

## **Record of Cabinet decisions**

**Tuesday, 25 October 2016**

**3.00pm to 3.33pm**

**Date of publication: 26 October 2016**

**Subject to call-in these decisions will be effective from 3 November 2016  
The record of decisions is subject to approval at the next meeting of the Cabinet**

<b>Present:</b>	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 Martin Potter	Portfolio Holder for Educational Attainment and Improvement	

<b>In Attendance</b>	Neil Davies, Chief Executive
	Richard Hicks, Director of Regeneration, Culture, Environment and Transformation
	Perry Holmes, Chief Legal Officer/Monitoring Officer
	Julie Keith, Head of Democratic Services
	Carrie McKenzie, Chief People Officer
	Teri Reynolds, Democratic Services Officer
	Ian Sutherland, Interim Director, Children and Adults Services

### **Apologies for absence**

Apologies for absence were received from Councillors Andrew Mackness (Children's Services – Lead Member) and Rupert Turpin (Business Management).

### **Record of decisions**

The record of the meeting held on 27 September 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.

**Leader's Announcements**

The Leader announced that earlier in the day the Secretary of State for Transport had made a statement in Parliament about the Government's airport policy and expansion of airport capacity in the South East. The Secretary of State had announced that the Government had decided to accept the recommendation of the Airports Commission and to announce that its preferred scheme would be the expansion of Heathrow Airport and the proposed north-west runway. A National Policy Statement would be published in the New Year setting out in more detail why the Government think this is the best scheme and this would be the subject of consultation. The Leader, and other Cabinet Members, expressed support for the Government's rejection of an airport in the Thames Estuary which was the best outcome for Medway.

**Adult Social Care Fair and Affordable Cost of Care Policy**

**Background:**

This report gave Cabinet an overview of the consultation response to the proposed Fair and Affordable Cost of Care Policy for Adult Social Care. This proposed policy would introduce a maximum expenditure limit for non-residential care and support and had been agreed by the Cabinet on 8 March 2016 for consultation.

In addition to this, the report highlighted that a Diversity Impact Assessment, attached at Appendix 2 to the report, had been carried out which indicated that the proposed policy was likely to have an adverse impact on a range of Service Users.

Following public consultation the report recommended that proceeding with the proposed policy would not be in the best interests of Medway Service Users or the Council.

**Decision  
number:**

**Decision**

**123/2016**

**The Cabinet agreed not to introduce the Fair and Affordable Cost of Care Policy for Adult Social Care.**

**Reasons:**

That while the response received from the user survey findings was mixed, on reflection, it had been recognised that the proposed policy may not result in the best possible outcomes for Service Users.

Other Local Authorities that had already introduced the policy had fed-back that they were not seeing the calculated savings due to the statutory requirement to meet eligible care needs.

**Development of a Regional Adoption Agency**

**Background:**

This report provided the Cabinet with an outline of a proposal to develop a Regional Adoption Agency (RAA) in line with Government expectations for adoption services.

This report had been considered by the Children and Young People Overview and Scrutiny Committee on 6 October 2016 and its comments were set out in section 8 of the report.

The report highlighted to the Cabinet that, as members of the South East Adoption Consortium, Medway Council, the London Borough of Bexley and Kent County Council already shared information about children needing adoption and adopters waiting for children. It was noted that, due to the strong relationship already established, the Council had been in dialogue with these local authorities regarding the formation of an RAA.

In addition, the Department of Education had expressed an interest in models that could deal with 200 children per year. The report explained that officers believed that Medway, Bexley and Kent authorities working together could achieve this.

**Decision  
Number:**

**Decision**

**The Cabinet noted the comments of the Children and Young People Overview and Scrutiny Committee, as set out in section 8 of the report.**

**124/2016**

**The Cabinet agreed, in principle, to enter into formal dialogue with a view to the establishment of the Regional Adoption Agency with the local authority partners, London Borough of Bexley and Kent County Council subject to formal agreement from the Cabinet on the findings.**

## Cabinet, 25 October 2016

### Reasons:

There had been an expectation that local authorities would begin planning, developing and working with partners to shape their RAA. Central government's commitment to this approach was such that the Education & Adoption Act 2016 gave power to the government to direct a local authority to enter into a RAA if it had not done so by 2017.

Failure for Medway to enter into an agreed RAA could result in central government determining which RAA the Local Authority would have to become part of and as such would remove the Local Authorities decision making powers.

### Provisional Funding Formula for Mainstream Schools and Academies 2017-2018

#### Background:

This report advised the Cabinet that officers had formulated and consulted upon the 2017-18 schools' and academies' draft funding arrangements and set out the recommended changes to Medway's mainstream schools' and academies funding formula. The consultation had included four funding formula options which were presented to the Schools Forum.

The four funding formula options detailed in the report were:

- i) To keep the same Funding Formula as 2016-17.
- ii) To remove LAC and Mobility funding factors.
- iii) To keep the same funding factors but reduce the overall unit cost funding gap between the primary and secondary.
- iv) To remove the LAC and mobility funding factors and to reduce the primary and secondary overall unit cost funding gap.

The Cabinet noted that during the consultation the Schools Forum had provisionally agreed to the implementation of funding formula option 4, subject to consultation with schools, and that all schools and academies had been consulted between the 19 September to 7 October.

An addendum report set out the recommendations from the Schools Forum, which had met on 17 October 2016 to consider the proposals.

It was noted that the Cabinet would receive a further report on 17 January 2017 which would set out proposals for the final funding formula, which would be updated to reflect the 2016 school census data.

#### Decision Number:

#### Decision

125/2016

**The Cabinet agreed to instruct officers to implement the 2017/18 schools funding formula on the basis set out in paragraph 2.1 of the addendum report.**

## Cabinet, 25 October 2016

### Reasons:

The local authority was required to implement the funding formula changes from 2017-18 in accordance with the regulations and to inform the Education Funding Agency.

### 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.

### **Decision number:**

### **Decision:**

**126/2016**

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

#### **Regeneration, Culture, Environment and Transformation**

**a) Processing Appeals Officer – Processing & Income (0.4 FTE);**

#### **Children and Adults**

**b) Financial Review Coordinator.**

### Reasons:

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

### **Gateway 1 Procurement Commencement: Medway Young Persons Wellbeing Service**

### Background:

The report sought approval from the Cabinet to commence the procurement of the Medway Young Persons Wellbeing Service. Both the Joint Commissioning Management Group (JCMG) and the Procurement Board had recommended this project be given approval. The final service model and high level service specification was attached at Appendix 2 to the report.

The report also highlighted to Cabinet that, if approved, the service would be procured as an NHS contract with NHS terms and conditions and Medway Council

## Cabinet, 25 October 2016

an Associate to that contract. This was in the light of the funding breakdown in section 1.4 of the report and the clinical nature of some aspects of the service.

The Health and Wellbeing Board and the Children and Young People Overview and Scrutiny Committee had both considered reports on this matter and their comments were set out in paragraph 6 of the report.

**Decision  
Number:**

**Decision**

**127/2016**

**The Cabinet approved the commencement of the procurement process for the provision of the Medway Young Persons Wellbeing Service on the basis set out in paragraphs 3.2 and 4.2 report.**

**Reasons:**

To have made a commitment for Medway to pursue an integrated Young Person's Wellbeing Service on a Medway population footprint.

The expiry of the existing joint Kent and Medway contract for Tier 3 CAMHS provision on 31 August 2017 and agreement that Medway will not be participating in the joint re-procurement of this service.

That there was a clear mandate for change in line with the Draft Service Model and public consultation carried out between April and July 2016.

.....  
**Leader of the Council**

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**Date**

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