

Record of Cabinet decisions

Tuesday, 2 September 2014

3.00pm to 4.07pm

Date of publication: 3 September 2014

**Subject to call-in these decisions will be effective from 11 September 2014
The record of decisions is subject to approval at the next meeting of the Cabinet**

Present:	Councillor Rodney Chambers, OBE	Leader
	Councillor Alan Jarrett	Deputy Leader and Portfolio Holder for Finance
	Councillor David Brake	Portfolio Holder for Adult Services
	Councillor Jane Chitty	Portfolio Holder for Strategic Development and Economic Growth
	Councillor Howard Doe	Portfolio Holder for Housing and Community Services
	Councillor Phil Filmer	Portfolio Holder for Front Line Services
	Councillor Peter Hicks	Portfolio Holder for Community Safety and Customer Contact
	Councillor Mike O'Brien	Lead Portfolio Holder for Children's Services

In Attendance: Neil Davies, Chief Executive
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
Anthony Law, Democratic Services Officer
Barbara Peacock, Director of Children and Adults Services

Apologies for absence

An apology for absence was received from Councillor Tolhurst (Educational Improvement).

Record of decisions

The record of the meeting held on 5 August 2014 was agreed and signed by the Leader as correct.

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Leader's Announcement

The Leader welcomed the announcement, earlier in the day, that plans for the Thames Estuary Airport had been officially rejected by the Airports Commission. The Leader thanked all involved in the cross party campaign to stop the airport on the Isle of Grain and noted that this would bring to an end the concerns of many Medway residents.

The Leader restated that should these proposals come forward again, the Council would again work in the interests of Medway in opposing them.

Declarations of disclosable pecuniary interests and other interests

Disclosable pecuniary interests

There were none.

Other interests

There were none.

Councillor Hicks took this opportunity to advise that he had considered the content of agenda item 12 (Gateway 3 Contract Award: Enforcement Agent Services – Revenues and Benefits) in the context of his employment. He stated that he did not have an interest in this item and remained in the room for the discussion and determination of this matter.

Rochester Riverside - Development Brief and Masterplan

Background:

This report sought approval to adopt the Rochester Riverside Development Brief and Masterplan (September 2014) as a Supplementary Planning Document to the 2003 Local Plan. Copies of these documents had been included within Supplementary Agenda No.1.

The revised Development Brief and Masterplan established a vision for a high quality residential living environment with a complementary mix of uses. It promoted the development of a new neighbourhood that complemented historic Rochester, ensuring Rochester's existing and future residents and visitors benefit from the area's regeneration. The Masterplan included new residential units, a range of small office spaces, a hotel, shops and restaurants, and a new 'Station Quarter' focused around the new Rochester Station. The scheme included a new primary school as well as other community facilities.

The report gave details of the six week public consultation exercise undertaken, outlining the comments received and the Council's response to the comments and issues raised. The report outlined the changes made to the revised Development Brief and Masterplan in light of the comments received. It was noted that the Council's Regeneration, Community and Culture Overview and Scrutiny Committee

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had considered the draft documents as part of the consultation process and the Committee's view were set out within Appendix 2 to the report.

Alternative options to adopting the revised Development Brief and Masterplan, such as a market led review, were considered within the report.

During the discussion of this item, it was noted that the report and Brief acknowledged a small reduction to the Parking Standards for Rochester Riverside (1.6 spaces per unit as opposed to the Council's Interim Parking Standards average of 1.85 spaces per unit). Members were advised that the Council's Interim Parking Standards policy did allow for deviations where it could be demonstrated that the site sits within an urban context and has sustainable transport links and amenities close by. The Cabinet considered that Rochester was a unique development site and, as reported, the parking standards were considered appropriate in the light of the site's urban context, transport links and the necessity to deliver a viable, high quality development. The Cabinet also noted that the Development Brief referred specifically to further flexibility in providing additional spaces at evenings and weekends via a resident permit system for the Medway Council owned long stay car park, as well as the future potential to create a multi-storey car park at the site if additional spaces are required now, or in the future.

It was noted that a number of minor typographical errors in the Development Brief and Masterplan, which would need to be addressed ahead of final publication.

Decision number:

Decision:

The Cabinet noted the comments received during the public consultation on the draft revised Rochester Riverside Development Brief and Masterplan as set out in the report.

The Cabinet noted the responses to the issues raised and subsequent changes to the Rochester Riverside Development Brief and Masterplan as set out in the report.

The Cabinet noted the final version of the Rochester Riverside Development Brief and Masterplan, Final Supplementary Planning Document (September 2014) (which had been circulated as Appendix 1 within Supplementary Agenda No.1).

142/2014 **The Cabinet approved the adoption of the Rochester Riverside Development Brief and Masterplan, Final Supplementary Planning Document (September 2014) as a Supplementary Planning Document to the 2003 Local Plan (Appendix 1 within Supplementary Agenda No.1).**

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Reasons:

The Cabinet approved the adoption of the Rochester Riverside Development Brief and Masterplan (September 2014) as a Supplementary Planning Document to progress work in bringing forward the Rochester Riverside regeneration scheme.

Medway Better Care Fund Plan

Background:

This report provided the Cabinet with information in relation to the Better Care Fund (BCF) Plan and its implications for Medway.

It was noted that the Cabinet had considered a report on the Better Care Fund Plan on 14 January 2014 and that in February 2014, Medway Council and Medway Clinical Commissioning Group (CCG) had submitted a jointly agreed plan to the Local Government Association (LGA) and NHS England. A final BCF Plan was subsequently submitted on behalf of both organisations on 4 April 2014.

Revised guidance had, however, been issued in July 2014 requiring all local authorities, in partnership with their local CCGs, to submit revised BCF plans by 19 September 2014. It was explained that the previous £1bn Payment for Performance framework had been revised, so that the proportion of the £1bn that was now linked to performance was dependent solely on an area's scale of ambition in setting a planned level of reduction in total emergency admissions (general and acute non-elective activity).

Noting that the plan's development would be an iterative process up to its submission, delegated authority was sought to finalise and submit the revised Better Care Fund (BCF) Plan on 19 September 2014 and to make any further minor amendments following submission. It was noted that an assurance process would be undertaken post submission of the plan.

A special Health and Wellbeing Board meeting would consider this matter on 9 September 2014.

Decision number:

Decision:

143/2014

The Cabinet noted and supported the proposed governance journey for the delivery of the revised BCF Plan.

The Cabinet noted that the plan was an iterative process that would continue to be developed as more information and guidance from the LGA/NHS England became available.

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144/2014 **The Cabinet delegated authority to the Director of Children and Adults Services, in consultation with the Portfolio Holder for Adults Services, to finalise and submit the revised plan after it had been considered and endorsed by the Health and Wellbeing Board and to make any further minor amendments that may be required to the revised plan following submission.**

Reasons:

Developing a revised BCF Plan is a national requirement of all Local Authorities in conjunction with their CCG partners. Delegated authority was sought because the Plan development would be an iterative process, up to the point at which the plan is submitted in mid September 2014.

Welfare Reform Task Group

Background:

This report presented the findings and recommendations of the cross party Task Group that had considered the impact of the Government's Welfare Reforms.

It was noted that these changes had included the introduction of a cap on benefits, the social sector housing size criteria, the replacement of Council Tax Benefit with a local council tax scheme and new responsibilities relating to local discretionary funds. The main reform, yet to be implemented in Medway, would involve the introduction of a completely new benefit, Universal Credit.

It was noted that the Task Group had considered a number of key lines of inquiry: focusing upon communication, the methods employed to mitigate against any adverse impact of the reforms and existing services and policies. Evidence had been sought from officers across the Council, as well as representatives from a number of organisations (including the Department for Work and Pensions, Medway Citizens Advice Bureau, StepChange, Medway Food Bank, the Hyde Group, MHS Homes, The National Landlords Association and CVS Medway).

The Task Group report set out the key findings. This included highlighting the work the Council was already undertaking to inform and assist residents, which had been positively highlighted by partner organisations during the evidence sessions, and that whilst a smaller number of Medway residents than originally anticipated had been impacted, those affected had seen a significant reduction in their household incomes.

The Task Group's recommendations sought to support the Council and its partners in delivering a co-ordinated service, with an Officer Welfare Reform Group continuing to act as the principal co-ordinating vehicle within the Council.

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It was noted that the Business Support Overview and Scrutiny Committee had considered the Task Group report and recommendations on 26 August 2014 and a supplementary report set out the detail of that discussion.

**Decision
number:**

Decision:

145/2014

The Cabinet agreed that the Welfare Reform Officers Working Group continues to lead the Medway response to Welfare Reform and to work to develop communication between the Council and other agencies, with the objective of providing the customer with the single journey through a coordinated response. This should include:

- (a) a Stakeholder event explaining the Welfare Reforms and the schemes in operation in Medway. This event should enable organisations to showcase their response to the reforms;**
- (b) the development of a booklet (in print and online) for all affected residents, signposting the various organisations providing support.**
- (c) A briefing for all Members on the Welfare Reforms.**

146/2014

The Cabinet agreed that the Welfare Reform Officers Working Group undertakes further work to improve communication channels for potentially vulnerable claimants of discretionary payments, who may find themselves excluded. This should incorporate:

- (a) any positive learning from existing cross agency partnerships, such as Street Weeks and Troubled Families;**
- (b) a review of Council systems, with a view to highlighting vulnerable claimants, especially where there may be safeguarding issues, and the potential need for ‘personal intervention’ in the debt recovery process;**
- (c) undertaking a Diversity Impact Assessment to understand the cumulative impact of the Welfare Reforms including the impact on groups with protected characteristics and to identify the necessary actions to take forward.**

147/2014

The Cabinet agreed that the Welfare Reform Officers Working Group review the Council’s corporate debt policy, considering the feasibility of encouraging the “Warm Transfer” of clients to organisations such as StepChange,

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the Citizens Advice Bureau and Christians Against Poverty and stressing the availability of advice agencies at the later stages of the debt recovery process.

- 148/2014** The Cabinet agreed that the Welfare Reform Officers Working Group continue until after the introduction of Universal Credit and that the Corporate Management Team reviews its membership, with a view to ensuring appropriate representation at the relevant time and enhancing its collaborative work with partners.
- 149/2014** The Cabinet agreed that the Welfare Reform Officers Working Group ensures that it continues to track and respond to the emerging requirements of Universal Credit and Welfare Reforms, reporting on progress to the Business Support Overview and Scrutiny Committee every 6 months.
- 150/2014** The Cabinet agreed that the Council write to the Secretary of State for Work and Pensions and Secretary of State for Communities and Local Government, copying in the Chairman of the Local Government Association, highlighting the:
- (a) recognised delays and impact of the assessment phases of Employment and Support Allowance and Personal Independence Payment processes;
 - (b) concerns expressed during the evidence sessions as to direct payments;
 - (c) benefits of a localised Local Welfare Assistance Fund and stressing the need for Central Government to make alternative funding provision for this to continue.
- 151/2014** The Cabinet agreed that the Welfare Reform Officers Working Group reflects on digital access, use and support across Medway. This should give particular focus on:
- (a) assisting in the development of a Corporate Customer Access Strategy and the development of an assisted digital offer;
 - (b) linking in with community networks and considering the potential role of Digital Ambassadors (led by partners and the wider community);
 - (c) learning from research and pilot projects that are being undertaken both locally and nationally to establish barriers and enablers to digital access and use;

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- (d) **the evolution of community hubs and considering the potential for privacy for claimants at Council access points.**

Reasons:

The Task Group has considered current legislation and Government policy. It has also reviewed the current picture in Medway and met officers from across the Council and with representatives from a number of organisations. The decisions seek to support the Council and its partners in delivering a co-ordinated service, as well as contributing to the national dialogue on Welfare Reforms.

2014/15 Quarter 1 Performance Monitoring

Background:

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

The report included progress reports on performance against 51 Key Measures of Success and 24 Key projects. It also included feedback from the council's customers using GovMetric, a customer satisfaction measurement at the point of contact (phone, web and face to face). The performance results and associated service comments were set out under each of Medway's four key priorities and two values.

Whilst noting that data was not available to report on all measures in quarter one, the Council had achieved target on 18 out of 36 indicators (50%). This was similar to the position this time last year.

Decision number:

Decision:

152/2014

The Cabinet noted quarter one 2014/2015 performance against the Key Measures of Success used to monitor progress against the Council Plan 2013/2015 and agreed, where required, to continue 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.

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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:

153/2014

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

- (a) Business Administration Support Service/Meeting Support Officer x 7.41
- (b) Category Support Officer
- (c) Database Administrator (DBA)

Children and Adults

- (d) Troubled Families Coordinator
- (e) CYC Administrative Assistant
- (f) Operations Assistant
- (g) Admin Assistant (Temporary)
- (h) Partnership Commissioning Programme Lead x 5
- (i) Deputy Director - Children & Adults Services

Regeneration, Community & Culture

- (j) Prison Library Assistant
- (k) Finance Assistant.

Reasons:

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

Gateway 1 Procurement Commencement: Minor Works / Low Value Construction Framework & Construction Professional Services Consultancy Framework

Background:

This report sought permission to commence the procurement of a Minor Works / Low Value Construction Framework and a Construction and Engineering Consultancy Framework. This would cover projects up to the value of £1 million.

The report set out details of the framework, noting that one aim was to support the local economy through the use of local small and medium enterprises (SMEs) where

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they meet the required standards. It was also reported that the Property and Capital Projects service priority was to ensure speedy service selection and that once the framework was in place, call off from the framework would be in line with the procedures as set out.

The production of an annual summary of contracts via the framework would enable Members to monitor contract performance and have an overview of productivity.

This Gateway 1 report had been considered by Corporate Management Team and then Procurement Board.

An exempt appendix contained key financial information.

Decision number:

154/2014

Decision:

The Cabinet agreed:

- (a) permission to proceed with the procurement of:**
 - (i) Low value construction/minor works framework**
 - (ii) Construction professional services consultancy framework.**
- (b) that Gateway One and Three reports be replaced with annual summary reports to Procurement Board detailing the number of projects, total value of spend and the framework Key Performance Information (KPI) monitoring.**

Reasons:

The decisions will reduce the reactive procurements undertaken at present whilst providing efficiencies to the Council and ensuring quality improvements over the course of the 4 year framework. Negating Gateway One and Three papers will also speed up the procurement process, enabling officers to dedicate time to more projects thereby increasing efficiency and productivity. The production of an annual summary of contracts via the framework will enable Members to monitor contract performance and have an overview of productivity.

Gateway 1 Procurement Commencement: The Medway Grid for Learning

Background:

This report sought permission to commence the procurement of Medway Grid for Learning (MGfL) services.

It was noted that the Medway Grid for Learning (MGfL) provided a wide range of services for its members, which included an Internet connection, website hosting, virus protection, first line support, e-mail services for staff and pupils, e-mail and web

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filtering, secure remote access and secure file transfer. It was explained that schools constantly use these critical services for day to day administration and to gain access to learning resources.

This reprourement was for four key services: first line support, e-mail, webfiltering and anti-virus. The Gateway 1 report had been approved for submission to Cabinet after review and discussion at Directorate Management Team Meeting on July 14 2014 and the Procurement Board on 13 August 2014.

An exempt appendix contained key financial information.

Decision number: **Decision:**

155/2014 The Cabinet approved procurement of the MGfL services: first line support, e-mail, web filtering and antivirus using the South East Grid for Learning framework.

Reasons:

This is the preferred option because it offered significantly reduced lead times to implementation, competition was ensured and it confirmed the capability of the successful company. With the urgent requirement to improve standards achieved in schools, it was imperative that schools had the most up to date and cost effective services. It provided best value for money and the quickest route to implementation.

Gateway 3 Contract Award: Re-Provision of The Napier Unit and Enhanced Care Unit (ECU)

Background:

This report set out details of the proposal to take forward the re-provision of the Napier Unit and ECU with Agincare (Rochester Care Home Limited).

The report set out the background of the Council's long-standing intention to re-provide the Napier Unit and the Enhanced Care Unit (ECU) onto one site. It was explained that these services were inextricably linked, with staff working across both services and an overlap of service users who attend both.

The report set out details of the associated procurement and property implications. It was noted that the Council had explored a range of options for the re-provision of these services, which had included alternative sites. Given the costs, interdependencies and other issues it was however considered that bringing both services onto the Robert Bean Lodge site was the best option.

It was also noted that a diversity impact analysis had been undertaken and a copy was annexed to the report. This identified both the negative and positive impacts of the proposals and considered that, overall, the positive impacts outweighed the negative. In addition, it identified how any negative impacts might be mitigated and any positive impacts ensured through the delivery of the project.

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The Procurement Board had considered this report on 13 August 2014 and supported the recommendation as set out in the report.

An exempt appendix contained key information in relation to Financial Analysis, savings (both cashable and non-cashable) and evaluation.

Decision number:

Decision:

156/2014

The Cabinet agreed to delegate authority to the Assistant Director of Legal and Corporate Services, in consultation with the Portfolio Holder for Finance, to:

- (a) finalise a contract or contracts for the provision of the ECU and Napier Unit service.**
- (b) vary, terminate, replace or renew the existing care contracts in respect of Robert Bean Lodge and Nelson Court.**
- (c) vary, terminate, surrender/renew the existing lease of the Napier unit.**
- (d) grant a sublease of the Napier Unit.**
- (e) grant a temporary lease of the ECU.**

Reasons:

To ensure that options to secure the best provision possible for service users and family carers and ensure these services are provided in premises that are fit for purpose for the needs of those service users now and in the future.

This delegation ensures the Assistant Director of Legal and Corporate Services, in consultation with the Portfolio Holder for Finance, has sight of the final contracts before the Council enters any final agreement.

Gateway 3 Contract Award: Enforcement Agent Services - Revenues and Benefits

Background:

This report sought permission to award a contract for Enforcement Agent Services – Revenues and Benefits.

It was noted that this Gateway 3 report had been approved for submission to Cabinet after review and discussion at the Business Support Directorate Management Team and the Procurement Board on 13 August 2014.

The report noted that the restricted procedure had been followed, with the utilisation of preference lotting. This was to ensure that no supplier was successful in being awarded more than one lot.

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An exempt appendix set out a financial analysis for this procurement project, including evaluation and price information.

Decision number: **Decision:**

157/2014 **The Cabinet approved the award of Enforcement Agent Services – Revenues and Benefits contract to the following suppliers:**

- (a) Lot A (Rochester and Chatham) – Jacobs**
- (b) Lot B (The rest of Medway) – Rundle.**

Reasons:

The contract term for the current bailiff contract was due to end on 1 January 2015, and the successful collection of all monies due to the Council was necessary to ensure cash flow over coming years. The decision is made on the basis of the tender process and evaluation undertaken as summarised in the report.

Gateway 5 Contract Management Report: Integrated Social Care Systems

Background:

This report reviewed progress of the contract currently delivered by Corelogic Limited for Frameworki and recommended that Cabinet exercise the option to grant a 1 year extension available for this contract.

The Council had awarded a contract to Corelogic Limited for Frameworki in July 2012 using the Government Procurement Service's 'Local Government Software Application Solutions' framework. The contract was granted for an initial period of 2 years with the ability to extend for up to a further 5 years on a year by year basis.

It was noted that the Integrated Social Care System allowed both Children and Adult Services to capture details of an individual and their family's needs. Practitioners could form a better picture of a child or adult's care and support requirements and to meet these in ways that were meaningful for the individual in their family context.

The report considered the key outcomes of the specification and an exempt appendix contained key information, including financial analysis and adherence to agreed Service Levels.

It was noted that on 13 August 2014 the Deputy Monitoring Officer, in consultation with Procurement Board, had agreed that this procurement should be re-categorised as Medium Risk. This meant that no further Gateway 5 reports would be made to Cabinet and that Cabinet approval would not be required to further extensions of the contract in accordance with its terms.

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Decision number: **Decision:**

158/2014 **The Cabinet approved the grant of an extension to the Integrated Social Care Systems contract of one year and noted that future extensions may be granted under delegated authority set out in the Council's Constitution without a further report being made to Cabinet.**

Reasons:

The Council's need for, and obligation to provide, an adequate social care records system would remain into the long term. The current system Frameworki was operating well with no major issues of concern to report.

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Leader of the Council

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Date

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