

COUNCIL

12 OCTOBER 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 20 July 2017.

He will include:

- Education
- Regeneration – (including Chatham Placemaking and Innovation Studios Strood)
- Greenspaces
- Decisions made by the Cabinet on 28 July 2017 (Leader's Urgent Decision), 8 August 2017, 21 August 2017 (Leader's Urgent Decision), 5 September 2017 and 26 September 2017.

Record of decision

Leader using Urgency Powers

Friday, 28 July 2017

Date of publication: 28 July 2017

Revision to Treasury Management Practices

Background:

This report provided details of the proposed amendment of the Council's Treasury Management Practice 1 to reflect the correct investment limits for property funds.

The report noted that the urgency provisions were set out in the Constitution (paragraph 3.2 of Part 3 (Responsibility for Cabinet functions) of Chapter 3 (Responsibility for Functions) of the Constitution).

The Chairman of the Business Support Overview and Scrutiny Committee agreed that the taking of these decisions were urgent and could not be reasonably deferred until the next Cabinet meeting on 8 August 2017, in accordance with Section 11 (Cases of special urgency) of the Local Authorities (Executive Arrangements)(Meetings and Access to Information)(England) Regulations 2012 and Rule 17 (Special Urgency) of the Access to Information Rules (Part 2 of Chapter 4 in the Constitution). This was because investment in property funds required a 'trade' for the Council to purchase units in the fund; having identified and vetted the funds in which the Council would like to invest, the Council had learned that one of the funds only traded once each month and as such, unless the Council placed the £5m intended with this fund on Monday 31 July 2017, the Council would not be able to place the funds until September and would lose 1 month's investment income on this £5m as a result.

Additionally and in line with rule 15.11 of Chapter 4, Part 5 of the Constitution, call-in could be waived where any delay likely to be caused by the call-in process would seriously prejudice the Council's or the Public's interests. The Chairman of the Business Support Overview and Scrutiny Committee agreed that the decisions proposed were reasonable in all the circumstances and to them being treated as a matter of urgency and to waive call-in.

Cabinet, 28 July 2017

**Decision
number:**

Decision:

77/2017

The Leader agreed to approve the amendment of the Council's Treasury Management Practice 1 to remove the investment limit within the Treasury Management Strategy of £5m per property fund counterparty, as set out in Appendix 1 to the report.

78/2017

The Leader agreed that this decision is considered urgent and therefore should not be subject to call-in.

Reasons:

This amendment will enable the Council to place investments in line with the approved Treasury Management Strategy and deliver as much of the budgeted investment income as possible.

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Leader of the Council

.....
Date

Joseph Dance/Wayne Hemingway, Democratic Services Officers

Telephone: 01634 332008/332509

Email: democratic.services@medway.gov.uk

Record of Cabinet decisions

Tuesday, 8 August 2017

3pm to 4.16pm

Date of publication: 9 August 2017

**Subject to call-in these decisions will be effective from 17 August 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	
	Ann Domeney, Interim Deputy Director, Children and Adults Services	
	Richard Hicks, Director of Regeneration, Culture, Environment and Transformation	
	Perry Holmes, Chief Legal Officer/Monitoring Officer	
	Helen Jones, Assistant Director – Commissioning, Business and Intelligence	
	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		

Cabinet, 8 August 2017

Apologies for absence

None.

Record of decisions

The record of the meeting held on 11 July 2017 was agreed and signed by the Leader as a correct record.

The record of the urgent decision taken by the Leader on 28 July 2017 was agreed and signed by the Leader as a correct record.

Declarations of disclosable pecuniary interests and other interests

Disclosable pecuniary interests

In relation to item 6 on the agenda, Councillor Mackness stated that his wife held a tenancy in 95 High Street, Rochester (The Medway Visitor Information Centre), which he had registered as a disclosable pecuniary interest. Councillor Mackness stated that he would participate in the discussion and vote because he had taken advice from the Monitoring Officer that the matter being considered was not closely aligned to his registered disclosable pecuniary interest.

Other interests

In relation to item 4 on the agenda, Councillor Turpin stated that he was the parent of a disabled child and, as such, accesses some children's services. He said, having discussed this with the Monitoring Officer, he considered he could participate in the discussion and vote on the matter.

Transformation of Early Help Services - Outcome of the Consultation and Business Case

Background:

The Cabinet accepted this report as urgent to enable consideration of the outcome of consultation, the comments of the Children and Young People Overview and Scrutiny Committee and the business case prior to making a final decision on the way forward at the earliest possible time in the light of the budget agreed by Full Council on 23 February 2017.

This report provided details of the outcome of the Transformation of Early Help Services' public consultation carried out between 31 May and 12 July 2017. It also provided an overview of the business case, which analysed all the counter proposals together with the comments of the Children and Young People Overview and Scrutiny Committee.

The report stated that the consultation captured a broad range of views and included ten public consultation meetings, five meetings with professional representatives from education and health, a direct e-mail address for comments, 19 meetings at

Cabinet, 8 August 2017

existing centres with staff and users and an online and paper based survey. The consultation process was summarised in paragraph 3 of the report and the outcome of consultation was set out in Appendix 2 to the report. In addition, a petition was submitted to Full Council, details of which were set out in paragraph 3.10 of the report. The Lead Petitioner addressed the Children and Young People Overview and Scrutiny Committee, in accordance with the Petition Scheme, details of which were set out in paragraph 6 of the report.

The Business Case examined each option (A-G) and recommended that Option G (Children and Family Hub and Children and Family Wellbeing Centres) be implemented, as detailed in section 5 of the report.

A Diversity Impact Assessment had been undertaken on the proposals, as set out in Appendix 3 to the report.

The Portfolio Holder for Children's Services asked for his thanks to the officers who had organised the consultation exercise and analysis of outcomes to be placed on record.

Decision number: ***Decision:***

The Cabinet noted the outcome of the consultation, as set out in Appendix 2 to the report.

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

79/2017 The Cabinet approved the option to establish four integrated Family and Children Hubs (Designated Children's Centres) and nine Children and Family Wellbeing Centres as set out in the Business Case (Appendix 1 to the report).

80/2017 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 decide the final location of the Children and Family Hubs and Children and Family Wellbeing Centres within the agreed capital budget.

Reasons:

The agreed option will allow Medway Council to continue to deliver flexible and effective Early Help services within a significantly diminished revenue budget. Creation of four new Family Hubs will allow the extension of services to a wider range of families. The proposed model delivers the most effective and far-reaching service within the reduced budget envelope.

Homelessness Prevention Strategy 2017-19

Background:

This report provided details of the background to Medway Council's Homelessness Prevention Strategy 2017-19, the consultation process, and the refinement of the strategy based on feedback received.

The report set out the background to the review process, which was undertaken between June – August 2016, following which the Strategy was drafted and was subject to consultation between March 2017-April 2017. The outcome of consultation was summarised in paragraph 2.5 of the report and detailed in Appendix 2 to the report.

The Business Support Overview and Scrutiny Committee considered this report on 6 July 2017 and its comments were set out in section 6 of the report.

A Diversity Impact Assessment had been undertaken on the Strategy, as set out in Appendix 4 to the report.

Decision number:

The Cabinet noted the comments of the Business Support Overview and Scrutiny Committee as set out in paragraph 6 of the report.

81/2017 The Cabinet approved the Homelessness Prevention Strategy as set out in Appendix 1 to the report.

Reasons:

Approval of the Strategy will allow Medway Council to meet the legal requirements of the Homelessness Act 2002.

Corporate Property Strategy 2017-2022

Background:

This report provided details of the Corporate Property Strategy 2017-2022. The Strategy set out the broad aims of the Council in the management of an extensive and varied portfolio which included 157 operational buildings, 682 operational sites (including 71 Car parks, 506 parks and greenspaces), 40 shops and business centres, 3 major regeneration sites, 3 civic amenity sites, 13 cemeteries and a crematorium.

The broad aims of the Strategy included rationalisation of surplus estate and better space utilisation, as well as a series of key actions to be delivered over the medium

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term together with the aim to realise £20 million of capital receipts over the life of the Strategy.

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

Decision number: **Decision:**

82/2017 **The Cabinet approved the Corporate Property Strategy 2017-2022 as set out in Appendix A to the report.**

Reasons:

To enable a co-ordinated approach to estate management that encourages partnership working and joint local estate solutions.

Outcomes of Statutory 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 formal consultation (statutory representation) period on the Council's proposals to enlarge the premises and change the lower age limit at St Mary's Island CE Primary School, by way of statutory prescribed alterations.

At the Cabinet meeting on 4 April 2017, the Cabinet had authorised the Director of Children and Adults Services to commence the formal consultation stage of the statutory process (decision no. 35/2017 refers). This took place over a five-week period between 15 May and 18 June 2017. There were three responses to the formal consultation, including one formal objection on the issues of parking, traffic and children coming from off St Mary's Island. These objections were responded to in paragraphs 5.8 and 5.9 of the report.

A Diversity Impact Assessment had been undertaken on the proposals, as set out in Appendix 2 to the report.

Decision number: **Decision:**

83/2017 **The Cabinet noted the responses to the formal and informal consultations, together with the advice and analysis from officers and approved the proposals:**

- (i) For the enlargement of the Premises at St Mary's Island CE Primary School to provide adequate accommodation for the additional children who will attend the school as a result of an increase in the**

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Published Admission number (PAN) from 60 to 90;

- (ii) **To lower the age limit from four to two to enable the school to operate a nursery class.**

For implementation from 1 September 2018.

Reasons:

Where an objection has been made during formal consultation to the proposals for prescribed alterations to a School, the Cabinet must consider the objection(s) and decide whether to approve the proposals.

Approval to proceed with the proposals will ensure that the Council meets its statutory duty to provide sufficient school places.

Revenue Budget Monitoring 2017/18 - Quarter 1

Background:

This report detailed the revenue budget forecasts as at the end of June 2017. The report noted that, after management action, the forecast outturn for 2017/18 was a potential overspend of £1.909m, with an expectation that this figure would be reduced further as the financial year progressed.

The report set out an explanation of the pressures being faced and the corrective management action proposed by directorate management teams.

Decision number: **Decision:**

84/2017 **The Cabinet noted the result of the first round of revenue monitoring for 2017/18 and agreed the forecast position and proposed management action.**

Reasons

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

Capital Budget Monitoring 2017/18 - Quarter 1

Background

This report presented the capital monitoring information for the first quarter of the financial year, including outturn forecasts and reference to any new schemes for approval. The approved capital programme for 2017/18, and future years, was £78.305m, comprising £64.526m in respect of brought forward schemes and £13,779m of new approvals.

Cabinet, 8 August 2017

**Decision
number:**

Decision:

The Cabinet noted the additional funding identified in section 4 of the report, to be added to the programme in quarter 2 under the Chief Finance Officer's delegation.

The Cabinet noted the spending forecasts summarised at Table 1 in the report.

Reasons

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

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.

**Decision
number:**

Decision:

85/2017

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

Business Support Department

- a) Audit and Counter Fraud Officer
- b) Head of Audit and Counter Fraud
- c) Lawyer, Planning and Licensing, Place Team, Legal Services
- d) Principal Lawyer, Place Team, Legal Services

Children and Adults

- e) Programme Lead (Children's Services Transformation)
- f) Finance Assistant
- g) Senior Commissioning Officer

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- h) Complex Care Coordinator**
- i) Executive Support Assistant X 2**
- j) Placement Officer (Children)**
- k) Project Manager (Adults Social Care Improvement Programme)**

Regeneration, Culture, Environment and Transformation

- l) Work Programme Job Broker Advisor X 2**
- m) Press Officer.**

Reasons:

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

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Leader of the Council

.....
Date

Joseph Dance/Wayne Hemingway, Democratic Services Officers

Telephone: 01634 332008/332509

Email: democratic.services@medway.gov.uk

Record of decisions

Leader using Urgency Powers

Monday, 21 August 2017

Date of publication: 31 August 2017

Legal Claim Against Medway Council

Background:

This exempt report provided details of legal advice regarding a High Court claim against the Council.

The exempt report noted that the urgency provisions were set out in the Constitution (paragraph 3.2 of Part 3 (Responsibility for Cabinet functions) of Chapter 3 (Responsibility for Functions) of the Constitution.

The Chairman of the Business Support Overview and Scrutiny Committee had agreed that the taking of this decision was urgent and could not be reasonably deferred, in accordance with Rule 17.1 (Special Urgency) of the Access to Information Rules (Part 2 of Chapter 4 in the Constitution). This was there was a deadline for responding to the court papers prior to the next Cabinet and therefore, it was not possible to defer consideration until the next Cabinet meeting which was due to be held on 5 September 2017.

In line with the Overview and Scrutiny rules in the Constitution, call-in could be waived where any delay likely to be caused by the call-in process would seriously prejudice the Council's or the Public's interests. The Chairman of the Business Support Overview and Scrutiny Committee had agreed that the decisions proposed were reasonable in all the circumstances and to them being treated as a matter of urgency and to waive call-in.

Decision number:

Decision:

- | | |
|----------------|--|
| 86/2017 | The Leader agreed to authorise the Chief Executive in consultation with himself to take the necessary steps to settle the litigation and to take any other necessary steps to mitigate the Council's financial exposure in this matter. |
| 87/2017 | The Leader agreed that this decision is considered urgent and therefore should not be subject to call-in. |

Cabinet, 21 August 2017

Reasons:

To mitigate any increased financial liability for the Council above the extent of the current claim.

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Leader of the Council

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Date

Joseph Dance/Wayne Hemingway, Democratic Services Officers

Telephone: 01634 332008/332509

Email: democratic.services@medway.gov.uk

Record of Cabinet decisions

Tuesday, 5 September 2017

3.00pm to 4.02pm

Date of publication: 6 September 2017

**Subject to call-in these decisions will be effective from 14 September 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:	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	
	Helen Jones, Assistant Director – Commissioning, Business and Intelligence	
	Julie Keith, Head of Democratic Services	
	Carrie McKenzie, Chief People Officer	
	James Williams, Director of Public Health	

Apologies for absence

There were none.

Cabinet, 5 September 2017

Record of decisions

The record of the meeting held on 8 August 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

There were none.

Other interests

Councillor Mackness requested that, for the avoidance of doubt, it be placed on record that in relation to agenda item 6 (Housing Company), that he is a Director of St Andrew's Leisure Ltd, which owned land adjacent to a site identified in the business case. However, he stated that this did not constitute a disclosable pecuniary interest.

Medway Youth Justice Partnership Strategic Plan 2017-2020 (Policy Framework)

Background:

This report provided details of the Medway Youth Justice Partnership Strategic Plan 2017-2020, which was required under the provisions of the Crime and Disorder Act 1998. The Plan covered a three year period (2017-2020) and had been co-produced with Youth Justice Partnership Board (YJPB) members, influenced by national research and evidence of effective practice and had taken examples across National Partnerships. The Plan set out how high quality, high performing youth justice services over the next 3 years would continue to be delivered.

The report provided details of proposed changes, compared to the previous Plan, including the development of a Youth Justice Partnership Board (YJPB) which would be focused less on oversight of a single service and more on the activities of all partners that would impact upon young people's involvement with offending. The report also gave details of the Plan's priorities, as highlighted in paragraph 2.6 of the report:

- Prevent Youth Crime (Appropriate use Out of Court Disposals)
- Reduce Re-offending (Quality of Assessments/ Plans delivered through evidenced based practice)
- Safeguard young people from harm (CSE, Prevent, Safeguarding, Gangs)
- Protect the public from harm (ROSH, Gangs, ISS, use of Custody, Resettlement)

The report had been considered by the Children and Young People Overview and Scrutiny Committee, and its comments were set out in paragraph 7 of the report.

Cabinet, 5 September 2017

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

Decision number: **Decision:**

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

88/2017 The Cabinet recommended approval to Full Council of the Medway Youth Justice Partnership Strategic Plan 2017-2020 as set out in Appendix A to the report.

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.

Aut Even Ofsted Inspection

Background:

This report provided details of the outcome of the unannounced Ofsted inspection of Aut Even, a residential respite unit for young people with disabilities, based in Twydall, which had been carried out on 25-26 July 2017. The report stated the outcome of the inspection was “inadequate”.

The report provided details of the outcome of the unannounced inspection, highlighting both why the service had been rated as “inadequate” as well as areas of strength, together with the Council’s response to the findings (Action Plan), detailed in Appendix 2 to the report.

Decision number: **Decision:**

The Cabinet noted the Ofsted inspection report and planned actions as detailed in Appendix 2 to the report.

Reasons:

To formally notify the Cabinet of the outcome of the Ofsted inspection together with the Council’s Action Plan in response to Ofsted’s findings.

Housing Company

Background:

This report provided details of proposals to establish 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 Cabinet had previously considered a report on 11 July 2017 which had set out proposals for the establishment of a housing company (decision nos. 69-74/2017 refer). Those decisions related, primarily, to the commissioning of a Business Case to assist Cabinet in deciding whether to pursue the proposal and also for relevant company documentation to be drafted for approval.

The report provided details of the Business Case, as set out in Exempt Appendix 1 to the report, and summarised in paragraph 3.4 of the report. The legal implications were set out in detail in Exempt Appendix 2 to the report.

An exempt addendum report was tabled at the meeting in respect of some revised information relating to the Business Case.

Decision number:

Decision:

- 89/2017** **The Cabinet approved the Business Case at exempt Appendix 1 to the report including the revised information in the exempt addendum report, and the financial due diligence report at appendix 3 to the report.**
- 90/2017** **The Cabinet agreed the company will be called Medway Development Company Limited.**
- 91/2017** **The Cabinet agreed to exercise the role of shareholder.**
- 92/2017** **The Cabinet agreed to delegate authority to the Chief Legal Officer, in consultation with the Leader, to finalise the Articles of Association in a form similar to those set out in Appendix 4 to the report.**
- 93/2017** **The Cabinet agreed to delegate authority to the Chief Finance Officer, in consultation with the Leader, to provide funding to the Company through state aid compliant loans, subject to appropriate due diligence to verify the Company's on-going viability and the viability of projects for which the loans are being provided and loan agreements between the Council and the Company setting out pre-conditions for draw down as well as performance measurements.**

The Cabinet noted the amounts required to be provided for in the Capital Programme in respect of initial set up costs

Cabinet, 5 September 2017

and loan funding.

- 94/2017** The Cabinet agreed to delegate authority to the Chief Finance Officer, in consultation with the Leader, to release funding to the Company for each agreed scheme in the Company's Business Plan subject to financial due diligence and appropriate loan agreements.
- 95/2017** The Cabinet agreed to delegate authority to the Chief Legal Officer, in consultation with the Leader, to identify, declare surplus and dispose of assets at commercial rates that are state aid compliant or to agree suitable equity arrangements that reflect commercial rates of return to the Council, to the company in line with its Business Plan.
- 96/2017** The Cabinet agreed to delegate authority to the Chief Legal Officer, in consultation with the Leader, to execute the final legal agreements, contracts and all other ancillary documentation that may be needed prior to the setting up of a company setting out the arrangements between the Council and the Company.
- 97/2017** The Cabinet agreed to delegate authority to the Chief Executive to make the necessary appointments to the Executive Board of Directors, as set out in paragraph 5.3 of the report, under his delegation from Full Council as set out in the Employee Delegation Scheme, in consultation with Group Whips and taking into account the views of the Leader.

Reasons:

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

Declaration of Four Elms Hill Air Quality Management Area

Background:

This report provided details of the findings of the consultation which had been undertaken to inform statutory consultees and members of the public of the need to declare a new Air Quality Management Area (AQMA) at Four Elms Hill prior to the formal declaration of the AQMA.

The Cabinet had agreed that consultation could be undertaken on the proposals at its meeting on 9 May 2017. Consultation was undertaken between 23 May - 28 June 2017. Seven responses were received to the consultation, 4 from local residents, 2 from statutory consultees (PHE and Natural England) and 1 response from a local authority, details of which were set out in Appendix 4 to the report.

Cabinet, 5 September 2017

The Regeneration, Culture and Environment Overview and Scrutiny Committee considered the report on 17 August 2017 and its comments were set out in paragraph 7 of the report.

A Diversity Impact Assessment had been undertaken on the proposals, as set out in Appendix 3 to the report.

Decision number: **Decision:**

The Cabinet noted the comments of the Regeneration, Culture and Environment Overview and Scrutiny Committee as set out in paragraph 7 of the report.

98/2017 The Cabinet approved the declaration of the new Air Quality Management Area (AQMA) at Four Elms Hill to ensure Medway's statutory duty, under the requirements of the Environment Act 1995, are met and instructed officers to:

- **undertake the necessary work to formally declare the area as an AQMA;**
- **develop and consult on an Action Plan for the area; and**
- **report back to Cabinet to gain approval of the new Action Plan.**

Reasons:

Medway has a statutory duty under the Environment Act 1995 to declare an AQMA where the air quality objectives are not being met.

By Cabinet approving the declaration of the new AQMA at Four Elms Hill this will also provide Medway with some protection against potential infraction fines being passed down to the local authority by Central Government.

Business Rate Relief

Background:

This report provided details of a request from Central Government that Local Authorities consider using their discretionary powers to award business rate relief in certain circumstances. This included reliefs for local newspapers, small businesses, pubs and a new discretionary rate relief, details of which were set out in paragraphs 2 and 3 of the report. It was also reported that the Government would legislate to enable local authorities to use their existing discretionary relief powers to support publicly owned public toilets from 1 April 2018.

Cabinet, 5 September 2017

The report stated that officers were not currently in a position to be able to identify, quantify and award all these reliefs although the possibility of reliefs being awarded was taken into account by officers considering any recovery action. Therefore, it was proposed that the detailed qualifying criteria be delegated to the Chief Finance Officer, in consultation with the Portfolio Holder for Business Management, to enable reliefs to be approved up to the level of Government funding.

Decision number:

Decision:

- 99/2017** **The Cabinet agreed to adopt the discretionary rate relief scheme for local newspapers in line with Government guidelines.**
- 100/2017** **The Cabinet agreed to adopt the Supporting Small Business Rate Relief scheme in line with Government guidelines.**
- 101/2017** **The Cabinet agreed to adopt a Support for Pubs discretionary relief scheme and agreed to delegate authority to the Chief Finance Officer, in consultation with the Portfolio Holder for Business Management, to set the qualifying criteria, as outlined in paragraph 3.4 of the report.**
- 102/2017** **The Cabinet agreed to adopt a New Discretionary Rate Relief scheme to be met within Government funding limits, and agreed to delegate authority to the Chief Finance Officer, in consultation with the Portfolio Holder for Business Management, to agree the detailed application of the scheme, as outlined in paragraph 4.2 of the report.**

Reasons:

The relief schemes have been promoted by and will be funded by central government to assist small business ratepayers. Given the lack of cost to the local taxpayer it is appropriate for the Council to operate such a scheme.

The business usages for which the New Discretionary Rate Relief is awarded will be compatible with the Authority's wider objectives for the local area.

Rede Common - Local Nature Reserve Designation

Background:

This report provided details of the proposed designation of Rede Common, Strood, as a Local Nature Reserve (LNR) confirming the site's future as a wildlife and community asset. This required an agreement between Natural England and the Council (a declaration) and was subject to an agreed Management Plan, as set out in Appendix 1 to the report and the Cabinet to make a legal declaration.

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The report stated that Rede Common, known locally as 'Sandy Banks', was a green space in the heart of Strood. It was a small open space and Doorstep Green, of 11 hectares, but it was a place at the heart of the local community and was the only semi-natural greenspace site serving this community.

The Friends of Rede Common had been active for 10 years in promoting awareness and support of both the local public and Ward Councillors for the declaration of Rede Common as a LNR. The Friends of Groups had held numerous events promoting the declaration of the LNR.

Decision number:

Decision:

103/2017

The Cabinet agreed the Rede Common Management Plan 2017-2021, as set out in Appendix 1 to the report.

104/2017

The Cabinet agreed to declare Rede Common as a Local Nature Reserve under the National Parks and Access to the Countryside Act 1949 to enable an agreement between the Council and Natural England to be entered into for the designation of the site as a Local Nature Reserve.

Reasons:

It has been a long standing local ambition to declare the Rede Common site as a Local Nature Reserve. Such an action responds to the site's local importance and the Council's and the Friends of Rede Common's desire to maintain and enhance the site's biodiversity and community interests. This ambition also contributes to the Council's target of 1ha of LNR per 1000 head of population.

Partnership Agreement: Parent Carer Participation

Background:

This report provided details of the Partnership Agreement which set out how Medway Parents and Carers Forum, Medway Council and NHS Medway Clinical Commissioning Group (CCG) would work together to achieve the empowerment of parents and carers of children and young people with Special Educational Needs and Disabilities (SEND) so that there would be effective participation by parents and carers in decision making and the shaping of local services.

The report stated that the agreement had been developed in close collaboration with the Medway Parents and Carers Forum and had also been considered by the Medway Clinical Commissioning Group's Patient Experience and Patient and Public Engagement (PEPPE) Steering Group.

Decision number: **Decision:**

The Cabinet noted the report and the agreement as set out in Appendix 1 to the report.

Reasons:

To ensure that the Cabinet has formally received details of the partnership agreement between Medway Parents and Carers Forum, Medway Council and NHS Medway Clinical Commissioning Group.

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. One further form was tabled at the meeting.

Decision number: **Decision:**

105/2017 The Cabinet agreed to unfreeze the following posts, as detailed in Appendix 1 to the report and tabled at the meeting:

Business Support Department

- a) Lawyer, Employment and Contracts, Place Team, Legal Services
- b) Lawyer, Employment and Contracts, Place Team, Legal Services

Children and Adults

- c) Engagement & Quality Lead Officer x 1
- d) Engagement & Quality Lead Officer x 1
- e) Casework YOT Officer
- f) Restorative Justice Practitioner / Coordinator

Cabinet, 5 September 2017

Regeneration, Culture, Environment and Transformation

g) Social Media Marketing Executive.

Reasons:

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

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Leader of the Council

.....
Date

Joseph Dance/Wayne Hemingway, Democratic Services Officers

Telephone: 01634 332008/332509

Email: democratic.services@medway.gov.uk

Record of Cabinet decisions

Tuesday, 26 September 2017

3.00pm to 4.58pm

Date of publication: 27 September 2017

**Subject to call-in these decisions will be effective from 5 October 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 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	
	Ian Sutherland, Director of Children and Adults Services	
	Phil Watts, Chief Finance Officer	
	James Williams, Director of Public Health	

Leader's Announcement

The Leader referred Cabinet Members to the Department for Communities and Local Government (DCLG) consultation document entitled "Planning for the right homes in the right places" in which the proposed methodology for determining housing need would lead to a large increase in the level of housing needed in Medway – a 29% uplift on the current level of assessed housing need of 29,463 homes for the period

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2012-2035. The Leader stated that any increase is unacceptable and that he had met with two of Medway's MPs (Tracey Crouch MP and Kelly Tolhurst MP) and that together with Rehman Chishti MP, they would lobby the Government in respect of the proposals. In addition, the Leader also stated that he would work with other Local Authorities and MPs in opposing the proposals.

All Cabinet Members expressed concern in relation to the proposals citing a number of factors including the provision of land, the ability to build houses, the required infrastructure to support such development, the disproportionate impact of the proposals on South East England, including Medway and the need to maintain the quality of life for local residents.

A report would be submitted to Cabinet on 24 October 2017, setting out the Council's proposed response to the consultation, for Cabinet's consideration and approval.

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 urgent decision taken by the Leader on 21 August 2017 was agreed and signed by the Leader as a correct record.

The record of the meeting held on 5 September 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.

Medium Term Financial Strategy 2017-2022

Background:

This report introduced the Council's Medium Term Financial Strategy for 2017 -2022. The report made forward projections concerning the Council's budget requirement and the resources available to deliver its corporate priorities and objectives included within the Council Plan.

The report articulated the financial challenges facing the Council over the next 4 years and the Council's strategy for delivering a balanced budget in the context of a reducing resource base. It noted that opportunities would be afforded through

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digitalisation, new operating models and over the longer term devolution of power to local authorities and local autonomy over taxation.

The report set out the timetable for the Medium Term Financial Strategy and budget setting and it was noted that business and service planning would run concurrently.

It also provided a framework for the more detailed preparation of the draft Revenue Budget for 2018/19.

Diversity Impact Assessments would be undertaken and reported to Members as part of the budget and service planning process.

Decision number:

106/2017 The Cabinet agreed the underlying aims of the Medium Term Financial Strategy.

The Cabinet noted the forecast level of overall funding over the medium term; and the projected budget deficit identified in the Medium Term Financial Strategy.

107/2017 The Cabinet agreed to proposals being brought forward through the financial planning process to address this deficit.

Reasons:

The accompanying Medium Term Financial Strategy is important in providing the framework underpinning the budget setting process and in order to ensure that the Council meets the timetable set out within the Constitution.

2017 Annual Review of the School Organisation Plan

Background:

This report updated the Cabinet on the progress that had been made against the School Organisation Action Plan, borne from the School Organisation Plan 2011-16. It identified areas of emerging need based upon the latest annual round of forecasting undertaken in April 2017.

Having forecast a need for additional school places the report recommended that with regards to the primary school provision no further action would be needed in this sector beyond projects already initiated. However, an increasing number of primary pupils would start to impact on secondary school numbers and additional capacity would be required, as such the report proposed actions to meet the shortfall.

The report noted a new version of the School Organisation Plan was intended to be presented earlier in 2017; however this was postponed owing to the outcomes of the Government's Wave 12 Free School Programme being delayed. The report stated

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that the new plan was currently being drafted and would be presented to Cabinet on 6 February 2018. The new plan would outline the next 5 years' expectations and actions to ensure sufficient school places were available for a rising population. At the same time, the School Organisation Principles would be updated to reflect the current national and local education landscape.

Diversity Impact Assessments would be undertaken on individual proposals brought forward as a result of actions arising from this report.

Decision number: **Decision:**

The Cabinet noted the continued excellent progress made against the School Organisation Plan framework, which has ensured that the Council meets its duty and sufficient school places are available to meet the increasing demand.

108/2017 The Cabinet agreed to delegate authority to the Director of Children and Adults Services, in consultation with the Portfolio Holders for Children's Services (Lead Member) and Educational Attainment and Improvement, to undertake the development and implementation of the programme to provide additional grammar school places within the budget set out in sections 3.12.2 and 6.6 of the report at one or more of the following schools:

- **Sir Joseph Williamson Mathematical School**
- **Holcombe Grammar School**
- **Chatham Grammar School for Girls**
- **Rainham Mark Grammar School**
- **Rochester Grammar School**
- **Fort Pitt Grammar School.**

109/2017 The Cabinet authorised the granting of a lease to the Rivermead Inclusive Trust on the Former Abbey Court Buildings in Rainham, as indicated in Appendix 1 to the report, for the purposes of providing Tier 3 and Tier 4 mental health provision as set out in section 3.13.2 of the report.

110/2017 The Cabinet authorised officers to undertake further feasibility studies as necessary to ensure that forward planning is in place to meet demand as and where it emerges and report back to Cabinet any formal proposals arising.

Reasons:

To ensure that the Council meets its statutory duty to ensure sufficient good quality school places are available.

Expansion of the South Thames Gateway Building Control Partnership

Background:

This report provided details of a proposal to extend the South Thames Gateway Building Control Partnership to include Canterbury City Council Council's building control service.

The report articulated that the proposal had been considered by members of the South Thames Gateway Building Control Joint Committee (The Joint Committee) and that the Committee had instructed that any expansion may only be considered if the result of inclusion was at nil detriment to the existing arrangements both in terms of cost and quality.

The report provided details of the outline Business Case taken to the Joint Committee in June 2017, as set out in the Exempt Appendix to the report, and summarised in paragraph 2.3 to 2.5.

The proposals had been considered by the Joint Committee on 21 September 2017, as set out in an addendum report.

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

Decision number:

111/2017

Decision:

The Cabinet approved option 1, the expansion of the partnership, through the inclusion of Canterbury City Council's building control service.

Reasons:

The expansion of the partnership will build in further resilience and provide opportunities for a wider market and broader customer base as well as providing reductions in contributions for the existing three partners.

Planning Enforcement Policy 2017

Background:

This report introduced the Planning Enforcement Policy 2017 which would replace the existing 2007 Planning Enforcement Policy.

The report articulated that the new policy provided up to date information on processes applied by the Planning Service and enforcement options available.

The Planning Enforcement Policy 2017 had been considered by the Planning Committee on 30 August 2017 as set out in paragraph 6.4 to the report. The policy is due to be submitted to Full Council on 12 October 2017 for final consideration and approval.

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

Decision number: **Decision:**

The Cabinet noted the comments of the Planning Committee as set out in section 6 of the report.

112/2017 The Cabinet recommended approval of the updated Planning Enforcement Policy 2017, to Full Council, as set out in Appendix A to the report.

113/2017 The Cabinet agreed that any additional resource requirements are to be dealt with through the normal budget setting process.

Reasons:

The updated Planning Enforcement Policy 2017 sets out updated service standards in accordance with up-to-date, relevant legislation, which in turn will improve the Council's position in dealing with complaints and enforcement investigations.

Treasury Management Strategy Mid-Year Review Report 2017/2018

Background:

This report presented the mid-year review of the Treasury Management Strategy 2017/2018, which had been approved by Full Council alongside the Capital and Revenue Budgets on 23 February 2017. This report would also be considered by the Audit Committee on 28 September 2017 prior to final consideration at Full Council on 12 October 2017.

The report included an economic update for the first six months of 2017/2018 and reviewed the Treasury Management Strategy Statement and Annual Investment Strategy; the Council's investment portfolio and borrowing strategy for 2017/2018; a review of any debt rescheduling undertaken during 2017/2018 and, compliance with Treasury and Prudential Limits for 2017/2018.

The report also included details of the urgent decision taken by the Leader on 28 July 2017 in relation to an amendment to Treasury Management Practice 1, as set out in paragraph 4.1 of the report.

Decision number: **Decision:**

The Cabinet noted the content of the report.

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Reasons:

In accordance with the Chartered Institute of Public Finance Accountancy's (CIPFA) Code of Practice for Treasury Management, there should be a review of the strategy at least half yearly.

Council Plan Performance Monitoring Report Quarter 1 2017/18

Background:

This report summarised the performance of the Council's Measures of Success for April-June (Quarter 1) 2017/18 as set out in the Council Plan.

The report and accompanying appendix included progress reports on performance in Quarter 1 2017/18 against the Council's three priorities using 40 measures of success and 13 programmes which support the priorities.

However, this report only included information on 29 measures of success as 11 of these were either data only, or data was not expected until after the report was published.

The report highlighted the following:

Council Plan measures of success:

- 65.5% on target; and
- 50.0% improved over the long term.

Examples of new performance highlights in quarter 1 included:

- 127 fewer 16 and 17 year olds not in employment, education or training (NEET), (383 in Q1 2016/17: 256 in Q1 2017/18). (Full details: section 7.2.4.);
- 98% achievement rate - Medway Adult Education (new measure 2017/18);
- 93% retention rate – Medway Adult Education (new measure 2017/18);
- 95% of square footage let at The Innovation Centre, Medway; and
- 20,000-30,000 attended Medway in Flames finale in June 2017.

Examples of other performance highlights (including those which have been highlighted in previous quarterly reports and continue to perform well)

- 101 fewer days taken for children entering care to move in with adoptive families compared with same monitoring period last year. (from 629 to 528);
- 79 jobs created and safeguarded;
- 529 people on 'Tipping The Balance' health programme achieved reductions in cardiovascular risk;
- No families in bed and breakfast;
- 24 fewer households in temporary accommodation compared with previous quarter (from 351 to 327);
- 22 new affordable homes completed;
- 97% of our street surveys - litter free;

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- 1,154 fly tips removed;
- 91.3% satisfied with refuse collection;
- 34 Fixed Penalty Notices issued for environmental matters;
- £7,380 fines/costs – prosecutions for environmental matters;
- 87.9% very/fairly satisfied with festivals/events; and
- 89.1% stage 1 corporate complaints dealt within 10 days (80% target).

Cabinet Members highlighted a number of successes within their portfolios.

Decision number: **Decision:**

The Cabinet noted the quarter 1 2017/18 performance against the measures of success used to monitor progress against the Council's priorities.

Reasons:

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

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Leader of the Council

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Date

Wayne Hemingway/Jade Milnes, Democratic Services Officers

Telephone: 01634 332509/332008
Email: democratic.services@medway.gov.uk