

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.

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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.

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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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