

Record of Cabinet decisions

Tuesday, 10 February 2015

3.00pm to 4.00pm

Date of publication: 11 February 2015

**Subject to call-in these decisions will be effective from 19 February 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 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
Kim Carey, Interim Deputy Director - Children and Adults Services
Mick Hayward, Chief Finance Officer
Wayne Hemingway, Democratic Services Officer
Richard Hicks, Deputy Director, Customer Contact, Leisure, Culture, Democracy
and Governance
Perry Holmes, Assistant Director, Legal and Corporate Services/Monitoring
Officer
Julie Keith, Head of Democratic Services

Apologies for absence

There were none.

Record of decisions

The record of the meeting held on 13 January 2015 was agreed and signed by the Leader as correct.

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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 items 6 (Final Funding Formula for Mainstream Schools and Academies 2015/2016) and 11 (Schools Admissions Arrangements September 2016) because members of his extended family either worked at or attended Medway schools.

Funding for Health and Social Care

Background:

This report provided details of the transfer and allocation of the 2014/2015 Health Funding for Adult Social Care from NHS England to the Council. This funding would support a range of services for older people and adults with disabilities, such as:

- Community rehabilitation services and supporting people to live at home - adaptations
- Rapid Response, health and social care team
- Intermediate care (social) services
- Supporting the hospital social work team
- Mental health community and voluntary sector services
- Stroke support
- Support to maintain current Fair Access to Care Services (FACS) eligibility levels at Substantial and Critical to meet assessed need and associated packages of care.

NHS England would provide £4,573,577 for which the Council was required to enter into a Section 256 Agreement in accordance with the National Health Service Act 2006. A copy of the Section 256 Agreement was attached to the report at Appendix 1. It was reported that the Health and Wellbeing Board had considered and noted this report at its meeting on 21 January 2015.

Decision number: **Decision:**

19/2015 **The Cabinet approved the Council entering into a Section 256 Agreement (draft set out at Appendix 1 to the report) with NHS England to receive £4,573,577 funding transfer from the NHS budget for the purposes of supporting Health Funding for Adult Social Care.**

20/2015 **The Cabinet agreed to delegate authority to the Director of Children and Adults Services, in consultation with the Portfolio Holder for Adult Services, to finalise and enter into the Section 256 Agreement (on the basis of the draft set out at Appendix 1 to the report).**

Reasons:

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

Medway Archives and Local Studies - Relocation

Background:

This report provided details of the site options considered for the relocation of the Medway Archives and Local Studies Centre, from its current location in Annex B on the former Civic Centre Site in Strood together, with the background to the rationale for the relocation.

Details of the consultation undertaken with the National Archives, stakeholders and users at Medway Archives and Local Studies was set out in the report.

An Exempt Appendix to the report provided an overview of each of the six sites and an assessment of the sites' suitability for being the new location for Medway Archives & Local Studies, with Strood Library (Bryant Road) identified as the preferred location for Medway Archives & Local Studies Centre.

A Diversity Impact Assessment (DIA) had been completed (Appendix 1 to the report) which identified no adverse impact with the proposed relocation of Medway Archives & Local Studies to the Strood Library (Bryant Road) site.

Decision number: ***Decision:***

21/2015 **The Cabinet approved Strood Library (Bryant Road) as the preferred new location for Medway Archives & Local Studies and recommended to Full Council the addition of the scheme to the capital programme.**

22/2015 **The Cabinet agreed to delegate authority to the Director of Regeneration, Community and Culture, in consultation with the Portfolio Holder for Housing and Community Services, to undertake further research and secure agreement on a proposed name for the Archives.**

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Reasons:

To enable the Council's redevelopment aspirations for the former Civic Centre site in Strood and reduced building maintenance liabilities, a new location for Archives needs to be identified and funded.

Final Funding Formula for Mainstream Schools and Academies 2015-2016

Background:

This report provided details of the final funding proposals for Medway's schools and academies for 2015/2016. Officers, working with the Schools Forum, had consulted with schools and academies on the 2015/2016 options and arrangements. It was noted that the Schools Forum had recommended these options and arrangements to Cabinet in October 2014, which were approved. Following this, the provisional funding formula was submitted to the Education Funding Agency (EFA) and was approved, subsequently, in December 2014. Final pupil numbers and the total funding available through the Dedicated Schools Grant (DSG) had been confirmed by government.

The Schools Forum met on 8 January 2015 and its final recommendations to Cabinet were set out in paragraph 4 of the report.

Decision number:

23/2015 **The Cabinet instructed officers to implement the new funding formula for schools and academies and approved the Final Funding Formula 2015-16, as set out in paragraph 4.5 of the report.**

Reasons:

The local authority is required to implement the funding formula arrangements and changes from 2015-16 in accordance with the School and Early Years Finance (England) Regulations 2014. This is a Cabinet function.

Housing Revenue Account Capital and Revenue Budgets 2015/2016

Background:

This report provided details of the Housing Revenue Account (HRA) revenue budgets for 2015/2016 and also:

- contained details of the proposed 3 year capital programme budget;
- provided details of proposed rent and service charges levels for 2015/16;
- provided an update on the HRA Business Plan which is an integral part of the strategic planning and setting of priorities for the HRA Service.

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The report informed Members that the Government had recently introduced a new rent setting formula for social housing landlords to follow for rent increases from April 2015. This policy and proposal had been subject to consideration at the Business Support Overview and Scrutiny Committee on 26 August 2014 and 7 October 2014, and was approved by Cabinet on 30 October 2014.

The Business Support Overview and Scrutiny Committee considered this report on 3 February 2015 and its comments were set out in an addendum report (Supplementary Agenda No.2).

A Diversity Impact Assessment had been carried out on the proposals, as set out in Appendix F to the report.

Decision number:

Decision:

The Cabinet noted the recommendations from the Business Support Overview and Scrutiny Committee.

24/2015

The Cabinet recommended to Council:

- (a) A proposed average rent increase of 2.2% for the housing stock as set out in Appendix A to the report (based upon 50 collection weeks) and a rent increase of 1.2% for garages.**
- (b) To approve the harmonisation of all garage rents, charging across all garage sites managed by the HRA Service specifically those as set out as per Appendix B.**
- (c) That the service charges and increases as set out in appendix C to the report for 2015/16 be approved.**
- (d) That the revenue budget for the HRA Service for 2015/16 as per Appendix D to the report be approved.**
- (e) That the provision for the repayment debt continues to be based on a minimum revenue payment of 2% on the 2015/2016 HRA opening outstanding debt.**
- (f) That a three year capital programme as set out in paragraph 8.5 of this report be agreed.**
- (g) To increase the 2015/16 HRA housing building development programme amount by the 2014/2015 MRP payment as set out in paragraph 9.4 of this report.**

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25/2015 The Cabinet adopted the attached HRA Business Plan 2014 – 2044 as set out in Appendix E to the report.

Reasons:

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

Local Authorities are required to produce and maintain a HRA Business Plan that meets the Governments 'fit for purpose' criteria. The adoption of this Business Plan would allow the Council to continue to meet this requirement.

Refresh of Council Plan Performance Indicators 2015/2016

Background:

This report provided details of the proposal to extend the current Council Plan by one further year to 2015/2016.

The purpose of this review was to ensure the delivery of the Council Plan was assessed using a focused and informative set of indicators to cover the period 2015-16 that take account of recent financial and service developments. It was noted that Directorates had reviewed their respective indicators and key projects and had been adjusted as necessary.

The Business Support Overview and Scrutiny Committee had considered this report on 3 February 2015 and its comments were set out in an addendum report (Supplementary Agenda No.2).

A Diversity Impact Assessment of the refreshed Council Plan indicators had been prepared with the report, in line with the Council's established procedure for new strategic documents, as set out in Appendix 5 to the report. This had not identified any adverse impact on residents with protected characteristics based on the proposed changes to Council Plans key projects and indicator suite.

Decision number: **Decision:**

The Cabinet noted the comments of the Business Support Overview and Scrutiny Committee on the Council Plan Indicators for 2015-16 (Appendix 1) and Key Projects for 2015-16 (Appendix 2).

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- 26/2015** The Cabinet accepted the specific recommendations by the Business Support Overview and Scrutiny Committee and recommended these to Full Council accordingly:
- (i)** *“Carer satisfaction with adult social care services”* – retain target at its current level of 46%.
 - (ii)** *“The proportion of carers who felt that they had been included or consulted in discussions about the person they care for”* – retain target at its current level of 75%.
- 27/2015** The Cabinet accepted the specific recommendation by officers in response to comments of the Business Support Overview & Scrutiny Committee to amend the indicator:
- “Percentage of children who were absent from school for more than 15 percent of the school year”* to be replaced with:
- “the percentage of children who were persistently absent from school”* and the target be changed to *“TBC”* and recommended this to Full Council accordingly.
- The Cabinet noted that Members of the the Business Support Overview & Scrutiny Committee agreed with the overall proposals and felt it compared favourably with previous versions of the Council Plan scrutinised by the Committee.
- 28/2015** The Cabinet recommended the revised Council Plan 2015-2016 Indicators (Appendix 1 to the report) and the Target Profile document (Appendix 2 to the report), to Full Council for approval.
- 29/2015** The Cabinet recommended to Full Council to delegate to the Chief Executive, in consultation with the Deputy Leader and Portfolio Holder for Finance, authority to deal with any necessary changes to align the Plan to the agreed budget, including any updates required to the Council Plan document.

Reasons:

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

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Capital and Revenue Budgets 2015/2016

Background:

This report presented proposals for the capital and revenue budgets for 2015/2016.

It was noted that the Cabinet had considered initial budget proposals on 2 December 2014, which had been developed in accordance with the principles set out in the Medium Term Financial Plan 2014/2018. It was noted that considerable effort had been made to achieve a balanced budget without seriously impacting on direct services to the public and that the proposed revenue budget of £318.069 million was based on a Council Tax increase of 1.994%.

The Cabinet report noted that the budget build assumed a nil increase in pay costs for staff, however, a provision of £800,000 had been identified for increases in pay, equivalent to about 1% of the overall paybill cost.

The proposed capital programme for 2015/2016, incorporating existing schemes and anticipated grant allocations, was £53.144 million. An overall summary and a summary by directorate of the proposed capital programme were attached at Appendix 2 to the report.

It was noted that budget proposals had been referred to all the Overview and Scrutiny Committees for consideration. The Overview and Scrutiny Committees' views were detailed in the report, with the recommendations of the Business Support Overview and Scrutiny Committee set out for Cabinet consideration within an addendum report (Supplementary Agenda No.2).

The summarised Housing Revenue Account was set out in Appendix 6 to the report with the capital component in Appendix 2 to the report.

The schedule of fees and charges was set out in Appendix 7 to the report (Supplementary Agenda No.1).

The report set out the requirements under equality legislation and a Diversity Impact Assessment, that aggregated the impact of reductions in funding to services, was tabled at the meeting.

During discussion, the Deputy Leader and Portfolio Holder for Finance, Councillor Jarrett, made reference to some typographical errors in the report which would be corrected in the report to be submitted to Full Council on 26 February 2015, in relation to funding for highway maintenance and integrated transport (paragraph 5.3.1 and table 9 of the report refers) and the revenue budget gap.

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**Decision
number:**

Decision:

The Cabinet noted the recommendations from overview and scrutiny committees as summarised in section 8 of the report and detailed in Appendix 1 to the report and in particular the recommendation at paragraph 8.4(b) requesting the reinstatement of 2 FTE administrative posts.

- 30/2015** The Cabinet recommended to Council the capital budget proposals, as set out in Appendix 2 to the report.
- 31/2015** The Cabinet recommended to Council that the net revenue budget summarised at Table 10 in the report, amounting to £318.069 million, should be adopted and that this be funded by a 1.994% increase in Council Tax for 2015/16 with the equivalent Band D figure at £1,187.46. The £247,000 gap would be met as follows:
- £220,000 – The additional monies from the final settlement re: Local Welfare Provision
- £20,000 – Public Rights of Way budget
- £7,000 – Additional parking income.
- 32/2015** The Cabinet recommended to Council the fees and charges set out at Appendix 7 to the report.
- 33/2015** The Cabinet agreed that the Chief Finance Officer be requested to calculate the formal requirements under Sections 30 to 36 of the Local Government Finance Act 1992 for resolution by Special Council on 26 February 2015.
- 34/2015** The Cabinet recommended that Council approve a delegation to the Chief Finance Officer, in consultation with the Portfolio Holder for Finance, to make adjustments to budgets as the identification of the Corporate savings targets occur.
- 35/2015** The Cabinet authorised the recruitment to the 2 WTE vacant administrative posts in the Mental Health Social Work Team that remain funded.

Reasons:

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

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

Treasury Management: Strategy Statement and Annual Investment Strategy 2015/2016 and Mid-Year Review Report 2014/2015

Background:

This report provided details of the mid-year review of the Treasury Management Strategy 2014/15 and the Council's Treasury Management Strategy for the 2015/16.

The mid-year report element of this report has been prepared in compliance with CIPFA's Code of Practice on Treasury Management, and covered the following:

- An economic update for the first six months of 2014/15
- A review of the Treasury Management Strategy Statement and Annual Investment Strategy
- A review of the Council's investment portfolio for 2014/15
- A review of the Council's borrowing strategy for 2014/15
- A review of any debt rescheduling undertaken during 2014/15
- A review of compliance with Treasury and Prudential Limits for 2014/15.

The prudential and treasury indicators and treasury strategy sections of the report covered two main areas:

Capital issues

- The capital plans and the prudential indicators
- The minimum revenue (MRP) policy.

Treasury management issues

- The current treasury position
- Treasury indicators which limit the treasury risk and activities of the Council
- Prospects for interest rates
- The borrowing strategy
- Policy on borrowing in advance of need
- Debt rescheduling
- The investment strategy
- Creditworthiness policy
- Policy on use of external service providers.

These elements covered the requirements of the Local Government Act 2003, the CIPFA Prudential Code, Communities and Local Government Guidance on Minimum Revenue Position (CLG MRP Guidance), the CIPFA Treasury Management Code and CLG Investment Guidance.

The Audit Committee considered this report on 15 January 2015 and its comments were set out in paragraph 7 of the report.

Appendices 1-10 were set out in Supplementary Agenda No.1.

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A Diversity Impact Assessment had been undertaken on the Treasury Management Strategy, details of which were included at Appendix 9 to the report.

Decision number:

Decision:

The Cabinet noted the comments of the Audit Committee.

- 36/2015** The Cabinet noted and recommended to Council the mid-year review of the Treasury Management Strategy 2014/15, as set out in section 3 of the report.
- 37/2015** The Cabinet recommended to Council the Treasury Management Strategy and associated policies and strategy statements as set out in section 4 and Appendices 1-6 to the report.
- 38/2015** The Cabinet approved the amendments to the Treasury Management Practices as set out in Appendix 10 to the report.

Reasons:

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

School Admission Arrangements September 2016

Background:

This report provided details of the proposed coordinated admission schemes and arrangements for primary and secondary schools for September 2016, following consultation.

There were no changes proposed for 2016 secondary admissions other than the revision of dates to reflect the 2016 admissions timetable. It was noted that all Medway secondary schools and academies were their own admission authorities and, therefore, responsible for the consultation and determination of their own admission arrangements (including their published admission number and oversubscription criteria).

The proposed changes to the co-ordinated scheme and admission arrangements (other than the revision of dates to reflect the 2016 primary admissions timetable and changes made to ensure that the arrangements comply with the School Admissions Code and other DfE guidance) were to remove the 'Child's health reasons' criterion and replace with 'Medical, health and special access reasons' and that the published

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admission number for admission in September 2016 for Riverside Primary School be increased from 25 to 30.

The consultation period took place between November 2014 and 5 January 2015 in accordance with the requirements of the School Admissions Code and no responses were received.

The Children and Young People Overview and Scrutiny Committee considered this report on 14 January 2015 and its comments were set out in paragraph 7 of the report.

A Diversity Impact Assessment screening had been undertaken on the proposals, details of which were set out in Appendix 3 to the report.

Decision number:

Decision:
The Cabinet noted the outcome of the consultation process and the comments of the Children and Young People Overview and Scrutiny Committee.

39/2015 The Cabinet approved the proposed admissions arrangements and schemes as set out at Appendices 1 and 2 to the report.

Reasons:

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

Dementia Strategy

Background:

This report provided details of the draft Dementia Strategy, following consultation. A copy of the Dementia Strategy was attached at Appendix 1 to the report (Supplementary Agenda No.1). It was noted that Dementia was a syndrome – usually of a chronic or progressive nature – in which there was deterioration in cognitive function (i.e. the ability to process thought) beyond what might be expected from normal ageing. The development of the Dementia Strategy would support the Council's aims set out in the Joint Health and Wellbeing Strategy and the Council Plan in relation to older people.

The report provided details of the consultation process which had included consideration of the Strategy by the Health and Adult Social Care Overview and Scrutiny Committee in September 2014 and January 2015, details of which were set out in paragraphs 5 and 6 of the report.

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It was noted that to assist the Council in fulfilling its legal obligations, officers would complete a Diversity Impact Assessment (DIA) following the work of the Implementation Plan being developed and completed and commissioning recommendations being made.

Decision number: **Decision:**

The Cabinet noted:

- (i) **The actions outlined in the Dementia Strategy made to improve the quality of life for people living with dementia in Medway.**
- (ii) **The comments of the Health and Adult Social Care Overview and Scrutiny Committee.**

40/2015 The Cabinet approved the Dementia Strategy, as attached at Appendix 1 to this report.

Reasons:

The Dementia Strategy has been subject to consultation and seeks to develop a greater community awareness and understanding of dementia illnesses and the effect dementia has on people's lives, as well as the importance of focusing on 'living well with dementia' and developing earliest possible interventions.

An implementation plan will be developed to ensure that the actions outlined in the Dementia Strategy are supported.

South Thames Gateway Building Control Business Plan 2015/2018

Background:

This report provided details of the South Thames Gateway Building Control Partnership Business Plan and Delivery Plan for 2015/2018, in accordance with the Constitution of the South Thames Gateway Building Control Joint Committee. It was noted that the partnership's business plan would be refreshed each year to reflect changing circumstances and would outline how the building control function for the three partnership Councils would be delivered throughout that period. An Executive Summary of the Business Plan was set out in paragraph 3 of the report. It was noted that total contributions would have reduced for the current three partners by £61,472 between April 2012 and March 2016 in the current arrangement.

A Diversity Impact Assessment had been carried out on the Business Plan, details of which were set out in Appendix B to the report.

The Business Plan and Delivery Plan (Appendix A) were set out within Supplementary Agenda No. 1.

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Decision number: **Decision:**

41/2015 **The Cabinet approved the proposed Business Plan and Delivery Plan for 2015/18 for the South Thames Gateway Building Control Partnership, as set out in Appendix A to the report.**

Reasons:

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

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:**

42/2015 **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

- a) **Customer Relations Team Leader**
- b) **Administration Officer**
- c) **BASS Apprentice**
- d) **Head of Internal Audit and Counter-Fraud**
- e) **Operations Manager (Initial Contact)**

Children and Adults

- f) **Administration Support Officer**
- g) **SEN Business Manager**

Regeneration, Community and Culture

- h) **Market Superintendent x1 (37 hours)**
- i) **Market Superintendent x1 (10 hours).**

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Reasons:

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

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Leader of the Council

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Date

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