

## Record of Cabinet decisions

**Tuesday, 10 June 2014**

**3.00pm to 3.27pm**

**Date of publication: 11 June 2014**

**Subject to call-in these decisions will be effective from 19 June 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 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  
Julie Keith, Head of Democratic Services  
Barbara Peacock, Director of Children and Adults Services

### **Apologies for absence**

An apology for absence was received from Councillor Howard Doe (Housing and Community Services).

### **Record of decisions**

The record of the meeting held on 13 May 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.

## Planning Policy Update

### **Background:**

This report provided details of the programme for the production of a replacement Local Plan as set out in an updated Local Development Scheme (Appendix 1 to the report), following the withdrawal of the draft Medway Core Strategy from Examination in November 2013. The report also presented the findings of independent demographic modelling and relevant data analysis to establish a basis for assessing housing needs in Medway. This information was set out in the Housing Position Statement (Appendix 2 to the report) and this indicated a revised annual target of needing to plan for 1000 new homes annually in Medway.

It was noted that planning for Medway would be based on the principles of sustainable development. Sustainability Appraisals would be carried out at key stages of the plan preparation process, to ensure that the impacts of options and draft policies were properly identified and considered.

A Diversity Impact Assessment screening had been completed (Appendix 3 to the report). The Council's planning policy sought to deliver sustainable development for the benefit of all communities, and to recognise the needs of specific groups for services and infrastructure. It was considered the content of this report did not have a disproportionate impact on any specific community sector or group.

Clarification was provided at the meeting regarding the reference to the 25% (60/40 split) of affordable housing (recommendation 9.1.3 (h)), in that there was a 60/40 split between affordable rent and shared ownership or other form of intermediate housing.

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

**The Cabinet noted the content of the report and the documents set out in the Appendices.**

**104/2014      The Cabinet approved the publication of the updated Local Development Scheme 2014-2017, as set out in Appendix 1 to the report.**

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- 105/2014** The Cabinet approved the use of an updated housing needs target of 1000 dwellings per year as a basis for planning in Medway, pending the completion of a comprehensive assessment of housing and economic needs in 2015.
- 106/2014** The Cabinet approved the recommendations set out in the Housing Position Statement, as set out in Appendix 2 to the report, as follows:
- a) Seek endorsement from adjoining authorities to the boundaries of the functional Medway housing market area being the administrative boundary, not least to ensure continuity with the assessments for adjoining market areas.
  - b) That Opinion Research Services's recommended annual housing requirement figure for Medway of 1,000 dwellings per annum be accepted as the 'basis for calculating 5 Year land Supply and determining planning applications until a full Strategic Housing Market Assessment has been completed in 2015.
  - c) Put in place specific monitoring arrangements for the key variables identified in this assessment and particularly migration so that the robustness of the 1,000 per annum figure can continue to be tested.
  - d) This monitoring should also cover house and land prices to ensure that over supply does not soften a market that is markedly more affordable than adjoining and nearby market areas.
  - e) Pending preparation of the new local plan, seek to ensure a balance of house types comes forward, including:
    - Smaller units suitable for single person households
    - Family housing, including detached properties (particularly through to 2021)
    - Flatted schemes that are of a standard that will encourage cohesive communities and can be adequately maintained.
  - f) Establish a self-build register that is available online.
  - g) Utilise the IPC Extra Care Housing Needs Analysis, reproduced at Appendix 2b to the report, in negotiating provision for specific needs housing.

- h) Retain the current 25% (60/40 split) affordable housing policy pending preparation of a full affordable housing analysis that will inform the new Local Plan.**
- i) Ensure that a full replacement needs assessment is commissioned to inform the new Local Plan at the appropriate time. This will cover the full plan period and feed in the most up to date demographic and economic projections to establish the objectively assessed need for Medway.**

**107/2014      The Cabinet approved the commission of a full assessment of development needs in line with policy requirements to inform the new Local Plan.**

**Reasons:**

These decisions will establish a sound basis for the preparation of a new Local Plan for Medway and to provide an appropriate calculation of housing needs in advance of the adoption of the replacement plan.

**Medway Statement of Community Involvement**

**Background:**

This report provided details of the Medway Statement of Community Involvement (SCI). The purpose of the SCI was to lay out in a concise and clear way, how the Council would engage with stakeholders in matters relating to the Local Plan and the principles to be considered in consulting on planning applications. This included publicity methods at key stages in the planning process to reach all sectors of the community. It was noted that the SCI was a statutory requirement to support development policy and was a key document needed in order to progress through the stages to an adopted Local Plan.

The updated Consultation Draft SCI 2014 was set out at Appendix 1 to the report. This sought to update the policy context for the document, and provide clearer guidance on the principles and methods of consultation to be used. A flexible approach would be adopted to reflect the needs and circumstances of different groups in order that all sections of the community had an opportunity to be involved in planning for Medway.

A Diversity Impact Assessment screening had been completed for the revised draft SCI (Appendix 2 to the report). This assessment concluded that there were no disproportionate impacts on particular sectors of the community. The purpose of the SCI was to make explicit considerations of the diverse needs of the communities across Medway. It was therefore a helpful tool in contributing to the awareness of equalities issues to be addressed through the plan making process.

## Cabinet, 10 June 2014

**Decision  
number:**

**Decision:**

- 108/2014**      **The Cabinet considered the revised draft Medway Statement of Community Involvement as set out at Appendix 1 to the report and approved its publication for consultation to inform an updated version of the document.**
- 109/2014**      **The Cabinet agreed that a revised version of the Medway Statement of Community Involvement be submitted to Cabinet on 30 September, following the consultation process, seeking approval to adopt the document.**

**Reasons:**

This is to provide the Council with an appropriate updated SCI in line with legislative requirements that can be used to inform the process for the preparation of a new Local Plan.

**Disposal of Premises at Doust Way**

**Background:**

This report provided details of a proposal to dispose of the premises (student accommodation) at Doust Way, Rochester. The former City Council of Rochester Upon Medway granted Hyde Housing Association Limited a 125 year ground lease of the site from 12 September 1997 with 5 yearly rent reviews, and Hyde had granted a 30-year sub-lease of the completed development to the University for the Creative Arts for use by its students.

The proposed disposal to the purchaser would be made subject to and with the benefit of the 125 year lease to Hyde and the sub-lease granted by Hyde, both of which would continue. The purchaser would effectively step into the Council's shoes and take over the Council's obligations as landlord of the premises.

The purchaser had stipulated that it must complete the purchase by 31 July 2014 and given the capital receipt was likely to be over £1 million, this would normally be a matter for Full Council. However, the next meeting of Full Council was not until 24 July 2014, therefore, this did not give sufficient time to complete the disposal by the purchaser's deadline of 31 July 2014 and so it was proposed that the Chief Executive uses the urgency provisions as set out in paragraph 4.1 of the Employee Delegation Scheme to agree the proposed disposal on behalf of Full Council, to avoid the cost and inconvenience of holding an extraordinary Council meeting for the sole purpose of considering this disposal. It was noted that the use of these urgency provisions would be reported to Full Council on 24 July 2014 for information.

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

- 110/2014**      **The Cabinet agreed to dispose of the premises at Doust Way and recommended to the Chief Executive (using urgency powers (in place of referring this matter to Full Council)) that he grants delegated authority to the Assistant Director, Legal and Corporate Services, in consultation with the Portfolio Holder for Finance, to declare the premises at Doust Way surplus to the Council's requirements and to dispose of them on the best terms reasonably obtainable.**
- 111/2014**      **The Cabinet agreed to take account of the income budget for commercial property as part of the budget building exercise for 2015/16, to account for the revenue foregone.**

**Reasons:**

To realise a capital receipt, reduce management costs and to enable improvements to the premises to take place.

**Cabinet Advisory Groups**

**Background:**

This report provided a review of the various Cabinet Advisory Groups and sought the reestablishment of a number of Groups for 2014/2015. The report noted that these Groups did not have any decision making powers and could consist of both executive and non-executive Councillors.

The report included details of changes to the names of two Cabinet Advisory Groups, namely the Corporate Parenting Board (instead of the Corporate Parenting Group) and the Development Plans Advisory Group (instead of the Local Development Framework Advisory Group).

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

- 112/2014**      **The Cabinet agreed the establishment of the Cabinet Advisory Groups with the terms of reference set out in this report and appointment of members to these bodies, as set out in appendix 1 to the report, for 2014/2015.**

**Reasons:**

The establishment of these groups will support the Cabinet in decision-making and the development of policies.

## 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:

**113/2014**      **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) Data Compliance Officer**
- (b) Review and Disposals Officer**

#### **Children and Adults**

- (c) School Service Project Officer**
- (d) Action for Families Data Analyst**
- (e) Action for Families Administrator**
- (f) Student Services Administrator**
- (g) Programme Manager – Better Care Fund**

#### **Regeneration, Community & Culture**

- (h) Project Officer.**

### Reasons:

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

## Gateway 3 Contract Award: Corporate School Meal Provision

### Background:

This report provided details of the tender process and evaluation for the Corporate School Meals contract for a 5 year period commencing on 1 August 2014 for three years with the option to extend for up to 24 months. The report noted that in preparation for the new contract start and the introduction of Universal Infant Free School Meals for KS1 pupils in September 2014, the corporate catering specification had undergone changes to adhere to changes in Government guidelines surrounding food standards for school meals. All changes had been undertaken in consultation with the Public Health Team.

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The School Contracts Team had a service level agreement with each of the 47 participating schools, under which the School Contracts Team had been engaged to commission a service provider for the catering services and to monitor provision of the service provision.

The Procurement Board considered this report on 20 May 2014 and its comments were set out in paragraph 6 of the report.

An exempt appendix contained key information in respect of the financial analysis and the tender evaluation result.

**Decision number:**

**114/2014**

**Decision:**

**The Cabinet approved the procurement contract award to Chartwells.**

### **Reasons:**

This decision has been made on the basis that the successful contractor meets the criteria set out in the Invitation to Tender most closely. In addition, the current contract term at the 47 schools was due to end on 31 July 2014 so to allow sufficient time for planning and mobilisation to prepare for the Universal Free School Meals introduction in September 2014.

### **Gateway 3 Contract Award: Will Adams Pupil Referral Unit**

#### **Background:**

This report provided details of the tender process and evaluation for works (option 8) to the Will Adams Pupil Referral Unit, Gillingham as follows:

- Internal and external refurbishment works to the Will Adams PRU existing building
- Internal refurbishment works to Summit House.
- Internal refurbishment works to Outreach Centre
- External works to Outreach Centre, including replacement windows, internal wall reinforcements to protect walls against vandalism, which may result from end users, upgrade to existing external ramp.
- Agreed enhancement to main entrance to improve security.
- An extended 5-a-side- football pitch.

The following works were also included in the tender following a request by the school:

- A fully enclosed weatherproof link between Will Adams PRU and Summit House
- Additional external works to the field and landscaping to provide extended playing field in keeping with BB102 guidance for a school



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with 100 pupils to provide nearer to the 5,000sqm of playing field identified as the requirement.

The Procurement Board considered this report on 20 May 2014 and its comments were set out in paragraph 7 of the report.

An exempt appendix contained key information in respect of the financial analysis and the tender evaluation result.

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

**115/2014**      **The Cabinet approved the procurement contract award to Walker Construction for the delivery of option 8 plus the following additional works:**

- **A fully covered link between the Summit House and the existing Will Adams buildings;**
- **Additional external landscaping works.**

**Reasons:**

This decision is made on the basis that the tenderer has submitted the most beneficial tender in terms of both quality and cost.

### **Gateway 4 Report: Homecare Services**

**Background:**

This report provided details of a review of the Homecare Services contract. Homecare services provided care and support to eligible vulnerable individuals to enable them to remain within their own home and community. Homecare was only provided where there was an assessed need for the service and a financial assessment was made to determine the contributions towards the cost of care payable by the service user.

Following the first six months of the contract, one provider withdrew from the framework, which reduced the number of providers from 20 to 19. The success of this model following the first six monthly review Key Performance Indicator (KPI) had seen eight of the 19 suppliers improve their ranking by demonstrating that they delivered good quality services that met the need of service users and the Council. Two of the providers had been given a warning that should they score 0 in the 12 month review two or more times they would be suspended. At the present time this related to two providers, who had failed to return KPIs. Overall, the current contract had performed well and delivered against the original tender objectives and specification.

The Procurement Board considered this report on 20 May 2014 and its comments were set out in paragraph 8 of the report.

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An exempt appendix contained key information in respect of the financial analysis.

**Decision  
number:**

**Decision:**

**116/2014**      **The Cabinet noted the positive performance of the framework agreement during its first year and agreed there was no requirement to submit Gateway 5 reports unless there were any major issues with the framework agreement and/or suppliers performance or until the end of the contract.**

**Reasons:**

The framework agreement continues to meet the strategic aims and statutory obligations of Medway Council and service users as outlined in the Gateway 1 and 3 reports. The dynamic nature of the framework agreement has demonstrated its ability to incentivise suppliers to adopt a continuous improvement ethos. With robust contract management and continued partnership working, the Council will see further service improvements and a better placed supply base to meet its future commissioning aspirations.

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**Leader of the Council**

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**Date**

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