

COUNCIL

22 JANUARY 2015

LEADER'S REPORT

Rodney Chambers OBE, Leader of the Council, will give a report on key developments since the last ordinary Council meeting on 16 October 2014.

He will include:

- Education
- Christmas Festivals / Tourism
- Budget
- Regeneration
- Decisions made by the Cabinet on 28 October 2014, 2 December 2014, 16 December 2014 and 13 January 2015.

Record of Cabinet decisions

Tuesday, 28 October 2014

3.00pm to 4.02pm

Date of publication: 29 October 2014

Subject to call-in decisions will be effective from 6 November 2014
The record of decisions is subject to approval at the next meeting of the Cabinet

Present:	Councillor Rodney Chambers,	Leader
	OBE	
	Councillor Alan Jarrett	Deputy Leader and Portfolio Holder for Finance
	Councillor Jane Chitty	Portfolio Holder for Strategic Development and Economic Growth
	Councillor Howard Doe	Portfolio Holder for Housing and Community Services
	Councillor Phil Filmer	Portfolio Holder for Front Line Services
	Councillor Peter Hicks	Portfolio Holder for Community Safety and Customer Contact
	Councillor Mike O'Brien	Lead Portfolio Holder for Children's Services
	Councillor Kelly Tolhurst	Portfolio Holder for Educational Improvement
	In Attendance:	Kim Carey, Interim Deputy Director - Children and Adults Services
Robin Cooper, Director of Regeneration, Community and Culture		
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		
Julie Keith, Head of Democratic Services		
Anthony Law, Democratic Services Officer		

Apologies for absence

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

Record of decisions

The record of the meeting held on 30 September 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 O'Brien declared an interest in agenda item 8 (Funding Formula for Mainstream Schools and Academies) because members of his extended family worked in schools.

Health and Lifestyle Trainers Service

Background:

This report advised Cabinet of a recommendation from the Health and Adult Social Care Overview and Scrutiny Committee relating to the forthcoming expiry of the Health and Lifestyle Trainers (HALT) contract with the Sunlight Development Trust.

It was noted that the Overview and Scrutiny Committee, at its meeting on 30 September 2014, had recommended to Cabinet that no action be taken to end the contract until such time as an assessment has been undertaken of the extent to which ceasing the service would have an impact on future targets of the Council and future health of Medway residents. Details of the Committee's discussion and recommendation were set out in section five of the report, with the documentation from the Chair of the Sunlight Development Trust, that had been circulated at that meeting, attached at Appendix 1 to the report.

The report detailed the background to the potential de-commissioning of the HALT service and provided details of the service. An impact assessment detailing the current service activity and the impact of stopping the service was attached at Appendix 2 to the report. To further assist the Cabinet in considering the impact of allowing the contract to expire, without re-procuring the service, a Diversity Impact Assessment setting out the likely impact of the cessation of the service was set out in Appendix 3 to the report.

It was also noted that a petition on this matter had been presented at Full Council on 16 October, details of which were set out in paragraph 6.2 of the report.

Councillor Price asked to address the Cabinet in his capacity as Chair of the Sunlight Development Trust Board of Trustees. He spoke in support of the benefits of the HALT service and as to the impact of cessation of the service on service users, stakeholders and staff.

Decision number: **Decision:**

The Cabinet noted:

- a) **the recommendation of the Health and Adult Social Care Overview and Scrutiny Committee, as set out in section 5 of the report, and the accompanying documentation from the Sunlight Development Trust, as set out at Appendix 1 to the report,**
- b) **the Impact Assessment, as set out at Appendix 2 to the report, and the Diversity Impact Assessment, as set out at Appendix 3 of the report, and**
- c) **that the existing contract for the Health Trainers Service will expire on 30 November 2014 without being re-procured.**

Reasons:

As requested by the Health and Adult Social Care Overview and Scrutiny Committee the Cabinet considered the current provision of the Health and Lifestyles service, which will discontinue on the termination of the existing contract on 30 November 2014, with due regard to a Diversity Impact Assessment and an impact assessment. These assessments set out the potential impact of ceasing the Health and Lifestyles service, as well as what actions that can be taken to mitigate impact.

Draft Medway Cultural Strategy 2014 - 2019

Background:

This report brought forward the draft Medway Cultural Strategy 2014-2019, reviewing the last five years and setting out aspirations for the forthcoming period. The draft strategy was attached at Appendix A to the report

It was noted that Medway's cultural offer was vital for Medway's place making agenda, and established Medway's credentials as a city in all but name. The cultural offer set Medway apart as a vibrant, dynamic place that attracted interest regionally, nationally and internationally, supporting the essential place making of Medway and establishing Medway as the destination for culture, heritage, sport and tourism, putting Medway on the map. It was reported that the Cultural Strategy would help to re-shape perceptions of Medway and secure recognition as a city, bringing benefits to the residents of Medway.

The report set out details of the consultation undertaken, which, in addition to its development through the Cultural Partnership, had included the Citizens' Panel, an online survey and distribution to a number of groups. The Regeneration, Community and Culture Overview and Scrutiny Committee had also considered the draft

Cabinet, 28 October 2014

Medway Cultural Strategy 2014-2019 on 2 October 2014 and section five of the report provided details of the discussion.

It was noted that a Diversity Impact Assessment had been undertaken on the proposals and was set out in Appendix B to the report.

**Decision
number:**

Decision:

The Cabinet noted the comments of the Regeneration, Community and Culture Overview and Scrutiny Committee, as set out in section five of the report.

176/2014

The Cabinet approved and adopted the Cultural Strategy 2014-2019, as attached at Appendix A to the report.

Reasons:

The Cultural Strategy provides the framework for taking forward Medway's cultural offer and will ensure a coherent approach is adopted over the next five years, working in partnership to further establish Medway as a City in all but name, a great place to live, work, study and visit.

New Rent Setting Policy 2015

Background:

This report provided details of the Government's new rent setting guidance for Social Housing that would be effective from April 2015. The report set out proposals for a new rent setting policy and information about the options open to the Council to increase rents for council tenants in households with taxable income of more than £60,000 per year. The report also sets out proposals for defining bedrooms when these were on the ground floor in houses.

It was noted that the Business Support Overview and Scrutiny Committee had considered this matter over two meetings, initially on 26 August 2014 and then on 7 October 2014, and section seven of the report set out details of the Committee's discussion. Details of consultation with tenants were set out in section six of the report and it was reported that a Tenant Forum in August 2014 had raised no significant objections to the policy.

The report also informed Members that the Chief Executive would be asked to consider the use of his urgency powers to agree rents for 13 new build council dwellings currently under construction, which would be ready for letting in early 2015. This was necessary before the normal Housing Revenue Account rent and budget setting annual process in February 2015 and the next full Council meeting in January 2015.

**Decision
number:**

Decision:

177/2014

The Cabinet agreed:

- a) where properties are let to new households with a yearly taxable income of £60,000 or more, the rent payable will be based on “affordable” rents from April 2015.
- b) from April 2015 bedrooms will only be counted as bedrooms if they are not on the ground floor of a property, with the exception of the properties listed in Appendix A to the report.
- c) discretion be applied to those households who receive compensation or a one off redundancy payment which exceed £60,000.
- d) social housing rents for existing stock with rent increases in 2015/2016 based on the social housing rent formula of CPI + 1%.
- e) social housing rents for newly built or acquired Council Housing with rent increases in 2015/2016 based on the social housing rent formula of CPI + 1%.
- f) to continue to move properties to formula rent when void.
- g) the retained 1-4-1 Right to Buy receipts, and any future retained receipts within the timescale for the new homebuilding project to be used to part fund the Housing Revenue Account new build programme.

The Cabinet noted the proposals that the Chief Executive (using urgency powers (in place of referring this matter to Full Council)) should set the rent for 13 new building properties on various former Council owned HRA garage sites across Medway and arrange for this to be subsequently reported to Full Council.

Reasons:

The Council needs to have a clear rent setting policy in place to ensure the right income levels are charged to Tenants of the Council own housing stock that complies with Government Legislation and Guidance.

Co-Sponsorship of Academies

Background:

This report set out details of government guidance and a changed national approach to academies.

It was explained that Medway Council needed to review the current arrangements as co-sponsor to three academy schools in Medway, so to ensure they were consistent within the new national framework.

The report recommended that Medway ceased to be a co-sponsor of one school Bishop of Rochester Academy (BORA) and take forward a review of co-sponsorship with the other two schools Brompton Academy and Strood Academy.

Decision number:

Decision:

- 178/2014** **The Cabinet authorised the Director of Children and Adults Services, in consultation with the Portfolio Holder for Children’s Services (Lead Member), to take all necessary steps to terminate the Council’s sponsorship of the Bishop of Rochester Academy (BORA) and to support BORA to secure a new single sponsor with a strong track record of secondary school improvement.**
- 179/2014** **The Cabinet authorised the Director of Children and Adults Services, in consultation with the Portfolio Holder for Children’s Services (Lead Member), to:**
- i) review the co- sponsorship arrangements at Brompton Academy and Strood Academy, to consider the withdrawal of the Local Authority’s sponsorship in the most timely way to meet the new national framework around Local Authority sponsorship of academy schools. This review will need to be undertaken with the other sponsors and the Governing Bodies of both academies. The review will take place over the next academic term and;**
 - ii) take all necessary steps to implement the outcome of this review.**
- 180/2014** **The Cabinet agreed that clarification be obtained on the position of the £500,000 received by all three schools from the Council, which was to be held on trust for educational purposes.**

Reasons:

The Council's review of its sponsorship arrangements with these academies is in line with current Government guidance.

Funding Formula for Mainstream Schools and Academies

Background:

This report provided details of the proposed funding arrangements for Medway's schools and academies through the Dedicated Schools Grant following consultation and initial consideration by the Schools Forum on 8 October 2014.

The report detailed the government's reforms to mainstream schools and academies since 2012 and specifically explored the implications of the latest changes relating to sparsity factor (aimed at small rural schools and academies) and lump sum arrangements for amalgamated schools and academies.

It was noted that the deadline for notifying the Department for Education of the provisional funding formula was 31 October 2014. The final allocation would be based on actual pupil numbers from the autumn census and the data released by the Department for Education in December 2014.

Decision number:

Decision:

181/2014

The Cabinet instructed officers to implement the 2015-2016 funding formula for schools and academies as follows:

- a) **To continue to cap the gains from the funding formula at 1.5% per pupil, as set out in paragraph 2.9 of the report.**
- b) **To continue to use the tapering method up to a maximum of £100,000 for the Sparsity factor, as set out in paragraph 3.5 of the report.**
- c) **To continue to support amalgamated schools and academies with a Lump Sum for one year, as set out in paragraph 3.8 of the report.**
- d) **To use the funding factors listed to balance the total allocated through the funding formula back to the funding actually received from government via the Dedicated Schools Grant (DSG), as set out in paragraph 4.3 of the report.**

Cabinet, 28 October 2014

Reasons:

The local authority is required to implement the funding formula changes from 2015-16 in accordance with the regulations and to inform the Education Funding Agency of the formula by 31 October 2014.

Annual Review of the Risk Management Strategy and Six Monthly Review of the Council's Corporate Business Register

Background:

This report provided details of a review of the Council's Risk Management Strategy and Risk Register.

The report gave details of proposed amendments to the Risk Register, following consideration by the 'risk owners', and it was noted that the Risk Management Audit 2013/2014 had produced a satisfactory opinion albeit there remained three outstanding medium priority recommendations as described in the report.

It was reported that the Business Support Overview and Scrutiny Committee had considered this report on 7 October 2014. The Audit Committee had also considered a report that updated the Committee on the Council's risk management activities on 25 September 2014. Comments of both Committees were set out in the report.

Decision number:

Decision:

182/2014 **The Cabinet approved the Risk Management Strategy, as set out in Appendix A to the report.**

183/2014 **The Cabinet approved the amendments to the Council's Risk Register, as detailed in section 3 of the report;**

The Cabinet noted the progress on the three medium priority recommendations from the Risk Management Audit 2013/2014, as detailed at 3.3 of the report.

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.

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.

Cabinet, 28 October 2014

Decision number: **Decision:**

184/2014 **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) Head of Category Management - People

Children and Adults

(b) Client Affairs Assistant

(c) SSA (Cookham Wood)

(d) Medway Action for Families (MAfF) Project Manager x2

(e) Medway Action for Families (MAfF) Team Leader

Regeneration, Community & Culture

(f) Highway Technician - Projects and Finance.

Reasons:

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

Gateway 1 Procurement Commencement: Housing Revenue Account (HRA) Estate Services

Background:

This report sought permission to commence the procurement of a service provider to deliver the Housing Landlord Service Estate Services function (Caretakers).

It was explained that one of the key priorities of the housing service in Medway was to provide high quality cost effective services and, as a landlord, Medway Council had a duty to ensure the communal areas of its housing stock were kept tidy and safe.

The estate service function (caretakers) was subject to charges that were applied via tenant rent accounts and leaseholder service charge accounts. It was noted that all leaseholders were notified in August 2014 of Medway's intention to start this procurement process. Further notices would be issued following receipt of the final tenders in March 2015 and leaseholders would be ultimately advised which supplier had been awarded the contract. Tenants and Leaseholders would also be consulted on the development of the specification and the chairman of the Estate Services Forum would also represent residents on the interview panel.

The report had been approved for submission to Cabinet after review and discussion at the Regeneration Community and Culture Directorate Management Team Meeting on 25 September 2014 and Procurement Board on 8 October 2014.

Cabinet, 28 October 2014

An exempt appendix contained key financial analysis information.

Decision number: **Decision:**

185/2014 **The Cabinet approved the procurement of a service provider via the Kent Business Portal to deliver the Housing Landlord Service estate services function.**

Reasons:

Approval of the tendering of this service contract will provide a quality service and value for money for tenants and improve the customer satisfaction level for the overall landlord housing service.

Gateway 1 Procurement Commencement: Sexual Health Services Re-Commissioning

Background:

This report sought permission to commence two separate procurements. The first was for a single provider to deliver an integrated sexual health service in Medway, which included Genito-Urinary Medicine and Contraceptive and Sexual Health Services. The second procurement was for a contractor to carry out the refurbishment works on the premises identified as a centre in Chatham.

It was noted that the objectives of the service would be to support delivery against the three main sexual health Public Health Outcome Framework measures, which related to under 18 conceptions; Chlamydia diagnoses (15 – 24 year olds) and people presenting with HIV at a late stage of infection. It would also support the delivery of a more aware and responsible community; evidence based, patient centred, outcome focussed provision; and a healthier community.

The report had been approved for submission to Cabinet after review and discussion at the Public Health Directorate Management Team Meeting on 2 October 2014 and the Procurement Board on 8 October 2014.

A Diversity Impact Assessment had been undertaken on the proposals, which was annexed to the report. This assessed the impact of this service.

An exempt appendix contained key financial analysis information.

Decision number: **Decision:**

186/2014 **The Cabinet approved the procurement of a service provider via the Kent Business Portal to deliver the Integrated Sexual Health services in Medway.**

Cabinet, 28 October 2014

187/2014 The Cabinet approved the procurement of a contractor to carry out the refurbishment works to the proposed premises for the service hub for the integrated sexual health services in Medway.

Reasons:

The proposed procurement will provide the opportunity to deliver improved sexual health services, as detailed in section 4.1 of the report, whilst performing against Council strategic objectives including local and national public health obligations.

.....
Leader of the Council

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Date

Wayne Hemingway/Anthony Law, Democratic Services Officers

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Record of Cabinet decisions

Tuesday, 2 December 2014

3.00pm to 4.33pm

Date of publication: 3 December 2014

**Subject to call-in these decisions will be effective from 11 December 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 Howard Doe	Portfolio Holder for Housing and Community Services
	Councillor Phil Filmer	Portfolio Holder for Front Line Services
	Councillor Peter Hicks	Portfolio Holder for Community Safety and Customer Contact
	Councillor Mike O'Brien	Lead Portfolio Holder for Children's Services
	Councillor Kelly Tolhurst	Portfolio Holder for Educational Improvement

In Attendance:	Neil Davies, Chief Executive
	Dr Alison Barnett, Director of Public Health
	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
	Barbara Peacock, Director of Children and Adults Services
	Phil Watts, Finance Manager, Children & Adult Services

Apologies for absence

An apology for absence was received from Councillor Jane Chitty (Strategic Development and Economic Growth).

Record of decisions

The record of the meeting held on 28 October 2014 was agreed and signed by the Leader as correct.

Cabinet, 2 December 2014

Declarations of Disclosable Pecuniary Interests and other Interests

Disclosable pecuniary interests

There were none.

Other interests

Councillor Mike O'Brien (Children's Services (Lead Member)) declared an interest in agenda item 11 (Gateway 3 Contract Award: Danecourt Community Special School – Expansion Works) because members of his extended family worked at the school.

Capital and Revenue Budget 2015/16

Background:

This report presented the Council's draft revenue budget for 2015/16. In accordance with the Constitution, Cabinet was required to develop initial budget proposals before finalising the budget and setting council tax levels at the end of February 2015.

The draft budget was based on the principles contained in the Medium Term Financial Plan 2014/2018 approved by Cabinet on 30 September 2014 and reflected the formula grant assumptions for 2015/16 announced as part of the Local Government Finance Settlement 2014/15 and 2015/16 Technical Consultation in July 2014.

It was reported that the initial budget proposals showed a current forecast budget gap of £12.017 million for 2015/16 which would increase to £26.032 million for 2017/18.

It was noted that the Council would not know the definitive position in terms of Government support until the Final Settlement in January 2015, although the provisional settlement due in December would provide greater certainty.

Budget proposals incorporating pressures were set out within the report and accompanying appendices 1a-1c. In relation to the capital budget proposals for 2015/16 it was noted that, at this stage, it had been assumed that future investment would be restricted to the existing approved Capital Programme, supplemented by the Council's expectations in relation to Government grant.

The report also set out details of the main factors and assumptions that would form the basis of the 2015/16 Housing Revenue Account budget.

Decision number:

188/2014

Decision:

The Cabinet instructed officers to work with the local MPs and lobby ministers and Government for a more equitable share of resources for Medway.

Cabinet, 2 December 2014

- 189/2014** **The Cabinet instructed officers to continue the work with portfolio holders to come up with solutions to bridge the funding gap.**
- 190/2014** **The Cabinet agreed to forward the provisional draft budget to Overview and Scrutiny as work in progress, inviting them to offer comments on the proposals outlined.**

Reasons:

It is the responsibility of Cabinet to develop draft budget proposals for consideration by Overview and Scrutiny Committees. These draft proposals are the first stage of the budget consultation process leading to further discussion by Cabinet on 10 February 2015 and formal council tax setting on 26 February 2015.

The timetable for consideration by overview and scrutiny is as follows:

Business Support: 4 December 2014
Children and Young People: 9 December 2014
Health and Adult Social Care: 11 December 2014
Regeneration, Community and Culture: 18 December 2014
Business Support: 3 February 2015
Cabinet: 10 February 2015
Council: 26 February 2015.

A Strategy to Reduce Social Isolation in Medway (2014-2018)

Background:

This report provided details of the Strategy to Reduce Social Isolation in Medway, which had been identified by the Health and Wellbeing Board as a key priority to tackle during 2014/15. The report provided details of the definition of social isolation and how it differed from loneliness, emphasising that social isolation could have a negative impact on health and wellbeing including an increased risk of dementia, high blood pressure, stress levels, poorer immunity and death.

The Health and Wellbeing Board had determined social isolation as one of its key priorities and would oversee the implementation of the strategy. This strategy had been developed with the overarching aim of preventing and reducing the complex range of harms associated with being socially isolated. In order to achieve this aim, three key strategic themes had been identified;

- Raising awareness
- Action for individuals
- Community Action.

The Health and Wellbeing Board considered the Strategy at its meeting on 21 October 2014 and its comments were set out in paragraph 6 of the report.

Cabinet, 2 December 2014

A Diversity Impact Assessment had been completed for the strategy and was set out in Appendix 2 to the report. It was recommended that no further action was necessary. The reason for this was due to the strategy not having actions that had negative effects on any of the protected characteristic groups.

Decision number: **Decision:**

191/2014 The Cabinet approved the Strategy to Reduce Social Isolation 2014-2018 as set out in Appendix 1 to the report.

Reasons:

The strategy aims to tackle the effects that social isolation can have on our community by raising awareness of the issue, exploring how the council and partners can take action with individuals and ensuring that we work with communities.

Framework for Tackling Obesity

Background:

This report provided details of a proposal to develop a local framework for tackling obesity, in which the framework would take a whole systems approach to obesity, and be explicit in outlining Medway Council's and key partner's roles in reducing obesity levels in Medway.

The report noted that obesity was a significant and increasing public health issue and was caused by a number of behavioural, biochemical and societal factors. Being obese or overweight impacts on health and social care costs as well as economic costs through loss of productivity. It was noted that reducing obesity levels required a sustained and coordinated approach by a number of local and national agencies.

An Obesity Summit was hosted by the Portfolio Holder for Adult Services and the Chairman of the Health and Wellbeing Board on 3 June 2014. The event was well attended by a large number of private, public and voluntary sector partners who contributed to discussions on the day.

The report provided details of the proposed consultation process, noting that the Framework would be reported back to Cabinet in mid 2015 for final consideration and approval.

Decision number: **Decision:**

192/2014 The Cabinet noted the outcomes of the childhood obesity peer challenge and obesity summit and agreed to the development of a Tackling Obesity Framework for Medway.

Cabinet, 2 December 2014

Reasons:

The development of a Tackling Obesity Framework for Medway will enable the Council, working with partners, to establish a systematic approach regarding obesity.

Council Plan - 2014/15 Q2 Performance Monitoring

Background:

This report summarised the performance of the Council's Key Measures of Success for July – September (Quarter 2) 2014/15 as set out in The Council Plan 2013/15.

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.

The report highlighted the following:

- 69% (29/42) of Council Plan measures were achieving target in Quarter 2.
- 58% (23/40) of Council Plan measures had an improving long trend
- 81% of residents were satisfied with the way the Council ran its services (Tracker)
- 75% of respondents were happy with their contact with the Council (GovMetric)
- The Council had achieved Investors in People Gold award.

Decision number: **Decision:**

193/2014 The Cabinet noted Quarter 2 2014/15 performance against the Key Measures of Success used to monitor progress against the Council Plan 2013/15 and agreed to make improvements as necessary to build on current achievements and deliver remedial action where required.

Reasons:

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

Cabinet, 2 December 2014

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:

194/2014

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) Democratic Services Officer

Children and Adults

(b) Placement Officer (Adults)

(c) Data and Management Information Officer

(d) Senior Commissioning Officer x 3.

Reasons:

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

Gateway 1 Procurement Commencement: Rochester Riverside Development Procurement Strategy

Background:

This report sought permission to commence the procurement of a development partner to support the delivery of the Rochester Riverside Development. In September 2014 Cabinet approved the adoption of the 2014 Rochester Riverside Development Brief and Masterplan as a Supplementary Planning Document to the Local Plan. The Development Brief established a set of strategic parameters and illustrative guidance to steer the future development of the site, provided planning and design guidance to developers, and would inform future development management decisions.

The report had been approved for submission to Cabinet after review and discussion at Regeneration Community and Culture Directorate Management Team Meeting on 23 October 2014 and Procurement Board on 5 November 2014.

An exempt appendix contained key financial analysis information.

Cabinet, 2 December 2014

**Decision
number:**

Decision:

195/2014

The Cabinet approved the procurement of a sole development partner, to deliver the Rochester Riverside Development via the EU Competitive Negotiated Procedure with the option of including Stanley Wharf should that be necessary.

Reasons:

The procurement of a development partner or partners will allow the comprehensive regeneration of Rochester Riverside, one of the Council's key priorities.

Combined Gateway 1 Procurement Commencement and Gateway 3 Contract Award: Car Salary Sacrifice Scheme for Employees

Background:

This report provided details of the Monitoring Officer's decision, in consultation with the Procurement Board, regarding the procurement of a car salary sacrifice scheme for employees for a period of three years, to Tusker Direct, via the Everybody Benefits North Yorkshire County Council framework agreement.

It was noted that the Council was continually seeking to enhance its employee benefit provision and as such the green car salary sacrifice scheme would allow the Council to provide employees with a brand new fully maintained and insured car at a lower cost than they could normally achieve in the retail market. The scheme would not only save money for employees but could also create significant savings for the council too.

The Business Support Directorate Management Team had recommended that this project be approved as a Category B, Medium risk procurement and was considered at the Procurement Board on 8 October 2014 where it was agreed that the report be submitted to Cabinet for information.

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

**Decision
number:**

Decision:

The Cabinet noted the contents of this report.

Reasons:

The scheme enables staff to be provided with a new low emission car of their choice, fully maintained and insured.

Cabinet, 2 December 2014

Gateway 3 Contract Award: Danecourt Community Special School - Expansion Works

Background:

This report sought permission to award a contract for the expansion works at Danecourt Community Special School, Gillingham. This report had been approved for submission to the Cabinet after review and discussion at the Children and Adults Directorate Management Team Meeting on 28 October 2014 and Procurement Board on 5 November 2014.

An exempt appendix contained both information regarding the financial analysis and tender evaluation and award.

Decision number:

196/2014 **The Cabinet approved the award of the contract to carry out the expansion works at Danecourt Community Special School to Bolt and Heeks Construction.**

Reasons:

The preferred contractor has demonstrated best value to Medway Council to deliver the new accommodation required, to enable 40 additional places to be available from September 2015.

The contract will achieve the outputs and opportunities as identified in section 3 of this report.

Gateway 4 Report: Family Group Conference Service

Background:

This report provided details of an update as to the progress of the contract currently delivered by Family Action for the provision of family group conferences (FGC). An FGC was a family led approach that enabled family members to reach decisions based on the best interests of a child or vulnerable adult who was at risk. The report provided details of the current service provision and a recent variation to the contract as a consequence of a low rate of referrals to the FGC service.

This report was presented to the Children and Adults Directorate Management Team on the 28 October 2014 and the Procurement Board on 5 November 2014.

An exempt appendix contained key information in relation to whole life costings.

Cabinet, 2 December 2014

**Decision
number:**

Decision:

- 197/2014** **The Cabinet approved an increase to the core payment of Children’s Social Care conferences as set out in paragraph 5.2.2 of the report.**
- 198/2014** **The Cabinet approved the continuation of the contract duration of 3 years plus the 2 year extension, with an additional gateway report being presented in November 2015 to ensure continued monitoring of the contract.**

Reasons:

This will enable the provider to recruit permanent staff and reduce the waiting list for Family Group Conferences.

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Leader of the Council

.....
Date

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Record of Cabinet decisions

Tuesday, 16 December 2014

3.00pm to 4.10pm

Date of publication: 17 December 2014

**Subject to call-in these decisions will be effective from 30 December 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
	Councillor Kelly Tolhurst	Portfolio Holder for Educational Improvement

In Attendance: Neil Davies, Chief Executive
Robin Cooper, Director of Regeneration, Community and Culture
Dr Alison Barnett, Director of Public Health
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 Adults Services

Apologies for absence

There were none.

Cabinet, 16 December 2014

Record of decisions

The record of the meeting held on 2 December 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.

Youth Justice Plan (Policy Framework)

Background:

This report provided details of the Medway Youth Justice Plan 2014-2016, which was attached at Appendix A to the report.

The Youth Justice Plan formed part of the Council's policy framework and had been developed following discussions with partner agencies. It set out the aims and objectives for 2014/2016 in relation to working with young people who offend or who were at risk of offending.

The plan, which was updated annually, reflected the requirements by the Youth Justice Board to submit a costed plan in respect of their Effective Practice Grant to the Youth Offending Team.

The report explored a number of issues that could impact upon the service, this included potential changes to the funding from one or more partners and the transfer of the Junior Attendance Centre from the Ministry of Justice to local authority control. Actions to avoid or mitigate risks were also explored.

It was noted that the Children and Young People Overview and Scrutiny Committee had considered this report on 9 December 2014 and its views were set out in an addendum report.

It was noted that a Diversity Impact Assessment form had been undertaken on the draft plan and was attached at Appendix B to the report.

Decision number:

Decision:

199/2014

The Cabinet noted the views of the Children and Young People Overview and Scrutiny Committee and recommended approval of the Medway Youth Justice Plan,

Cabinet, 16 December 2014

as set out at Appendix A to the report, to Full Council.

Reasons:

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

Housing Strategy 2015-2018

Background:

This report introduced the Housing Strategy 2015-2018, which set out Medway's strategic approach for housing services and detailed how the Council would enable the delivery of these services.

The strategy, attached at Appendix 1 to the report, provided a comprehensive picture of current housing needs and demands in Medway and set out how the Council and its partners would respond to existing and anticipated challenges. It was designed around four strategic priorities:

- Increase the supply of suitable and affordable homes;
- Improve the quality of homes, environment and people's lives;
- Promote sustainability by supporting people within their community;
- Improve the flexibility of accommodation.

It was noted that the strategy had been developed based upon a comprehensive review and consideration of the national and local context; achievements and progress of the 2011-14 Housing Strategy; and, consultation and needs analysis.

Members were advised that the review and feedback received from the consultation, outlined in the report, had been taken into account in the subsequent development of the strategy and its action plan.

The Business Support Overview and Scrutiny Committee had considered this report on 4 December 2014 and the report set out details of the points and questions raised, together with details of the officer's responses. It was noted that the Committee had noted the draft strategy and endorsed it, with its views, prior to submission to Cabinet. The Committee's agreement was subject to clarification of Medway's affordable housing requirement and information regarding the number of benefit claimants moving to the area. These points, together with a number of typographical errors had been addressed within the updated draft strategy attached at Appendix A to the report.

Cabinet considered the contents of the Housing Strategy in detail. Discussion focused on the number of people moving into Medway and the impact of this upon the availability of affordable housing for the local population and the planning policy requirement for at least 25% of all new homes being affordable homes, which did not allow flexibility in response to local needs within Medway. The Cabinet considered these points and the requirements for the strategy to be set within the context of

Cabinet, 16 December 2014

existing legislation and National Planning Policy Framework, which severely restricted local flexibility. During the discussion, the Cabinet expressed their support for encouraging shared ownership opportunities for local people.

A Diversity Impact Assessment screening form (Appendix 2 to the report) had been completed and showed that it was not necessary to proceed to a full diversity assessment.

Decision number: **Decision:**

200/2014 **The Cabinet approved the Draft Housing Strategy 2015-2018, as attached at Appendix 1 to the report.**

201/2014 **The Cabinet delegated authority to the Director of Regeneration, Community and Culture, in consultation with the Portfolio Holder for Housing and Community Services, to make any necessary minor changes prior to publishing the strategy.**

Reasons:

Approval of the Draft Housing Strategy would enable the Council to comply with the requirement of Section 87 of the Local Government Act 2003 that the Council has a Local Housing Strategy and ensure that there is a common understanding of Medway's housing market and how gaps in housing and/or housing related support can be addressed.

Chatham Dockyard and its Defences Planning Policy Document

Background:

This report sought approval to adopt the Chatham Dockyard and its Defences Planning Policy Document.

The Chatham Dockyard and its Defences Planning Policy Document (Appendix 1 to the report) consisted of three parts:

- The first provided an outline of existing planning policy guidance, drawing together the various existing policy documents which relate to the site. It included reference to key management plans for significant components of the site, which contain detailed advice about how individual heritage assets or groups thereof will be managed;
- The second part described how some of the site's principal heritage assets were represented in key views and how these should be managed to ensure that the uniqueness of Chatham Dockyard and its Defences were protected and enhanced;
- Part three of the document set out the methodology, in line with national guidance, that would be used to assess future development and regeneration proposals within and around the Chatham Dockyard and its Defences site.

Cabinet, 16 December 2014

A list of consultation responses received and how they had been incorporated into the final document was attached as Appendix 2 to the report. A Diversity Impact Assessment screening report was also attached as Appendix 3 to the report; the conclusion of which was that a full Diversity Impact Assessment was not required.

Appendices 1-5 to the report were included in Supplementary Agenda No.1.

It was noted that the Policy Document had been prepared to have the status of, and the same planning weight as, a Supplementary Planning Document. It had been drafted with significant stakeholder involvement and subject to public consultation in accordance with the Medway Statement of Community Involvement and the Town and Country Planning (Local Planning) Regulations 2012. It was consistent with the National Planning Policy Framework and the Development Plan for Medway.

It was explained that the Planning Policy Document could not yet be given a timetable for becoming a full Supplementary Planning Document, as there was no adopted parent policy that it would supplement. This meant that it was an amendment to the current policy framework and therefore needed to be approved by Full Council.

Decision number:

Decision:

202/2014

The Cabinet agreed to recommend to Full Council the adoption of the Chatham Dockyard and its Defences Planning Policy Document (Appendix 1 to the report).

203/2014

The Cabinet authorised the Director of Regeneration, Community and Culture, in consultation with the Leader and the Portfolio Holder for Strategic Development and Economic Growth, to approve any minor corrections and factual amendments to the draft document prior to its adoption by Full Council which might improve its clarity and consistency.

Reasons:

An adopted Chatham Dockyard and its Defences Planning Policy Document will provide a single-point framework for decision making to support the effective balance of heritage and regeneration within Chatham Dockyard and its Defences and its environs. It will demonstrate that the balance between heritage and regeneration is at the heart of Medway Council's decision-making.

Local Plan: Authority Monitoring Report

Background:

This report sought authority to publish the Medway Local Plan Authority Monitoring Report that was produced annually.

Cabinet, 16 December 2014

The Monitoring Report consisted of three volumes:

- Volume 1 (Appendix 1 to the report) provided an overview of key population and development trends, social, economic and environmental indicators, and a commentary on progress with the preparation of the new Medway Local Plan;
- Volume 2 comprised detailed data tables that were summarised in Volume 1;
- Volume 3 was the Local Aggregate Assessment, that assessed the supply of mineral aggregates from land won, imported and secondary and recycled sources in Medway in 2013. Volumes 2 and 3 were attached at Appendix 2 to the report.

A Housing Implementation Strategy was also presented (Appendix 3 to the report) to set out the position on the supply of housing land and actions being taken to boost the supply of housing.

Appendices 1-3 to the report were included in Supplementary Agenda No.1. A revised copy of the Housing Implementation Strategy had been circulated to Members within Supplementary Agenda No.2, which corrected a small number of errors since the publication of the Cabinet agenda.

It was noted that there were no direct equalities impacts of the approval of the Monitoring Report by Cabinet for publication. Members were advised that in preparing and approving local plan policies, the Council has had due regard to its equality duties under Section 149 Equality Act 2010.

The Cabinet considered Medway's performance in delivering new homes and the pressures being placed on services and local infrastructure, which would require further investment should further developments come forward.

Decision number: ***Decision:***

The Cabinet noted paragraph 1.14 of the Medway Housing Implementation Strategy (Appendix 3 to the Cabinet report) and that in compliance with the National Planning Policy Framework it was obliged to review its housing needs and therefore increased its housing target from 815 to 1,000 dwellings per annum.

204/2014 The Cabinet approved the 2014 Authority Monitoring Report for publication, as set out in Appendices 1 and 2 in Supplementary Agenda No.1 and revised Appendix 3 in Supplementary Agenda No.2, subject to:

a) Paragraph 1.14 of the Medway Housing Implementation Strategy (revised Appendix 3 to the Cabinet report) being amended to read:

Secondly, the Council has been obliged to review its housing needs and has therefore taken the

Cabinet, 16 December 2014

decision to increase its housing target from 815 to 1000 dwellings per annum, back dated to the start of the new local plan period 2011/12. This is based on an assessment of projected household growth in Medway over the period of the new local plan up to 2035. Thus thereby demonstrating the authority's commitment to significantly boost the supply of housing immediately.

- b) The bottom 3 lines of the table in paragraph 5.8 of the Housing Implementation Strategy (Appendix 3 to the Cabinet Report) being deleted.**
- c) The Director of Regeneration, Community and Culture, in consultation with the Portfolio Holder for Strategic Development and Economic Growth, being delegated authority to approve any minor corrections to Appendices 1, 2 and 3 prior to publication that might improve clarity and consistency.**

Reasons:

To comply with the legal duty to compile and publish a planning monitoring report.

Localising Support for Council Tax

Background:

This report sought approval of the re-adoption of the existing local council tax reduction scheme (CTRS) for 2015/2016.

The current Medway scheme had been agreed at Full Council on 24 January 2014 and consisted of two parts. The first made provision for non-pensioners, which was at Members' discretion, and the other made provision for pensioners that was made on a national basis and in line with previous awards of council tax benefit. The key aspects of the CTRS were:

- Any entitlement to a reduction was based on a means test, by taking into consideration a customer's income and comparing this with any personal allowances, premiums and disregards to which they may be entitled;
- Only 75% of council tax liability was used to assess Council Tax Support;
- A minimum deduction was made in respect of non-dependants to include any such person in the household, aged 18 years or more;
- Those in receipt of a war widow or war disablement pension received the same protection as pensioners.

Cabinet, 16 December 2014

It was noted that for each financial year, the Council must consider whether to revise its scheme or to replace it with a replacement scheme and any revisions to the CTRS or a replacement CTRS must be the subject of consultation.

To maintain the balance between the council tax reduction scheme and the allowances to which claimants were entitled, Full Council had amended the original scheme on 24 January 2014, following public consultation, so that it was uprated on an annual basis in line with national changes (decision number 748/2014). As the April 2015 allowances would not be announced until January 2015 the current allowances were set out at Appendix 1 to the report but would be updated in the report to Full Council.

Decision number: **Decision:**

205/2014 **The Cabinet recommended the current Council Tax Reduction Scheme (which will therefore be subject to annual uprating) to Council for adoption on 22 January 2015.**

Reasons:

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

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:**

206/2014 **The Cabinet agreed to unfreeze the following posts, as detailed in Appendix 1 to the report, to enable officers to commence the recruitment process:**

Children and Adults

- a) SEN Team Co-ordinator (3 Years)**
- b) SEN Team Co-ordinator (2 Years)**
- c) Quality Assurance Officer**
- d) Placement Officer (Children's) x2**
- e) Performance and Improvement Analyst**
- f) Resources Coordinator Adult Social Care.**

Reasons:

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

Gateway 3 Contract Award: Eastgate House Refurbishment Works

Background:

This report sought permission to award a contract that focused on conserving the important historic fabric of Eastgate House and adapting the building so that it can be used as a distinctive and vibrant community resource for Medway residents and visitors.

The project would conserve the building and heritage and address the urgent conservation requirements of the house. A new lift and the reinstatement of a demolished staircase would allow access for all to floors closed for decades.

A Conservation Management Plan would ensure that decisions throughout the project and beyond were taken with full consideration and understanding of the historical, social, aesthetic and communal significance of all areas of the house.

The report set out details of the procurement process and business case associated with this project, together with details of the potential risks and the plans to mitigate them. An exempt appendix contained key financial analysis and tender evaluation and award information.

It was noted that Cabinet had approved the commencement of this procurement at Gateway 1 on 29 October 2013 and that this Gateway 3 Report had been approved for submission to the Cabinet after review and discussion by the Regeneration Community and Culture Directorate Management Team and Procurement Board.

Decision number:

Decision:

207/2014

The Cabinet approved the contract award to carry out the conservation works at Eastgate House to Fairhurst Ward and Abbott Limited, as set out in paragraph 3.2 of the exempt appendix, and achieving the outputs and opportunities described in paragraph 3 of the report.

Reasons:

The project will conserve this wonderful building and heritage for generations to come opening it up as a distinctive, valued and vibrant community resource for Medway and our visitors.

Gateway 3 Contract Award: Homecare Services Framework - Refresh

Background:

This report sought permission to admit a number of suppliers onto the Homecare Services Framework.

It was noted that the council had let a Framework Agreement in 2012 for the provision of Homecare services. This framework had an aggregated value of £45,000,000 and was based on a Gold, Silver and Bronze rating which reflected the provider's value for money. Providers rated as Gold had the first opportunity to respond to referrals of care packages, which they would 'win' by being able to demonstrate their ability to best meet the preferences of the service user in terms of how the care is delivered. There were currently 15 providers on the framework: 8 in the gold band, 6 in the silver band and 1 in the bronze band.

All suppliers were subject to quality monitoring through a set of Key Performance Indicators on a six monthly basis. The outcome of the monitoring could alter their position within the framework. The category management strategy was to open the agreement up on an annual basis to allow new providers to gain a place on the framework and allow existing providers to alter their position.

The report set out details of the associated procurement process and business case, together with details of the potential risks and the plans to mitigate them. An exempt appendix contained key financial analysis and tender evaluation and award information.

It was noted that this Gateway 3 Report had been approved for submission to the Cabinet after review by the Children and Adults Directorate Management Team and Procurement Board.

It was noted that 28 clear days' notice of this item had not been provided, in accordance with the Local Authorities (Executive Arrangements)(Meetings and Access to Information)(England) Regulations 2012. The Chairman of the Health and Adult Social Care Overview and Scrutiny Committee had however agreed, in accordance with the provisions of the 2012 Regulations, that this matter was both urgent and could not be reasonably deferred until the next Cabinet meeting on 13 January 2015 because of the need to provide continuity of service and reassurance to the public.

Decision number:

Decision:

208/2014

The Cabinet agreed to admit the following new providers, as set out in paragraph 3.2 'contract award recommendation' of the exempt appendix, to the Homecare Services Framework:

- a) Agincare Group Ltd
- b) Ark Home Healthcare
- c) NV Care Ltd.

209/2014 **The Cabinet agreed to revise the banding for the following existing providers, as set out in paragraph 3.2 ‘contract award recommendation’ of the exempt appendix, to the Homecare Services Framework:**

- a) Meritum Independent Living
- b) Anchor Support.

Reasons:

The successful tenderers were admitted onto the Homecare Services Framework because they had demonstrated the ability to deliver services at, or exceed, the minimum standard required for Homecare Services. They had also demonstrated the ability to deliver services at cost effective rates within the price envelopes published as part of the tender exercise.

Gateway 1 Procurement Commencement: Short Breaks for Disabled Children and their Carers

Background:

This report sought permission to commence the procurement of short breaks contracts for disabled children.

Medway Council had a legal obligation to provide or commission short breaks for disabled children and their carers. Short breaks were enjoyable activities for children and young people with disabilities, which also provided a break for the parents and other adults with caring responsibilities. The Council procured 23 short break services from a range of providers (currently 20) to deliver the short breaks programme in Medway and the list of projects was set out in an exempt appendix.

It was noted that a review of short breaks services had recently concluded and a Short Break Policy for Disabled Children and Young People in Medway 2014-2019 had been developed. Recommendations to approve the policy and the delegation to officers to commence the Short Break implementation plan were agreed by Cabinet on 30 September 2014.

The report set out details of the associated procurement process, dependencies and obligations. The procurement project outputs/outcomes were also explored; together with details of the market conditions, proposed procurement process and details of the potential risks and the plans to mitigate them.

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This Gateway 1 report had been approved for submission to the Cabinet after review and discussion by the Children & Adults Directorate Management Team and Procurement Board.

An exempt appendix contained key financial analysis information and a Diversity Impact Assessment was tabled at the meeting (within Supplementary Agenda No. 3).

It was noted that 28 clear days' notice of this item had not been provided, in accordance with the Local Authorities (Executive Arrangements)(Meetings and Access to Information)(England) Regulations 2012. The Chairman of the Children and Young People Overview and Scrutiny Committee had however agreed, in accordance with the provisions of the 2012 Regulations, that this matter was both urgent and could not be reasonably deferred until the next Cabinet meeting on 13 January 2015 because of the need to commence the procurement process as soon as possible in line with the procurement timeline.

Decision number:

Decision:

210/2014 **The Cabinet approved this Gateway 1 High Risk Report for progression to Gateway 2 for the commencement of an open tender procedure for option (c) – a preferred provider framework / Dynamic Purchasing System, as set out in paragraph 4.2.3 (c) of the report.**

Reasons:

Medway Council has a legal obligation to provide or commission short breaks for disabled children and their carers. Short breaks are enjoyable activities for children and young people with disabilities, which also provide a break for the parents and other adults with caring responsibilities.

Gateway 1 Procurement Commencement: the Procurement of an Integrated Community Equipment Service (Phase 1) - Paediatric, Electrical and Bespoke Equipment and Technicians Service

Background:

This report explained that Medway Council and Medway CCG had agreed to jointly commission a single community equipment service. The aim of which, was to support carers and enable children and adults to regain and maintain independence within their homes and the community, placing less reliance on more costly care/health services.

It was explained that due to the complexity of the existing arrangements and contracts, it would take some time to fully understand both what currently existed and what was required to meet current and future needs in the most effective and efficient manner. This report therefore sought permission to procure the service in two phases, the first phase to begin delivery by April 2015 and to include the technician's service, paediatric and electrical and bespoke equipment. The second

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phase would begin delivery on April 2016 to include a re-tender of the services in the first phase and also to include the core equipment services currently provided by MCH.

It was stated that the intention was to have one complete joint service by April 2016.

The report set out details of the associated procurement process, dependencies and obligations. The procurement project outputs/outcomes were also explored; together with details of the market conditions, proposed procurement process and the potential risks and the plans to mitigate them.

This Gateway 1 report had been approved for submission to the Cabinet after review and discussion by Children and Adults Directorate Management Team and Procurement Board.

Budgetary information for this procurement exercise was set out in the Exempt Appendix.

**Decision
number:**

Decision:

211/2014

The Cabinet approved the commencement of this procurement process on the basis set out in paragraph 4.2.1 of the report (OJEU Open Procedure).

Reasons:

Medway Council will procure these joint services on behalf of Medway CCG and must therefore commence the new service on 1 April 2015. The timetable for this go-live date is achievable providing no slippages occur.

.....
Leader of the Council

.....
Date

Wayne Hemingway/Anthony Law, Democratic Services Officers

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Email: democratic.services@medway.gov.uk

Record of Cabinet decisions

Tuesday, 13 January 2015

3.00pm to 4.20pm

Date of publication: 14 January 2015

**Subject to call-in these decisions will be effective from 22 January 2015
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 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: Dr Alison Barnett, Director of Public Health
Robin Cooper, Director of Regeneration, Community and Culture
Neil Davies, Chief Executive
Richard Hicks, Deputy Director, Customer Contact, Leisure, Culture, Democracy
and Governance
Julie Keith, Head of Democratic Services
Anthony Law, Democratic Services Officer
Barbara Peacock, Director of Children and Adults Services
Perry Holmes, Assistant Director, Legal and Corporate Services/Monitoring
Officer

Apologies for absence

An apology for absence was received from Councillor Filmer (Front Line Services).

Record of decisions

The record of the meeting held on 16 December 2014 was agreed and signed by the Leader as correct.

Cabinet, 13 January 2015

Declarations of disclosable pecuniary interests and other interests

Disclosable pecuniary interests

There were none.

Other interests

Councillor O'Brien declared interests in agenda items 4 (School Improvement Strategy), 7 (Outcomes of Options Appraisal for the Sufficient Supply of Primary School Places in Strood and Gillingham) and 8 (Outcomes of Consultation for the Proposed Prescribed Alterations at Rivermead Special School) because members of his extended family worked in the educational arena. He advised that he would stay and participate in the consideration and determination of these items.

Councillor Tolhurst declared an interest in agenda item 11 (Medway Queen – reference from Full Council) as she was a member of the Association of Dunkirk Little Ships.

School Improvement Strategy

Background:

This report presented an updated School Improvement Strategy, which outlined the key priorities in Medway and targets for school performance.

The strategy set out an accelerated programme of improvement. It promoted collaborative working across schools, sharing of good practice and collective responsibility for all the children and young people in Medway. It recognised that the landscape of education was changing rapidly and the role of the local authority had primarily become one that challenged and supported the most vulnerable schools and brokered support for those schools from the stronger schools. It was noted that the Teaching Schools were key players in mapping out professional development pathways and training opportunities, supported by the local authority.

Members were advised that the strategy had been out to consultation with schools and key partners during November 2014, with the responses considered by the School Effectiveness Strategic Board (SEB) on 11 December 2014. It was reported that the consultation had confirmed that the four main priorities should be:

- Leadership, Management and Governance,
- Outstanding Teaching,
- Recruitment and Retention
- OFSTED Readiness (i.e. preparing for and managing the inspection).

A marketing strategy to 'Get Medway Learning' underpinned this work, engaging the community in learning. It was noted that there were many examples of good practice in Medway schools and the marketing strategy would celebrate good practice and engage the community and the media in recognising the achievements of Medway's children and young people.

Cabinet, 13 January 2015

A Diversity Impact Assessment had been undertaken and was attached at Appendix 2 to the report. This stated that one of the biggest challenges in Medway in terms of diversity and equalities was the gap in achievement between the most disadvantaged and their peers. The assessment included a number of actions to take forward the identified issues.

It was noted that the Children and Young People Overview and Scrutiny Committee had considered the draft strategy on 9 December 2014 (as part of a wider report on the provisional test and examination results for 2014). The Committee had noted the report and details of the discussion were set out in section 6 of the report.

Decision number: **Decision:**

1/2015 The Cabinet approved the School Improvement Strategy as set out in Appendix 1 to the report.

Reasons:

This programme will provide the basis for supporting and challenging schools to achieve improved primary performance and better OFSTED inspection judgements. Whilst the strategy is focused on the primary sector, all schools will benefit from the clarity of vision and actions proposed.

Provisional Local Government Finance Settlement 2015/2016

Background:

This report provided Cabinet with details of the provisional Local Government settlement announced by Government on 18 December 2014.

This was the third Local Government Finance Settlement under the new arrangements for business rates that came into place on 1 April 2013.

It was noted that the overall settlement figure, announced as the 'Settlement Funding Assessment' (SFA), was some £13.889 million less than the equivalent figure for 2014/2015, which incorporated an adjustment for Local Welfare Provision that was funded by a specific grant of £792,000 in 2014/2015. This was a cut of 14.4% compared to a national figure of 13.9%.

Decision number: **Decision:**

The Cabinet noted the provisional settlement as an essential part of the budget setting process for 2015/2016.

Cabinet, 13 January 2015

Reasons:

These provisional levels of grant form a fundamental component of the 2015/2016 budget, and their announcement is a further stage in the process of preparing a balanced budget.

Better Care Fund - Update and Pooled Budget

Background:

This report explained that as part of the governance arrangements for the Better Care Fund (BCF) a pooled budget was required in accordance with Section 75 of the Health and Social Care Act.

The report introduced some of the issues in order to establish this by March 2015. This included a recommendation in respect of hosting the fund. Guidance issued by the Chartered Institute of Public Finance and Accountability was attached at Appendix 1 to the report.

The draft Heads of Term were attached to the report (Appendix 2) and the recommendation was to delegate authority to officers to produce and finalise the agreement with the Chief Operating Officer of the Medway Clinical Commissioning Group (CCG). It was noted that the Health and Wellbeing Board would consider this report on 21 January 2015 and therefore the delegated authority would take account of the views and comments expressed at that meeting.

The report also provided an update of the approval process for the Better Care Fund plan. It was noted that the plan had been resubmitted on 12 December 2014 and feedback from both the Local Government Association and NHS England had been positive. The report summarised the changes to the Better Care Fund plan and advised that a decision on whether it had been approved or not was anticipated mid January 2015.

Decision number: ***Decision:***

2/2015 **The Cabinet agreed that the s75 Pooled Fund for the Better Care Fund be hosted by Medway Council.**

3/2015 **The Cabinet:**

- a) approved the draft Heads of Terms, as set out in Appendix 2 to the report and;**
- b) delegated authority to the Director of Children and Adults Services with the Assistant Director, Legal and Corporate Services, and in consultation with the Portfolio Holder for Adult Services, after it has been considered and endorsed by the Health and Wellbeing Board, to produce and finalise the agreement with the Chief Operating Officer of the Medway Clinical Commissioning Group (CCG).**

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Reasons:

The pooled fund has to be hosted by one partner and there is an advantage in the Council hosting.

Delegating authority to the Director of Children and Adults Services with the Assistant Director, Legal and Corporate Services, allows more time to establish the pooled fund agreement which has to be operational by 1 April 2015.

Outcomes of Options Appraisal for the Sufficient Supply of Primary School Places in Strood and Gillingham

Background:

The annual review of the School Organisation Plan 2011-16, presented to Cabinet on 30 September 2014, outlined the areas of emerging need in relation to the supply of school places across Medway. The Cabinet approved an appraisal of the options to provide sufficient additional primary school places in Strood and Gillingham and this report outlined the findings and made recommendations to ensure the Council met its statutory obligation to provide school places.

This report detailed the findings of the options appraisal for the nine different primary schools in Strood and Gillingham approved at the meeting and it was noted that strategic discussions had taken place with the respective schools, dioceses and Trusts; with their views included in section 4 of the report. Wider statutory consultation was required for all approved options and Cabinet was requested to grant authority to commence these at the appropriate times.

It was noted that a Diversity Impact Assessments (DIA) had not been completed as part of the options appraisal. However, a DIA would be completed and included in any future reports around specific proposals going forward.

The financial implications were set out in the report and it was noted that the proposals would only be delivered through available funding.

Decision number: **Decision:**

Strood

- | | |
|---------------|---|
| 4/2015 | The Cabinet approved the expansion by 1 Form of Entry (FE) at Elaine Primary Academy, in partnership with the Williamson Trust and utilising the vacant Elaine Centre to provide additional places for September 2016. |
| 5/2015 | The Cabinet approved that the second FE in Strood be provided at Bligh Infant and Junior Schools. However, should Elaine Primary Academy's Ofsted rating improve to 'good' prior to any costs being incurred at Bligh Infant and |

Cabinet, 13 January 2015

Junior Schools, then consideration, via a report back to Cabinet, should be given as to whether to expand Elaine Primary Academy further.

6/2015 The Cabinet approved the immediate commencement of the detailed design process for the initial 1FE at Elaine within the Elaine Centre for September 2016 and then for the next preferred option (Bligh Infant and Junior Schools) to be expanded at the appropriate time.

Gillingham

7/2015 The Cabinet approved the expansion by 1FE at Woodlands Primary Academy, utilising the Woodlands Place buildings to provide some of the additional places needed by September 2015.

8/2015 The Cabinet approved St Thomas of Canterbury Catholic Primary School as the preferred second option in Gillingham, and approved the commencement of the detailed design for this option at the appropriate time.

9/2015 The Cabinet agreed to give authority to the Director of Children and Adults Services, in consultation with the Portfolio Holder for Children's Services (Lead Member) to commence, at the appropriate time, the statutory processes required for each of the maintained schools to expand. Where an academy is approved as suitable for expansion it will be for the Academy Trust to effect their own consultation. However, the local authority would be expected to support these processes where necessary and as requested.

Reasons:

By approving the progression of the recommendations in section 9 of the report, the Cabinet is ensuring that the Council meets its statutory duty to ensure sufficient good school places.

By granting authority to commence the required statutory consultation processes the Cabinet is ensuring that the Council complies with its statutory duty to follow the appropriate consultation process when proposing changes to school organisation.

Outcomes of Consultation for the Proposed Prescribed Alterations at Rivermead Special School

Background:

This report outlined the outcomes of the informal consultation period on the Council's proposals to 'increase pupil numbers', 'extend onto an additional site' and to 'alter the upper age limit' at Rivermead Special School, by way of statutory prescribed alterations. The proposals were set out in the report.

Cabinet, 13 January 2015

On 15 July 2014, the Cabinet agreed to commence consultation on proposals to expand Rivermead Special School and to relocate onto an additional site. The first stage in the statutory process took place over a four-week period between 6 October and 2 November 2014 and the results were set out in sections 4 and 5 of the report. The officer responses to the issues and concerns raised during the consultation period were set out in section 6 of the report. Details of those consulted, the consultation document and a transcript of the public meeting was attached to the report

The Children and Young People Overview and Scrutiny Committee had considered the consultation responses on 9 December 2014 and it was noted that the committee supported the proposals as set out.

A Diversity Impact Assessment screening form was attached at Appendix 4 to the report. This considered how the proposed changes could impact upon various groups and showed that there could potentially be some impact upon certain groups however it showed that any impacts were expected to be positive ones.

Decision number: ***Decision:***

The Cabinet noted the responses to the informal consultation together with the advice and analysis from officers and the comments of the Children and Young People Overview and Scrutiny Committee.

10/2015 The Cabinet instructed the Director of Children and Adults Services to commence the period of statutory representation for the proposals for the expansion and addition of a site, as set out in section 11.2 of the report, when statutory notices and full proposals will be published.

11/2015 The Cabinet agreed to delegate authority to the Director of Children and Adults Services, in consultation with Portfolio Holder for Children's Services (Lead Member), to determine whether to approve the proposals at the end of the statutory consultation period if no objections are received. However, if any objections are received during that time then a report will be prepared and presented to Cabinet for determination.

Reasons:

Approval to proceed to a period of statutory representation will ensure the Council complies with its duty to follow the full consultation process when proposing changes to school organisation.

Refreshed Community Safety Partnership Action Plan

Background:

This report provided information on the operation of the Community Safety Partnership (CSP) from April to October 2014, the findings of the strategic assessment and the proposed action plan for 2015/2016.

It was noted that Section 6 of the Crime and Disorder Act 1998 placed obligations on Crime and Disorder Reduction Partnerships, also known as CSPs, to produce a Community Safety Plan to formulate and implement a strategy to reduce crime and disorder, combat substance misuse, and reduce re-offending.

The current Community Safety Plan covered the period 2013 to 2016 and formed part of the Council's Policy Framework. Adopted in 2013 it identified five priorities:

- Tackle substance and alcohol abuse;
- Tackle anti-social behaviour (ASB) and Envirocrime;
- Reduce re-offending;
- Tackle domestic abuse; and
- Reduce the number of people killed or seriously injured in Road Traffic Collisions.

Performance against these priorities since April 2014 was set out within the Action Plan, appended at Appendix 1 to the report and the key findings of the strategic assessment were noted in the report.

The proposed action plan for the financial year 2015/2016 was set out at Appendix 2 to the report and a briefing note on the scoring matrix used to assess priorities was circulated separately in Supplementary Agenda No.2.

It was noted that a refreshed Diversity Impact Assessment screening form had been completed and was attached at Appendix 3 to the report. This indicated that the Community Safety Plan complied with the requirements of the legislation.

It was also noted that, as part of the development of this report, statutory partners had submitted updates on the Action Plan and also contributed to the Strategic Assessment. Members of the public were consulted through Community Engagement events; the results of which fed into the Strategic Assessment.

The Regeneration, Community and Culture Overview and Scrutiny Committee had considered this report on 18 December 2014 and details of the points raised by the Committee were set out in section 6 of the report.

Decision number: ***Decision:***

The Cabinet noted the comments from the Regeneration, Community and Culture Overview and Scrutiny Committee as set out in section 6 of the report.

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The Cabinet noted the actions of the Community Safety Partnership for the half year April to September 2014.

The Cabinet noted the findings of the annual strategic assessment.

12/2015 The Cabinet agreed the proposed action plan for 2015/2016 in the light of the findings of the annual strategic assessment.

Reasons:

The Community Safety Plan discharges the Council's statutory requirement to produce a plan for community safety.

Annual Public Health Report of the Director of Public Health 2013/14

Background:

This report presented the Annual Public Health Report (APHR) of the Director of Public Health for 2013/2014, which focused on the health of Medway's older population and made recommendations for Medway Council and partners.

It was noted that the purpose of the APHR was to inform local stakeholders and the public about the health of Medway's older people, outline current provision of support and services and make recommendations for the future to reduce health inequalities, promote health and wellbeing of the older population and inform service provision.

The 2013/2014 report focused on the following topics:

1. Social isolation
2. Falls
3. Dementia
4. Housing and older peoples' health.

It was noted that the 2013/2014 Annual Public Health Report had been circulated separately to Cabinet Members. In addition, it had been considered by the Health and Adult Social Care Overview and Scrutiny Committee on 11 December 2014 and details of the Committee's discussion was set out in section 6 of the report. The report would also be presented to the Health and Wellbeing Board on 21 January 2015.

An audit of progress against the Annual Public Health Report for 2012/2013 was included at Appendix 1 to the report.

Decision number: **Decision:**

The Cabinet noted the Annual Public Health Report 2013/2014 and the audit of progress against the recommendations in the Annual Public Health 2012/2013.

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Reasons:

The production of the Annual Public Health Report is a statutory requirement.

Medway Queen - Reference from Full Council

Background:

This report followed Full Council's approval of a motion on 16 October 2014, in which it noted the special contribution made by the Medway Queen Paddle Steamer to the history of the UK and requested that Cabinet receive a report setting out details of any funding streams and other support available to the Medway Queen Preservation Society to:

- enable the ship to participate in Operation Dynamo in Ramsgate in May 2015, and to
- help restore the Medway Queen to full operational use in the longer term.

It was noted that Heritage Lottery Funding had been awarded to the Medway Queen Preservation Society. The report also explored the options available to the Council in providing practical support to assist the Medway Queen Preservation Society in securing full operational reuse of the Medway Queen in the longer term. It was noted that the options for longer-term support come at no cost to Medway Council, so were without sustainability consequences.

Decision number: **Decision:**

The Cabinet noted that Heritage Lottery Funding had been awarded to enable the Medway Queen to participate in Operation Dynamo in Ramsgate in 2015.

13/2015 The Cabinet agreed to provide the support to the Medway Queen Preservation Society detailed in paragraph 3.2 of the report as it sought to secure full operational use of the Medway Queen.

Reasons:

This represents a full and considered response to Full Council's request of 16 October 2014.

Medway Norse Six Monthly Report

Background:

This report outlined the achievements and performance of Medway Norse up to the third quarter in its second year of trading. It also detailed its plans for future growth and development.

It was noted that Medway Norse now provided services to the Council in three main areas: facilities management, grounds maintenance and SEN transport. The report gave details of these areas of operation, together with information relating to

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governance, local business participation, the corporate client function and the projected rebate (£347,039) for the Council in 2014/2015.

The Business Support Overview and Scrutiny Committee was considering monitoring reports on a quarterly basis and it was noted that the Committee had considered a report and heard from the Operations Director of Medway Norse and Managing Director of Quadron (the grounds maintenance subsidiary of Medway Norse) on 7 October 2014. Details of this discussion were set out in section 4 of the report.

Decision number: **Decision:**

The Cabinet noted the report.

Reasons:

When Cabinet agreed to establish the joint venture company it was also agreed that regular monitoring reports would be provided to Cabinet.

Revenue Budget Monitoring 2014/2015 - Period 2

Background:

This report detailed the revenue budget forecasts as at the end of November 2014. The report also highlighted the major financial risks remaining in respect of the 2014/2015 General Fund revenue budget.

It was noted that the latest round of monitoring returns from budget managers predicted a potential overspend of £2.4 million for non-DSG services, although it was reported that planned management action should reduce this to £2.1 million. It was reported that whilst this represented a £2.2 million improvement on the position previously reported to Members, it still represented a significant overspend at this stage of the year and directorate management teams would need to continue to identify measures to contain expenditure within the overall budget. Members were advised that the Chief Executive had issued a moratorium notice on 5 December 2014.

Decision number: **Decision:**

14/2015 The Cabinet noted the forecast position from the latest round of 2014/15 revenue monitoring and the declared moratorium in response and instructed Directors to ensure that the remaining deficit was removed by the year-end.

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

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forecast, Cabinet supported by the corporate management team must identify measures to remove any excess expenditure.

Capital Budget Monitoring 2014/2015 - Round 2

Background:

This report detailed the capital monitoring forecasts as at the end of November 2014.

The approved capital programme for 2014/15 and future years was £86.8million, representing both brought forward schemes and new approvals. The report consolidated the capital monitoring undertaken by each directorate and this was summarised in the appendix, which detailed the individual schemes and their financial position.

The report asked Cabinet to approve the virement of £1million from the Basic Needs Programme to fund the forecast overspend on the Academies Programme arising from the cost of removing unforeseen asbestos. Cabinet were also asked to commend five additions to the capital programme to Full Council.

During the discussion on this item, it was clarified that the proposed addition of £4,000,000 for Flood Defences along a new river wall at Strood Riverside, would be funded from a successful bid against PWLB project rate borrowing (a special discounted rate of 0.4% below standard PWLB rates) and repaid from a first call on the future capital receipts that the regeneration programme is expected to generate.

Decision number: **Decision:**

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

15/2015 The Cabinet agreed the £1.0million virement requested in paragraph 6.1 of the report.

16/2015 The Cabinet recommended the new approvals set out in paragraph 6.2 of the report to Council.

Reasons:

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

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.

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An additional post was set out in Supplementary Agenda No. 2.

Decision number: **Decision:**

17/2015 **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) **PA to the Mayor**
- b) **Customer Relations Investigations Officer**

Children and Adults

- c) **Traded Services and School Contract Support**
- d) **Traded Services and School Contract Lead**

Regeneration, Community and Culture

- e) **IMPRESS/STEPS Project Officer.**

Reasons:

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

Gateway 3 Contract Award: Medway Grid for Learning Services

Background:

This report sought permission to award a contract to the supplier for Medway Grid for Learning (MGfL) services.

The MGfL was a secure wide area network connecting school local area networks (LAN), enabling schools to access a number of services that they would otherwise need to purchase and manage independently. This consisted of several key services: service support, e-mail, webfiltering and anti-virus.

It was noted that the Cabinet approved the commencement of this procurement at Gateway 1 on 2 September 2014.

An exempt appendix contained key financial analysis and detailed procurement process tender evaluation information.

Decision number: **Decision:**

18/2015 **The Cabinet agreed to award the contract for Medway Grid for Learning services (first line support, e-mail, web filtering and antivirus) to Redcentric.**

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Reasons:

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

.....
Leader of the Council

.....
Date

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