

Record of Cabinet decisions

Tuesday, 7 June 2016

3.00pm to 5.25pm

Date of publication: 8 June 2016

**Subject to call-in these decisions will be effective from 16 June 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
	Councillor Rupert Turpin	Portfolio Holder for Business Management

In Attendance: Neil Davies, Chief Executive
Stephanie Goad, Assistant Director Transformation
Wayne Hemingway, Democratic Services Officer
Richard Hicks, Director of Regeneration, Culture, Environment and Transformation
Perry Holmes, Chief Legal Officer/Monitoring Officer
Julie Keith, Head of Democratic Services
Carrie McKenzie, Head of HR and Organisational Change
Ian Sutherland, Deputy Director, Children and Adults Services
Phil Watts, Chief Finance Officer

Apologies for absence

An apology for absence was received from Councillor Mike O'Brien (Children's Services).

Record of decisions

The record of the meeting held on 10 May 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 Turpin declared an interest in agenda item 7 (Short Breaks Provision for Children with Disabilities and the Local Offer) because he has a child with a disability, however, he had not previously used this service.

Community Safety Plan 2016/2020 (Policy Framework)

Background:

This report advised the Cabinet that Community Safety Partnerships (CSPs) were under a duty to produce a Community Safety Plan to formulate and implement a strategy to reduce crime and disorder, combat substance misuse, and reduce reoffending. This report provided information on the proposed plan to cover the period from 2016 to 2020.

Comments from the Regeneration, Community and Culture Overview and Scrutiny Committee, the Health and Wellbeing Board and the Children's Safeguarding Board were set out in paragraphs 4, 5 and 6 of the report.

A Diversity Impact Assessment was included with the report at Appendix 3.

Decision number: ***Decision:***

81/2016 **The Cabinet agreed to recommend the proposed Community Safety Plan (CSP) for 2016 to 2020, containing new priorities for the CSP, to Full Council on 21 July 2016, for approval.**

Reasons:

The Community Safety Plan discharged the Council's statutory requirement to produce a plan for community safety.

16-19 Strategy 2016/2020

Background:

This report set out the draft Medway 16 -19 Strategy which was intended to bring together a plan to increase participation in learning for 16 and 17 year olds, improve the transition for young people into the labour market and reduce the levels of those not in education, employment and training (NEET) and in 'not known' destinations

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aged 16-19 years. The youth labour market had some unique differences to the general labour market. The case for action was very clear that the education and skills environment was not separate from the economy and the economy could not be detached from education and skills. The strategy was about long term sustainable development, balancing and building on the synergies between learning, economic growth and social inclusion.

The Children and Young People Overview and Scrutiny Committee considered this report on 26 May 2016 and its comments were set out in paragraph 7 of the report.

A Diversity Impact Assessment was included with the report at Appendix 4.

Decision number: **Decision:**

82/2016 **The Cabinet approved the 16-19 Strategy for the period 2016-20.**

Reasons:

Approval of this strategy would enable to Council to bring together a plan to increase participation in learning for 16 and 17 year olds, improve the transition for young people into the labour market and reduce the levels of those not in education, employment and training (NEET) and in 'not known' destinations aged 16-19 years

Approval of the strategy would also assist the Council in meeting the expectation of Ofsted for Medway to develop further the 16 -19 strategy to ensure that it met the needs of 18 year olds more effectively, to help them achieve well academically and to move successfully on to education, training and employment.

Sufficiency Report 2016/2017

Background:

This report set out how Medway Council would meet the needs of Looked After Children and Care Leavers in such a way as to ensure improved outcomes. This was an updated version of the 2015/16 Medway Sufficiency report.

The Children and Young People Overview and Scrutiny Committee considered the report on 26 May 2016 and its comments were set out in paragraph 7 of the report.

A Diversity Impact Assessment was included with the report at Appendix B.

Decision number: **Decision:**

83/2016 **The Cabinet approved the Medway Sufficiency Report as set out at Appendix A to the report.**

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Reasons:

Approval of the Sufficiency Report 2016-17 would enable the Council to fulfill its statutory requirement to take steps to secure, so far as was reasonably practicable, sufficient accommodation for Children in Care within the local area and would enable Medway to act strategically to address gaps in provision.

Short Breaks Provision for Children with Disabilities and the Local Offer

Background:

This report sought Cabinet approval to consult on proposals for how families would access community based Short Breaks Provision, the suggested eligibility criteria for Short Breaks and the proposal that Direct Payments be the main vehicle by which families purchase Short Breaks. The consultation exercise, with all interested parties, would run from June until September 2016.

The Children and Young People Overview and Scrutiny Committee considered the report on 26 May 2016 and its comments were set out in paragraph 7 of the report.

A Diversity Impact Assessment was included in the report at Appendix 1.

Decision number:

84/2016 **The Cabinet agreed that officers commence consultation (running from June – September 2016) on the proposals for short breaks provision, as outlined in section 3 of the report.**

Reasons:

The proposals set out in this report would better ensure that Medway was able to target its resources at Medway children and those families in greatest need.

Review of Shared Lives Client Living Expenses

Background:

On 7 July 2015, Cabinet approved The Care and Support (Charging and Assessment of Resources) Regulations 2014 policy, relating to charging for adult social care and support services.

This report provided an overview of a proposed addition to charging arrangements in Medway which would require amendment to the agreed policy and feedback from the public consultation relating to the proposal (following Cabinet's approval on 8 March 2016 for consultation to be undertaken on the proposal).

A Diversity Impact Assessment was included with the report at Appendix C.

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**Decision
number:**

Decision:

85/2016

The Cabinet agreed to the proposed charge being introduced, as set out in paragraph 2.8 of the report, from 1 July 2016.

Reasons:

Whilst the response to the consultation was minimal; five out of the nine responses were positive, with two having no opinion.

Medway Council must ensure that charging for Adult Social Care is fair and equitable. Currently, our Shared Lives clients were not being charged for normal living expenses and this was not in line with other clients living in the community who paid their own living expenses or those in residential care whose charges were much higher to take cover these costs. The introduction of this charge would ensure all clients charged for Adult Social Care and Support Services were treated equally.

Furthermore, 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. The proposed change in charging Shared Lives Clients would reduce the overall cost of the Shared Lives service to Medway Council.

Revenue and Capital Outturn 2015/2016

Background:

This report detailed the final revenue and capital outturn position for the financial year ended 31 March 2016. These figures would form part of the Council's draft statement of accounts which would be seen by the Audit Committee on 30 June and be subject to the external audit during July and August.

The final outturn for the year was close to break even, representing a modest underspend of £125,000.

**Decision
number:**

Decision:

The Cabinet noted the outturn position and submission of the draft Statement of Accounts to the Audit Committee on 30 June 2016 and the final Statement of Accounts to the Audit Committee on 29 September 2016

Reasons:

The Cabinet was the body charged with the executive management of the council's budget. Therefore, it was important that the final outturn be reported to Cabinet.

Council Plan End of Year Q4 2015/16 Performance Monitoring Report

Background:

Medway's four priorities were set out in the Council Plan 2015/16. This report summarised how the Council had performed in 2015/16 against these priorities using 58 Key Measures of Success and 26 Key Projects. A range of awards and achievements was highlighted.

It was noted that 65.3% of key measures of success were on target, 8.2% were just below target and 26.6% were significantly below target.

The report focused on where the Council had achieved its targets and how under performance was being tackled.

Decision number:

Decision:

The Cabinet noted the end of year Q4 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 was best practice and ensured achievement of corporate objectives.

Database and Virtual Server Infrastructure Licensing Model

Background:

This report presented a business proposal to change the ICT infrastructure which in turn would create long term savings in database licensing expenditure. The report sought approval to secure a budget of £226,000 by using prudential borrowing over a 5 year term. This would require approval by Full Council as an addition to the capital programme.

The proposed approach was essential in the short term to gain efficiencies and mitigate risk. It was consistent with the Council's IT strategy to rationalise estate. The Council was currently considering its approach to digital transformation, the recommendations in the report in no way limited options going forward.

Decision number:

Decision:

86/2016

The Cabinet recommended Option 2, as set out in paragraph 4.2 of the report, to Full Council as an addition to the Capital Programme.

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Reasons:

There was a clear short window of opportunity to rationalise the existing Medway Oracle and SQL database environment. Option 2 met a number of key strategic digital aims, namely:

- Rationalisation of software and hardware
- Improved resilience and system availability
- Reduced operational costs
- Improved management of ongoing software licence provision
- Facilitates a future off premise (cloud) database delivery model.

In summary, option 2 was the most cost effective and achievable route to revenue savings over the next 5 years.

Various Land Disposals

Background:

This report requested that delegated authority be granted to the Chief Legal Officer, in consultation with the Portfolio Holder for Resources and the Leader to close, appropriate, declare surplus and dispose of various council owned properties, applying for planning permission and entering into any necessary agreements in relation to the re-provision of services and undertaking the procurement of development/alternative facilities where appropriate.

The Leader of the Labour Group, Councillor Maple, addressed the Cabinet on this item stating that whilst the Labour Group was not opposed, in principle, to the proposals, that consultation should be undertaken prior to any decisions being made.

Cabinet Members discussed each of the individual proposals and it was stated that consultation would take place, as appropriate, before the Chief Legal Officer exercised his delegated authority, in consultation with the Portfolio Holder for Resources and the Leader.

Decision number: ***Decision:***

87/2016 **The Cabinet delegated authority to the Chief Legal Officer in consultation with the Portfolio Holder for Resources and the Leader:**

- (i) **To close, declare surplus, appropriate and dispose of the Whiffens Avenue Car Park, Chatham, on the best terms reasonably obtainable. However, no action to be taken to dispose of the property until the piece of work referred to in paragraph 3.1 of the report was completed.**

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- (ii) To close, declare surplus and dispose of the Kings Head Disabled Car Park, Rochester, on the best terms reasonably obtainable. However, no action to be taken to dispose of the property until the piece of work referred to in paragraph 3.2 of the report was completed.
- (iii) To close the Hook Meadow Community Centre, Library and Changing Rooms, Chatham, and declare them surplus, appropriate them and dispose of them on the best terms reasonably obtainable and to enter into any necessary agreements concerning the re-provision of the community facilities at Hook Meadow as set out in paragraph 3.3 of the report.
- (iv) To close the White Road Community Centre, Chatham, declare it surplus, appropriate it and dispose of it on the best terms reasonably obtainable and to enter into any necessary agreements concerning the re-provision of the community facilities on the White Road Community Centre site, as set out in paragraph 3.4 of the report.
- (v) To declare surplus and dispose of the land at the Esplanade, Rochester on the best terms reasonably obtainable, as set out in paragraph 3.5 of the report.
- (vi) To close, declare surplus, appropriate and dispose of the Luton Shoppers Car Park, Magpie Hall Road, Chatham on the best terms reasonably obtainable and to enter into any necessary agreements concerning the development of the Luton Shoppers Car Park site including the provision of replacement parking, as set out in paragraph 3.6 of the report, which is to be retained on site.
- (vii) To declare surplus and dispose of the site of Aburound House, Gillingham, on the best terms reasonably obtainable, as set out in paragraph 3.7 of the report.

Reasons:

To reduce revenue costs, obtain capital receipts and to bring forward land for much needed housing development.

Cabinet Advisory Groups

Background:

This report provided a review of the various Cabinet Advisory Groups and asked the Cabinet to agree to the re-establishment of the Groups for 2016/2017. The report noted that these Groups did not have any decision making powers and could consist of both executive and non-executive councillors.

Decision number: ***Decision:***

88/2016 **The Cabinet agreed the re-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 2016/2017.**

Reasons:

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

Recruitment Freeze

Background:

This report presented information on vacancies that officers had requested approval to commence recruitment for, following the process agreed by the Cabinet on 7 January 2003 (decision number 9/2003).

Details of the posts were set out within Appendix 1 to the report and in an Addendum Report tabled at the meeting.

Decision number: ***Decision:***

89/2016 **The Cabinet agreed to unfreeze the following posts, as detailed in Appendix 1 to the report and in the addendum report tabled at the meeting:**

Business Support Department

- a) Paralegal – People**
- b) Legal Support Assistant**

Children and Adults

- c) Senior Commissioning Officer – Accommodation and Registered Services for Vulnerable Adults**

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d) Apprentice Case Worker

e) Finance Officer

Public Health

f) PA to Director of Public Health

Regeneration, Culture, Environment and Transformation

g) Data Entry Clerk

h) Project Officer

i) Processing Appeals Officer – Processing and Income Recovery

j) Administration Support Officers x 3

k) Administration Support Officer

l) Senior Administration Officer.

Reasons:

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

Gateway 3 Contract Award: Framework Agreement for the Provision of Deprivation of Liberty Safeguard (DOLS) Assessments

Background:

This report sought permission to award a contract for the provision of DOLS assessments. The full details of the service to be provided under this contract were set out in paragraphs 1.1 and 1.2 of the report.

The Procurement Board considered this report on 11 May 2016 and supported the recommendation set out in the report.

An exempt appendix provided details of the financial analysis, tender evaluation stages and the results of the tender evaluation.

Decision number: **Decision:**

90/2016 **The Cabinet agreed to award the contract for the provision of DOLS (Deprivation of Liberty Safeguards) assessments to SEMAS for a period of 1 year with an option to extend by 1 year.**

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Reasons:

The recommended supplier met the minimum criteria in regard to quality and cost.

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Leader of the Council

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Date

Wayne Hemingway, Democratic Services Officer

Telephone: 01634 332509

Email: democratic.services@medway.gov.uk

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