

Record of Cabinet decisions

Tuesday, 5 April 2016

3.00pm to 4.05pm

Date of publication: 6 April 2016

**Subject to call-in these decisions will be effective from 14 April 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 Adrian Gulvin	Portfolio Holder for Resources
	Councillor Andrew Mackness	Portfolio Holder for Corporate Services

In Attendance: Neil Davies, Chief Executive
Dr Andrew Burnett, Interim Director of Public Health
Stephanie Goad, Assistant Director Communications, Performance and Partnerships
Wayne Hemingway, Democratic Services Officer
Richard Hicks, Director of Regeneration, Community and Culture
Perry Holmes, Chief Legal Officer/Monitoring Officer
Julie Keith, Head of Democratic Services
Barbara Peacock, Director of Children and Adults Services
Phil Watts, Chief Finance Officer

Apologies for absence

Apologies for absence were received from Councillors Mike O'Brien (Children's Services) and Rupert Turpin (Business Management).

Record of decisions

The record of the meeting held on 8 March 2016 was agreed and signed by the Leader as a correct record.

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Declarations of disclosable pecuniary interests and other interests

Disclosable pecuniary interests

There were none.

Other interests

Councillor Adrian Gulvin (Resources) stated that whilst he had previously declared an interest in items relating to the Youth Service (agenda item 5 - Future Integrated Youth Support Services (IYSS) Delivery Specification refers), this was no longer necessary because his brother no longer worked for the Youth Service.

Review of Early Years and Sure Start Children's Centre Services

Background:

This report provided details of the outcome of informal consultation in respect of the proposed reconfiguration of Council services for very young children and their families, to reflect changing statutory duties, government policy, local priorities, and the financial position of the authority over the coming four years.

The Cabinet had agreed that informal consultation be undertaken on the proposals at its meeting on 12 January 2016. It was noted that the proposals would not involve closure of any centres, nor changing the range and nature of services currently provided for children and families. Rather, the proposal was for change to commissioning arrangements, management and administration, and back-office coordination.

Details of the informal consultation undertaken was set out in section 4 of the report with the outcome reported in section 5 of the report. It was noted that the very large majority of representations focused on giving views on how best the proposed reorganisation be implemented, in particular the prioritisation of services; targeting need and cluster organisation. Paragraph 5.11 of the report provided a response to comments from the informal consultation process.

A Diversity Impact Assessment was set out in Appendix 1 to the report, as summarised in paragraph 6.7 of the report.

Decision number: **Decision:**

The Cabinet noted the outcome of the informal consultation.

52/2016 The Cabinet agreed option 3, as set out in paragraph 3.1 of the report, for the future delivery of Medway's 19 Sure Start Children's Centres.

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The Cabinet noted officers will undertake a reorganisation, in consultation with the Portfolio Holder for Children's Services, of the management and staffing of Medway's 19 Sure Start Children's Centres, and a reorganisation of the authority's Early Years services, to be implemented by 1 January 2017.

Reasons:

Compliance with statutory duties, whilst setting a balanced budget with very reduced resources, requires consideration of how to reorganise services within available means.

Future Integrated Youth Support Services (IYSS) Delivery Specification

Background:

This report provided details of the work undertaken to prepare Medway Integrated Youth Support Services (IYSS) for future outsourcing to reflect the changing financial position of the Council, following Cabinet's decision on 12 January 2016 that the three Medway young people's services, Youth Service, Youth Offending Service and YES IAG service be commissioned out in a package from January 2017.

It was noted that a consultation exercise about the outsourcing of these young people's services had been undertaken and information collected had been incorporated into this IYSS specification. Specific details on the outcome of consultation were set out in section 6 of the report.

The service specification (Exempt Appendix) was circulated to Members in Supplementary Agenda No.2 and a risk register on outsourcing the IYSS was also set out in an Exempt Appendix. It was noted that the priority areas of work to be delivered by the new provider would be:

- Youth Justice interventions
- Open access youth work provision (centre based, detached and outreach)
- Unbiased information advice and guidance support focusing on young people's participation in education, employment and training
- Young people's health and wellbeing
- Reducing permanent and fixed term school exclusions.

A Diversity Impact Assessment had been undertaken at the proposals, as set out in Appendix 2 to the report.

Decision number:

53/2016 **The Cabinet approved the draft specification for Integrated Youth Support Services 2017-21, as set out in Appendix 1 to the report and agreed to delegate authority to the Director of Children and Adults Services, in consultation**

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with the Portfolio Holder for Children's Services, to finalise the specification prior to the commencement of the tendering process.

- 54/2016** **The Cabinet approved the commencement of a tendering process for Integrated Youth Support Services.**
- 55/2016** **The Cabinet agreed that the length of the contract offered to a new provider be for five years plus a two year optional extension, as set out in paragraph 3.5 of the report.**

Reasons:

The outsourcing will provide security and continuity for Integrated Youth Support Services for at least the next 5 years.

Proposed Service Model for Children and Young People's Mental Health and Wellbeing Services in Medway

Background:

This report provided details of the development of a Draft Service Model for Children and Young People's Mental Health and Wellbeing Services in Medway and plans for stakeholder and public consultation during April to June/July 2016.

It was noted that the proposed changes represented a substantial variation to healthcare. Regulation 23 of the Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013 required relevant NHS bodies and health service providers ("responsible persons") to consult a Local Authority, in this case the Children and Young People Overview and Scrutiny Committee, about any proposal which they had under consideration for a substantial development of or variation in the provision of health services in the local authority's area.

Therefore, a 90 day consultation period on the proposals would be undertaken with the outcome of consultation scheduled to be reported back to the Health and Wellbeing Board, Children and Young People Overview and Scrutiny Committee and Cabinet in the Autumn.

The report provided details of the consideration of the proposals by the Health and Wellbeing Board and Children and Young People Overview and Scrutiny Committee, as set out sections 7 and 8 of the report respectively.

A Diversity Impact Assessment had been undertaken on the Local Transformation Plan, as set out in Appendix B to the report. It was noted that at this stage there was too much scope for flexibility within the final potential model and service specifications to finalise the Diversity Impact Assessment.

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Decision number:

Decision:

The Cabinet noted the comments of the Children and Young People Overview and Scrutiny Committee and the Health and Wellbeing Board in relation to the Draft Service Model for Children and Young People's Mental Health and Wellbeing Services in Medway.

- 56/2016** The Cabinet approved the Draft Service Model, as set out in Appendix A to the report, for formal public and stakeholder consultation, commensurate with the requirements for a Substantial Variation to Local Healthcare.
- 57/2016** The Cabinet approved the proposed commissioning timeline and procurement approach as set out in paragraphs 3.3 and 3.4 of the report.
- 58/2016** The Cabinet approved the consultation, communication and engagement plans as set out in section 6 of the report.

Reasons:

It is necessary to consult on the proposals in accordance with the Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013.

Developing and Empowering Resources in Communities

Background:

This report provided details of a proposal for the Council to act a Guarantor for the Developing and Empowering Resources in Communities (DERiC) initiative. The DERiC projects would work to improve outcomes for vulnerable people of all ages by enhancing the quality of support through a focus on personalisation (direct payments), which should result in reduced demand on base budget funding and utilising social capital that would reduce latent demand on services.

It was noted that this was an innovative community development approach initiated by DERiC which worked in partnership with communities in Walderslade (WALT), the Hoo Peninsula (wHoo Cares), Medway Council and Medway Clinical Commissioning Group.

Decision number:

Decision:

- 59/2016** The Cabinet agreed to delegate authority to the Deputy Director of Children and Adults Services, in consultation with the Portfolio Holder for Adult Services, to provide a guarantee to DERiC (Option 1), as set out in paragraph 3.1

of the report.

60/2016 **The Cabinet agreed to delegate authority to the Monitoring Officer to finalise the terms of the guarantee with DERiC and arrange the proper execution of the required legal documents.**

Reasons:

A guarantee from Medway Council will allow DERiC to invest in the communities of Walderslade and the Hoo Peninsula to build resilient communities.

Marina Development at Chatham Waterfront

Background:

This report provided details of a proposal for the Council to enter into agreements and grant leases together with any necessary rights in respect of the following Council owned assets: Riverside 4 building, part of the Chatham Riverside pay and display car park, part of Waterfront Park, Chatham and the council owned bed and soil of the river fronting Gun Wharf to facilitate the development of a marina.

The report stated that the Council had held detailed discussions with the Crown Estate, which owned the bed and shore adjacent at Chatham Waterfront on the proposal for a contractual Joint Venture agreement with the Crown Estate regarding the opportunity to take a long lease of the land/building and riverbed. It was noted that consultants and specialists acting for the Council and the Crown Estate were of the opinion that there would be interest from private sector developers and marina operators in this opportunity.

Decision number: ***Decision:***

61/2016 **The Cabinet agreed to delegate authority to the Chief Legal Officer, in consultation with the Leader and the Portfolio Holder for Inward Investment, Strategic Regeneration and Partnerships, to enter into any arrangements as are necessary with the Crown Estate to take forward the letting of the Council's land and the Crown's bed and shore for a marina development at Chatham Waterfront as outlined in the site plan, as set out in Appendix 1 to the report.**

62/2016 **The Cabinet agreed to delegate authority to the Chief Legal Officer, in consultation with the Leader and the Portfolio Holder for Inward Investment, Strategic Regeneration and Partnerships, to:**

- (i) consider any objections against any proposals to grant a lease of or rights over part of Waterfront Park;**

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- (ii) **to grant a lease or leases of the Riverside 4 building, part of Waterfront Park and part of the Riverside Pay and Display car park together with any necessary rights over parts of the Waterfront Park.**

Reasons:

The development of a marina in Chatham will enhance the regeneration and visual appearance of Chatham Waterfront and the tourist offer. This is a key to part of improving Chatham Town Centre, complementing the council's ongoing investment in the public realm through the Local Growth Fund and the Place making project. In addition the proposal will generate a rental income from any lease or leases granted.

Review of the Council's Constitution

Background:

This report provided details of proposed changes to the Council's Constitution, following completion of a review commissioned by the Portfolio Holder for Corporate Services. The report set out the scope of the review which, in summary, was to ensure it would be up to date and consistent with current legislation and established practice. Appendix A to the report set out a high level summary of the principal changes proposed to the Constitution. A copy of the Constitution which highlighted all the recommended revisions as set out in Appendix B to the report (Supplementary Agenda No.1).

It was noted that the Chief Executive, Directors and Deputy and Assistant Directors had been consulted on proposed changes to the Constitution and had assisted in identifying updates required, and that Group Leaders had been informally consulted on the proposed changes.

It was also noted that a recommendation from the Audit Committee concerning an annual report on all debt written off had been reflected within Appendix B to the report and the Planning Committee, on 6 April 2016, would be considering minor changes to the Planning Code of Good Practice and the procedures for escalation of planning applications to the Committee for determination.

The Business Support Overview and Scrutiny Committee would be reviewing the redrafted Overview and Scrutiny Committee rules at its meeting on 14 April 2016 so that the comments of the Committee can be reflected in the final report to Full Council.

Decision number:

Decision:

62/2016

The Cabinet noted the proposed revisions to the Constitution as summarised in Appendix A to the report and set out in full as tracked changes in the copy of the Constitution in Appendix B to the report and agreed to

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recommend the changes to Full Council on 28 April 2016.

The Cabinet noted that the Leader will approve changes proposed to any of the executive delegations as set out in full in the Employee Scheme of Delegations.

63/2016

The Cabinet agreed that the Monitoring Officer should have authority to reflect in the report to Council any comments on proposed revisions to Article 6 and the Overview and Scrutiny Rules from the Business Support Overview and Scrutiny Committee at its meeting on 14 April 2016.

The Cabinet noted that proposed changes to the Terms of Reference of the Joint Kent and Medway Health Overview and Scrutiny Committee will be subject to approval by Kent County Council (KCC) as well and that Full Council will be asked to authorise the Monitoring Officer to finalise the wording in consultation with KCC and the Chairman and Opposition Spokespersons of the Council's Health and Adult Social Care Overview and Scrutiny Committee.

The Cabinet noted that any recommendations from the Planning Committee on the matters referred to in paragraph 3.7 of the report will be reported for approval by Full Council on 28 April as part of the report on the review of the Constitution.

Reasons:

The revisions to the Constitution proposed in this report demonstrate that the Council is actively keeping the Constitution under review and give effect to changes required to ensure it is compliant with legislation, coherent and consistent with best practice.

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:

64/2016

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

Business Support Department

- a) Senior Electoral Officer x2
- b) Electoral Officer x 2.5
- c) Democratic Services Officer

Children & Adults

- d) Graduate Business Information Officer x 2
- e) Quality Assurance Officer.

Reasons:

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

Gateway 3 Contract Award: Social Impact Bond

Background:

This report provided details of the contract award for the provision of the Social Impact Bond. The scope of the contract would include Family Functional Therapy (FFT) interventions to both prevent children going into care and support children to return home where it was safe to do so, ready investment, performance management and reporting and outcome and payment metrics.

The report noted that there was only one supplier in the market which could deliver the contract, Evidence Based Social Investments (EBSI) Ltd.

The report was considered by the Procurement Board on 16 March 2016, as set out in section 5 of the report.

**Decision
number:**

Decision:

65/2016

The Cabinet agreed to delegate authority to the Chief Legal Officer, in consultation with the Portfolio Holder for Children's Services, to publish a VEAT notice setting out the Council's intention to directly award a contract to

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Evidence Based Social Investments Ltd (EBSI) for the provision of the Social Impact Bond and to consider and determine any objections which may arise from the publication of the notice and following this process to award a contract for the provision of the Social Impact Bond to Evidence Based Social Investments Ltd (EBSI).

Reasons:

EBSI is the only provider to have secured funding for the Council from the Cabinet Office to part fund the Social Impact Bond, and as such the market the Council could use was reduced to a single supplier.

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Leader of the Council

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Date

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