

Record of Cabinet decisions

Tuesday, 8 March 2016

2.00pm to 3.40pm

Date of publication: 10 March 2015

**Subject to call-in these decisions will be effective from 18 March 2016
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 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 Andrew Burnett, Interim Director of Public Health
Jan Guyler, Head of Legal Services/Deputy Monitoring Officer
Richard Hicks, Director of Regeneration, Community and Culture
Julie Keith, Head of Democratic Services
Anthony Law, Democratic Services Officer
Barbara Peacock, Director of Children and Adults Services
Phil Watts, Chief Finance Officer

Leader's Announcements

The Leader advised that he had agreed to vary the order of business to take agenda item 15 (Gateway 3 Contract Award: Rochester Riverside Regeneration) after agenda item 17 (Gateway 4 Procurement Contract Review: Young People's Community Substance Misuse Service in Medway).

Apologies for absence

An apology for absence was received from Councillor Adrian Gulvin (Resources).

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Record of decisions

The record of the meeting held on 9 February 2016 was agreed and signed by the Leader as a correct record.

Declarations of disclosable pecuniary interests and other interests

Disclosable pecuniary interests

There were none.

Other interests

There were none.

Review of Shared Lives Client Living Expenses

Background:

This report provided Cabinet with an overview of proposed changes to the charging arrangements for Shared Lives Clients in Adults Social Care.

The report explained that the Shared Lives scheme provided care and support to adults with a learning disability that meet the Care Act 2014 eligibility criteria. Support was provided in the homes of approved Shared Lives carers and this provided an alternative choice to traditional residential care and enabled the individual to share in family and community life, promoting independent living.

The report explained the existing charging arrangements. It was noted that Shared Lives clients did not make any contribution for normal living expenses, which was inconsistent with other clients in receipt of Adult Social Care and Support Services. The implications of this and options were explored in the report.

The proposal was to introduce the normal living expenses charge for Shared Lives clients. This would represent a change to current practice and policy and therefore it was also proposed that consultation be undertaken. Details of the consultation process was set out in paragraph 6 of the report and it was noted that the outcome would be reported back to Cabinet.

Decision number: ***Decision:***

31/2016	The Cabinet agreed to a public consultation being carried out which would propose the introduction of the normal living charge for clients in receipt of a Shared Lives Service.
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32/2016 **The Cabinet agreed that the outcome of the consultation is returned to Cabinet to enable the consideration of consultation responses and decisions to be made in respect of:**

- a) the introduction of the proposed charge;**
- b) the amendment of the current charging policy to include this charge.**

Reasons:

The public consultation will provide feedback to Cabinet and enable an informed decision about the proposed charge and change to the policy to be made. This will, in turn, minimise risk of challenge and enable the authority to respond to potential complaints appropriately.

Furthermore, it is imperative that to enable care and support services to be provided to Medway's most vulnerable people that income is maximised and additional costs avoided. The proposed change in charging Shared Lives Clients will reduce the overall cost of the Shared Lives Service to Medway Council.

Review of the Lordswood Community Hub

Background:

This report provided information relating to the Community Day Activity Service for adults with a learning disability, known as the Lordswood Community Hub, and its sustainability in the current economic climate.

Details of the services provided were given and it was noted that the number of clients using the service had reduced from 26 to 12. At a total cost for 2015/16 of £192,344, this represented a daily rate of £97.34 per client. It was considered that the cost of the service, in relation to the number of clients, was no longer financially viable. The introduction of an alternative and appropriate service, such as a Group Direct Payment, was set out.

The report sought approval to consult on closing this provision and finding appropriate alternative care and support services for the clients using this service. Details of the proposed consultation process were set out in the report and the outcome would be reported back to Cabinet.

Decision number: ***Decision:***

33/2016 **The Cabinet agreed to a public consultation being carried out for a period of 8 weeks which will propose the closure of the Lordswood Community Hub.**

34/2016 **The Cabinet agreed that the outcome of the consultation is returned to Cabinet to enable the consideration of consultation responses and decisions to be made in respect of the proposed closure.**

Reasons:

The public consultation would provide feedback to Cabinet and enable an informed decision about the proposed closure of the Lordswood Community Hub. This will, in turn, minimise risk of challenge and enable the authority to respond to potential complaints appropriately.

Adult Social Care Fair and Affordable Cost of Care Policy

Background:

This report provided Cabinet with an overview of the proposed Fair and Affordable Cost of Care Policy for Adult Social Care, as attached at Appendix 1 to the report.

It was explained that the proposed policy would introduce a maximum expenditure limit for non-residential care and support, making sure that clients receive the best value care and support package, whilst ensuring that the funding available to the Council was sufficient to meet the needs of the entire local population.

The proposed policy sought to achieve:-

- Fairness in how Medway Council funds care packages.
- Improved safety and reduced risk to individuals and promotion of wellbeing.

Whilst maximum expenditure limits would be introduced for all clients, the report explained how it was proposed that there would be a different limit for specific groups of clients.

Details of the proposed consultation process were set out in the report and the outcome reported back to Cabinet.

Decision number: ***Decision:***

35/2016 **The Cabinet agreed to a 12 week public consultation being carried out, which would propose the introduction of the Fair and Affordable Cost of Care Policy for Adult Social Care and that the outcome of the consultation is reported back to Cabinet.**

Reasons:

The public consultation would provide feedback to Cabinet and enable Members to make an informed decision as to whether the policy should be implemented in Medway.

Fair Cost of Care Exercise: Cost of Delivering Residential and Nursing Care Home Services to Older People

Background:

This report provided information about a Fair Cost of Care exercise that was carried out by the Partnership Commissioning Team in 2015/2016 to establish the Council's price for residential and nursing care home placements for older people in 2016/2017. The report recommended prices to be paid to providers for existing older people care home placements and new older people care home placements in 2016/2017.

The report gave details of the exercise and findings. It was explained that there was an option to continue to pay for residential and nursing care home services at the current rates. This exercise had evidenced that these rates do not reflect a fair cost of care for these types of services within the local market and have remained fixed for a period of 3 years. Officers were recommending increases to the Council's rates for older people residential and nursing care homes placements.

It was noted that as part of the budget for 2016/2017 there was £1.3m allocated to cover the impact of the National Living Wage (NLW) on adult social care budgets. The recommendation to implement new prices for older people care home services would be met from a combination of existing adult social care budgets and the increased budget in respect of NLW.

It was noted that officers had considered the protected characteristics of this group of individuals, as set out in the Diversity Impact Assessment (Appendix 1 to the report). It was explained that the current picture in Medway reflected national averages and no negative impact was foreseen.

Decision number:* *Decision:

36/2016 The Cabinet agreed the schedule of increases for care services as set out in paragraph 4.7 of the report for implementation from 1 April 2016.

Reasons:

Medway Council is able to fulfil its obligations of consulting with the social care market and establishing usual costs for older people residential and nursing care home services. The prices should support local providers to be sustainable.

Placing Objects on Highways

Background:

This report set out proposals for an all-inclusive policy for dealing with shop front displays, tables and chairs and A-boards on the highway, to ensure parity amongst traders and the public. The policy was originally considered by Cabinet in November 2015, when it had been approved for consultation.

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It was explained that the key objectives of policy were to:

- promote parity and uniform standards, ensuring equity, across shop front traders, cafes and restaurants;
- present a solution that has minimal cost to businesses and is cost neutral in terms of resources needed to implement the policy;
- deliver an option that is acceptable and enforceable.

A copy of the proposed policy was attached at Appendix 2 to the report and the outcome of the consultation process was set out in the report and in detail within Appendix 4 to the report. This included the finding that 84.11% agreed that it would be safer for pedestrians to use the high street if there were guidelines setting out to help shops lay out their pieces of furniture.

The Regeneration, Community and Culture Overview and Scrutiny Committee had considered proposals for the policy on 28 January 2016 and their comments were set out in section 7 of the report. It was explained that the Committee's suggested changes to the policy document had been reflected in the draft policy.

It was noted that the findings from the Diversity Impact Assessment (attached at Appendix 3 to the report) suggested that the licensing would have a positive impact for all members of the public, which was reflected in the results from the public consultation.

The report considered the options available and, if agreed, explained the proposed licensing fees and a delegation relating to the function of processing and determining individual applications. It was also explained that implementation would be undertaken via a pilot in Chatham Town Centre commencing in June 2016. Over the course of the year the policy and criteria would be monitored and then a review undertaken. The policy could then be extended to other areas of Medway

Whilst approval of the Policy was a matter for Cabinet it was noted that the fees and charges and delegation of the function to process and determine individual applications to an officer was a matter for Full Council.

Decision number:

Decision:

37/2016

The Cabinet agreed the Placing Objects on Highways Policy attached at Appendix 2 to the report.

38/2016

The Cabinet agreed for a 12 month pilot to be run in Chatham High Street commencing in June 2016, following which a review is submitted to the Regeneration, Community and Culture Overview and Scrutiny Committee and Cabinet prior to a borough wide implementation.

39/2016 The Cabinet recommended to Full Council to approve:

- (i) The licensing fee as set out in paragraph 2.5 of the report;**
- (ii) The amendment to the Employee Delegation Scheme as set out in paragraph 10.6 of the report.**

Reasons:

The introduction of a Highways Licensing Policy will enhance the aesthetics of the public realm, promoting quality and reinforce necessary safety measures. In addition a clear policy will give traders certainty over what was acceptable or unacceptable; this should address the complaints and enquiries received from traders and the public.

Lower Thames Crossing

Background:

This report set out the proposals by Highways England to establish a Lower Thames Crossing between East Tilbury and Gravesend linking either to the A2 or the M2. It was explained that the new crossing was needed to reduce congestion at the existing Dartford Crossing and to unlock economic growth, supporting the development of new homes and jobs in the region.

With the agreement of the Cabinet, Councillor Maple addressed the meeting. He advised that other options could have provided Medway with the improved road network needed but Option C (Tilbury to Gravesend) was the least worst option. He also raised concerns as to the funding available for improving the surrounding highways infrastructure.

The report explained the background to these proposals. This included details of the consultation undertaken in 2013 on the options for an additional road-based river crossing and the response agreed by Cabinet on 9 July 2013.

It was explained that the option now being consulted on had three potential route options north of the river in Essex and two south of the river in Kent. The proposal was a new road connection linking the key areas of Ebbsfleet, Swanscombe and Gravesend in the south with Tilbury and the wider areas of Thurrock in the north. In the South there were two options, with one to the west (Western Southern Link) and one to the east (Eastern Southern Link).

The likely impact on the strategic road network and a recommended response from Medway Council to the consultation was set out within the report and accompanying appendices. Members considered the importance of adding commentary to this response on the capacity of the existing traffic infrastructure to respond to the construction of Option C (Tilbury to Gravesend).

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Councillor Jarrett left the meeting during the consideration of this item and Councillor Doe chaired the remainder of the meeting.

**Decision
number:**

Decision:

- 40/2016** **The Cabinet supported Highways England's choice of Option C (Tilbury to Gravesend) as the option which Highways England has described as having the potential to unlock significant wider regional economic growth and offering higher transport performance in terms of safety capacity and resilience.**
- 41/2016** **The Cabinet supported the Southern Westerly Link (A2) as this benefits Medway's strategic road network to a greater extent than the Southern Easterly Link (M2).**
- 42/2016** **The Cabinet supported a collaborative approach with partners to:**
- (a) press for a funded package of improvements to the A2/M2 and M20 including links between the M2 and M20 notably the A229 (Bluebell Hill) and the A249, A226 and the A289.**
 - (b) press for the routes from the channel ports to the M25 corridor to be considered holistically and not in isolation of the Lower Thames Crossing.**
- 43/2016** **The Cabinet agreed to delegate authority for the final response to the consultation on or before 24 March 2016 to the Director of Regeneration, Community and Culture, in consultation with the Portfolio Holder for Inward Investment, Strategic Regeneration and Partnerships and that response should include commentary on the capacity of the existing traffic infrastructure.**

Reasons:

The timescales allowed by Highways England in which to analyse the proposals and respond require an intense piece of work through a collaborative approach between Medway and Kent County Council. This work will need to continue into March 2016 and will include drafting the actual response document based on Cabinet's support for the recommendations.

Council Plan 2015/16 Quarter 3 Performance Monitoring Report

Background:

This report summarised the performance of the Council's Key Measures of Success Quarter 3 in 2015/2016 as set out in the Council Plan.

It was explained that there were 58 Key Measures of Success in total for 2015/16 and this report and accompanying appendix included progress on performance against 43 of these. It was noted that:

- 69.8% (30 out of 43) were on target.
- 7% (3 out of 43) were just below target
- 23.2% (10 out of 43) were significantly below target

Members considered the performance results and associated service comments set out within the report.

It was noted that the report would be considered by the four Overview and Scrutiny Committees during March/April 2016.

Decision number: **Decision:**

The Cabinet noted the Q3 2015/16 performance against the Key Measures of Success used to monitor progress against the Council Plan 2015/16.

Reasons:

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

Business Rate Relief

Background:

This report reviewed the current procedures for granting discretionary relief from National Non-Domestic (Business) Rates for charities and other non-profit making organisations.

It was explained that the current policy for the determination of awards of relief and the guidelines that underpin such awards was agreed in 2013 and a copy was attached at Appendix 1 to the report. The report gave details of the relief provided.

Members were also advised of the notice period required before any revocation or variation could take effect. It was explained that by announcing before 31 March 2016 that the current guidelines for awarding relief were to be ended on 31 March 2017, Members and officers could pursue a more detailed review of the policy for awarding relief, which could be announced in the new financial year.

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**Decision
number:**

Decision:

- 44/2016** **The Cabinet agreed to rescind the existing guidelines with effect from 31 March 2017 and instructed officers to notify relevant organisations by 31 March 2016.**
- 45/2016** **The Cabinet agreed to receive a further paper in the new financial year proposing a revised set of guidelines to be implemented from 1 April 2017.**

Reasons:

Relief from business rates where appropriate is a crucial factor in the survival of many voluntary organisations that support the educational, cultural and economic wellbeing of the Medway area.

By cancelling the existing guidelines, organisations will have sufficient notice of upcoming changes whilst delaying the new guidelines until the start of the new financial year will ensure sufficient time is available to create an equitable and affordable policy for the award of such relief from 1 April 2017.

Medway Annual Schools' Performance Report for 2015

Background:

This report presented the Annual Schools' Performance Report, which was attached at Appendix 1 to the report. The report was designed to give a wide overview of pupil progress in Medway schools and to show comparative performance with schools in other local authority areas.

The report provided the 2015 education results at each key stage for Medway's schools and academies. The report performance from teacher assessments, tests and examinations were also summarised and information on attendance and exclusions for 2013/2014 included.

The Annual Schools' Performance Report noted that:

- a) Early Years Foundation Stage was 5% above national and the improvement rate was above national
- b) Phonics continued to improve with 75% passing the standard, so reducing the gap on national from 3% to 2%. This had been a fast rate of improvement as the gap in 2012 was 11%.
- c) At Key Stage 1, results had continued to improve so that Medway matched the national average for writing and maths and was 1% above national for reading.
- d) At Key Stage 2, on the main standard of Level 4 (including reading, writing and maths), Medway fell to 73% and was joint worst nationally (with Poole). The national average was 80%.

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- e) At Key Stage 4, Medway continued to be above national at GSCE 5A*-C (including English and maths) at 57.8%, with the national at 57.3%. Like national, the results had fallen over the last four years but Medway's results had fallen more sharply.
- f) At Key Stage 5, Medway was below national on the higher achievement indicator and average point score per entry. Both Medway and national fell from the previous year but Medway at a sharper rate.
- g) Attendance improved by 0.5% but the rate of improvement was slower than the national which improved by 0.8%.
- h) Exclusions continue to rise, both permanent and fixed term. This reflected the national position. However, Medway's exclusions had increased more sharply and fixed term exclusions in the primary sector were the highest in the country.
- i) OFSTED inspection judgements had improved. More schools had been judged good or outstanding and 79% of children were in good or better schools by February this year.

The report explained that there had been a range of activities undertaken in an endeavour to improve results and maintain good progress. This included an accelerated learning programme and volunteer readers.

During the discussion on this item it was noted that the Children and Young People Overview and Scrutiny Committee had considered this report on 3 March 2016. It was also explained that the performance of Chatham Grammar School for Boys, as reported in Appendix C to the Annual Schools' Performance Report should be amended, to read:

- 5 A* - C inc English & Maths - 99%
- Expected Progress English - 93%
- Expected Progress Maths – 91%.

Decision number: **Decision:**

The Cabinet noted the Annual Schools' Achievement Report attached at Appendix 1 to the report.

Reasons:

Monitoring performance is best practice and this report gives Members a wide overview of pupil progress in Medway schools, as well as comparative performance data with schools in other local authority areas.

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).

Details of the posts were set out within Appendix 1 to the report.

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**Decision
number:**

Decision:

46/2016

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

Business Support Department

- a) Childcare Lawyer x2
- b) Litigation & Employment Lawyer

Children & Adults

- c) Admin Support Officer – ASO x2
- d) Placement Officer (Adults)
- e) Placement Officer (Children) x2
- f) Quality Assurance Officer
- g) Head of Service - Provider Services (Interim)

Regeneration, Community and Culture

- h) Project Archivist (Adlib).

Reasons:

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

Gateway 3 Contract Award: Home Care and Flexi Care Services Framework

Background:

This report sought permission to appoint the suppliers to the Home Care & Flexi Care Services Framework and appoint a sole provider to the three extra care schemes across Medway.

It was noted that the Cabinet had approved the commencement of this requirement at Gateway 5 on 27 October 2015. Further reports providing details of this procurement exercise were submitted to the Children's and Adults Directorate Management Team on 13 October and 27 October 2015 addressing the following:

- a) Work undertaken with suppliers and key stakeholders to help inform the business case
- b) Analysis of statistical data in relation to commissioned packages of care
- c) Analysis of financial data in relation to current spend
- d) Changes in national minimum wage and impact on price
- e) Recommendations of most appropriate model for Home Care Services from April 2016, with consideration given to rural areas
- f) Recommendations of most appropriate model for Flexi Care Services from April 2016.

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This report had been approved for submission to the Cabinet after review by the Children and Adults Directorate Management Team Meeting on 2 February 2016 and the Procurement Board on 17 February 2016.

An exempt appendix detailed the financial analysis of the Homecare & Flexi Care Services Framework, as well as information on the submissions received and evaluation outcome.

The Council's decision to award these contracts would be subject to observing the procurement standstill period of a minimum of 10 working days in accordance with the requirements of the Public Contracts Regulations 2015. The Council would be unable to enter into the contract or conclude the framework agreement before the end of the standstill period.

Decision number: **Decision:**

47/2016 **The Cabinet agreed to appoint the following suppliers, as outlined within section 3.4 of the Exempt Appendix, to the Home Care & Flexi Care Services Framework:**

Homecare Medway Wide	
1	Age UK Medway
2	Agincare Group Ltd
3	Anchor Support Services Ltd
4	Boldglen Ltd
5	Everycare (Medway/Swale) Ltd
6	Here2care Ltd
7	Independent Care and Support Ltd
8	KentSCP
9	London Care
10	Mears Care Ltd
11	Meritum Integrated Care
12	NV Care Ltd
13	Rapid Care Ltd
14	Scott Care Ltd
15	Sevacare (UK) Ltd
16	The People Care Team Ltd
17	Westminster Homecare Ltd
18	Wiicare Limited
19	Rosemont Care

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Homecare Rural	
1	Age UK Medway
2	Agincare Group Ltd
3	Here2care Ltd
4	Independent Care and Support Ltd
5	Rapid Care Ltd
6	Scott Care Ltd
7	The People Care Team Ltd
8	Wiicare Limited

Prospect Place	Montgomery Court	Bellerophon House
Everycare (Medway/Swale) Ltd	Everycare (Medway/Swale) Ltd	Everycare (Medway/Swale) Ltd

Suppliers eligible to bid for delivery of services in future flexi care schemes across Medway:

Future Flexi Care Schemes	
1	Anchor Support Services
2	Everycare (Medway/Swale) Ltd
3	London Care
4	Wii Care

Reasons:

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

Gateway 4 Procurement Contract Review: Family Group Conference Service

Background:

This report provided an update to the progress of the Family Group Conference contract currently delivered by Family Action.

It was explained that a Family Group Conference was a family led approach that enabled family members to reach decisions based on the best interests of a child or vulnerable adult who is at risk. Young people and vulnerable adults were normally involved in their own Family Group Conference, although often with support from an advocate.

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After competitive tendering, the Family Group Conference contract was awarded in 2012 to Family Action. The contract duration was three years with the option to extend for a further two years.

This report was being submitted to the Cabinet in order to note the outcome of the Family Group Conference (FGC) review and approve continuation of the contract. The Gateway 4 report was presented to the Children and Adults Directorate Management Team on 19 January 2016 and Procurement Board on 17 February 2016.

An exempt appendix contained key information in respect of financial analysis and case studies.

Decision number:

48/2016 **The Cabinet noted the results of the Gateway 4 evaluation and approved continuation of the contract to June 2017.**

Reasons:

The current contractor has performed to a satisfactory standard in accordance with the original procurement and specification.

Gateway 4 Procurement Contract Review: Young People's Community Substance Misuse Service in Medway

Background:

This report reviewed the progress of the Young People's Community Substance Misuse Service in Medway contract. This contract had been awarded to Open Road by Cabinet on 13 May 2014 on a 3 years + 2 years option to extend basis.

The service included:

- early intervention for vulnerable young people;
- named drug worker with the Youth Offending Team;
- one-to-one support and treatment;
- support for young people who require prescribing and needle exchange services provided by Medway's Adult Integrated Substance Misuse Service;
- Drug Use Screening Tool (DUST) training for the wider children's workforce and consultation for professionals and parents/carers;
- defined processes to ensure that the Child Assessment Framework (CAF) and Team around the Child (TAC) are followed;
- a robust transition policy for 19 year olds transferring to adult services;
- protocols for working with mental health services for those young people with dual diagnosis.

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This report had been approved for submission to the Cabinet after review and discussion at the Children and Adults Directorate Management Team meeting on 22 December 2015 and the Procurement Board on 17 February 2016.

An exempt appendix contained key financial analysis information.

Decision number: **Decision:**

49/2016 **The Cabinet approved the continuation with the current contract, subject to a further review in 6 months' time.**

Reasons:

The client department is satisfied that the provider has met the outcomes/outputs from Gateway 1 and has delivered against a number of the objectives set out as part of the original tender specification and as part of the Gateway 3 contract award process, however progress against further improvements agreed with the provider should be reviewed in 6 months' time.

Exclusion of the Press and Public

Decision number: **Decision:**

50/2016 **The Cabinet agreed that the press and public be excluded from the meeting for consideration of the exempt appendix to agenda item 15 (Gateway 3 Contract Award: Rochester Riverside Regeneration) because consideration of this in public would disclose information falling within paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972 as specified in agenda item 18 (Exclusion of Press and Public) and, in all the circumstances of the case, the public interest in maintaining the exemption outweighed the public interest in disclosing the information.**

Gateway 3 Contract Award: Rochester Riverside Regeneration

Background:

This report requested the Cabinet to approve the procurement of a sole development partner with a contract, or series of contracts to ensure sufficient time to deliver the regeneration of Rochester Riverside, which was anticipated to take between 10 to 15 years, as highlighted within 3.2 of the accompanying Exempt Appendix. This would involve a development agreement to ensure a quality development as well as the freehold transfer of the site in phases throughout the development period.

It was noted that this was based upon the previous legal advice which stated that the procurement should be for a sole development partner to be sourced via the EU Competitive Negotiated Procedure. This process that had included the Invitation to

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Negotiate (ITN) Phase reduced the initial tenders from five to three, then the Invitation to Continue Negotiations (ITCN) Phase reduced the tenders from three to two and then the Best and Final Offers (BAFO) Phase which saw the receipt and evaluation of the final two tenders.

Cabinet approved the commencement and delivery of this procurement requirement at Gateway 1 on 2 December 2014 (decision number 195/2014).

This report had been approved for submission to the Cabinet after review and discussion at Regeneration, Community and Culture Directorate Management Team meeting on 7 January 2016, the Rochester Riverside Board on 12 January 2016 and the Procurement Board on 17 February 2016.

The Homes and Communities Agency, the Council's partner for this development, was also required to approve the procurement of a sole development partner with a contract, or series of contracts. A Board meeting of the Homes and Communities Agency was scheduled to take place on 10 March 2016.

An exempt appendix contained key financial analysis information.

The Council's decision to award this contract(s) would be subject to observing the procurement standstill period of a minimum of 10 working days in accordance with the requirements of the Public Contracts Regulations 2015. The Council would be unable to enter into the contract(s) before the end of the standstill period.

Decision number: ***Decision:***

51/2016 **The Cabinet approved the award of the contract, or series of contracts for Rochester Riverside Regeneration to Countryside subject to HCA approval on 10 March 2016, and achieving the outputs described in Section 3 of the report.**

The Cabinet noted that a report will be submitted to Full Council for information on 28 April 2016 detailing this land and property transaction over £500,000 in accordance with the Constitution.

Reasons:

This proposed project will deliver a high quality development to a much needed regeneration area within Rochester.

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Leader of the Council

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Date

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