

COUNCIL

12 AUGUST 2015

LEADER'S REPORT

Councillor Alan Jarrett, Leader of the Council, will give a report on key developments since the last ordinary Council meeting on 23 April 2015.

He will include:

- New Members
- Budget
- Local finances
- Cultural offer
- Decisions made by the Cabinet on 16 June 2015, 7 July 2015 and 4 August 2015*.

*The Cabinet record of decisions from 4 August 2015 will be circulated to Members separately.

Record of Cabinet decisions

Tuesday, 16 June 2015

3.00pm to 3.23pm

Date of publication: 17 June 2015

**Subject to call-in these decisions will be effective from 25 June 2015
The record of decisions is subject to approval at the next meeting of the Cabinet**

Present:	Councillor Alan Jarrett	Leader of the Council
	Councillor Howard Doe	Deputy Leader and Portfolio Holder for Housing and Community Services
	Councillor David Brake	Portfolio Holder for Adult Services
	Councillor Jane Chitty	Portfolio Holder for Planning, Economic Growth and Regulation
	Councillor Phil Filmer	Portfolio Holder for Front Line Services
	Councillor Adrian Gulvin	Portfolio Holder for Resources
	Councillor Andrew Mackness	Portfolio Holder for Corporate Services
	Councillor Mike O'Brien	Portfolio Holder for Children's Services
	Councillor Rupert Turpin	Portfolio Holder for Business Management
In Attendance:	Neil Davies, Chief Executive	
	Dr Alison Barnett, Director of Public Health	
	Stephanie Goad, Assistant Director Communications, Performance and Partnerships	
	Wayne Hemingway, Democratic Services Officer	
	Richard Hicks, Deputy Director, Customer Contact, Leisure, Culture, Democracy and Governance	
	Julie Keith, Head of Democratic Services	
	Barbara Peacock, Director of Children and Adults Services	
	Phil Watts, Chief Finance Officer	

Apologies for absence

An apology for absence was received from Councillor Rodney Chambers OBE (Inward Investment, Strategic Regeneration and Partnerships).

Record of decisions

The record of the meeting held on 14 April 2015 was agreed and signed by the Leader as correct.

Cabinet, 16 June 2015

Declarations of disclosable pecuniary interests and other interests

Disclosable pecuniary interests

Councillor Filmer declared a disclosable pecuniary interest (DPI) in agenda item 5 (Medway Norse Six Monthly Update) because he is a Director of Medway Norse. He left the room during consideration of this item.

Other interests

The Assistant Director, Communications, Performance and Partnerships left the room during consideration of agenda item 5 (Medway Norse Six Monthly Update) because she is a Director of Medway Norse.

Medway Norse Six Monthly Update

Background:

This report provided details of Medway Norse's achievements and performance up to the fourth quarter in its second year of trading and its plans for future growth and development.

The report stated that Medway Norse had continued to make good progress and in this quarter it had experienced further growth across the board. For the year-to-date the joint venture was 6.9% up on the budgeted target for total sales and 2.2% up on its latest profit target, which subject to final accounts, was anticipated to be £508,151. Under the terms of the joint venture agreement in Year 2 the Council would retain 66.6% of the profit at year-end. In total in the first 19 months of operation, a rebate of 8% of the core budget had been returned to the Council.

The report provided a number of examples of its activities including a breakdown of expenditure in Medway.

It was noted that the report would be referred to the Business Support Overview and Scrutiny Committee for consideration on 25 June 2015.

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.

Designation of a Neighbourhood Area - Cliffe and Cliffe Woods

Background:

This report provided details of an application from Cliffe and Cliffe Woods Parish Council to designate a Neighbourhood Area for the purpose of preparing a Neighbourhood Plan. A map of the proposed neighbourhood area was attached at Appendix 2 to the report.

The Neighbourhood Plan was a community-led framework for guiding the future development, regeneration and conservation of an area. It could cover a wide range of economic, social and environmental issues, or could choose to focus on a small number of selected matters. The Neighbourhood Plan formed part of the statutory development plan for the area, alongside Medway Council's own planning policy documents.

The report provided details of the application submitted by the Parish Council, a copy of which was attached at Appendix 1 to the report, and it was noted that a public notice was placed in the Medway Messenger and on the Council's website notifying people of the application to designate a Neighbourhood Area in Cliffe and Cliffe Woods – no responses were received in response to the consultation.

It was noted that there were further stages of consultation associated with the preparation of the Neighbourhood Plan. This would include a formal consultation organised by Medway Council in advance of an Independent Examination.

Decision number: ***Decision:***

83/2015 **The Cabinet approved the designation of a Neighbourhood Area at Cliffe and Cliffe Woods, which was consistent with the parish boundary and as set out in Appendix 2 to the report, for the purpose of producing a Neighbourhood Plan.**

Reasons:

The application is valid and consistent with legislation and there are no grounds on which to reject the application.

Cabinet Advisory Groups

Background:

This report provided a review of the various Cabinet Advisory Groups and sought the re-establishment of a number of Groups for 2015/2016. The report noted that these Groups did not have any decision making powers and could consist of both executive and non-executive Councillors.

Cabinet, 16 June 2015

The report recommended that the Airport Proposals, the International Economic Development and the Local Transport Plan Cabinet Advisory Groups should not be re-established for 2015/2016 as they were not considered necessary at this time. Proposals to establish a new group called the Strood Regeneration Board were also set out in the report.

Decision number: **Decision:**

84/2015 **The Cabinet agreed the establishment of the Cabinet Advisory Groups with the terms of reference set out in the report and appointment of Members to these bodies, as set out in Appendix 1 to the report, for 2015/2016 subject to the following amendments:**

Development Plans Advisory Group – increase no. and ratio to 7 (4:3) through the inclusion of Councillors Rodney Chambers OBE and Stamp.

Strood Regeneration Board – remove 1 x Strood Rural Ward Councillor from the membership.

85/2015 **The Leader agreed to delete paragraph 8.20 of the Employee Delegation Scheme (International Relations Project Funding).**

Reasons:

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

The deletion of paragraph 8.20 of the Employee Delegation Scheme (International Relations Project Funding) will ensure that the Constitution is up to date.

Irrecoverable Debt

Background:

This report provided details of a request for a debt of £32,335.49 in relation to adult social care to be written off, as it had been deemed irrecoverable by officers.

The report stated the amount of debt to be written off exceeded officers' delegated authority, therefore, Cabinet approval was required.

Decision number: **Decision:**

86/2015 **The Cabinet approved the £32,335.49 write-off as detailed in section 3 of the report.**

Cabinet, 16 June 2015

Reasons:

It was considered that all practical steps had been taken to recover the debt and pursuing the debt was deemed impractical. Writing off this debt was important in ensuring the Council's accounts are maintained.

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:

87/2015

The Cabinet agreed to unfreeze the following posts, as detailed in Appendix 1 to the report:

Business Support

- a) Admin Assistant – BASS x3
- b) Admin Assistant – BASS x3
- c) HR Support Assistant
- d) Management Accountant – School Funding & Support
- e) Finance Assistant (Full Time)
- f) Finance Assistant (Part Time)
- g) Auditor
- h) ICT Business Services Assistant

Children and Adults

- i) Admin Support Officer x4
- j) ROI/Access to Records
- k) Admin Support Assistant x2
- l) Student Services Admissions Programme Officer (Maternity Cover)
- m) Student Services Admissions Programme Officer
- n) Student Services Administrator

Regeneration, Community and Culture

- o) Command of Heights Project Officer
- p) Rochester Riverside Project Manager.

Reasons:

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

Gateway 1 Procurement Commencement: Education Capital Programme

Background:

This report provided details of the proposal to commence the procurement of a series of contractors, and consultant design teams as required, to deliver three projects within the mainstream primary expansions and special schools capital programme. These projects would take place at Hundred of Hoo Academy, Elaine Primary School and Bligh Infant School.

The report provided details of the procurement process options together with a recommended way forward.

The Procurement Board considered this report on 13 May 2015 and supported the recommendation set out in the report.

An exempt appendix provided details of the whole life costings for this project.

Decision number: ***Decision:***

88/2015 **The Cabinet approved the procurement of a series of contractors via the Kent Business Portal to deliver the improvement works at The Hundred of Hoo Academy, Elaine Primary School and Bligh Infant School.**

Reasons:

The accommodation is required to enable the additional spaces to be available from September 2016, and to ensure that the Council meets its statutory duty to provide sufficient school places.

Gateway 1 Procurement Commencement: Local Growth Fund Programme

Background:

This report provided details of the proposal to commence the procurement process of one or more contractors, and consultant design teams as required, to deliver four projects within the Local Growth Fund programme:

- A289 Four Elms Roundabout to Medway Tunnel improvements
- Strood town centre journey time improvements
- Medway City Estate connectivity improvements
- Medway Cycling Action Plan.

The report provided details of the procurement process options together with a recommended way forward.

Cabinet, 16 June 2015

The Procurement Board considered this report on 13 May 2015 and supported the recommendation set out in the report.

An exempt appendix provided details of the whole life costings for this project.

Decision number:

Decision:

89/2015

The Cabinet approved the procurement of one or more consultants for design and contractors for construction of the projects outlined in the report in order to successfully deliver the Local Growth Fund programme, as follows:

- **Cycle Action Plan project – Traditional procurement approach**
- **Strood Town Centre project – Traditional procurement approach**
- **Medway City Estate project – Traditional procurement approach**
- **A289 Four Elms roundabout project – Procurement options report to be presented to a future meeting.**

Reasons:

The decision to commence procurement of the necessary design consultation for each project will allow officers to commence the delivery of each project. A delay in the ability to procure the required design consultancy and construction delivery will have a negative impact on the Council's ability to deliver these Local Growth Fund projects.

Gateway 3 Contract Award: Dynamic Purchasing System - Supported Living Services for Adults

Background:

This report provided details of the outcome of the procurement process to admit suppliers to the Dynamic Purchasing System (DPS) for Supported Living services so that the DPS could be used to award contracts for individual placements to appropriate suppliers.

It was noted that the Medway definition for Supported Living services was "to promote service users self-determination and personal responsibility and re-establish lost skills or develop new skills. Packages of support may vary from a couple of hours per week to support provided 24 hours a day, 7 days a week and shall be provided in the home environment or in the community to support individuals with all aspects of their chosen lifestyle."

A Diversity Impact Assessment had been undertaken on the proposals and was included at Appendix 1 to the report.

Cabinet, 16 June 2015

An exempt appendix contained key information in respect of the financial analysis, the evaluation stages and the results of the evaluation.

The Procurement Board considered the report on 13 May 2015 and supported the recommendation set out in the report.

Decision number: **Decision:**

90/2015 **The Cabinet agreed that the tenderers as set out below be admitted onto the Supported Living Dynamic Purchasing System:**

- 1. I Say Supported Living Services**
- 2. Anchor Support Services Ltd**
- 3. Carers Relief Service**
- 4. Dimensions (UK) Ltd**
- 5. Everycare (Medway/Swale) Ltd**
- 6. Future Home Care Ltd**
- 7. KentSCP**
- 8. Lifeways Community Care**
- 9. Scott Care Ltd**
- 10. The Royal National Institute for Deaf People t/a Action on Hearing Loss**
- 11. Turning Point**
- 12. Voyage Care**
- 13. Mcch society Ltd.**

91/2015 **The Cabinet agreed that a Dynamic Purchasing System Supported Living Briefing Note be presented annually to Procurement Board and Cabinet which will provide an update on the number of providers who join the Dynamic Purchasing System at a later stage.**

Reasons:

The tenderers have demonstrated the ability to deliver services at, or exceed, the minimum standard required for Supported Living. They have accepted to deliver services at cost effective rates within the price cap published as part of the tender exercise.

As the terms of the Dynamic Purchasing System permit new providers to join at any point during the life of the system, the DPS Supported Living Briefing Note will provide an update on the number of providers who join the Dynamic Purchasing System at a later stage.

Cabinet, 16 June 2015

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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, 7 July 2015

3.00pm to 3.55pm

Date of publication: 8 July 2015

Subject to call-in these decisions will be effective from 16 July 2015
The record of decisions is subject to approval at the next meeting of the Cabinet

Present:	Councillor Alan Jarrett	Leader of the Council
	Councillor Howard Doe	Deputy Leader and Portfolio Holder for Housing and Community Services
	Councillor David Brake	Portfolio Holder for Adult Services
	Councillor Rodney Chambers, OBE	Portfolio Holder for Inward Investment, Strategic Regeneration and Partnerships
	Councillor Jane Chitty	Portfolio Holder for Planning, Economic Growth and Regulation
	Councillor Phil Filmer	Portfolio Holder for Front Line Services
	Councillor Adrian Gulvin	Portfolio Holder for Resources
	Councillor Mike O'Brien	Portfolio Holder for Children's Services
	Councillor Rupert Turpin	Portfolio Holder for Business Management
In Attendance:	Neil Davies, Chief Executive	
	Dr Alison Barnett, Director of Public Health	
	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	
	Ian Sutherland, Deputy Director, Children and Adult Services	
	Phil Watts, Chief Finance Officer	

Apologies for absence

An apology for absence was received from Councillor Andrew Mackness (Corporate Services).

Record of decisions

The record of the meeting held on 16 June 2015 was agreed and signed by the Leader as correct.

Cabinet, 7 July 2015

Declarations of disclosable pecuniary interests and other interests

Disclosable pecuniary interests

Councillor Filmer declared a disclosable pecuniary interest in agenda item 12 (Gateway 3 Contract Award: Housing Revenue Account (HRA) Estate Services (Caretaking)) because he is a Director of Medway Norse. He left the meeting during consideration of this item.

Other interests

Councillor Gulvin declared an interest in agenda items 4 (Statement of Accounts) and 8 (Business Rate Relief) in relation to references to Kent and Medway Fire and Rescue Authority, because he is the Vice-Chairman of this Authority.

Councillor O'Brien declared an interest in agenda item 9 (Council Plan Year End 2014/2015 Performance Monitoring Report) in relation to references to schools because members of his extended family work in Medway schools.

Statement of Accounts 2014/2015

Background:

This report provided details of the Council's draft Statement of Accounts for 2014/2015, as set out in Supplementary Agenda No.1. The Council is required to produce an annual Statement of Accounts that was subject to scrutiny by the external auditors. The auditor would subsequently give an opinion on the accounts, and additionally interested parties would have the right to inspect the accounts and make representations to the auditor.

The Cabinet agreed to consider this as an urgent report as the draft accounts were certified by the Chief Finance Officer on 30 June 2015, in accordance with the Accounts and Audit Regulations 2011 (as amended), and it was good practice to present the accounts to Members as soon as possible after 30 June; prior to the audit and ahead of the submission of the audited accounts in September 2015 and the statutory publication date of 30 September 2015.

It was reported that the revenue account showed a revenue surplus of £388,000. It was noted that the final position was a significant achievement and a reflection both of the successful efforts to maintain services at minimum cost and the robustness of the budgets that were originally set. Details of the more significant variations to agreed budgets were set out.

The final Housing Revenue Account for 2014/2015 showed a surplus of £1.561 million against a budgeted surplus of £821,000. Having taken account of the 2014/2015 surplus the Housing Revenue Account balance stood at £2.235m as at 31 March 2015.

Cabinet, 7 July 2015

The final capital expenditure for 2014/2015 was £41.1 million with £9 million profiled to future years. The report provided an analysis of spend across directorates, together with details of sources of funding and major achievements during the year.

It was noted that the Audit Committee would consider the draft Statement of Accounts on 14 July 2015.

Decision number: ***Decision:***

92/2015 **The Cabinet noted the revenue and capital outturns as reported and recommended to the Audit Committee that it approves the draft Statement of Accounts for 2014/15.**

Reasons:

Good practice recommends that Members approve the Statement of Accounts as soon after 30 June as practicable.

Treasury Management Outturn Annual Report

Background:

This report provided an overview of treasury management activity during 2014/2015. This report included the Council's treasury position as at 31 March 2015, performance measurement, the strategy for 2014/2015, borrowing and investment rates, the borrowing outturn, compliance with treasury limits and prudential indicators, investment outturn and debt rescheduling.

It was noted that, overall, the Interest and Financing budget made a surplus over its targeted budget by £0.998 million. In light of the continued historically low bank rate, which continued at 0.5% throughout 2014/2015, the overall rate achieved for investments averaged 0.92%.

The body of the report and the appendix outlined the significant financial implications and it was reported that any transactions undertaken on either investments or borrowings were governed by the London Code of Conduct, the Council's Treasury Policy Statement, and the CIPFA Code of Practice on Treasury Management in Local Authorities. The outturn for the Prudential Indicators was shown in Appendix 1 to the report.

This report would be referred to Audit Committee on 14 July 2015 for consideration and approval.

Decision number: ***Decision:***

93/2015 **The Cabinet, in accordance with the CIPFA Code of Practice, noted the content and recommended this report to the Audit Committee.**

Cabinet, 7 July 2015

Reasons:

In line with CIPFA's Code of Treasury Management Practice an annual report must be taken to Cabinet detailing the Council's treasury management outturn within six months of the close of each financial year.

The Care Act (Charging and Assessment of Resources) Regulations 2014

Background:

From 1 April 2015, Local Authorities were required to implement part 1 of the Care Act 2014. Whilst fundamental reforms in the way people pay for their care do not become law until April 2016, the Care Act provides the opportunity to implement changes to the way that charging for care and support operates from 2015.

This report provided an overview of the proposed changes to the charging arrangements for Adult Social Care in Medway, together with feedback from the four weeks' public consultation relating to the proposals. It was noted that a total of 88 people responded to the consultation and the report and appendices detailed the feedback as it related to the following proposals:

- to follow Care Act regulations and charge an administration cost to reclaim some of the cost incurred in setting up and monitoring a deferred payment scheme.
- to extend the current Deferred Payments Scheme to people moving to Flexicare Housing and Supported Living accommodation.
- to follow Care Act regulations and charge for all care from the date care starts, to ensure everyone is charged in a fair and consistent manner.
- to charge those who have been assessed to pay the full cost of their non-residential care fees and ask the Council to set up their care packages an administration fee.

It was noted that a Diversity Impact Assessment had been undertaken in conjunction with the consultation. This was attached at Appendix E to the report. The outcome of the assessment was that service users would be impacted by the proposals and details of the actions that would be implemented to mitigate adverse impacts were set out.

The report considered the feedback and comments received, setting out recommendations to each of the proposals. In relation to reviewing charging support for carers, it was recommended not to go ahead with this proposal at this time, as further work was needed in this area to determine the increase in support needed from the Local Authority for carers and the impact of support provided by carers should they be charged.

Decision number: **Decision:**

94/2015 The Cabinet agreed the proposals 1a, 1b, 2 & 3, as set out in paragraphs 6.3.1 – 6.3.4 of the report, and that these be implemented in Medway from 1 September 2015. This will

provide staff with sufficient time to implement the changes.

95/2015 **The Cabinet agreed that the proposal “Reviewing Charging Support for Carers”, as set out in paragraph 6.3.5 of the report be investigated further and not implemented at this time with a report submitted back to Cabinet in due course.**

Reasons:

The Care Act enables Local Authorities to apply charges to avoid additional costs arising as a result of some of the new requirements of the Care Act. It was imperative that to enable care and support services to be provided to Medway’s most vulnerable people that income was maximised and additional costs avoided.

Revenues and Benefits - Vulnerable Persons Recovery Policy

Background:

This report considered proposals for a newly created Vulnerable Persons Recovery Policy, a copy of which was attached at Appendix 1 to the report.

The aim of this policy was to act as a guide to the Council’s administration of Council Tax, National Non Domestic Rates, Housing Benefit overpayment and sundry debt recovery and to ensure that the individual needs of vulnerable customers were taken into account when dealing with their cases. The introduction of this policy, as recommended by the Local Government Ombudsman, therefore promoted equality since it would enable a consistent approach to identifying vulnerable persons.

A Diversity Impact Assessment was attached at Appendix 2 to the report, which reported that no adverse impacts had been identified.

Decision ***Decision:***
number:

96/2015 **The Cabinet agreed to adopt the Revenues & Benefits Vulnerable Persons Policy, as set out at Appendix 1 to the report.**

Reasons:

The introduction of the Revenues & Benefits Vulnerable Persons Policy, as recommended by the Local Government Ombudsman, promotes equality for vulnerable persons subject to recovery action.

Business Rate Relief

Background:

This report outlined suggestions from Central Government for local authorities to consider using their discretionary powers to award business rate relief in certain circumstances.

Cabinet, 7 July 2015

In was noted that the 2014 Autumn statement had included a package of business rate measures, which included the extension of transitional relief scheme for two years for properties with a rateable value up to and including £50,000. Guidance issued by the Department for Communities and Local Government in January 2015 (Appendix A to the report) further advised that local authorities would be reimbursed by Central Government.

The report also explained that Ministers had urged authorities to consider using their discretionary powers to aid access to free to use cash machines, where there was a clear community benefit and to support access to local high quality childcare provision. In these cases, however, the Government would not reimburse the local share and so the Council would have to fund 49% of the cost of relief.

The current position, including the potential impact of these proposals was considered. It was also noted that Cabinet in 2013 had adopted guidelines for the award of hardship relief that could be applied to struggling individual businesses.

Decision number:

Decision:

- | | |
|----------------|--|
| 97/2015 | The Cabinet agreed to adopt an extended transitional relief scheme in accordance with the Government guidelines limited to that funded by central government. |
| 98/2015 | The Cabinet agreed not to create a local discretionary rate relief system at this time for Automated Teller Machines and childcare provision. |

Reasons:

The extended transitional relief scheme has been promoted by and will be funded by central government to assist small business ratepayers. Given the lack of cost to the local taxpayer it was appropriate for the Council to operate such a scheme.

Creating discounts for Automated Teller Machines (ATMs) and nurseries will incur additional expenditure for the Council for businesses that may well be able to afford to contribute. Noting that the Council already has the ability to award hardship relief to struggling businesses, which is a more focussed way of providing support, is it not considered necessary to create a local discretionary rate relief system at this time for ATMs and childcare provision.

Council Plan Year End 2014/15 Performance Monitoring Report

Background:

This report summarised the performance of the Council's Key Measures of Success for 2014/2015, as set out in the refreshed Council Plan 2013/2015.

Cabinet, 7 July 2015

Performance was measured using 62 Key Measures of Success and 24 Key Projects. Appendix 1 to the report provided a detailed report on the Key Measures of Success and Appendix 2 reported on performance against Equality Objectives.

It was noted that 49% of the Key Measures of Success were on target and 59% of Key Measures of Success had improved since last year. Achievements included the “Medway 100 Apprenticeship” Campaign, six Customer Service Excellence awards, the opening of Strood Community Hub and Positive about Disabled People (two ticks) accreditation.

The report also summarised the feedback from service users, as recorded within the quarterly tracker phone survey and the Customer satisfaction measurement at point of contact (GovMetric).

It was noted that the annual report on Adult Social Care complaints and compliments had been considered by the Health and Adult Social Care Overview and Scrutiny Committee on 23 June 2015. The report gave details of the discussion and a recommendation that the target response period for Adult Social Care complaints was 20 working days, which recognised the complexity involved with the majority of social care complaints.

Members discussed the performance report in detail and it was noted that for 2015/2016 the challenge was achieving excellence in performance within increasing financial constraints.

It was noted that there was a typographical error in the narrative for the Key Project: Weekly Kerbside Recycling and Composting Service (page 153 of the agenda), in that the second sentence should read “Provisional figures indicate that in 2014/15, 45.1% of household waste has been sent for reuse, recycling and composting, 2 percentage points over the target of 43%.”

Decision number:

Decision:

The Cabinet noted the 2014/15 performance against the Key Measures of Success used to monitor progress against the Council Plan 2013/15.

99/2015 The Cabinet agreed that the target response period for Adult Social Care complaints is 20 working days.

Reasons:

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

Cabinet, 7 July 2015

Philip William Farrow Trust

Background:

This report considered the Council's position as corporate Trustee of the Philip William Farrow Trust, which was established to provide relief for residents at Nelson Court, Shaws Wood and Robert Bean Lodge. It was noted that relief constituted the promotion of health and/or relieving the ill health or infirmity of the residents of these specified homes. The funds were used to provide social activities for the residents.

The report gave details of the fund and potential alternative Trustee(s). It was reported that as the Philip William Farrow Trust did not form part of the Council's revenue or capital budget, it could not be used to fund core service delivery. It therefore must sit outside of the Council's budget and policy framework. The Council's trustee function was however a Cabinet function and therefore Cabinet approval to the retirement and appointment was required.

Decision number: **Decision:**

The Cabinet noted the contents of the report.

100/2015 **The Cabinet agreed to delegate authority to the Deputy Director of Children & Adults Services, in consultation with the Assistant Director Legal and Corporate Services, to:**

- (a) pursue formal discussions with Agincare and Kent Community Foundation and to assess their suitability either separately or jointly to become appointed Trustees for the Philip William Farrow Trust.**
- (b) produce draft documentation for Medway Council to appoint new trustees for the Philip William Farrow Trust.**
- (c) produce draft documentation for Medway Council to retire as the trustees for the Philip William Farrow Trust.**
- (d) liaise as necessary with the Charity Commission to fully consider the obligations under the Trust document and implement decisions 100/2015 (a) to (c) above.**

Cabinet, 7 July 2015

101/2015 The Cabinet agreed to delegate authority to the Deputy Director of Children & Adults Services, in consultation with the Assistant Director Legal and Corporate Services and the Portfolio Holder for Adult Services to proceed with appointment of a new Trustee (or Trustees as appropriate) for the Trust and to proceed with the retirement of the Council from that role.

Reasons:

Appropriate arrangements need to be in place to effectively operate the Trust fund.

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:*

102/2015 The Cabinet agreed to unfreeze the following posts, as detailed in Appendix 1 to the report:

Business Support Directorate

- a) Category Manager x2
- b) Administration Support Officer
- c) Principal Lawyer (People)
- d) Locum Paralegal (People)

Regeneration, Community and Culture

- e) Processing Appeals Officer – Processing & Income Recovery
- f) Maintenance Coordinator.

Reasons:

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

Gateway 3 Contract Award: Housing Revenue Account (HRA) Estate Services (Caretaking)

Background:

This report sought permission to award a contract to the 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 May 2015 and leaseholders would ultimately be advised which supplier had been awarded the contract. Tenants and Leaseholders were also involved in the development of the specification and represented on the interview panel.

It was noted that Cabinet had approved the decision to proceed with this procurement on 28 October 2014 (decision 185/2014).

This Gateway 3 Report has been approved for submission to Cabinet after review and discussion at the Regeneration, Community and Culture Directorate Management Team Meeting on 14 May 2015 and the Procurement Board on 17 June 2015.

An exempt appendix contained key information relating to the financial analysis of the scheme, evaluation and award.

Decision number: ***Decision:***

103/2015 **The Cabinet approved the contract award for the HRA Estate Services Contract to Medway Norse, in accordance with paragraph 4.2 of the exempt appendix, and achieving the outputs and opportunities described in Section 3 of the report.**

Reasons:

Approval of the contract will ensure the Council meets its obligations as a landlord to ensure the communal areas of its housing stock are kept tidy and safe. The contractor has suggested improvements to the service, which will contribute to increasing the overall customer satisfaction for the housing landlord service in Medway.

Cabinet, 7 July 2015

Gateway 3 Contract Award: Rochester Riverside Station Multi Storey Car Park - Construction

Background:

This report sets out the decision of the Monitoring Officer, in consultation with the Procurement Board, to award a contract (medium risk rating) to CS Spencer Ltd for the construction of the Rochester Riverside Multi Storey Car Park.

The report requested that Cabinet recommend to Full Council that an additional £982,000 be allocated to the capital budget for professional fees and costed risks associated with the project. The Cabinet therefore agreed to consider this as an urgent matter so to provide certainty on the funding for the project by referring the matter to Council on 12 August 2015.

It was noted that at the Rochester Riverside Board Meeting of 16 March 2015 approval was given to commence the procurement of a contractor to deliver the design and construction of a new multi storey car park adjacent to the new Rochester Rail Station on the Rochester Riverside Development site.

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

Decision number:

Decision:

104/2015

The Cabinet noted the contents of the report and agreed that any spend against the Risk Allowance is approved by the Assistant Director, Legal and Corporate Services in consultation with the Portfolio Holder for Front Line Services.

105/2015

The Cabinet recommended to Full Council that an additional sum of £982,000 is added to the Capital Programme, funded by prudential borrowing.

Reasons:

This proposed project will deliver a high quality multi storey car park to coincide with the opening of the new railway station at Rochester in December 2015.

Cabinet, 7 July 2015

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Leader of the Council

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Date

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