

## Record of Cabinet decisions

**Tuesday, 6 June 2017**

**3.00pm to 4.00pm**

**Date of publication: 7 June 2017**

**Subject to call-in these decisions will be effective from 15 June 2017**

**The record of decisions is subject to approval at the next meeting of the Cabinet**

<b>Present:</b>	Councillor Alan Jarrett	Leader of the Council
	Councillor Howard Doe	Deputy Leader and Portfolio Holder for Housing and Community Services
	Councillor David Brake	Portfolio Holder for Adults' 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
	<b>In Attendance:</b>	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	
	Ian Sutherland, Director of Children and Adults Services	
	Phil Watts, Chief Finance Officer	
	James Williams, Director of Public Health	

### **Apologies for absence**

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

## Cabinet, 6 June 2017

### Record of decisions

The record of the meeting held on 9 May 2017 was agreed and signed by the Leader of the Council as a correct record.

### Declarations of disclosable pecuniary interests and other interests

#### Disclosable pecuniary interests

Councillor Filmer declared an interest in agenda item 10 (Update on Medway Norse) because he is a Director of Medway Norse. He withdrew from the meeting for the discussion and voting thereon.

#### Other interests

Councillor Mackness declared an interest in agenda item 4 (Children's Traded Services) because he is the Chairman of the Medway Commercial Group Ltd Board. He withdrew from the meeting for the discussion and voting thereon.

### Children's Traded Services

#### **Background:**

This report provided details of proposals to create a traded service for the delivery of children's traded services. The report gave details of six potential models and recommended that the services be provided by a Local Authority Trading Company, Medway Commercial Group Ltd (MCG), from 1 August 2017.

The report stated that the following services were included in the scope of the proposed transfer:

- Schools Services including:
  - School contracts (catering, cleaning and waste);
  - Free school meal eligibility.
- Governance Services;
- Teacher Recruitment.

A Diversity Impact Assessment had been undertaken on the proposals, as set out in Appendix 1 to the report. This had identified there would be minimal or no impact on users.

An exempt appendix set out the outline business case, options appraisal and detailed business case.

## Cabinet, 6 June 2017

**Decision  
number:**

**Decision:**

**56/2017**

**The Cabinet approved the transfer of school and governance services to Medway Commercial Group Ltd with effect from 1 August 2017.**

### **Reasons:**

Transferring services to Medway Commercial Group Ltd represents the most time and cost effective solution that would allow Medway Council to benefit financially in the short, medium and long term.

Current services traded with schools have a consistent track record and desktop market analysis demonstrates that there is a considerable, as yet, untapped market for services.

### **Medway Music Education Hub**

#### **Background:**

This report provided details of proposed changes to the delivery of music education in Medway. Currently, Medway Council was the lead partner for Dynamics – The Music Education Hub. Given that the Music Education Hub had now developed firm foundations, it was proposed that a community interest company (CIC) be set up to act as lead partner, independently of the Council.

The report stated that Dynamics CIC would be developed by DBA Ltd, a delivery partner for Dynamics, which currently undertook the day-to-day management of music provision, as per the Arts Council England funding agreement, on behalf of Medway Council.

The report also stated that whilst the Council would have no ownership of the CIC, it would have Member representation on the Board of Directors with a public interest veto, to ensure that board decisions would always be in the public interest.

A Diversity Impact Assessment screening had been undertaken on the proposals, as set out in Appendix 2 to the report. The key change related to governance with the CIC replacing the Council as the lead partner and as such there was deemed to be no impact on individual groups.

## Cabinet, 6 June 2017

**Decision number:**

**Decision:**

- 57/2017** The Cabinet agreed, subject to formal Arts Council England approval, that the role of lead partner for Dynamics – The Medway Music Education Hub, is conferred to a newly formed community interest company, independent of Medway Council, for the provision of music education in Medway, with effect from 1 April 2018.
- 58/2017** The Cabinet agreed that the Portfolio Holder for Educational Attainment and Improvement takes a Director role on the Board of the community interest company with a public interest veto and noted that the Chief Executive will make the necessary appointment established under his delegation from Full Council in consultation with Group Whips.

### **Reasons:**

It is not a requirement for local authorities to lead local Music Education Hubs. This proposal will provide for a governance model which allows the successful current provision to continue to develop in an agile and flexible manner whilst maintaining partnership links with the Local Authority.

### **Integration and Better Care Fund: Update and Section 75 Budget Arrangements**

#### **Background:**

This report provided details of the Integration and Better Care Fund (iBCF) 2017/2019 and the requirement to establish a pooled budget in accordance with Section 75 of the Health and Social Care Act 2012 for the purpose of joining-up health and care services.

The report provided details of the iBCF and additional adult social care funding allocations and it was noted that the additional adult social care funding of £3,962,308 would be referred to Full Council to be added to the revenue budget.

The report also stated that whilst there was no requirement to consult on the totality of the iBCF arrangements, the Medway Clinical Commissioning Group was a joint signatory and would be involved in agreeing the final plan. Further to this, the Health and Wellbeing Board and the A&E Delivery Board would also be engaged on the development of the plan.

## Cabinet, 6 June 2017

**Decision  
number:**

**Decision:**

- 59/2017** The Cabinet agreed to delegate authority for the development and delivery of Medway's Integration and Better Care Fund (iBCF) programme to the Director of Children and Adults Services, in consultation with the Chief Legal Officer and the Portfolio Holder for Adults' Services, after it has been considered and endorsed by the Health and Wellbeing Board, to produce and finalise the agreement with the Accountable Officer of the Medway Clinical Commissioning Group (CCG) for the time-scale of the current programme: 2017/18 and 2018/19.
- 60/2017** The Cabinet recommended to Council to agree the additional Adult Social Care funding of £3,962,308 to the revenue budget.
- 61/2017** The Cabinet agreed to delegate authority to the Director of Children and Adults Services, in consultation with the Portfolio Holder for Adults' Services and the Accountable Officer at Medway Clinical Commissioning Group (CCG) to agree a set of proposals for the use of additional Adult Social Care funds.

**Reasons:**

Delegating authority to the Director of Children and Adults Services, in consultation with the Chief Legal Officer and the Portfolio Holder for Adults' Services allows more time to establish the pooled fund agreement within the foreshortened timeframes within which NHS England operates.

Regular reports on the progress of the iBCF programme will be provided but this arrangement will sit better with existing governance arrangements.

**Risk Based Verification Policy**

**Background:**

This report provided details of the Risk Based Verification Policy, the aim of which was to target resources at higher risk cases and to remove the need for low risk claims to be evidenced beyond statutory requirements, in relation to housing benefit and council tax reduction scheme claims.

The report stated that the Department for Work and Pensions had issued guidance on this type of Policy and had advised that it should not be made publicly available. It also stated that the introduction of the Policy would allow greater efficiencies to be gained in processing by reducing the level of customer contact and correspondence flowing through the system.

## Cabinet, 6 June 2017

A Diversity Impact Assessment had been undertaken on the proposals, as set out in Appendix 2 to the report, including an action plan to be undertaken following implementation of the Policy.

An Exempt Appendix set out details of the Policy.

**Decision number:**      **Decision:**

**62/2017**      **The Cabinet adopted the Risk Based Verification Policy, as set out in the Exempt Appendix, subject to an amendment to row no.14 in the table in Appendix 1 (Exempt Appendix) whereby the final column should contain the words 'Originals Required'.**

### **Reasons:**

To gain efficiencies in the benefit administrative process whilst increasing protection against fraudulent claims.

### **Revenue and Capital Outturn and Draft Statement of Accounts 2016/17**

#### **Background:**

This report provided details of the final revenue and capital outturn position for the financial year ended 31 March 2017 including the draft Statement of Accounts, as set out in Appendix 1 to the report.

An updated version of the report was tabled at the meeting.

The updated report stated that following the quarter 3 forecast which had indicated a £1.8 million pressure, the final outturn for the year had resulted in an underspend of £217,000.

The updated report also stated that the draft Statement of Accounts would be reported to the Audit Committee on 29 June 2017, following which they would be subject to external audit before being considered by the Audit Committee for final consideration and approval on 28 September 2017.

**Decision number:**      **Decision:**

**The Cabinet noted the revenue and capital outturn position for the financial year 2016/17.**

**The Cabinet noted the content of the draft Statement of Accounts, as set out in Appendix 1 to the report, to be presented to Audit Committee for approval on 29 June 2017.**

## Cabinet, 6 June 2017

### Reasons:

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

### Council Plan Performance Monitoring Report End of Year: Quarter 4: 2016/17

#### Background:

This report provided details of how the Council had performed in 2016/17 against the Council's three priorities using 32 key measures of success and 13 key projects.

It was noted, with regards to quarter 4, that 70% of key measures of success were on target and that 55.2% of key measures of success had improved over the long term. In addition, it was noted that for 2016/17 overall, 71.9% of key measures were on target.

It was noted that the report would be considered by the Overview and Scrutiny Committees between June-August.

Cabinet Members highlighted a number of key issues during discussion.

#### **Decision number:**

#### **Decision:**

**The Cabinet noted the 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.

### Update on Medway Norse

#### Background:

This report provided details of the achievements and performance of Medway Norse up to the end of the fourth quarter in its fourth year of trading.

The report stated that Medway Norse 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.

An addendum report provided details of year-end figures in relation to local business participation.

## Cabinet, 6 June 2017

The report also stated that the Business Support Overview and Scrutiny Committee would consider this report on 6 July 2017.

**Decision number:**      **Decision:**

**The Cabinet noted the report.**

### Reasons:

When the Cabinet agreed to establish the joint venture company it was also agreed that regular monitoring reports would be provided to Cabinet.

### Cabinet Advisory Groups

#### Background:

This report provided a review of the various Cabinet Advisory Groups and asked the Cabinet to agree to the re-establishment of the Groups for 2017/2018. The report noted that these Groups did not have any decision making powers and could consist of both executive and non-executive Councillors.

**Decision number:**      **Decision:**

**63/2017      The Cabinet agreed the re-establishment of the Cabinet Advisory Groups with the terms of reference set out in the report and appointment of Members to these bodies, as set out in Appendix 1 to the report, for 2017/2018.**

### Reasons:

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

### Recruitment Freeze

#### Background:

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

Details of the posts were set out within Appendix 1 to the report and an addendum report, which was tabled at the meeting.



**Cabinet, 6 June 2017**

**Decision  
number:**

**Decision:**

**64/2017**

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

**Business Support**

- a) Paralegal – Legal Services (People)
- b) Information Governance Officer
- c) Democratic Services Officer
- d) Locum Childcare Lawyer, People Team, Legal Services (x 2)

**Regeneration, Culture, Environment and Transformation**

- e) Admin Support Officer x 2
- f) Apprenticeship Manager
- g) Customer Relations Team Compliance and Monitoring Officer.

**Reasons:**

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

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**Leader of the Council**

.....  
**Date**

**Joseph Dance/Wayne Hemingway, Democratic Services Officers**

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