

Record of Cabinet decisions

Tuesday, 11 July 2017

3.00pm to 3.56pm

Date of publication: 12 July 2017

Subject to call-in these decisions will be effective from 20 July 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 Adults' 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: Joseph Dance, Democratic Services Officer
Neil Davies, Chief Executive
Richard Hicks, Director of Regeneration, Culture, Environment and Transformation
Perry Holmes, Chief Legal Officer/Monitoring Officer
Julie Keith, Head of Democratic Services
Carrie McKenzie, Chief People Officer
Ian Sutherland, Director of Children and Adults Services
James Williams, Director of Public Health

Apologies for absence

None.

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Record of decisions

The record of the meeting held on 6 June 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.

Outcome of Public Consultation on the Proposed Closure of Thomas Aveling Library

Background:

This report provided details of the outcomes of the consultation on the future of Thomas Aveling Public Library, where the Council had indicated its preferred option was to close the library. The proposal for the potential closure of the library was included in the Capital and Revenue Budgets 2017/18 report submitted to Full Council on 23 February 2017. An analysis of Thomas Aveling's performance was undertaken and set out in the consultation document. Public consultation started on 21 April 2017, and ran to 15 June 2017.

Consultation documents, including analysis of the consultation findings were included in Appendices 1 and 2. The survey received 151 responses; of those responding, 145 identified themselves as current Thomas Aveling users.

Cabinet also considered an addendum report which set out the comments of the Business Support Overview and Scrutiny Committee on 6 July 2017.

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

Decision number:

Decision:

The Cabinet noted the comments of the Business Support Overview and Scrutiny Committee and endorsed the Assistant Director's Comments in section 2 of the addendum report.

65/2017

The Cabinet agreed the closure of Thomas Aveling Public Library.

66/2017

The Cabinet agreed that the precise closure date would be agreed by the Director of Regeneration, Culture,

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Environment and Transformation, in consultation with the Deputy Leader and Portfolio Holder for Housing and Community Services.

67/2017 The Cabinet agreed that negotiations with Thomas Aveling School in relation to the notice period of the rent would be conducted by the Director of Regeneration, Culture, Environment and Transformation, in consultation with the Chief Legal Officer and the Deputy Leader and Portfolio Holder for Housing and Community Services.

The Cabinet noted that the implementation of the mitigations outlined in paragraph 5 of the report would be undertaken by the Director of Regeneration, Culture, Environment and Transformation, in consultation with the Deputy Leader and Portfolio Holder for Housing and Community Services.

The Cabinet noted that the Planning Committee would be asked to consider a report to vary the obligation on the school to facilitate provision of a community library as set out in the agreement made further to conditions to the relevant Planning decision.

Reasons:

The decision to close Thomas Aveling Public Library is due to it being a poorly performing library, with limited use by the local population. There is no scope to improve the library offer, as has been achieved elsewhere, due to the fixed and limited opening hours, with the library only available Monday to Friday from 3.00pm, not the most popular time that the public make use of libraries.

Alternative and better facilities and services for all users are available at other libraries, particularly the Community Hubs and these form a key part of a range of mitigation proposals that can be put into place.

Council Tax Reduction Scheme

Background:

This report provided details of the current Council Tax Reduction Scheme (CTRS), which had originally been adopted by Council on 23 January 2013, and sought Cabinet's approval to commence public consultation on options proposed to amend the eligibility criteria for CTRS discounts as set out in paragraph 4 of the report.

The report noted that the outcome of the consultation would be reported to the Business Support Overview and Scrutiny Committee on 30 November 2017 and Cabinet on 19 December 2017 for consideration, and that final approval of any revisions to the CTRS would be a matter for Full Council on 25 January 2018.

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The report stated that a Diversity Impact Assessment would be undertaken following the consultation as part of the policy change process.

Decision number: ***Decision:***

68/2017 **The Cabinet agreed the commencement of a twelve-week consultation in relation to all the options proposed to amend the eligibility criteria for Council Tax Reduction Scheme (CTRS) discounts as set out in paragraph 4 of the report.**

Reasons:

The Council has a legal duty to review its CTRS every year and consult on any proposed changes.

Housing Company

Background:

This report provided details of proposals for the creation of a Housing Company to maximise the opportunities to invest in or develop property within and outside Medway, and in the first instance to enable the development of a number of Council-owned sites.

The report set out options on the structure and governance arrangements for the proposed Housing Company at paragraph 5.

An Exempt Appendix provided details of a potential five-year programme.

Decision number: ***Decision:***

69/2017 **The Cabinet agreed, in principle, the creation of a housing company limited by shares to undertake development activity and property investment principally within, but also outside Medway.**

70/2017 **The Cabinet noted the governance and operational features of a housing company as set out in section 5.7 of the report and agreed the proposed structure and the role of the Council as shareholder as set out in section 5.7 of the report.**

71/2017 **The Cabinet agreed the principle of the Council financing the housing company through a mix of equity and debt, with state aid compliant loans in a format to be agreed by the Chief Finance Officer.**

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- 72/2017** The Cabinet agreed to delegate authority to the Chief Legal Officer, in consultation with the Deputy Leader and Portfolio Holder for Housing and Community Services, to commission a Business Case for future Cabinet approval prior to the setting up of a housing company.
- 73/2017** The Cabinet agreed to delegate authority to the Chief Legal Officer, in consultation with the Deputy Leader and Portfolio Holder for Housing and Community Services, to commission or produce Articles of Association, a Shareholders Agreement and all other ancillary documentation that may be needed prior to the setting up of a company.
- 74/2017** The Cabinet agreed to instruct the Chief Legal Officer to submit a further report to Cabinet to seek final approval for the creation of a housing company after consideration of the Business Case and once all of the necessary arrangements and requirements were in place.

Reasons:

To enable the generation of new and alternative revenue income streams for the Council and to deliver housing units principally in Medway.

Code of Corporate Governance

Background:

This report provided details of a revised Code of Corporate Governance and sought Cabinet's comments on the revised Code prior to consideration and approval at Full Council on 20 July 2017. The report stated that the revised Code was based on the CIPFA and the Society of Local Authority Chief Executives (SOLACE) guidance entitled 'Delivering Good Governance'.

The report noted that the revised Code of Corporate Governance was considered by the Audit Committee on 29 June 2017 as set out in paragraph 4 of the report.

Decision number: **Decision:**

The Cabinet noted the comment of the Audit Committee as set out in paragraph 4 of the report.

- 75/2017** The Cabinet recommended the revised Local Code of Corporate Governance, set out in Appendix 2 to the report, to Full Council for approval and incorporation into the Constitution.

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Reasons:

To ensure that the Council's Code of Corporate Governance reflects the latest CIPFA and the Society of Local Authority Chief Executives (SOLACE) guidance.

Additions to the Capital Programme

Background:

The Cabinet agreed to accept this report as urgent owing to the need to seek Cabinet's views and recommendations on the proposals to enable consideration and final approval at Full Council on 20 July 2017.

This report presented a number of schemes which require Full Council approval to be added to the Capital Programme.

A revised report was subsequently circulated in Supplementary Agenda No.2.

Decision number: ***Decision:***

76/2017 **The Cabinet recommended to Full Council to add the schemes set out in section 2 of the revised report to the Capital Programme.**

Reasons:

Additions to the Capital Programme are a matter for Full Council.

Treasury Management Outturn Annual Report

Background:

This report provided an overview of treasury management activity during 2016/17.

Overall the Interest and Financing budget made a surplus over its targeted budget of £181k. Bank rate continued at the historically low rate of 0.5% throughout 2015/16, however, the overall rate achieved on cash based investments averaged 1.3%.

The report noted that the treasury management activity report was considered by the Audit Committee on 29 June 2017, and comments from this committee were set out in section 13 of the report.

Decision number: ***Decision:***

The Cabinet noted the Treasury Management Outturn Report and the comments of the Audit Committee as set out in section 13 of the report.

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Reasons:

Section 7.1(e) of the Council's Financial Rules state that the Chief Finance Officer shall report to Cabinet and the Audit Committee not later than September on treasury management activities in the previous year.

Recruitment Freeze

Background:

The 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 and an addendum report and a recruitment form tabled at the meeting.

Decision number: ***Decision:***

76/2017 **The Cabinet agreed to unfreeze the following posts, as detailed in Appendix 1 and an addendum report and a recruitment form tabled at the meeting:**

Children & Adults

- a) Deputy Director, Children and Adults**
- b) Social Worker – Youth Offending Team**
- c) Senior Partnership Commissioner (Children)**

Business Support

- d) Information Governance Officer (temporary)**
- e) Trainee Solicitor**
- f) Locum Adult Services Lawyer**
- g) Accounting Technician Control Team**
- h) Information Governance Paralegal**
- i) Finance Assistants – exchequer**
- j) System Support Officer (Finance)**

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Regeneration, Culture, Environment and Transformation

k) Senior Administration Officer

l) Communications Account Manager

m) Parking Processing Assistant x 2

n) Admin Support Officer x 3

Public Health

o) Senior Public Health Intelligence Manager

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

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