

## 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**

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

## Cabinet, 13 January 2015

### 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**

- |               |                                                                                                                                                                                                                                         |
|---------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>4/2015</b> | <b>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.</b>           |
| <b>5/2015</b> | <b>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</b> |

## 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.**



## Cabinet, 13 January 2015

**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.**

## Cabinet, 13 January 2015

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

## Cabinet, 13 January 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 forecast, Cabinet supported by the corporate management team must identify measures to remove any excess expenditure.

## Cabinet, 13 January 2015

### 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.

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

## Cabinet, 13 January 2015

**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.

**Reasons:**

**Cabinet, 13 January 2015**

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**

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

Telephone: 01634 332509/332008

Email: [democratic.services@medway.gov.uk](mailto:democratic.services@medway.gov.uk)