision:**

- 22/2014**      **The Cabinet noted the recommendations from the Business Support Overview and Scrutiny Committee and agreed to take account of them.**
- 23/2014**      **The Cabinet recommended to Council:**
- (a) The proposed revenue and capital budgets for 2014/2015, inclusive of an average rent increase of £3.13 per week (based upon 50 collection weeks and equating to an average increase of 3.79%); and a rent increase of 3.2% for garages.**
  - (b) Service charges for 2014/2015 reflect the full cost incurred in providing that service (excepting the Homes for Independent Living Service Charge as set out in 5.2 of the report), using above inflation increases to do so as per Appendix B to the report. The average decrease will be 2.6% or £0.32 per week.**
  - (c) To approve the repayment of debt based on a minimum revenue payment of 2% on outstanding debt.**
  - (d) To increase the 2014/2015 HRA capital programmes by the following amounts:**
    - House Building Programme £0.806 million**
    - Planned Maintenance Programme £4.529 million**
    - HRA Disabled Adaptations Programme £0.250 million.**

### **Reasons:**

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

### **Refresh of Council Plan Indicators 2014/2015**

#### **Background:**

This report set out details of the review undertaken and adjustments proposed to the current set of indicators used to assess the delivery of the Council Plan 2013-2015.

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It was noted that the Council Plan was the organisation's overarching business plan, setting out the Council's commitments to achieving certain outcomes during the life of the Plan. The purpose of this review had been to ensure that the delivery of the Council Plan during 2014-2015 was assessed using a focused, informative and streamlined set of indicators that took account of recent financial and service developments.

Appendix 1 to the report contained a list of refreshed Key Projects to demonstrate the programme of work the Council aimed to undertake in order to continue to deliver against the Council Plan Strategic Priorities. Appendix 1 also outlined the proposed revised suite of measures, which were set out under each commitment. It was noted that the number of indicators currently proposed had been reduced from 102 to 62.

Appendix 2 to the report set out the proposed targets for each of the indicators contained within the plan. It was noted that where it had not been possible to set a target at this stage, the reasons for this gap and the estimated timescale to develop an appropriate target had been included in the notes section.

Appendix 3 to the report gave details of those original indicators and Key Projects that had been identified for removal.

A Diversity Impact Assessment of the refreshed Council Plan indicators had been prepared with the report, in line with the Council's established procedure for new strategic documents. The screening form was attached as Appendix 4 to the report and it was noted that this had not identified any adverse impact on residents with protected characteristics based on the proposed changes to Council Plans key projects and indicator suite.

An addendum report (included within Supplementary Agenda No. 3) set out details of the discussion on the refresh of the Council Plan indicators and Key Projects at the Business Support Overview and Scrutiny Committee on 4 February 2014. The Cabinet noted the comments of the Business Support Overview and Scrutiny Committee, as set out within the addendum report, and that the Committee had welcomed the reduction in the number of indicators from 102 to 62. During the discussion on these comments the Cabinet noted but did not pursue the recommendation to include an additional measure on the percentage of the electorate who are registered to vote.

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

**The Cabinet noted the comments of the Business Support Overview and Scrutiny Committee on the Council Plan Indicator and Key Project sets 2014/15 (Appendix 1 of the report), the 2014/15 Target Planning document (Appendix 2 of the report), as set out within the addendum report.**

**The Cabinet noted that the Business Support Overview and**



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**Scrutiny Committee welcomed a reduction in the number of indicators from 102 to 62.**

- 24/2014** The Cabinet recommended the revised Council Plan 2014-2015 Indicators (Appendix 1 to the report) and the Target Profile document (Appendix 2 to the report) to Full Council for approval.
- 25/2014** The Cabinet recommended that Council delegate to the Chief Executive, in consultation with the Deputy Leader who is portfolio holder for performance and business planning, authority to deal with any necessary changes to align the plan to the agreed budget.

### **Reasons:**

The selection of relevant and focused indicators will enable the organisation to demonstrate how it is using resources to meet locally specific objectives.

## **Final Funding Formula for Mainstream Schools and Academies 2014-15**

### **Background:**

This report set out details of the final Funding Formula for Mainstream Schools and Academies.

It was noted that Cabinet in October 2013 had considered details of the proposed funding arrangements for Medway's Schools and Academies through the Dedicated Schools Grant. This followed consultation and initial consideration by the Schools Forum. Since then however, the Education Funding Agency had notified all local authorities of a late change to the funding formula data for 2014/2015. This change related to the funding of the Prior Attainment Factor for the primary phase and the report set out details of the implications of this.

It was noted that the Schools Forum had considered the issues relating to the funding formula changes and the options provided by the Education Funding Agency, as set out in the report. The Forum had recommended that a weighting be placed on the Year 1 results so that the 'qualifying' pupils were matched to the Year 2 – 5 results (Option B in the report).

### **Decision number:**

- 26/2014** The Cabinet instructed officers to implement a new funding formula for schools and academies as follows:
- (a) To place a weighting on the Year 1 prior attainment results so that the 'qualifying' pupils be matched to the Year 2 – 5 results, as set out in Option B of paragraph 3.3 of the report.

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- (b) To approve the Final Funding Formula 2014-2015, as set out in paragraph 4.5 of the report.**

### **Reasons:**

The local authority is required to implement the funding formula changes from 2014-15 in accordance with the School and Early Years Finance (England) Regulations 2013. This is a Cabinet function.

### **Capital and Revenue Budgets - 2014/2015**

#### **Background:**

This report and supporting addendum reports presented proposals for the capital and revenue budgets for 2014/2015.

It was noted that the Cabinet had considered initial budget proposals on 26 November 2013, which had been developed in accordance with the principles set out in the Medium Term Financial Plan 2014/2017. It was noted that considerable effort had been made to achieve a balanced budget without seriously impacting on direct services to the public and that the proposed revenue budget of £331.418 million was based on a Council Tax increase of 1.995%.

It was noted following the publication of the Cabinet agenda that the Final Local Government Finance Settlement had been announced on 5 February 2014 and details of this was set out in the addendum report (included within Supplementary Agenda No.3). It was reported that the settlement presented a marginally favourable position for the Council to that set out in the main report, with a £12,577 increase in the Revenue Support Grant (RSG) to be received in 2014/2015. RSG for 2015/2016 was unchanged from the Provisional Settlement. The Baseline Funding for business rates for both 2014/2015 and 2015/2016 was as announced in the Provisional Settlement and again consistent with the figures quoted in the main report.

Members were advised that the revised budget gap to be closed before Council on 20 February 2014 was now £81,000.

The Cabinet report noted that the budget build assumed a nil increase in pay for staff and a continued freeze on increments. Proposals to amend the present pay structure, in tandem with a review of grades and assimilation to the new structure, had been reported to the Employment Matters Committee on 6 February 2014, together with the results of negotiations with Trade Unions. The addendum report set out details of the discussion at the Committee, as well as the Committee's recommendations to Council.

The proposed capital programme for 2014/2015, incorporating existing schemes and anticipated grant allocations, was £53.977 million. An overall summary and a summary by directorate of the proposed capital programme were attached at Appendix 2 to the report.

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It was noted that budget proposals had been referred to all the Overview and Scrutiny Committees for consideration. The Overview and Scrutiny Committees' views were detailed in the report, with the recommendations of the Business Support Overview and Scrutiny Committee set out for Cabinet consideration within an addendum report.

The summarised Housing Revenue Account was set out in Appendix 4 to the report with the capital component in Appendix 2 to the report. A report setting out details of proposed rents for 2014/2015 was considered as a separate item on the agenda. Details of a budget consultation meeting with tenants on 31 January 2014 were included within the addendum report.

The schedule of fees and charges (Appendix 5 to the report) had been circulated within Supplementary Agenda No. 1 and revised pages, which included an additional charge relating to Dog Control Orders and replacement fees for the Children and Adults Directorate, were tabled at the meeting.

Appendix 6 to the report set out details of business rates discretionary rate relief, which it was proposed to be implemented using powers under the Localism Act 2011.

The report set out the requirements under equality legislation and a Diversity Impact Assessment, that aggregated the impact of reductions in funding to services, was included within the addendum report. The overarching form identified five services where there may be a potential adverse impact on some protected characteristic groups and these Diversity Impact Assessments were included within the addendum report.

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

**The Cabinet noted the recommendations from overview and scrutiny committees as summarised in Section 8 and detailed in Appendix 1 of the report.**

**The Cabinet noted the views of Business Support Committee in relation to the Draft Budget approved on 26 November 2013, as set out in the addendum report.**

**The Cabinet noted the recommendations of the Employment Matters Committee to Council in relation to the Pay and Grade Review proposals discussed on 6 February 2014, as set out in the addendum report.**

**The Cabinet noted the views expressed at the Tenant consultation event on 31 January 2014 in respect to the proposals for the Housing Revenue Account for 2014/2015, as set out in the addendum report.**

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- 27/2014** The Cabinet recommended to Council the capital budget proposals, as set out in Appendix 2 of the report.
- The Cabinet noted the minor improvement in the Revenue Support Grant for 2014/2015 and the consequent reduction in the budget gap yet to be closed, together with the confirmation that the referendum 'excess' limit was to be set at 2% and is consistent with the 1.995% increase in Council Tax proposed.
- 28/2014** The Cabinet recommended to Council that the net revenue budget summarised at Table 10, amounting to £331.418 million, should be adopted and that this be funded by a 1.995% increase in Council Tax for 2014/2015 with the equivalent Band D figure at £1,164.24. The resolution of the £81,000 gap would be reported to Council.
- 29/2014** The Cabinet recommended to Council the fees and charges set out at Appendix 5 to the report, subject to the inclusion of the fixed penalty charge for failing to comply with a Dog Control Order and the replacement of the Children and Adults Directorate fees and charges (as tabled at the meeting).
- 30/2014** The Cabinet adopted the schemes for the relief of business rates as set out in Appendix 6 of the report and delegated to the Chief Finance Officer, in consultation with the Portfolio Holder for Finance, the detailed application of these schemes.
- 31/2014** The Cabinet requested that the Chief Finance Officer calculate the formal requirements under Sections 30 to 36 of the Local Government Finance Act 1992 for resolution by Special Council on 20 February 2014.

### Reasons:

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

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

### Treasury Management Strategy 2014/2015

#### Background:

This report presented the Council's Treasury Management Strategy for 2014/2015. The strategy incorporated the Treasury Management Policy Statement, Annual Investment Strategy and Minimum Revenue Provision Policy.

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The appendices that accompanied this report were set out within Supplementary Agenda No. 1 and a revised copy of the Treasury Management Practices (Appendix 10 to the report) had been circulated within Supplementary Agenda No. 3.

It was noted that the annual presentation of a Treasury Management Strategy was a requirement under the CIPFA Code of Practice on Treasury Management. It covered the various aspects of the treasury management function and was based on the treasury officers' views on interest rates, supplemented with leading market forecasts provided by the Council's treasury adviser, Capita Asset Services.

The report included proposals to amend the treasury management practices, which included changes to Approved Countries, Treasury and Prudential Indicators and the Authorized Limit and Operational Boundary for 2014/2015. The report also set out details of a proposed transfer of the scrutiny of treasury management from the Business Support Overview and Scrutiny Committee to the Audit Committee.

It was noted that the Business Support Overview and Scrutiny Committee had considered this report on 4 February 2014 and details of the discussion was set out within the addendum report (included within Supplementary Agenda No. 3).

A Diversity Impact Assessment screening had been undertaken and was set out in Appendix 9 to the report. It was not necessary to proceed to a full impact assessment. It was noted that the Treasury Management Strategy did not directly impact on members of the public as it deals with the management of the local authority's investments and cash flows, its banking, money market and capital market transactions; the effective control of the risks associated with those activities; and the pursuit of optimum performance consistent with those risks.

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

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

- 32/2014**     **The Cabinet recommended to Council the Treasury Management Strategy and associated policies and strategy statements as set out at Appendices 1-6 to the report.**
- 33/2014**     **The Cabinet approved the amendments to the Treasury Management Practices as set out in Appendix 10 within the addendum report.**
- 34/2014**     **The Cabinet recommended to Council the revisions to the Constitution, as set out in Appendix 8 to the report, which would transfer responsibility for scrutinising the treasury management function to the Audit Committee.**

**Reasons:**

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

**South Thames Gateway Building Control Partnership - Business Plan 2012/2017**

**Background:**

This report provided details of the draft South Thames Gateway Building Control Partnership Business Plan for 2012/2017, which outlined how the building control function for Medway, Gravesham and Swale Councils would be delivered until 2017 and indicated what the reduced contributions would be.

A copy of the Business Plan was set out within Supplementary Agenda No. 1.

The Business Plan was presented in two parts, with the first including 5 strategic objectives for 2012/2017 and the second setting out the action plans and targets to achieve the objectives.

It was noted that the South Thames Gateway Building Control Joint Committee had agreed on 12 December 2013 the draft South Thames Gateway Building Control Partnership's Business Plan for 2012/2017 for submission to the partner authorities.

A Diversity Impact Assessment screening form had been undertaken in respect of the Business Plan and was attached to the report. It was noted that this had found that it was not necessary to carry out a full impact assessment.

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

**35/2014**            **The Cabinet approved the proposed Business Plan for 2012/2017 for the South Thames Gateway Building Control Partnership, as set out at Appendix A to the report.**

**Reasons**

The constitution of the Joint Committee requires approval of the Business Plan for the following year by the Cabinet of each Partner Authority.

## "A Better Start" Big Lottery Bid

### Background:

This report updated Cabinet on the development of the "A Better Start" Big Lottery Bid.

It was reported that Medway had been successful in reaching the final stage of the "A Better Start" Big Lottery bid, which aimed to improve outcomes for children. This would bring circa £40m over 10 years to enable a systematic change to services to provide a preventative approach in pregnancy and early years and reduce the incidence of health and social problems later in life.

Details were given of the work undertaken through the Area Partnership Board to develop the bid and the outcome of the Strategy Days facilitated by the Social research Unit at Dartington in January.

It was noted that the bid was currently being drafted based on the information presented in this report. The closing date for the bid was 28 February 2014 and Cabinet was asked to delegate authority to approve the bid for submission.

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

**36/2014**     **The Cabinet agreed the outline of the bid as set out within the report.**

**37/2014**     **The Cabinet delegated authority to the Director of Public Health and the Director of Children and Adults Services, in consultation with the Portfolio Holder for Children's Services (Lead Member), to approve the final version of the bid and submit it to the Big Lottery.**

### Reasons:

The bid provides a significant opportunity to improve health and wellbeing outcomes for children in Medway. The timeline between the strategy days and the submission date had not offered an opportunity to bring the final bid to Cabinet for approval.

## Homelessness Prevention Strategy 2014 - 2016

### Background:

This report presented the draft Homelessness Prevention Strategy 2014 – 2016, which was attached at Appendix 1 to the report.

It was noted that the strategy responded to the requirements of the Homelessness Act 2002. It had been developed in a challenging climate and recognised that homelessness was a complex problem with multiple causes requiring flexible solutions and the delivery of innovative services in order to reach the increasing number of people affected.

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The strategy therefore set out how Medway Council, in partnership with stakeholders, would tackle and prevent homelessness. It was noted that it would influence services that contributed to preventing homelessness, such as education and health, and that it would be regularly reviewed to ensure it remains relevant.

The report gave details of the consultation that had contributed to the development of the strategy and it was noted that a Diversity Impact Assessment had been undertaken, which was attached at Appendix 2 to the report. This had indicated that a full Diversity Impact Assessment was not necessary.

It was noted that the Business Support Overview and Scrutiny Committee had considered this report on 4 February 2014 and details of the discussion and proposed revisions to the strategy were set out within the addendum report (included in Supplementary Agenda No. 3).

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

**38/2014**     **The Cabinet approved the Homelessness Prevention Strategy 2014-2016 and the actions set out in the Action Plan, subject to the revisions set out within the addendum report.**

**Reasons:**

To comply with the requirement that the Council have a Homelessness Prevention Strategy, as set out within Section 1 of the Homelessness Act 2002.

The strategy and action plan have been developed in consultation with key stakeholders and priority actions have been identified to support the strategy.

### **Early Help Strategy for Medway**

**Background:**

This report presented an Early Help Strategy for Medway, which was required under the new framework for the inspection of services for children in need of help and protection, children looked after and care leavers (Ofsted December 2013).

The strategy, which was attached at Appendix 1 to the report, highlighted the need for greater coordination, information sharing and coherence in Medway's approach to early help. It was noted that the Early Help Strategy articulated what Medway wanted to achieve through early help and what it needed to do to make that a reality. The strategy acknowledged that current practice required some improvement and proposed actions to ensure that access to early help and monitoring of outcomes improved immediately.

In addition, the strategy proposed a single point of access for all early help services to ensure a more effectively managed and collaborative approach in the future. It



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was reported that the successful implementation of the strategy would depend on support from senior leaders across all partner organisations.

The report gave details of the consultation that had contributed to the development of the strategy and it was noted that a Diversity Impact Assessment had been undertaken, which was attached at Appendix 2 to the report. This had indicated that a full Diversity Impact Assessment was not necessary.

It was noted that the Children and Young People Overview and Scrutiny Committee had considered the Early Help Strategy on 14 February 2014 and details of the discussion were set out in the report.

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

**39/2014      The Cabinet approved the Early Help Strategy for Medway as set out at Appendix 1 to the report.**

**Reasons:**

The new framework for the inspection of services for children in need of help and protection, children looked after and care leavers (Ofsted December 2013) required the Council to submit an Early Help Strategy as part of its evidence.

**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:**

**40/2014      The Cabinet agreed to unfreeze the following posts, as detailed in Appendix 1 to the report, to enable officers to commence the recruitment process:**

**Business Support Directorate**

- (a)      Application Support Engineer**
- (b)      Business Improvement Assistant**
- (c)      Democratic Services Support Officer x 2**
- (d)      GIS Coordinator**
- (e)      Head of Communications & Marketing**
- (f)      HR Support Officer (Schools)**
- (g)      Integration and Transition Engineer x 2**
- (h)      Lagan Administration Manager**
- (i)      Senior System Administrator**

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### (j) Technical Support Engineer

#### Children & Adults

- (k) Admin Assistant (Temporary)
- (l) Action for Families Keyworkers x 5
- (m) Prevention Service Practitioner
- (n) Resettlement/YOT Officer x2

#### Regeneration, Community & Culture

- (o) Private Sector Housing Enforcement Officer x 2.

#### Reasons:

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

### School Admission Arrangements 2015

#### Background:

This report provided details of the outcome of the consultation on the co-ordinated admission schemes and arrangements for primary and secondary schools.

The schemes, attached at Appendix 1 to the report, set out how the Local Authority would co-ordinate the processing of applications to schools and set out the relevant entry arrangements (oversubscription criteria) for Community and Voluntary Controlled schools.

It was noted Academies, Voluntary Aided and Foundation schools undertook their own consultation on entry arrangements (oversubscription criteria), but had to co-ordinate with the Local Authority schemes.

The Children and Young People Overview and Scrutiny Committee had considered the report on 14 January 2014 and its comments were set out in paragraph 7 of the report.

#### Decision number: *Decision:*

**41/2014**      **The Cabinet agreed the Secondary Admissions co-ordinated scheme and admission arrangements.**

**42/2014**      **The Cabinet agreed the Primary Admissions co-ordinated scheme and admission arrangements.**

#### Reasons

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

## Relocation of the Children's Social Care Services Teams

### Background:

This report provided details of a proposal to seek authority to take a lease or leases of premises and ancillary parking to relocate the Children's Social Care Services' Teams.

The report set out a further proposal that the three existing Children's Social Care Services Teams' premises at Woodlands Place Gillingham, The Redvers Centre Chatham and The Elaine Centre Strood be declared surplus. This would enable them to be disposed of or let on the best terms reasonably obtainable and that Full Council make an addition to the capital programme to fund the moves.

The premises were outlined within Appendix 1 to the report and it was noted that a Diversity Impact Assessment had been undertaken, which was attached at Appendix 2 to the report. This assessment had indicated that a fuller Diversity Impact Assessment was not necessary.

### **Decision number:**

### **Decision:**

- |                |  |
|----------------|--|
| <b>43/2014</b> | <b>The Cabinet agreed to delegate authority to the Assistant Director, Legal and Corporate Services in consultation with the Portfolio Holder for Finance, to take a lease or leases of premises and ancillary parking to relocate the Children's Social Care Services Teams to on the best terms reasonably obtainable.</b> |
| <b>44/2014</b> | <b>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 Woodlands Place Gillingham, so that it can be disposed of or let on the best terms reasonably obtainable.</b>                                  |
| <b>45/2014</b> | <b>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 the Redvers Centre, Chatham so that it can be disposed of or let on the best terms reasonably obtainable.</b>                                  |
| <b>46/2014</b> | <b>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 the Elaine Centre, Strood so that it can be disposed of or let on the best terms reasonably obtainable.</b>                                    |
| <b>47/2014</b> | <b>The Cabinet agreed to recommend to Full Council to add £185,000 to the capital programme, funded by the capital receipts generated by the disposal of the present</b>   |

**premises, for the 'fitting out' and relocation costs in moving the Children's Social Care Services' teams to new premises.**

**Reasons:**

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

**Special Educational Needs Home to School Transport - Transfer to Medway Norse**

**Background:**

This report provided details of the proposed transfer of management of all existing Special Educational Needs (SEN) transport contracts from Medway Council's Transport Procurement Unit (TPU) to Medway Norse, including TUPE transfer of appropriate TPU staff.

It was noted that the transfer would include set objectives for Medway Norse to extend the savings achieved on the three school sites they will commence in April 2014 across additional school sites (Warren Wood, Brompton Academy, and Rivermead).

An addendum report (included within Supplementary Agenda No. 3) provided further details on discussions between the Council and Medway Norse regarding the proposed transfer of staff following the publication of the Cabinet agenda.

An exempt appendix contained key information in respect of TUPE information for TPU staff transferring to Medway Norse and those remaining with Medway Council, an analysis of route contracts transferring to Medway Norse for management and possible future consolidation to one operator per school site approach and financial analysis information.

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

**48/2014**

**The Cabinet agreed to:**

- (a) transfer Special Educational Needs transport route management and notes the transfer of associated TPU staff to Medway Norse with effect from 1 April 2014.**
- (b) the novation or assignment to Medway Norse of existing contracts for Special Educational Needs Transport.**
- (c) the commencement of a procurement for Write Trak**

## Cabinet, 11 February 2014

### **transport, Respite transport and a new Spot Purchase Transport Framework.**

#### **Reasons:**

Transferring the management of all SEN route contracts to Medway Norse will ensure that the SEN transport service remains with one organisation. It will also allow Medway Norse to effectively mobilise the extension of the one operator per school approach and any additional savings this may achieve. Retendering the Write Trak, Respite and spot purchased transport requirements will ensure that the most cost effective operators is secured for the service.

#### **Gateway 1 Procurement Commencement: Napier School Expansion Works**

##### **Background:**

This report provided details of the procurement related to expansion works needed to allow for an additional key stage 2 classroom from September 2015 at Napier School. It was reported that the proposed location of the key stage 2 class would meet the school's needs whilst the extension would continue to provide integration for nursery and reception classes.

It was noted that the Procurement Board had considered this report on 22 January 2014 and supported the recommendation set out in the report.

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

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

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

**49/2014**

**The Cabinet approved this Gateway 1 High Risk Report for progression to Gateway 2 of the procurement process and invite tenders for the building works in line with the preferred option, as set out in 4.1 of the report.**

##### **Reasons:**

This is on the basis of granting permission to commence the procurement of the permanent expansion of Napier School Expansion Works to accommodate the children's school intake for September 2015.

#### **Gateway 3 Contract Award: Brompton Westbrook Primary School - Phase 1 Works**

##### **Background:**

This report provided details of the procurement for the related works for the expansion of Brompton Westbrook Primary School to provide the additional accommodation required to increase the planned admission number to 60.

## Cabinet, 11 February 2014

The report provided details of the specific works to be carried out including a school/community hall with changing facilities, a new main entrance, two new classrooms and additional dining space.

It was noted that the Procurement Board had considered this report on 22 January 2014 and supported the recommendation set out in the report.

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

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

**50/2014**      **The Cabinet agreed to the award of the contract to Bolt & Heeks for the Phase 1 Works at Brompton Westbrook Primary School.**

### **Reasons:**

The Council has a statutory duty to ensure there are sufficient school places as set out in the Education & Inspections Act 2006 and this project supports the Council's School Organisation Plan 2011 – 2016, which highlights the need for additional pupil places in Gillingham. The new accommodation will also allow the school to increase the use of the schools facilities by the local community.

The Procurement process was carried out in line with the Council's Contract Rules and that best value for money has been delivered through this process.

### **Gateway 3 Contract Award: Abbey Court Expansion and Relocation - Design and Construction**

#### **Background:**

This report provided details of the procurement related to the relocation and expansion of the Abbey Court School.

It was noted that Cabinet on 26 November 2013 had agreed the relocation of the school and expansion of provision of SLD (severe learning difficulties) and PMLD (pupils with profound and multiple learning difficulties provision) at Abbey Court Special School onto the former Temple Boys site (Cliffe Road, Strood). The Cabinet had also approved the use to the iESE South East and London construction framework managed by Hampshire County Council and the Abbey Court project was identified as the pilot project to utilise this framework.

It was noted that the Procurement Board had considered this report on 22 January 2014 and supported the recommendation as set out in the report.

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

## Cabinet, 11 February 2014

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

**51/2014**      **The Cabinet approved the letting of the contract for design and construction of the Abbey Court School on the former Temple Secondary School site to Leadbitter Construction Limited, in accordance with paragraph 3.1 of the exempt appendix and achieving the outputs described in Section 3 of the report for the budget.**

### **Reasons:**

This decision is in accordance with Cabinet's approval for the relocation and expansion of the Abbey Court School on 26 November and the approved Targeted Basic Need funding from the Education Funding Agency for the provision of 68 additional spaces at Abbey Court School by September 2015.

### **Gateway 3 Contract Award: Strood Community Hub**

#### **Background:**

This report provided details of the procurement process undertaken in relation to Strood Community Hub as a result of returned tender submissions coming in over the allocated budget.

It was noted that following consultation between Category Management and Building Design Services, these works were re-tendered to the same six suppliers on the KCC Select List Framework with a stated price ceiling, allowing this project to stay within the allocated budget.

The report noted that this project involved the relocation of Strood Library and Community Hub from their current positions to 133 High Street, Strood. The property required refurbishment and fit out for this purpose and for the Council to enter into a 25.5 year lease. It was reported that this was part of a wider regeneration scheme for Strood and would act as its focal point. The project would also maintain the Council's statutory obligation to provide a comprehensive and efficient library service under the 1963 Public Libraries and Museums Act.

It was noted that the Procurement Board had considered this report and supported the recommendation set out in the report.

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

**Cabinet, 11 February 2014**

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

**52/2014**      **The Cabinet agreed the award of this contract to Harpers, the most economically advantageous provider as per the re-tender exercise as set out in paragraph 4.1 of the exempt appendix.**

**Reasons:**

The reason for the decision is due to the re-tender results for the proposed works coming in within the allocated budget.

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

.....  
**Date**

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

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## **Record of Cabinet decisions**

**Tuesday, 11 March 2014**

**3.00pm to 3.25pm**

**Date of publication: 12 March 2014**

**Subject to call-in these decisions will be effective from 20 March 2014  
The record of decisions is subject to approval at the next meeting of the Cabinet**

<b>Present:</b>	Councillor Rodney Chambers, OBE	Leader
	Councillor Alan Jarrett	Deputy Leader and Portfolio Holder for Finance
	Councillor David Brake	Portfolio Holder for Adult Services
	Councillor Jane Chitty	Portfolio Holder for Strategic Development and Economic Growth
	Councillor Howard Doe	Portfolio Holder for Housing and Community Services
	Councillor Phil Filmer	Portfolio Holder for Front Line Services
	Councillor 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

<b>In Attendance:</b>	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
	Julie Keith, Head of Democratic Services
	Barbara Peacock, Director of Children and Adult Services

### **Apologies for absence**

There were none.

## **Cabinet, 11 March 2014**

### **Record of decisions**

The record of the meeting held on 11 February 2014 was agreed and signed by the Leader as correct.

### **Declarations of disclosable pecuniary interests and other interests**

#### Disclosable pecuniary interests

There were none.

#### Other interests

There were none.

### **Hot Food Takeaways in Medway: A Guidance Note**

#### **Background:**

This report provided details of a proposal to develop a planning guidance note which would place a restriction on the hours of operation of hot food takeaways within 400m of schools and introduce other measures to control numbers and location. Following consultation, the intention would be to implement a final guidance note that could form a material consideration in the determination of planning applications for hot food takeaways.

The report referred to the Task Group of the Children and Young People Overview and Scrutiny Committee which had recommended that the Council investigate the possibility of developing a Supplementary Planning Document restricting fast food outlets from operating near schools, parks and leisure centres or in areas that were already highly concentrated with fast food outlets. This was agreed by Cabinet on 28 September 2010. This matter was also identified as a priority action for 2013/14 in the Health and Wellbeing Strategy for Medway 2012-2017, in promoting healthy eating. In addition, the National Planning Policy Framework (2012) had made explicit the role planning should play in creating healthier environments.

The Health and Wellbeing Board considered the issue on 9 January 2014 and their comments were set out in paragraph 4 of the report. It was also noted that the Business Support Overview and Scrutiny Committee would consider the report on 19 March 2014.

A Diversity Impact Assessment screening exercise had been undertaken as set out in Appendix B to the report. This had highlighted that implementation of the guidance note may have a differential impact upon Black and Minority Ethnic (BME) groups as there was the potential that hot food takeaways may have a higher representation of businesses from this group.

## Cabinet, 11 March 2014

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

**53/2014**      **The Cabinet approved publication of the Hot Food Takeaways in Medway Guidance Note (attached at Appendix A to the report) for the purposes of public consultation.**

### **Reasons:**

Implementation of the guidance note is likely to help reduce the levels of childhood obesity in Medway in combination with other initiatives introduced by the Public Health Directorate.

### **2013/14 Health Funding for Adult Social Care**

#### **Background:**

This report provided information on the transfer and allocation of the 2013/2014 Health Funding for Adult Social Care, following the publication of NHS England guidance setting out the transfer of funding to local authorities. It was noted that for Medway this amounted to £3,571,548.

The report stated that the Fund would be used to support and deliver Adult Social Care and associated services that were consistent with the Council Plan priority of Adults maintaining their independence and living healthy lives.

It was further noted that the transfer and allocation of funding had been agreed with Medway NHS Clinical Commissioning Group and there had been regard to the Joint Strategic Needs Assessment for the local population, and existing commissioning plans for health and social care.

The Health and Wellbeing Board considered this report on 25 February 2014 and its comments were set out in paragraph 3 of the report.

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

**54/2014**      **The Cabinet approved the Council entering into the Section 256 Agreement (as set out in Appendix 2 to the report) with NHS England to receive £3,571,548 funding transfer from the NHS budget for the purposes of supporting Health Funding for Adult Social Care.**

### **Reasons:**

To enable the Council to receive the NHS funding for Adult Social Care in order that adults are supported to maintain their independence and live healthy lives.

## The Strood Academy - Consent to Variation of Deed of Gift

### Background:

This report provided details of a proposal to consent to vary a Deed of Gift and Declaration of Trust dated 17 August 2009 made between the then Secretary of State for Children Schools and Families, Strood Academy, and Medway Council regarding the use of the sum donated by the Council to the Academy in accordance with the Deed of Gift and Declaration of Trust.

It was noted that when the Academy was set up and in line with guidance from the Department for Education, the Council paid £500,000 to the Trust to advance education in Medway on the basis set out in paragraph 2.2 of the report. Subsequently, the Council had agreed for the Strood Academy to acquire the Inspiration Centre and the report stated that the Strood Academy Trust had asked the Council to consent to the restrictions on the use of the £500,000 being lifted by the Council to help fund the purchase of the Inspiration Centre.

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

**55/2014      The Cabinet agreed to delegate authority to the Assistant Director of Legal and Corporate Services, in consultation with the Portfolio Holder for Finance, to take all necessary steps to enable the purchase of the Inspiration Centre to proceed including but not limited to writing a suitable letter to the Charity Commission regarding the Deed of Gift and Declaration of Trust and entering into a Deed of Variation of the Deed of Gift and Declaration of Trust if required.**

### Reasons:

In order to generate a capital receipt from the sale of the Inspiration Centre and to improve service delivery at the Academy and otherwise provide an alternative means to meet the aims of the Deed of Gift.

### 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, and details of a further post was tabled at the meeting.

## Cabinet, 11 March 2014

**Decision number:**

**Decision:**

**56/2014**

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

**Business Support Directorate**

- (a) Lawyer, Contracts and Commercial – Property and Contracts Team
- (b) Lawyer, Children’s Services x 4
- (c) Legal Support Assistant x 3
- (d) Lawyer, Property
- (e) Lawyer, Adult Services

**Children & Adults**

- (f) Social Worker (Youth Offending Team, Cookham Wood)
- (g) Support Services Assistant

**Regeneration, Community & Culture**

- (h) STEPS Cluster Coordinator
- (i) Housing Assistant
- (j) Housing Assistant (Temporary)
- (k) WORK Programme Job Broker Advisor.

**Reasons:**

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

**Gateway 1 Procurement Commencement: Residential and Nursing Care for Working Age Adults**

**Background:**

This report provided details of the procurement of residential and nursing care for working age adults. It was noted that this was dependent on the purchase of a suitable software package to support a Dynamic Purchasing System (DPS). The use of a DPS would allow the flexibility for providers to enter the market in Medway and will create a more diverse market that offers greater choice for service users as well being cost effective for the Council.

It was noted that the Procurement Board considered this report on 18 February 2014 and supported the recommendation set out in the report.

An exempt appendix provided details of the finance and whole-life costings for the procurement.

## Cabinet, 11 March 2014

**Decision  
number:**

**Decision:**

**57/2014**

**The Cabinet approved the commencement of this procurement on the basis set out in paragraph 4.2 of the report.**

**Reasons:**

The Council is required to tender these services in line with the Council's procurement rules and to ensure the tendering of services is compliant with the EU procurement regulations.

### **Gateway 1 Procurement Commencement: Supported Living Services**

**Background:**

This report provided details of the procurement of supported living services for adult social care and accommodation based services for young people. This procurement was dependent on the purchase of a suitable software package to support a Dynamic Purchasing System (DPS) for the Supported Living and accommodation based services for children. This system would allow flexibility for providers to enter the market in Medway and would create a more diverse market that would offer greater choice for service users as well being cost effective for the Council.

It was noted that the Procurement Board considered this report on 18 February 2014 and supported the recommendation set out in the report.

A Diversity Impact Assessment had been undertaken on the proposals and was attached at Appendix 1 to the report. The Equality Act 2010 would be included as a clause in the general terms and conditions of the contract that the successful contractor(s) would be contractually bound to adhere to.

An exempt appendix provided details of the finance and whole-life costings for the procurement.

**Decision  
number:**

**Decision:**

**58/2014**

**The Cabinet approved the commencement of this procurement on the basis set out in paragraph 4.2 of the report.**

**Reasons:**

The Council is required to tender these services in line with the Council's procurement rules and to ensure the tendering of services is compliant with the EU procurement regulations.

**Gateway 3 Contract Award: Infrastructure Support Services for the Voluntary and Community Sector (VCS) in Medway, Including Volunteering**

**Background:**

This report provided details of the procurement process for the award of the contract for the Infrastructure Support Services for the Voluntary and Community Sector (VCS) in Medway (including Volunteering).

It was noted that the Partnership Commissioning Team had decided to follow an Open Procedure for this procurement opportunity to encourage as much interest as possible from the VCS. A specification was developed in consultation with VCS providers through an engagement event, on the 12 September 2013 held at the Corn Exchange, Rochester. In order to be more inclusive towards VCS organisations the timeframe to complete the tenders was extended, as requested by VCS providers at the engagement event. The OJEU Open process was therefore extended from the standard 45 days to 64 days.

The Procurement Board considered this report on 18 February 2014 and supported the recommendation set out in the report.

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

**Decision number:**

**59/2014**      **The Cabinet agreed to award the contract to the Council for Voluntary Services (CVS), lead provider for the consortium.**

**Reasons:**

The decision to award a three-year contract to the supplier is consistent with priorities outlined in the Council Plan and Sustainable Communities Strategy. These documents acknowledge the supplier has a strong foundation on which to build an empowered and self-confident society, providing a range of services for local people/communities including engaging with the most hard to reach groups. This procurement has provided an opportunity to revise the service specification to create a service which responds to and meets the diverse needs of Medway residents and to combine volunteer centre services and voluntary sector support services into one contract.

The proposed contract will deliver much improved volunteer centre and voluntary sector support services, and has achieved a cost saving by consolidating three current service contracts into one.

The provision of volunteer centre services and voluntary sector support services across Medway is consistent with both the national and local move to harness social capital and supports the key priorities outlined within the Coalition Government's

**Cabinet, 11 March 2014**

vision/programme of a Big Society; giving communities more power and encouraging people to take an active role in their communities.

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

.....  
**Date**

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

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## Record of Cabinet decisions

**Tuesday, 8 April 2014**

**3.00pm to 4.10pm**

**Date of publication: 9 April 2014**

**Subject to call-in these decisions will be effective from 17 April 2014  
The record of decisions is subject to approval at the next meeting of the Cabinet**

<b>Present:</b>	Councillor Rodney Chambers, OBE	Leader
	Councillor Alan Jarrett	Deputy Leader and Portfolio Holder for Finance
	Councillor David Brake	Portfolio Holder for Adult Services
	Councillor Jane Chitty	Portfolio Holder for Strategic Development and Economic Growth
	Councillor Howard Doe	Portfolio Holder for Housing and Community Services
	Councillor Phil Filmer	Portfolio Holder for Front Line Services
	Councillor 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

<b>In Attendance:</b>	Neil Davies, Chief Executive
	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
	Julie Keith, Head of Democratic Services
	Barbara Peacock, Director of Children and Adult Services

### Record of decisions

The record of the meeting held on 11 March 2014 was agreed and signed by the Leader as correct.

### Apologies for absence

There were none.

## **Declarations of disclosable pecuniary interests and other interests**

### Disclosable pecuniary interests

There were none.

### Other interests

There were none.

## **Rochester Riverside Masterplan**

### **Background:**

This report provided details of a draft revised Development Brief and Masterplan for Rochester Riverside. The revised Rochester Riverside Development Brief and Masterplan would establish a set of strategic parameters and illustrative guidance to steer the future development of the site. The Brief would provide planning and design guidance to developers and would inform development management decisions.

The report stated that Rochester Riverside was a flagship project in the Council's regeneration programme. The site comprised 32 hectares (74 acres) of brownfield development land, stretching from Rochester Bridge to the north and Doust Way to the south. The principles, guidelines and aspirations as set out in the original adopted 2004 Development Brief formed the basis of the 2004 Rochester Riverside Masterplan. Allies and Morrison, working with officers and GL Hearn produced a draft revised Rochester Riverside Development Brief and Masterplan following a review of the original Development Brief and Masterplan. The review identified a number of issues in relation to the scheme as set out in paragraph 2.10 of the report.

It was noted that the consultation period would run from 28 April 2014 to 6 June 2014 and that the outcome would be reported back to Cabinet in due course.

Appendices 1 and 2 to the report were included in Supplementary Agenda No.1.

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

### ***Decision:***

- |                |  |
|----------------|--|
| <b>60/2014</b> | <b>The Cabinet agreed the content of the draft Development Brief and Masterplan at Appendices 1 and 2 and authorised its publication for consultation.</b>   |
| <b>61/2014</b> | <b>The Cabinet agreed to authorise the Director of Regeneration, Community and Culture, in consultation with the Leader, to agree any necessary minor amendments to the draft Development Brief and Masterplan document prior to the statutory consultation.</b> |

## Cabinet, 8 April 2014

### Reasons:

Approval of this draft Development Brief and Masterplan for consultation will progress work in bringing forward the Rochester Riverside regeneration scheme. The Development Brief and Masterplan will provide the framework to guide development on the site to realise the development opportunity of the site.

### Stanley Wharf, Rochester Riverside

#### Background:

This report provided details of a proposal to dispose of the Stanley Wharf site on Rochester Riverside for redevelopment. The report gave details of development elsewhere on Rochester Riverside together with the specific details of the Stanley Wharf site and the tender process undertaken to identify and select a preferred developer.

It was noted that the preferred developer for Stanley Wharf would submit a detailed planning application against the revised Rochester Masterplan and Development Brief in summer 2014.

An exempt appendix provided details of the tender process for Stanley Wharf, the preferred developer and the financial bid received.

#### **Decision number:**

#### **Decision:**

**62/2014**

**The Cabinet approved the disposal of the Stanley Wharf site and recommended to Full Council that it delegates authority to the Director of Regeneration, Community and Culture in consultation with the Leader of the Council:**

- **to dispose of the Stanley Wharf site (as shown edged black on the plan attached to the report) for redevelopment**
- **to enter into any necessary agreements.**

### Reasons:

The disposal of Stanley Wharf will realise capital receipts and will maintain momentum of delivery and the continued regeneration of the Council's key development scheme.

## **Flood and Water Management Act 2010 - Roles and Responsibilities and the Local Flood Risk Management Strategy**

### **Background:**

This report provided details of recent changes in legislation with regards to flood and water management including new statutory duties for local authorities.

The Flood and Water Management Act (FWMA) 2010 imposed specific statutory executive duties on the Council, a summary of which was set out in paragraph 2.1 of the report. It was noted that the Council was making good progress with the requirements of the FWMA 2010, which included a cross functional approach between Highways, Corporate Capital Projects, Emergency Planning, Development Management and Regeneration Teams as well as continued dialogue with other Risk Management Authorities. The report provided details of a proposal for the Director of Regeneration, Community and Culture to be granted delegated authority to have responsibility for the discharge of a number of executive functions in relation to flood and water management.

The report also provided details of the development of the Local Flood Risk Management Strategy. The primary aim of the strategy was to outline the approach Medway Council as Lead Local Flood Authority (LLFA) would take to local flood risk management, to record how this approach had been developed and agreed and to deliver the legislative requirements of the FWMA 2010. The draft Strategy would be subject to consultation between 14 April 2014 – 16 May 2014 and the outcome of consultation would be reported to Regeneration, Community and Culture Overview and Scrutiny Committee on 26 June 2014 and Cabinet on 15 July 2014.

Appendices 1 and 2 to the report were included in Supplementary Agenda No.1.

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

### ***Decision:***

- |                |  |
|----------------|--|
| <b>63/2014</b> | <b>The Cabinet recommended to the Leader to agree the necessary executive delegations to officers as set out in 2.3 of the report.</b>   |
| <b>64/2014</b> | <b>The Cabinet noted the draft Local Flood Risk Management Strategy and agreed that it proceed to formal public consultation.</b>  |
| <b>65/2014</b> | <b>The Cabinet agreed to authorise the Director for Regeneration, Community and Culture, in consultation with the Leader and Portfolio Holder for Front Line Services, to approve any minor corrections and factual amendments to the draft to improve its clarity and consistency prior to the consultation launch.</b> |
| <b>66/2014</b> | <b>The Leader agreed the necessary executive delegations to officers as set out in section 2.3 of the report.</b>  |

## Cabinet, 8 April 2014

### Reasons:

The Flood Risk Regulations 2009 and the Flood and Water Management Act (FWMA) 2010 have established Medway Council as a Lead Local Flood Authority and sets out a number of roles and responsibilities in relation to the management of local flood risk. These decisions respond to the duties imposed on the Council.

The LFRMS provides the framework from which to ensure compliance with the legislation and considers how this can be delivered and inform decision making to address flood risk issues through several services.

### Review of the Guide to Developer Contributions

#### Background:

This report provided details of the Guide to Developer Contributions, a Supplementary Planning Document, which had originally been agreed by Cabinet in April 2008 with an updated version of the Guide agreed by Cabinet in November 2012. The Guide set out the levels of Section 106 contributions which a developer should provide when intending to build 10 dwellings or more. It was noted that the draft Guide reflected current requirements and reinstated sections on public realm and sport and leisure.

The report stated that consultation would take place between 22 April 2014 – 2 June 2014 and that the outcome of consultation would be considered by the Regeneration, Community and Culture Overview and Scrutiny Committee on 26 June 2014 and Cabinet on 15 July 2014.

It was noted that a number of typographical errors in the draft Guide would be corrected prior to it being issued for consultation.

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

- |                |  |
|----------------|--|
| <b>67/2014</b> | <b>The Cabinet agreed for consultation to be undertaken on the updated 2014 draft Guide to Developer Contributions, as set out in Appendix 1 to the report.</b>  |
| <b>68/2014</b> | <b>The Cabinet agreed to delegate authority to the Director of Regeneration, Community and Culture, in consultation with the Portfolio Holder for Strategic Development and Economic Growth, to make any minor amendments needed to the draft Guide to Developer Contributions, prior to the consultation process.</b> |
| <b>69/2014</b> | <b>The Cabinet agreed that the draft Guide be re-submitted to the Regeneration, Community and Culture Overview and Scrutiny Committee for consideration and Cabinet for final approval, following consultation.</b>  |

## Cabinet, 8 April 2014

### Reasons:

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

### Adult Learning Annual Report

#### Background:

This report provided details of the outcome of the recent OFSTED inspection of Medway's Adult Learning Service and gave details of future proposals for the service.

Following an inspection of the Adult Learning Service in February 2013, the service was reinspected in February 2014 and was rated as a 3 – "Requires Improvement". This represented good progress in a year and it was noted that one subject area (Maths) was rated at Level 2 - 'Good'. In addition the inspectors made some very positive comments on the new management and governance arrangements and commented favourably on the partnership working. There were comments around support for learners and the good progress they were making.

The report also provided details of future service provision noting that adult learning could contribute to the Council's ambition to improve Medway as a place to live and work. The following mission statement had been developed: 'To achieve excellence for our community and businesses in Medway'. It was considered that the current configuration of the Adult Learning Service did not fully support this ambition, therefore, it was proposed to divide the service into three distinct business units: Community Learning and Skills Development; Business Development and; Leisure Learning.

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

**70/2014**      **The Cabinet:**

- (i)      Noted the outcome of the OFSTED inspection.**
- (ii)      Supported the mission and overarching objectives outlined in paragraph 3.1 of the report.**
- (iii)      Agreed the future direction of the service as outlined in paragraph 3.2.**

### Reasons:

This report outlined the OFSTED outcomes and suggested a way forward for the service. The reconfiguration of the service will make it more robust for the future and meet both the OFSTED requirements and new priorities for funding. This will support

## **Cabinet, 8 April 2014**

a vibrant service which is fit for purpose, meets the Council priorities and make it more financially robust.

### **Sufficiency Report 2013-2015**

#### **Background:**

This report provided details of the Medway Sufficiency Report which set out how Medway Council would meet the placement needs of its current and future Children in Care and Care Leavers and improve their outcomes in light of an understanding of their needs and current provision.

The report stated that the scope was not just restricted to just making good quality placements; the intention was to co-ordinate the range of activity across Children's Services, including a clear focus on supporting families to stay together, wherever it was safe to do so, thus minimising the need for children to come into care, or supporting their timely return to their families.

The Children and Young People Overview and Scrutiny Committee considered this report on 25 March 2014 and its comments were set out in an addendum report.

The report included a Diversity Impact Assessment screening form at Appendix B to the report. This indicated that a full assessment was not necessary.

#### **Decision number:**

**71/2014      The Cabinet approved the Medway Sufficiency Report as set out at Appendix A of the report.**

#### **Reasons:**

The Medway Sufficiency Report is set within the context of national policy, legislation and guidance. The purpose of this document is to set out how Medway Council will meet the placement needs of current and future children in care and care leavers, and improve their outcomes, in light of the council's understanding of their needs and current provision.

### **Six Month Review of the Council's Corporate Business Risk Register**

#### **Background:**

This report provided details of the latest review of the Council's Corporate Business Risk Register and included three proposals from the Council's Management Team to downgrade risks in relation to SR17 - Delivering Regeneration; SR19 - Downturn in the Economy and SR22 – Treasury Management.

The Business Support Overview and Scrutiny Committee considered this report on 19 March 2014 and recommended that SR19 - Downturn in the Economy be

## Cabinet, 8 April 2014

regraded at C2, rather than the original proposal to regrade at E2, to link with that of the proposed regrading to C2 of SR17 Delivering Regeneration.

The Portfolio Holder for Finance and Deputy Leader paid tribute to Joy Kirby who had recently retired for her work on risk management over the years.

**Decision number:**

**Decision:**

**72/2014**

**The Cabinet approved the recommendations from the Business Support Overview and Scrutiny Committee regarding the amendments to the Council's Risk Register as follows:**

- (i) SR17 Delivering Regeneration – C2**
- (ii) SR19 Downturn in the Economy – C2**
- (iii) SR22 Treasury Management – E2.**

**Reasons:**

The establishment of a corporate framework for risk management is recommended by CIPFA and SOLACE and will complement and support the work already being carried out within each directorate to manage risks.

**Additions to the Capital Programme**

**Background:**

This report provided details of three schemes it was proposed to add to the Capital Programme. It was noted that Full Council had approved the Capital Programme 2014/2015 and beyond on 20 February 2014 and that these schemes had arisen since then which would be funded by prudential borrowing: Strood Sports Centre refurbishment; Crematorium improvement works and; Corn Exchange refurbishment.

The report provided details of the individual schemes and an exempt appendix provided commercially confidential details as to the Crematorium negotiations.

It was noted that the funds for the Corn Exchange refurbishment should also include the entrance to the Princes Hall on the High Street and the paint peeling from the clock above the entrance to the Princes Hall.

**Decision number:**

**Decision:**

**73/2014**

**The Cabinet recommended to Council the approval of the addition of Strood Sports Centre redevelopment to the capital programme with funding of £500,000 at this stage to**



be funded by prudential borrowing.

- 74/2014**      **The Cabinet recommended to Council the approval of the additional prudential borrowing requirement of up to £475,000, so that the Crematorium improvement project can be completed.**
- 75/2014**      **The Cabinet recommended to Council the approval of the addition of the Corn Exchange Improvement programme to the Capital Programme with funding of £100,000 to be funded by Prudential Borrowing.**

**Reasons:**

Approval for these schemes will allow the Improvement programmes to be put in place, delivering high quality services for our customers.

**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:**

- 76/2014**      **The Cabinet agreed to unfreeze the following posts, as detailed in Appendix 1 to the report, to enable officers to commence the recruitment process:**

**Business Support Directorate**

**(a)    ICT Business Services Manager**

**Children and Adults**

**(b)    Admin Assistant (Temporary)**

**Regeneration, Community & Culture**

**(c)    Business Information Officer.**

**Reasons:**

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

## Reprovision of the Enhanced Care Unit and Napier Unit

### Background:

This report provided details of the proposal to reprovide services provided by the Napier Unit and the Enhanced Care Unit (ECU) onto one site. It was noted that these services were inextricably linked with staff working across both services and an overlap of service users who attend both. It was proposed to take forward the re-provision of the Napier Unit and ECU with Agincare. The Council had explored a range of options for the re-provision of this service including alternative sites, but given the costs, interdependencies and other issues it was considered that bringing both services onto the Napier Unit site was the best option for these services.

The report provided details of the three options for consideration together with the recommendation that option 2 (Transfer of the services to Agincare through Negotiated Procedure without a procurement exercise and without capital investment by the Council) be agreed.

The Portfolio Holder for Adult Services referred to representations he had received and responded to from a carer of a service user and also a representation via a telephone call from another member of the public. He confirmed that the representations and responses had been shared with all Cabinet Members.

It was noted that a Diversity Impact Assessment was being undertaken and would be completed and considered before any final agreement was reached on whether to award the contract to Agincare.

The draft floor plans were set out in Supplementary Agenda No.3.

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

**77/2014**      **The Cabinet agreed to instruct Officers to proceed with discussions for the re-provision of the Napier Unit and Enhanced Care Unit onto one site through the invitation to negotiate procedure without a procurement exercise (Option 2). A paper will be brought to Cabinet in July for the final approval request to proceed with this award.**

### **Reasons:**

To ensure that options to secure the best provision possible for services users and family carers are fully explored.

**Gateway 1 Procurement Commencement: Bailiff Services - Revenues and Benefits**

**Background:**

This report provided details of the procurement process for the Bailiff Services – Revenues and Benefits contract. The report stated that bailiff firms would collect any outstanding balances in addition to their fees and subsequently pass on the entirety of the balance on a monthly basis to Medway Council. It was a requirement of this contract that a dedicated Medway Council bank account be maintained for the secure keeping of all monies due to the Council. Following consultation at central government level and further to the Taking Control of Goods Regulations 2013 all fees as of April 2014 would be prescribed and standardised. In light of this, there was less need for an emphasis to be placed on price, allowing the Council to focus on the quality aspect in evaluating all returned tender submissions.

The Procurement Board considered this report on 19 March and supported the recommendation set out in the report.

An exempt appendix contained finance and whole-life costings information for this project.

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

**78/2014**            **The Cabinet agreed to the commencement of the procurement process for bailiff services.**

**Reasons:**

This decision is on the basis that the contract term for the current bailiff contract is due to end on 1 January 2015, and the successful collection of all monies due to the Council is necessary to ensure cash flow over coming years.

**Gateway 3 Contract Award: Carers Support Services**

**Background:**

This report provided details of the procurement process for the award of the contracts for carers' support services. The report provided details of the existing services provided and how the services had been grouped into four lots for this procurement process.

The Procurement Board considered this report on 19 March 2014 and supported the recommendation set out in the report.

An exempt appendix contained finance and whole-life costings information for this project together with information on the tender process.

## Cabinet, 8 April 2014

**Decision  
number:**

**Decision:**

**79/2014**

**The Cabinet approved the contract award to the contractors as follows:**

- (i) Lots 1 & 4 be awarded to Carers First. Lot 1 and Lot 4 will commence on 1 June 2014 and run for three years with an option to extend for a further two years.**
- (ii) Lot 3 be awarded to Agincare. Lot 3 will commence on 9 July 2014 and will run for three years with an option to extend for a further two years.**

**Reasons:**

A fair and transparent procurement process has been undertaken in accordance with both council rules and EU regulations. The approved suppliers scored highest on quality and offered significant savings on the current contract costs.

### **Gateway 3 Contract Award: Housing Revenue Account (HRA) Development of Garage Sites for Additional Housing Stock**

**Background:**

This report provided details of the procurement process for additional housing stock through the development of Housing Revenue Account (HRA) garage sites and that this project would deliver up to 23 units in a total of 10 locations within Gillingham, Twydall and Rainham.

The Procurement Board considered this report on 19 March 2014 and supported the recommendation set out in the report.

An exempt appendix contained finance and whole-life costings information for this project together with information on the tender process.

**Decision  
number:**

**Decision:**

**80/2014**

**The Cabinet approved the contract award for the HRA Development for Additional Housing Stock – Garage Sites to Chartway Group PLC, to achieve the outputs described in Section 4 of the report.**

## Cabinet, 8 April 2014

### Reasons:

The proposed development project 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.

### **Gateway 3 Contract Award: Retender of the Housing Revenue Account (HRA) Repairs and Maintenance Contract**

#### Background:

This report provided details of the procurement process for the Housing Revenue Account (HRA) repairs and maintenance contract. The report stated that the Council owned 3,015 properties and 199 leaseholder properties and this contract would provide a fully encompassing repairs and maintenance service to the Council's housing stock.

The Procurement Board considered this report on 19 March 2014 and supported the recommendation set out in the report.

An exempt appendix contained finance and whole-life costings information for this project together with information on the tender process.

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

**81/2014      The Cabinet approved the contract award for the Housing Revenue Account (HRA) Repairs and Maintenance Service to Mears Limited, to achieve the outputs and opportunities described in Section 4 of the report.**

### Reasons:

Approval of the contract will ensure the Council meets its statutory obligations in terms of maintenance of its stock, and provide value for money and a quality service for tenants and leaseholders.

### **Gateway 5 Contract Management Report: Early Help**

#### Background:

This report provided details of a review of progress of eight of the current Early Help contracts. It was noted that the Council, in partnership with the Medway Clinical Commissioning Group (CCG), funded a number of organisations to deliver a range of early help services for children. The report provided detailed information on the proposals for each of the service providers as set out in paragraph 4 of the report.

The Procurement Board considered this report on 19 March 2014 and supported the recommendation set out in the report.

## Cabinet, 8 April 2014

It was noted that Diversity Impact Assessments had been provided (appendices 1-8 of the report as set out in Supplementary Agenda no. 4). For those services that were being decommissioned, officers would work with providers to ensure that the risk to service users was minimised.

An exempt appendix contained finance and whole-life costings information for the contracts.

**Decision number:**

**Decision:**

**82/2014**

**The Cabinet agreed the following:**

**(i) Crisis Intervention 10**

**Decommission the service, giving a notice period of 3 months from April 2014.**

**(ii) Place2Be**

**Cease to subsidise the service offered to academies with effect from April 2014, and to reduce support to around 10% of the current level by April 2015.**

**(iii) Low Level Grants (Relate Medway & North Kent, Medway Mediation and KASBAH)**

**Decommission the services, giving a notice period of 4 months from April 2014.**

**(iv) Home-Start**

**Decommission, giving a notice period of 12 months from April 2014 and reduce the funding over the last 9 months of the contractual term by 14% in line with the savings requirements. Commission a new service to be in place by April 2015.**

**(v) Medway Challengers Service**

**Terminate current contract arrangements giving a notice period of 6 months from April 2014. Commission a new service which promotes emotional and mental health of Looked After Children**

**(vi) New Directions Mentoring**

**Decommission the service giving a notice period of 3 months from April 2014.**

**Reasons:**

The current funding arrangements have been based on grant allocation and Service Level Agreements (SLAs). As these services had been identified as on-going requirements they were required to be compliant with the Medway Council

**Cabinet, 8 April 2014**

contract rules, public procurement rules, or state aid rules and therefore a competitive process carried out. This had not been the process in the past.

An Early Help Strategy has recently been produced which identified priorities for early help services, and all early help provision should be targeted on these areas of need.

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

.....  
**Date**

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