

Record of Cabinet decisions

Tuesday, 20 December 2016

3.00pm to 5.08pm

Date of publication: 21 December 2016

**Subject to call-in these decisions will be effective from 4 January 2017
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 Children's Services - Lead Member (statutory responsibility, including education)
	Councillor Martin Potter	Portfolio Holder for Educational Attainment and Improvement
	Councillor Rupert Turpin	Portfolio Holder for Business Management
In Attendance:	Neil Davies, Chief Executive	
	Dr Andrew Burnett, Interim Director of Public Health	
	Wayne Hemingway, Democratic Services Officer	
	Perry Holmes, Chief Legal Officer/Monitoring Officer	
	Julie Keith, Head of Democratic Services	
	Tomasz Kozlowski, Assistant Director Physical and Cultural Regeneration	
	Ian Sutherland, Interim Director, Children and Adults Services	

Apologies for absence

There were none.

Cabinet, 20 December 2016

Record of decisions

The record of the meeting held on 22 November 2016 was agreed and signed by the Leader as a correct record.

Declarations of disclosable pecuniary interests and other interests

Disclosable pecuniary interests

Councillor Filmer declared interests in agenda items 8 (Pest Control: Future Delivery Model) and 14 (Update on Medway Norse) because he is a Director of Medway Norse. He left the room during consideration of these items.

Other interests

Councillor Mackness declared an interest in agenda item 13 (Medway Commercial Group (MCG) Limited – First Year Quarter 2 Report) because he is the Chairman of the MCG Board. He left the room during consideration of this item.

Councillor Turpin declared an interest in agenda item 5 (Home to School Transport Policy for Mainstream Children and Children with SEND) because he has a family member with disabilities who may need assistance with home to school transport in the future. He left the room during consideration of this item.

Medway Local Plan

Background:

The Cabinet accepted this report as urgent to ensure that due consideration can be given to carrying out statutory consultation on the next stage of the Medway Local Plan from 16 January 2017 to 6 March 2017, as specified in the report.

This report provided information on the next stage of the formal process of preparing a new Local Plan for Medway. This included an update on preparing the plan and presented a revised Local Development Scheme which set out a timetable for production of the plan.

The report also detailed a Development Options document which had been prepared by the Planning Service as the basis for a further stage of consultation. This also set out the draft vision for Medway in 2035.

A Diversity Impact Assessment had been carried out for the Development Options consultation and was attached at Appendix 3 to the report.

Decision Number:

144/2016

Decision:

The Cabinet approved the publication of the Development Options consultation document (set out at Appendix 1) for an eight week period of

statutory consultation for the purpose of preparing a new Local Plan for Medway.

145/2016

The Cabinet approved the Local Development Scheme, 2016 (set out at Appendix 2) as the Council's timetable for producing the new Local Plan.

Reasons:

To progress the preparation of a new Medway Local Plan.

Home to School Transport Policy for Mainstream Children and Children with SEND

Background:

This report provided details of proposed changes to both the mainstream policy and that for children with Special Educational Needs and Disabilities (SEND.) Further to this, the report proposed to combine the two previously separate policies into a single policy document covering both areas.

The report noted details of options for changes to the current policy for consideration and progression to public consultation. The report also proposed the public consultation that would take place in January 2017.

It was noted that the consultation would inform a Diversity Impact Assessment which would be submitted to Cabinet in due course.

Decision Number: Decision:

146/2016

The Cabinet approved the draft Home to School Transport Policy for Mainstream Children and Children with Special Educational Needs and Disabilities for consultation in January 2017.

Reasons:

To provide greater financial sustainability as budget spend is reduced and directed to those in greatest financial need; those on low incomes and Medway Looked After Children.

Future Integrated Youth Support Service (IYSS) Delivery

Background:

The Cabinet accepted this report as urgent to enable the in-house delivery of these services to take effect from January 2017.

Cabinet, 20 December 2016

This report provided details of the proposed in-house delivery of Integrated Youth Support Services (IYSS) within Medway Council and the continued commissioning of Medway Youth Trust to manage the Information, Advice and Guidance (IAG) programme, both on a reduced budget envelope and focusing on young people at risk. This report followed Cabinet's decision on 22 November 2016 not to award a contract for the future delivery of Integrated Youth Support Services.

The report highlighted the budget requirement of the proposed in-house service when compared to the original outsourcing proposal. It demonstrated that the new service could be delivered within the same cash envelope, whilst preserving the statutory Youth Offending Team provision and providing continuity in terms of the IAG provision.

Decision number: **Decision:**

147/2016 **The Cabinet approved the retention of youth services and the Youth Offending Team (YOT) within Children's Services.**

148/2016 **The Cabinet agreed the extension of the contract with Medway Youth Trust to August 2019 on the basis set out in the report.**

The Cabinet noted that the reconfiguration of services to effect delivery and savings reductions will be undertaken by the Interim Director of Children and Adults Services, in consultation with the Portfolio Holder for Children's Services (Lead Member).

Reasons:

Greater long term savings and efficiencies can be achieved by the in house delivery of IYSS and the commissioning of IAG from Medway Youth Trust on a changed contract basis.

Future of Medway Duke of Edinburgh Award Scheme

Background:

This report provided details of the options for the delivery of a sustainable and resilient Duke of Edinburgh (DofE) Award scheme in Medway. It was noted that since initial discussions which took place at the beginning of the year, further meetings had taken place with DofE South East (SE) Region, to explore the best arrangement that could be provided to DofE to ensure that schools get the right support package to secure the on-going success of DofE.

The report provided details of two specific options, namely, the DofE SE Region option (option 1) and the option of schools purchasing their own licences (option 2).

Cabinet, 20 December 2016

A Diversity Impact Assessment had been carried out on the proposed change in delivery of the DofE Scheme, as set out in Appendix 3 to the report.

The Portfolio Holder for Children's Services (Lead Member) referred to a petition which had been submitted to the Council in respect of the proposals.

Decision number: ***Decision:***

- 149/2016** **The Cabinet agreed option 1 (the SE Regional option) and the two year associated funding for the future delivery of the Duke of Edinburgh Award Scheme.**
- 150/2016** **The Cabinet agreed to delegate authority to the Chief Legal Officer, in consultation with the Portfolio Holders for Resources and Children's Services (Lead Member), to grant a lease of the Duke of Edinburgh premises at the Strand (The Summit) as part of the outsourcing of the Service.**
- 151/2016** **The Cabinet agreed to delegate authority to the Chief Legal Officer, in consultation with the Portfolio Holders for Resources and Children's Services (Lead Member), to grant leases of the Duke of Edinburgh premises at the Strand (The Summit) after the outsourcing contract has ended.**

Reasons:

This option provides longer term savings for the Council, mitigates the risk of a drop in performance in the delivery of DofE awards and provides the greatest opportunity for sustainability.

Pest Control: Future Delivery Model

Background:

The report provided the Cabinet with a detailed assessment on a range of options for the future delivery of the Council's pest control service. Further to this the report recommended transferring the pest control service to the Council's joint venture company Medway Norse as the preferred option.

In addition to this, the report included a Business Case for the future delivery of the pest control service and a Diversity Impact Assessment as set out in Appendices 1 and 2 to the report.

Decision Number: ***Decision:***

- 152/2016** **The Cabinet agreed to transfer the pest control**

service to its joint venture company, Medway Norse.

The Cabinet noted this would be subject to staff consultation on the TUPE transfer.

Reasons:

Transferring the pest control service to Medway Norse provides a way of delivering a cost neutral service for the Council, whilst keeping prices below market rates. It gives the opportunity for trading the service to generate further income for the Council.

Sub-National Transport Body

Background:

This report provided details of progress towards the formation of a shadow Sub-National Transport Body for the South East of England including a proposal that Medway Council become a member of the shadow body and to appoint the Leader to the shadow body.

The report stated that the Cities and Local Government Devolution Act 2016 made provision for the establishment of a Sub-National Transport Body (SNTB) for any area in England (outside of Greater London). The establishment of an SNTB would provide an opportunity to develop a strong strategic partnership with all authorities in the area, and to devise a specific Transport Strategy for that region.

It was noted that prior to the formal establishment of an SNTB, it was proposed to establish the body in shadow form to help develop a strong strategic partnership. The aim of this was to demonstrate commitment from the constituent authorities to working collaboratively and provide reassurance to Government about the strength of the partnership.

Decision number: ***Decision:***

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|-----------------|--|
| 153/2016 | The Cabinet agreed Medway Council to join a shadow Sub National Transport Body (SNTB) for the South East, known as Transport for the South East (TfSE). |
| 154/2016 | The Cabinet agreed to appoint the Leader of the Council to the shadow Sub National Transport Body. |
| 155/2016 | The Cabinet agreed to receive a report following an appropriate period of time, to be agreed by shadow body Members, reviewing the operation of the shadow arrangements and seeking approval to joining the formal Sub National Transport Body. |
| 156/2016 | The Cabinet agreed to provide funding of £20,000 to develop the constitutional arrangements and the Transport |

Strategy and to provide officer support to the shadow Sub National Transport Body.

Reasons:

TfSE provides an opportunity to support and deliver growth plans across the region through the development of a long-term strategic programme to identify a comprehensive package of transport measures to make the South East more competitive. It would complement the work of the Local Enterprise Partnerships (LEPs) and support delivery of Local Plans.

It would specifically enable the Council to influence the prioritisation of investment by the major national transport agencies such as Highways England and Network Rail in a way that has not been possible in the past.

The SNTB would address some of the barriers to growth of the economy that have been held back by transport infrastructure shortcomings, notably strategic infrastructure, that is the responsibility of Network Rail and Highways England. The SNTB would enable the Council to more directly influence the priorities and programmes of these agencies, so helping to secure delivery of longstanding transport infrastructure ambitions.

Council Tax Reduction Scheme

Background:

This report detailed the current Council Tax Reduction Scheme and sought members' approval for the scheme to be re-adopted by Full Council for 2017/18. It was noted that there were no proposals to amend the Scheme, with the exception of annual uprating.

A Diversity Impact Assessment had been undertaken before the current Council Tax Reduction Scheme had been adopted in January 2016, as set out in Appendix B to the report. This had not been updated given that no changes to the scheme were proposed, although officers would continue to monitor the impact of the scheme on individuals.

***Decision
Number:***

157/2016

Decision:

The Cabinet recommended the current Council Tax Reduction Scheme (which will therefore be subject to annual uprating) to Council for adoption on 26 January 2017.

Cabinet, 20 December 2016

Reasons:

The scheme continues to balance the need for supporting those currently in receipt of Council Tax Reductions and the ability of the Council to fund the scheme within the current budgetary constraints.

Sufficiency Report 2016/2017

Background:

This report provided details of how the Council met the needs of Looked After Children and Care Leavers in such a way as to ensure improved outcomes. This report provided an update to the information provided to the Cabinet in June 2016.

The report provided details of the updated information, as highlighted in paragraph 2.4 of the report.

This report was also considered by the Children and Young People Overview and Scrutiny Committee on 6 December 2016, and its comments were set out in paragraph 7 of the report.

A Diversity Impact Assessment screening had been undertaken, as set out in Appendix B to the report.

Decision number:

Decision:

The Cabinet noted the comments of the Children and Young People Overview and Scrutiny Committee.

The Cabinet noted the updated Medway Sufficiency Report 2016/2017 as set out in Appendix A to the report.

Reasons:

Publication of the updated Sufficiency Report will enable the Council to fulfill its statutory requirement to take steps to secure, so far as is reasonably practicable, sufficient accommodation for Children in Care within the local area and will enable Medway to act strategically to address gaps in provision.

Local Plan: Authority Monitoring Report

Background:

This report provided details of the annual Medway Authority Monitoring Report (MAMR) and included an assessment of development trends and wider social, economic and environmental indicators, together with progress on the preparation of a new Medway Local Plan.

Cabinet, 20 December 2016

The report provided highlights of the MAMR, further details of which were set out in Volume 1 (Appendix 1 to the report).

Decision Number: ***Decision:***

158/2016

The Cabinet approved the 2016 Medway Authority Monitoring Report for publication.

Reasons:

To comply with the duty to compile and publish a planning monitoring report.

Medway Commercial Group Limited - First Year Quarter 2 Report

Background:

This report provided details of Medway Commercial Group Limited's (MCG) achievements and performance up to the second quarter in its first year of trading, and its plans for future growth and development.

The report provided details of key highlights in the second quarter (June 2016 – September 2016) and priorities for the third quarter (October 2016 – January 2017). In particular, the report stated that MCG was on target to achieve its agreed accumulated savings for the next two financial years (2016/17 and 2017/18).

Decision number: ***Decision:***

The Cabinet noted the achievements and performance of Medway Commercial Group Limited (MCG) for the second quarter of 2016, as detailed in the report.

Reasons:

When Cabinet agreed to establish the Local Authority Trading Company (LATCO), it was also agreed that regular monitoring reports would be provided to Cabinet.

Update on Medway Norse

Background:

This report outlined the achievements and performance of Medway Norse up to the second quarter in its fourth year of trading.

It was noted that Medway Norse now provided services to the Council in three main areas: facilities management, grounds maintenance and Special Educational Needs (SEN) transport. The report gave details of these areas of operation, together with information relating to governance, local business participation, the corporate client function and the rebate for the Council.

Cabinet, 20 December 2016

The Business Support Overview and Scrutiny Committee considered monitoring reports on a quarterly basis and it was noted that the Committee had considered this report on 1 December 2016. Details of this discussion were set out in section 4 of the report.

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.

The Corn Exchange, Rochester

Background:

This report provided details of a proposal, to let the Corn Exchange, High Street, Rochester. The report stated that the Corn Exchange was not one of the Council's core operational buildings where the Council delivered statutory functions and, as such, it could be run by the private sector.

It was noted that consideration would be given as part of the tender process to reserving dates for Council events.

Decision number: **Decision:**

159/2016 The Cabinet agreed to delegate authority to the Chief Legal Officer, in consultation with the Portfolio Holder for Resources and the Deputy Leader and Portfolio Holder for Housing and Community Services, to let the Corn Exchange, High Street, Rochester, excluding the part used by the Register Office, on the best terms reasonably obtainable.

Reasons:

To secure third-party investment in the facility, achieve budget savings and to reduce the Council's future liability for ongoing maintenance costs.

Recruitment Freeze

Background:

This report presented information on a number of 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 main report, the addendum report and a post tabled at the meeting.

Decision number: Decision:

160/2016

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

Business Support

- a) **Locum Child Care Lawyer**

Children and Adults Services

- b) **DOLS Assistant**
- c) **Engagement and Quality Lead Officer**
- d) **Engagement and Quality Officer**
- e) **Head of QA and Safeguarding**
- f) **Placement Officer – Adults**
- g) **Head of Adult Care x 2**
- h) **Senior Partnership Commissioner – Specialist Adults Services**

Regeneration, Culture, Environment and Transformation

- i) **Business Improvement Officer**
- j) **Senior Project Support Officer (Local Growth Fund)**
- k) **Processing Appeals Officer**
- l) **Examinations Manager.**

Cabinet, 20 December 2016

Reasons:

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

Gateway 1 Procurement Commencement: Medway Domestic Abuse Service

Background:

The report sought approval from the Cabinet to commence the procurement of the Medway Domestic Abuse Service. The report had been approved for submission to the Cabinet after review and discussion at the Children and Adults Directorate Management Team Meeting and the Procurement Board.

The commissioning strategy had recommended that Medway Council exit the Kent and Medway contract and pool existing local spend to enable a holistic local single service to be commissioned to meet local need across the low, medium and high risk client groups.

A Diversity Impact Assessment had been undertaken on the proposals, as set out in Appendix 1 to the report.

An exempt appendix contained key information in respect of the financial analysis.

Decision number:

161/2016

Decision:
The Cabinet agreed that spend across the various domestic abuse services is pooled together and a holistic local service for Medway be commissioned to meet the needs of low, medium and high visit client groups.

Reasons:

A new holistic Domestic Abuse Service is expected to deliver a more integrated service across the Medway area. Additionally, most of the existing contracts are coming up for renewal or near their initial contract term. This is an opportunity to recommission these services and reconsider the service delivery and models to ensure that they are fit for purpose.

Gateway 1 Procurement Commencement: Medway Integrated Child Health Service

Background:

The report sought approval from the Cabinet to commence the procurement process for the Medway Integrated Child Health Service. The report had been approved for submission to the Cabinet after review and discussion at the Public Health Directorate Management Team Meeting and the Procurement Board.

Cabinet, 20 December 2016

The individual services to be included in the tender were set out in paragraph 1.2.3 of the report.

A Diversity Impact Assessment had been undertaken on the proposals, as set out in Appendix 1 to the report.

An Exempt Appendix contained key information in respect of the financial analysis and the draft outcomes framework

Decision number: ***Decision:***

162/2016 **The Cabinet approved the commencement of the procurement of a new integrated Medway Child Health Service as set out in paragraph 1.2.3 of the report and on the basis set out in paragraph 4.2.1 of the report.**

Reasons:

To ensure families in Medway are better served by a new integrated Child Health Service and to allow for financial efficiencies to be made by the Council and Medway Clinical Commissioning Group in 2018/19.

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Leader of the Council

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Date

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