

COUNCIL

27 APRIL 2017

LEADER'S REPORT

Councillor Alan Jarrett, Leader of the Council, will give a report on key developments since the last ordinary Council meeting on 26 January 2017.

He will include:

- Plans for Medway in Flames
- Regeneration Update
- Events and Sport in Medway
- Decisions made by the Cabinet on 7 February 2017, 7 March 2017 and 4 April 2017.

Record of Cabinet decisions

Tuesday, 7 February 2017

3.00pm to 4.45pm

Date of publication: 8 February 2017

**Subject to call-in these decisions will be effective from 16 February 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	
	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	
	Phil Watts, Chief Finance Officer	

Apologies for absence

There were none.

Cabinet, 7 February 2017

Record of decisions

The record of the meeting held on 17 January 2017 was agreed and signed by the Leader as a correct record.

The record of the urgent decision taken by the Leader on 26 January 2017 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.

Revenue Budget Monitoring 2016/2017 - Quarter 3

Background:

This report detailed the revenue budget forecasts as at the end of November 2016. The report noted that after management action, the forecast outturn for 2016/17 was a potential overspend of £1.8m.

The report stated that the third round of monitoring broadly reflected the management action agreed during quarters 1 and 2, however not all of the management action agreed by the Children and Adults directorate had delivered the targeted savings and there was now a requirement for urgent and drastic management action to address the £1.8m pressure which had been forecast this quarter.

It was noted that urgent action was being considered by directorate management teams and it was anticipated that this forecast would be reduced further by year end.

Decision number: ***Decision:***

1/2017	The Cabinet noted the forecasts reported in the third quarter's revenue monitoring for 2016/17 and instructed officers to identify further management action to ensure a breakeven position is achieved by year end.
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Reasons:

Cabinet has the responsibility to ensure effective budgetary control to contain expenditure within the approved limits set by Council.

Capital Budget Monitoring 2016/2017 - Quarter 3

Background:

This report presented the capital monitoring information for the third quarter of the financial year, including outturn forecasts. The approved capital programme for 2016/17, and future years, currently stood at £112m.

The report also provided details of a proposed addition to the Capital Programme in respect of Eastgate House to address an overspend of £164,000.

Decision number:

Decision:

The Cabinet noted the forecasts reported for 2016/2017 in the quarter 3 capital monitoring.

2/2017

The Cabinet recommended to Council to approve the addition of £164,000 to the capital programme, as outlined in paragraph 4.2 of the report.

Reasons:

Cabinet has the responsibility to ensure effective budgetary control to contain expenditure within the approved limits set by Council.

Housing Revenue Account Capital and Revenue Budgets 2017/2018

Background:

This report provided details of the proposed Housing Revenue Account (HRA) capital and revenue budgets for 2017/2018 including rent, garage rent and service charge levels. The report gave a breakdown of the factors taken into account in terms of formulating the budgets for 2017/2018.

The report provided an update on the HRA Business Plan in accordance with the requirement to ensure it met the Government's fit for purpose criteria.

The report also stated that tenants had been informed of the proposals, as set out in section 13 of the report.

It was noted that the figures set out in the tables in paragraphs 8.6.3 and 8.6.4 of the report should have used the following convention "£x.xxx million".

The Business Support Overview and Scrutiny Committee considered this report on 31 January 2017 and its comments were set out in an addendum report.

A Diversity Impact Assessment had been carried out on the proposed budgets as set out in Appendix D to the report.

Cabinet, 7 February 2017

**Decision
number:**

Decision:

The Cabinet noted the comments of the Business Support Overview and Scrutiny Committee, in particular:

- a) To note that officers will explore whether equalising garage rents for council tenants and non-council tenants would lead to an increase in income.
- b) To note that officers will clarify the wording in the HRA business plan about bad debt assumptions due to the roll out of Universal Credit.

3/2017

The Cabinet recommended to Council:

- a) A proposed rent decrease of 1% for the housing stock as set out in Appendix A (based upon 52 collection weeks).
- b) A rent increase of 5% for garages.
- c) That the current policy of charging higher rent where a tenant has a taxable income per annum of £60,000 be retained and no change to the threshold.
- d) That the service charges and increases as set out in Appendix B to the report for 2017/18 be approved.
- e) That the revenue budget for the HRA Service for 2017/18 as set out in Appendix C to the report be approved.
- f) That the future provision for the repayment debt be based on annuity based payment as opposed to minimum revenue payment of 2% on the HRA opening outstanding debt.
- g) To use remaining allowable balance of 1-4-1 capital receipts (for the capital receipts received during 2017/18 from Right to Buy (RTB) sales) to be used to fund towards the 2017/18 HRA planned capital programme.
- h) That Members approve the revised 30 year HRA Business Plan model as attached at appendix E to the report.

Reasons:

The Council is required to carry out a review of rents and notify tenants not less than 28 days prior to the proposed date of change. The Council is required under the

Cabinet, 7 February 2017

Local Government and Housing Act 1989 to ensure that the Housing Revenue Account does not fall into a deficit position.

Council Plan Refresh 2017/18

Background:

This report provided details of the review of the Council Plan 2016/2021 including respective key projects, key measures of success and targets to ensure the delivery of the Plan remained focused, informative and relevant.

The report stated that the review had identified:

- 1 new programme
- 6 additional new council plan measures of success (from 38 in 2016/17 to 44 in 2017/18)
- 3 deferred council plan measures
- 7 changes to targets.

The Business Support Overview and Scrutiny Committee had considered this report on 31 January 2017 and its comments were set out in an addendum report.

A Diversity Impact Assessment (DIA) had been completed as part of the refresh process, as set out in Appendix B to the report. It had concluded that it was unlikely that there would be any adverse impact on protected characteristic groups as a result of the proposals.

Decision number: **Decision:**

The Cabinet noted the comments of the Business Support Overview and Scrutiny Committee.

4/2017 The Cabinet recommended to Full Council the proposed changes to programmes, key measures of success and targets as summarised in Appendix A to the report subject to the target level set for NI154 (Net additional homes provided) being removed for 2017/2018 on the basis set out in paragraph 2.2 of the addendum report.

Reasons:

To ensure the delivery of the Plan remains focused, informative and relevant.

Capital and Revenue Budgets 2017/18

Background:

This report presented proposals for the capital and revenue budgets for 2017/2018.

It was noted that the Cabinet had considered initial budget proposals on 22 November 2016, which had been developed in accordance with the principles set out in the Medium Term Financial Plan which had identified a potential revenue shortfall of some £11.7m for 2017/2018.

The report stated that local authorities such as Medway would also be able to continue to apply the social care precept. However such local authorities would now be able to increase Council Tax by up to an additional 3.0% per annum in 2017/18 and 2018/19. Local authorities that took advantage of this further flexibility would not be able make a further increase in 2019/20, as the total allowable increase over the three-year period would remain at 6.0%. The budget proposed by Cabinet would be based upon the Council availing itself of this additional flexibility and raising Council Tax by 4.994% in 2017/18.

The report stated that the proposed revenue budget requirement of £293.044m (as set out in Appendix 2 to the report) exceeded the estimated available resources by £958,400. However, options were being considered to address this prior to the Council's budget setting meeting on 23 February 2017.

The proposed capital programme for 2017/2018, incorporating existing schemes and anticipated funding allocations, was £74.621m. An overall summary and a summary by directorate of the proposed capital programme were attached at Appendix 4 to the report.

It was noted that budget proposals had been referred to all the Overview and Scrutiny Committees for consideration. The Overview and Scrutiny Committees' views together with the recommendations of the Business Support Overview and Scrutiny Committee set out for Cabinet in an addendum report.

The schedule of fees and charges was set out in Appendix 6 to the report.

The report set out the requirements under equality legislation and it was noted that an overarching Diversity Impact Assessment would be included in the budget report to Full Council on 23 February 2017.

Decision number: ***Decision:***

The Cabinet noted the recommendations from overview and scrutiny committees as summarised in the Addendum Report.

5/2017 The Cabinet agreed to recommend to Council that the net revenue budget summarised at Appendix 2 to the report,

Cabinet, 7 February 2017

amounting to £293.044 million, should be adopted and that this be funded by a 4.994% increase in Council Tax for 2017/18 with the equivalent Band D figure at £1,296.56. Final proposals to address the £958,400 deficit would be reported to Council on 23 February 2017.

- 6/2017** The Cabinet agreed to recommend to Council the capital budget proposals, as set out in Appendix 4 to the report.
- 7/2017** The Cabinet agreed to recommend to Council the fees and charges set out in Appendix 6 to the report.
- 8/2017** The Cabinet agreed that the Chief Finance Officer be requested to calculate the formal requirements under Sections 30 to 36 of the Local Government Finance Act 1992 for resolution by Special Council on 23 February 2017.

Reasons:

The constitution requires that Cabinet's budget proposals must be forwarded to Council for consideration and approval.

The Council is required by statute to set a budget and council tax levels by 11 March each year.

Treasury Management Strategy 2017/2018

Background:

This report provided details of the Council's Treasury Management Strategy for 2017/2018. The report provided details of the Minimum Revenue Provision (MRP) and the Policy Statement for 2017/2018 as set out in Appendix 1 to the report. It was noted that the Treasury Management Strategy for 2017/2018 covered the following issues:

- Capital plans and the prudential indicators
- The MRP policy
- The current treasury position
- Treasury indicators which will limit the treasury risk and activities of the Council
- Prospects for interest rates
- The borrowing strategy
- Policy on borrowing in advance of need
- Debt rescheduling
- The investment strategy
- Creditworthiness policy
- Policy on use of external service providers.

Cabinet, 7 February 2017

Proposed amendments to Treasury Management Practices were set out in Appendix 7 to the report.

The Audit Committee considered this report on 10 January 2017 and its comments were set out in paragraph 16 of the report.

A Diversity Impact Assessment had been undertaken on the Treasury Management Strategy, as set out in Appendix 6 to the report.

Decision number: **Decision:**

The Cabinet noted the comments of the Audit Committee, as set out in paragraph 16 of the report.

9/2017 The Cabinet recommended to Full Council the Treasury Management Strategy as set out in the report and Appendices 1-5 to the report including the proposed revisions:

- a) The change in borrowing strategy to enable the Council to borrow in advance of need.**
- b) The use of Money Market Funds as part of the Council's investment portfolio.**
- c) The removal of the £5m counter party limit and the imposition of a maximum of 40% of total investments in Property Funds.**

10/2017 The Cabinet approved the amendments to the Treasury Management Practices as set out in Appendices 7-8 to the report.

Reasons:

Cabinet has the responsibility to make recommendations to Full Council on the approval of the Council's Treasury Management, Investment Strategy and Minimum Revenue Provision Policy Statement and has responsibility for the implementation of the Treasury Management Practices and associated schedules.

Youth Offending Team Strategic Plan 2016-17

Background:

This report provided details of the Medway Youth Offending Team Strategic Plan 2016-17 (Youth Justice Plan), which had been developed following discussions and consultations with partner agencies. It also reflected the requirements of the Youth Offending Team (YOT) to submit a costed plan in respect of their Youth Justice Board grant 2016-17.

Cabinet, 7 February 2017

A Youth Justice Plan was required under the provisions of the Crime and Disorder Act 1998 and as a policy framework document was required to be considered by the Children and Young People Overview and Scrutiny Committee, details of which were set out in paragraph 6 of the report.

A Diversity Impact Assessment (DIA) was included at Appendix B to the report.

Decision number: **Decision:**

The Cabinet noted the comments of the Children and Young People Overview and Scrutiny Committee as set out in paragraph 6 of the report.

11/2017 The Cabinet recommended approval of the Youth Offending Team Strategic Plan 2016-17 to Full Council on 23 February 2017.

Reasons:

To ensure that Medway Council and other agencies have effective strategies for addressing youth offending behaviour and delivers outcomes that have positive benefits for our communities.

South Thames Gateway Building Control Business Plan and Partnership Third Term

Background:

This report provided details of the South Thames Gateway Building Control Partnership Business Plan for 2017/2020 and Delivery Plan and the proposal for Medway Council to continue in the partnership for a third term.

The Business Plan, as set out in the exempt appendix, outlined how the building control function would be delivered on behalf of the three partnership Councils (Medway, Gravesham and Swale) up until 2020 and indicated the reduced contributions for each partner.

In addition, the report stated that the second term of the partnership was due to end on 30 September 2017 and that approval was sought to continue with the partnership for a further five years to September 2022, in accordance with the existing agreed Memorandum of Understanding.

Decision number: **Decision:**

12/2017 The Cabinet approved the proposed Business Plan for 2017/2020 and Delivery Plan for the South Thames Gateway Building Control Partnership, as set out in the

Cabinet, 7 February 2017

exempt appendix, and noted the proposed contribution of £141,432 for 2017/2018.

13/2017 The Cabinet agreed to a further extension of the South Thames Gateway Building Control Partnership from 1 October 2017 to 30 September 2022.

Reasons:

The constitution of the Joint Committee requires approval of the Business Plan for the following year by the Cabinet of each Partner Authority.

Supermarket Premises, Britton Farm Shopping Centre, High Street, Gillingham

Background:

This report provided details of the proposal to let the Britton Farm Shopping Centre supermarket premises which were likely to become vacant in the near future owing to circumstances beyond the Council's control.

The report also referred to an urgent decision taken by the Leader on 26 January 2017 to authorise the Chief Legal Officer to vote in favour of the Company Voluntary Agreement (CVA) in respect of these premises at the creditors' meeting to be held on 27 January 2017, and to take any other necessary steps to mitigate the Council's financial exposure in this matter (decision no. 187/2017).

Decision Decision: number:

14/2017 The Cabinet agreed to delegate authority to the Chief Legal Officer, in consultation with the Portfolio Holder for Resources, to let the supermarket premises, at Britton Farm Shopping Centre, High Street, Gillingham, on the best terms reasonably obtainable.

Reasons:

To mitigate the Council's losses as a result of the premises becoming vacant.

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 report.

Cabinet, 7 February 2017

Decision number: Decision:

15/2016

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

Business Support

- a) Project Manager**
- b) Building Maintenance Project Manager**
- c) Democratic Services Officer**
- d) Political Assistant to the Conservative Group**
- e) Political Assistant to the Labour Group**

Children and Adults Services

- f) Performance and Intelligence Graduate x 1**
- g) Performance and Intelligence Officer x 2**
- h) Senior Partnership Commissioner – Specialist Adults' Services**
- i) Safeguarding Social Worker**
- j) Administration Support Officer.**

Reasons:

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

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Leader of the Council

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Date

Wayne Hemingway, Democratic Services Officer

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Record of Cabinet decisions

Tuesday, 7 March 2017

3.00pm to 3.51pm

Date of publication: 8 March 2017

Subject to call-in these decisions will be effective from 16 March 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 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
	Wayne Hemingway, Democratic Services Officer	
	Perry Holmes, Chief Legal Officer/Monitoring Officer	
	Julie Keith, Head of Democratic Services	
	Ian Sutherland, Director, Children and Adults Services	
	Phil Watts, Chief Finance Officer	

Apologies for absence

An apology for absence was received from Councillor Rodney Chambers OBE (Inward Investment, Strategic Regeneration and Partnerships).

Record of decisions

The record of the meeting held on 7 February 2017 was agreed and signed by the Leader as a correct record.

Cabinet, 7 March 2017

Declarations of disclosable pecuniary interests and other interests

Disclosable pecuniary interests

Councillor Filmer declared interests in agenda items 5 (Transfer of HRA Sheltered Scheme Cleaning Service to Medway Norse) and 6 (Transfer of Countryside Ranger Service to 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 8 (Medway Commercial Group (MCG) Limited – First Year Quarter 3 Report) because he is the Chairman of the MCG Board. He left the room during consideration of this item.

Rochester Riverside Regeneration

Background:

This report provided details of the development agreement between the Council, the Homes and Communities Agency (HCA) and Countryside Properties PLC with particular reference to a reduction in the land value for a specific S106 requirement to secure funding for the future repair and replacement of the river wall and confirmation of the capped values for the bid qualifications in Countryside's offer.

The report stated that these matters had been considered by the Rochester Riverside Board on 10 January 2017. It was reported that Countryside were likely to complete their planning submission in April 2017 and that consideration of the planning application and the accompanying S106 agreement would be a matter for the Planning Committee.

The report also provided details of the series of qualifications that could potentially have raised or lowered the land value. Details of the remaining qualifications and the effect on land value were set out in the Exempt Appendix.

The report also provided details of proposals for the introduction of a rent charge to support future maintenance and the partial adoption of the roads on the site to enable a Controlled Parking Zone (CPZ) to be implemented in the future.

An Exempt Appendix provided details relating to land values and the rent charge proposed for residential and non-residential units on the site.

Decision number: **Decision:**

16/2017	The Cabinet agreed to a reduction in the Rochester Riverside land receipt to incorporate a specific S106 request to secure funding for the river wall, and also agreed to a capped maximum amount of land reductions to
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Cabinet, 7 March 2017

cover the qualifications contained within Countryside's original offer, which will remain within the Development Agreement, as detailed in sections 3 and 4 of the exempt appendix.

- 17/2017** The Cabinet agreed to delegate authority to the Director of Regeneration, Culture, Environment and Transformation, in consultation with the Leader and Portfolio Holder for Inward Investment, Strategic Regeneration and Partnerships, to complete the Development Agreement on the basis of the revised land value, incorporating the river wall S106 amount and the capped maximum amount to cover the qualifications required to remain in the Agreement, as detailed in Sections 3 and 4 of the exempt appendix.
- 18/2017** The Cabinet agreed to delegate authority to the Director of Regeneration, Culture, Environment and Transformation, in consultation with the Leader and Portfolio Holder for Inward Investment, Strategic Regeneration and Partnerships, to approve amendments to future phased land payments once the exact costs of the qualifications are realised within a certain phase, provided they do not exceed the agreed land reduction, as detailed in section 4 of the exempt appendix.
- 19/2017** The Cabinet agreed, in principle, to a rent charge to the residential and non-residential units within the development and agreed to delegate authority to the Director of Regeneration, Culture, Environment and Transformation, in consultation with the Leader and Portfolio Holder for Inward Investment, Strategic Regeneration and Partnerships, to agree the final value of the rent charge, as detailed in section 5 of the exempt appendix.

Reasons:

To enable the Development Agreement to be completed, so that Countryside can proceed with the Rochester Riverside development.

To secure funding for future maintenance and replacement of the river wall through a specific S106 request and a rent charge to residential and non-residential units to ensure that some funding is available.

Transfer of HRA Sheltered Scheme Cleaning Service to Medway Norse

Background:

This report provided details of a proposal to transfer Housing Services (Housing Revenue Account) HRA sheltered housing cleaning from 1 May 2017 to the Council's joint venture company, Medway Norse, to enable the overall sheltered housing service to widen its scope for developing its Housing Related Support Service to residents in HRA general needs properties and achieve further savings and service efficiencies.

The report stated that this transfer would build on Medway Norse's track record in the delivery of Estate Services which included cleaning. The proposals would also deliver a small cashable saving whilst retaining existing service standards for sheltered housing tenants. In addition, the release of management capacity within the Sheltered Housing Team would allow the development of further housing related support at no additional cost.

An Exempt Appendix provided details of the outline business case, options appraisal and detailed business case.

Decision number:

20/2017 The Cabinet approved the transfer of the Housing Revenue Account (HRA) Sheltered Scheme Cleaning Service to Medway Norse from 1 May 2017.

Reasons:

To reduce costs, achieve efficiencies and facilitate development of the service.

In addition, the transfer of the scheme cleaners will bring savings to the HRA and also free up sheltered scheme managers time to concentrate on the provision of Housing Related Support Services in a potentially remodelled service later in the year, utilising the same staff numbers. This follows the successful sustainment and customer satisfaction increase through the transfer of the HRA Estate Services function to Medway Norse.

Transfer of Countryside Ranger Service to Medway Norse

Discussion:

This report provided details of a proposal for the transfer of the Countryside Ranger Service, to the Council's joint venture company, Medway Norse, to enable the service to achieve savings and service efficiencies.

The report also provided details of a proposal to dispose of the grounds maintenance depot (Howard School Yard) adjacent to the Howard School, Rainham. This had

Cabinet, 7 March 2017

arisen as a result of Medway Norse moving from the site, having been able to utilise existing facilities at Capstone Country Park.

An Exempt Appendix provided details of the outline business case, options appraisal and detailed business case.

Decision number: **Decision:**

21/2017 **The Cabinet approved the transfer of the Greenspaces Countryside Ranger function to Medway Norse.**

22/2017 **The Cabinet agreed to delegate authority to the Chief Legal Officer, in consultation with the Portfolio Holder for Resources to dispose of the land as shown edged red on the plan, as set out in Appendix 1 to the report, on the best terms reasonably obtainable.**

Reasons:

To reduce costs, achieve efficiencies, facilitate development and obtain a capital receipt.

Council Plan Quarter 3 2016/17 - Performance Monitoring Report

Background:

This report summarised the performance of the Council's Key Measures of Success for the third quarter of 2016/17 as set out in the Council Plan 2016/17-2020/21.

The report and accompanying appendix included progress reports on performance in Quarter 3 2016/17 against these priorities using 32 Key measures of success, however, this report was only including information on 25 as 7 of these were either data only, or data was not expected until after the report was published. In summary:

- 68% (17 out of 25) were on target
- 4% (1 out of 25) were just below target
- 28% (7 out of 25) were significantly below target
- 54% (13 out of 24) have improved over the long term.

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

Cabinet Members highlighted a number of key issues during discussion.

Cabinet, 7 March 2017

Decision number: **Decision:**

The Cabinet noted the quarter 3 2016/17 performance against the key measures of success used to monitor progress against the Council Plan 2016/17.

Reasons:

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

Medway Commercial Group Limited - First Year Quarter 3 Report

Background:

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

The report provided details of key highlights in the third quarter (October 2016 – December 2016) and priorities for the fourth quarter (January 2017 – March 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 third quarter of 2016/17, as detailed in the report.

Reasons:

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

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 report.

Cabinet, 7 March 2017

Decision number: Decision:

23/2017

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

Business Support

a) Information Governance Officer

Regeneration, Culture, Environment and Transformation

b) Administration Support Officer x 3

c) Senior Administration Officer.

Reasons:

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

Gateway 5 Combined Report: Waste Collection and Disposal & Household Waste Recycling Centres Contracts

Background:

This report provided details of updates of activity carried out by Veolia Environmental Services (waste and recycling collection, waste disposal and street cleansing services) and FCC Environment (management of the three household waste recycling centres).

The contractors' annual reports were set out in Appendices 1 and 2 to the report.

The Procurement Board considered this report on 15 February 2017 and supported the recommendations set out in the report.

An Exempt Appendix provided details of the financial analysis of the contracts.

Decision number: Decision:

The Cabinet noted the content of the report including the annual service updates provided by the two contractors as set out in Appendices 1 and 2 to the report.

Reasons:

This is on the basis of value for money and that both contractors have a track record of delivering high quality services for the residents of Medway with high satisfaction levels recorded.

Cabinet, 7 March 2017

Further to this, the contracts have been well managed by the client department, through the adoption of contract management and the forming of a strong working relationship.

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Leader of the Council

.....
Date

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Record of Cabinet decisions

Tuesday, 4 April 2017

3.00pm to 3.56pm

Date of publication: 5 April 2017

**Subject to call-in these decisions will be effective from 13 April 2017
The record of decisions is subject to approval at the next meeting of the Cabinet**

Present:	Councillor Howard Doe	Deputy Leader and Portfolio Holder for Housing and Community Services (in the chair)
	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

In Attendance: Neil Davies, Chief Executive
Dr Andrew Burnett, Interim Director of Public Health
Joseph Dance, Democratic Services Officer
Wayne Hemingway, Democratic Services Officer
Richard Hicks, Director of Regeneration, Culture, Environment and Transformation
Perry Holmes, Chief Legal Officer/Monitoring Officer
Ian Sutherland, Director, Children and Adults Services
Phil Watts, Chief Finance Officer

Apologies for absence

Apologies for absence were received from Councillors Alan Jarrett (Leader of the Council) and Rupert Turpin (Business Management).

Cabinet, 4 April 2017

Record of decisions

The record of the meeting held on 7 March 2017 was agreed and signed by the Deputy Leader and Portfolio Holder for Housing and Community Services as a correct record.

Declarations of disclosable pecuniary interests and other interests

Disclosable pecuniary interests

Councillor Filmer declared an interest in agenda item 8 (Transfer of Information Centre Function at Chatham Waterfront Way Bus Station to Medway Norse) because he is a Director of Medway Norse. He left the room during consideration of this item.

(The Deputy Leader and Portfolio Holder for Housing and Community Services varied the order of the agenda so that item 8 (Transfer of Information Centre Function at Chatham Waterfront Way Bus Station to Medway Norse) was considered as the last agenda item.)

Other interests

There were none.

Home to School Transport Policy for Mainstream Children and Children with Special Educational Needs and Disabilities (SEND)

Background:

This report provided details of the outcomes of the consultation agreed by Cabinet on 20 December 2016 on proposed changes to the Home to School Transport Policy for both mainstream children and for children with Special Education Needs and Disabilities (SEND). An overview of consultation outcomes and proposed changes was provided in paragraph 3 of the report.

The report provided details of the comments of the Children and Young People Overview and Scrutiny Committee which discussed this matter on 9 March 2017.

A Diversity Impact Assessment (DIA) was included at Appendix 3 to the report.

Decision number: ***Decision:***

The Cabinet noted the comments of the Children and Young People Overview and Scrutiny Committee, as set out in paragraph 7 of the report.

Cabinet, 4 April 2017

24/2017 **The Cabinet agreed the proposed Home to School Transport Policy for Mainstream Children and for Children with Special Educational Needs and Disabilities (SEND), as set out in Appendix 1 to the report.**

25/2017 **The Cabinet agreed that implementation of the Policy is:**

Effective from September 2017 for children with Special Educational Needs and Disabilities (SEND).

Effective from September 2018 on a phased basis for mainstream children.

Reasons:

To provide greater financial sustainability as budget spend is reduced and directed to those in greatest financial need.

Short Breaks Provision for Children with Disabilities and the Local Offer (SEND)

Background:

This report provided details of the recent consultation outcomes concerning the move towards families primarily using Direct Payments to purchase community-based Short Breaks. An overview of consultation outcomes was provided in paragraph 5 of the report.

In addition, the report provided an overview of the proposed changes to enhance the overnight Short Breaks service currently provided by Aut Even.

The report provided details of the comments of the Children and Young People Overview and Scrutiny Committee on 6 October 2016, 6 December 2016, and 9 March 2017.

A Diversity Impact Assessment (DIA) was included at Appendix 2 to the report.

With reference to the proposal to move the overnight Short Breaks service from Aut Even to Parklands, the report recommended that discussions be undertaken with the Medway Clinical Commissioning Group and that an eight-week public consultation be undertaken to gain feedback from all interested parties.

Decision number: **Decision:**

26/2017 **The Cabinet agreed that Direct Payments are used as the main tool for Short Breaks from April 2017.**

Cabinet, 4 April 2017

- 27/2017** The Cabinet agreed to change the eligibility criteria for Direct Payments in relation to Short Breaks outlined in paragraph 6.12 of the report from the original criteria in paragraph 2.5.2 of the report.
- 28/2017** The Cabinet agreed to grant delegated authority to the Director of Children and Adults Services, in consultation with the Portfolio Holder for Children's Services (Lead Member), to consider and determine requests for funding from current providers of Short Breaks during the transitional period (2017/18) as set out in paragraph 12.2 of the report.
- 29/2017** The Cabinet agreed to undertake discussions with the Medway Clinical Commissioning Group (CCG) regarding the proposed changes to the overnight Short Breaks provision.
- 30/2017** The Cabinet agreed to an eight-week public consultation to gain feedback from all interested parties in respect of the proposal.
- 31/2017** The Cabinet agreed that a report is submitted to Cabinet in due course providing feedback from both the Clinical Commissioning Group and the public consultation on the proposed move of the overnight Short Breaks service from Aut Even to Parklands, along with a business case including building and service delivery costs for the Parklands site to enable Cabinet to make an informed decision about the proposed changes to the in-house Short Breaks provision.
- 32/2017** The Cabinet agreed to delegate authority to the Director of Children and Adults Services, in consultation with the Portfolio Holder for Children's Services (Lead Member), to determine the future use of the Aut Even site on the basis set out in paragraph 3.18 of the report, subject to the outcome of the public consultation on overnight Short Breaks provision.

Reasons:

To improve the support provided to children with disabilities and their families by providing early support and low-level intervention which will reduce the need for emergency and long-term placements and contribute towards cost savings across a range of services.

To enhance the current overnight Short Breaks service to enable the service to expand, thereby providing additional support to children with disabilities and their families.

Outcomes of Consultation for the Proposed Prescribed Alterations at Halling Primary School

Background:

This report provided details of the outcomes of the informal consultation agreed by Cabinet on 27 September 2016 on the proposals to enlarge the premises and change the lower age limit at Halling Primary School, by way of statutory prescribed alterations. An overview of consultation outcomes was provided in paragraph 5 of the report.

A transcript of the public consultation meeting held on 11 January 2017 to discuss the proposed expansion was included in Appendix 4 to the report.

A Diversity Impact Assessment (DIA) screening form was included at Appendix 2 to the report.

Decision number:

Decision:

33/2017

The Cabinet noted the responses to the informal consultation together with the advice and analysis from officers and agreed to instruct the Director of Children and Adults Services to commence the period of statutory representation for the proposed changes to Halling Primary School, as set out in paragraph 10.1 of the report, when statutory notices and full proposals will be published.

34/2017

The Cabinet agreed to delegate authority to the Director of Children and Adults Services, in consultation with Portfolio Holders for Children's Services (Lead Member) and Educational Attainment and Improvement, to determine whether to approve the proposals at the end of the statutory consultation period if no objections are received. However, if any objections are received during that time then a report will be prepared and presented to Cabinet for determination.

Reasons:

Proceeding to a period of statutory representation will ensure the Council complies with its duty to follow the full consultation process when proposing changes to school organisation.

Outcomes of Consultation for the Proposed Prescribed Alterations at St Mary's Island Church of England Primary School

Background:

This report provided details of the outcomes of the informal consultation agreed by Cabinet on 27 September 2016 on the proposals to enlarge the premises and change the lower age limit at St Mary's Island Church of England Primary School, by way of statutory prescribed alterations. An overview of consultation outcomes was provided in paragraph 5 of the report.

A transcript of the public consultation meeting held on 27 January 2017 to discuss the proposed expansion was included in Appendix 4 to the report

A Diversity Impact Assessment (DIA) screening form was included at Appendix 2 to the report.

Decision number:

Decision:

35/2017

The Cabinet noted the responses to the informal consultation together with the advice and analysis from officers and agreed to instruct the Director of Children and Adults Services to commence the period of statutory representation for the proposed changes to St Mary's Island Church of England Primary School, as set out in paragraph 10.1 of the report, when statutory notices and full proposals will be published.

36/2017

The Cabinet agreed to delegate authority to the Director of Children and Adults Services, in consultation with Portfolio Holders for Children's Services (Lead Member) and Educational Attainment and Improvement, to determine whether to approve the proposals at the end of the statutory consultation period if no objections are received. However, if any objections are received during that time then a report will be prepared and presented to Cabinet for determination.

Reasons:

Proceeding to a period of statutory representation will ensure the Council complies with its duty to follow the full consultation process when proposing changes to school organisation.

Transfer of Information Centre Function at Chatham Waterfront Way Bus Station to Medway Norse

Background:

This report provided details of the proposed transfer of the Information Centre function at the Chatham Waterfront Way Bus Station to the Council's joint venture company, Medway Norse, to enable the service to achieve savings and service efficiencies. This would include the provision of information and ticket sales at the Information Centre within the Facilities Management contract.

The report stated that the transfer of the Information Centre function would take effect from 1 June 2017 subject to necessary transition activity.

An Exempt Appendix provided details of the outline business case, options appraisal and detailed business case.

Decision number:

Decision:

37/2017

The Cabinet agreed the inclusion of information services and ticket sales at the Chatham Waterfront Way Bus Station Information Centre facility within the Facilities Management contract with Medway Norse.

Reasons:

Combining the Information Centre service with the Facilities Management service already provided by Medway Norse will ensure that operation of the Bus Station facility is more efficient. Combining the services will also provide Medway Norse with the opportunity of reviewing and streamlining the service to achieve further efficiencies. Medway Norse also have a good range of customer service trained staff who will be able to add additional value to the Information Centre service.

Planning Application Fees

Background:

This report set out a proposal to agree a 20% increase in the Council's planning fees from 1 July 2017 in line with proposals set out in the recent Government white paper 'Fixing our broken Housing Market' which was published on 7 February 2017.

The report stated that this provided an opportunity to make improvements to resourcing, leading to better services, improved performance and greater capacity to deliver growth in the planning service.

Cabinet, 4 April 2017

**Decision
number:**

Decision:

38/2017

The Cabinet agreed to recommend to Full Council to increase all planning fees by 20%, as set out in Appendix 2 to the report, for implementation from 1 July 2017.

Reasons:

To deliver growth in Medway and help meet the Local Plan target for housing needs.

Shared Legal Service with Gravesham Borough Council - Designation of Gravesham's Monitoring Officer

Background:

This report provided details of a proposal to make an agreement with Gravesham Borough Council to place Medway Council's Chief Legal Officer (CLO) at the disposal of Gravesham Borough Council.

The report noted that the agreement to place any of its officers at the disposal of another local authority could be agreed by Cabinet as set out in Chapter 3, Part 1 – Responsibility for local choice functions, function 16 of the Council's Constitution.

**Decision
number:**

Decision:

39/2017

The Cabinet agreed to authorise the making of an agreement with Gravesham Borough Council to place Medway Council's Chief Legal Officer at the disposal of Gravesham Borough Council for the purpose of his designation as that authority's Monitoring Officer.

Reasons:

To complete the formalities required for implementation of Gravesham Borough Council's decision to designate Medway Council's Chief Legal Officer as its Monitoring Officer.

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.

Cabinet, 4 April 2017

An addendum report was circulated which provided details of an additional post.

Decision number:

Decision:

40/2017

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

Business Support

- a) Trainee Solicitor (2 posts)
- b) Lawyer

Children & Adults

- c) Admin Support Officer

Public Health

- d) Senior Public Health Intelligence Analyst

Regeneration, Culture, Environment and Transformation

- e) Information Mapping Analyst
- f) Data Scientist Analyst
- g) Communications Account Manager.

Reasons:

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

Gateway 1 Procurement Commencement: Adult Substance Misuse Specialist Treatment Services Recommissioning

Background:

This report sought approval to commence the procurement of adult substance misuse specialist treatment services following review and discussion at Procurement Board on 15 March 2017.

The report noted that the current contract would end on 30 June 2018, but that the Council would offer a new contract start date from 1 April 2018 as the current service provider was due to stop providing a service on 31 March 2018.

A Diversity Impact Assessment (DIA) was included at Appendix 1 to the report.

Cabinet, 4 April 2017

An Exempt Appendix provided details of the financial analysis in respect of procurement of this service.

An addendum report was circulated which provided details of comments of the Health and Adult Social Care Overview and Scrutiny Committee on 16 March 2017.

Decision number: **Decision:**

The Cabinet noted the comments of the Health and Adult Social Care Overview and Scrutiny Committee as set out in Section 1 of the addendum report.

41/2017 The Cabinet agreed the commencement of the procurement of new adult substance misuse specialist treatment services for Medway on the basis set out in paragraph 4.2 of the report, with a contract start date of 1 April 2018.

Reasons:

Specialist treatment for adult substance misusers delivered in community settings enables adults in effective treatment that directly supports their recovery from problematic substance misuse, rebuilding relationships, improving outcomes for families engaged with Medway social care services, mental health services, community and acute health services and reducing involvement in offending behaviour. The provision also directly contributes to reductions in anti-social behaviour.

By commissioning specialist community-based recovery resources and interventions, recovery can be sustained in a more robust and long lasting way, improving outcomes for individuals and families affected by problematic substance misuse and directly supporting the performance of key partners and stakeholders.

Gateway 1 Procurement Commencement: Independent Fostering Agency Provision

Background:

This report sought approval to commence the joint procurement with Kent County Council of an Independent Fostering Agency (IFA) Provision.

The report noted that the existing Joint Medway-Kent IFA Framework agreement was due to end in June 2017, with a new framework starting from 1 September 2017.

The report also noted that proposals for a renewed Framework were discussed and reviewed by the Procurement Board on 15 March 2017.

Cabinet, 4 April 2017

An Exempt Appendix provided details of the financial analysis in respect of procurement of this service.

Decision number:

Decision:

42/2017 **The Cabinet agreed the commencement of the joint procurement process with Kent County Council for the Independent Fostering Agency (IFA) Framework, as set out in paragraph 6.3.1 of the report.**

Reasons:

The current framework is no longer fit for purpose and ends in June 2017. A three-month extension will be applied until 31 August 2017 allowing time to procure the revised model.

Gateway 3 Contract Award: Medway Young Persons' Wellbeing Service

Background:

This report sought permission for the award of an NHS contract for a Young Persons' Wellbeing Service, to which the Council was an Associate Commissioner and co-funder.

The report noted that following consideration by the Procurement Board on 11 May 2016, the Cabinet approved the commencement of this requirement at Gateway 1 on 25 October 2016.

An Exempt Appendix provided information in respect of a financial analysis, evaluation and award, parallel procurement exercises and a Regulation 84 (Public Contracts Regulations 2015) procurement report.

Decision number:

Decision:

43/2017 **The Cabinet agreed the award of the contract for the provision of the Medway Young Persons' Wellbeing Service to North East London NHS Foundation Trust (NELFT).**

Reasons:

The Provider's proposed solution and offer to deliver the service meets the objective criteria set out in the tender documents and represents value for money for the Council, as well as providing an opportunity for positive change to the service delivery model.

Cabinet, 4 April 2017

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Leader of the Council

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Date

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