

Record of Cabinet decisions

Tuesday, 6 March 2018

3.00pm to 5.18pm

Date of publication: 7 March 2018

**Subject to call-in these decisions will be effective from 15 March 2018
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 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
Richard Hicks, Director Regeneration, Culture, Environment and Transformation and Deputy Chief Executive
Perry Holmes, Chief Legal Officer/Monitoring Officer
Julie Keith, Head of Democratic Services
Jade Milnes, Democratic Services Officer
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 Phil Filmer (Frontline Services).

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Record of decisions

The record of the meeting held on 6 February 2018 was agreed and signed by the Leader as a correct record.

Declarations of Disclosable Pecuniary Interests and Other Significant Interests

Disclosable pecuniary interests

There were none.

Other significant interests

There were none.

Other interests

Councillor Gulvin disclosed a non-pecuniary interest in item 10 (Waste Collection and Cleansing Contract 2019) on the agenda as he was a Council representative on the Medway Norse Operational Liaison Board, which was a non-decision making body. Having taken advice from the Monitoring Officer on action required in relation to other significant interests, Councillor Gulvin stated that he would introduce item 10, participate in the discussion and vote on this item.

Medway Local Plan - Development Strategy Consultation

Background:

This report presented the draft Medway Local Plan Development Strategy for consultation, which set out four alternative development strategy scenarios and the proposals for strategic level policies. The report explained that these scenarios provided details of sites and broad locations that could form potential development allocations in the new Local Plan.

The report stated that the proposed development allocations reflected existing 'pipeline' housing sites, as detailed in the Medway Authority Monitoring Report 2017, over the plan period (2012-2035). In addition other common aspects to the development scenarios included a focus on regeneration sites in urban Medway and opportunities to develop a rural town around Hoo St Werburgh.

A Diversity Impact Assessment (DIA) had been completed as part of the policy development, as set out at Appendix B to the report.

Decision number: ***Decision:***

37/2018	The Cabinet approved the publication of the 'Development Strategy' document, as set out in Appendix A to the report, for an eight week period of statutory consultation for the purpose of preparing a new Local Plan for Medway.
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38/2018 **The Cabinet agreed to delegate authority to the Director Regeneration, Culture, Environment and Transformation and Deputy Chief Executive, in consultation with the Portfolio Holder for Planning, Economic Growth and Regulation, to approve minor changes to the Development Strategy document prior to consultation, for the purpose of presentation or improving clarity, and publication of supporting evidence base documents with the commencement of the consultation period.**

Reasons:

The decisions will progress the preparation of the new Medway Local Plan in line with the Medway Local Development Scheme 2018.

Care Leavers Offer and Supported Accommodation

Background:

This report set out the changes to national policy and legislation in relation to young people leaving the care of the Council. This included a requirement for more innovative and effective services to be developed with and delivered for Care Leavers and an extended provision for Personal Advisor support for all Care Leavers up to the age of 25 years old.

The report stated that owing to the changes to the national policy and legislation the Council was required to reassess its services for young people leaving the care of the Council and publish a Care Leavers' Offer by September 2018. A draft Offer was set out at Appendix 3 to the report.

The report noted that a Diversity Impact Assessment (DIA) would be undertaken as part of the process of finalising the Offer.

Decision number: **Decision:**

The Cabinet noted the changes in national policy and legislation and the implications this may have on the Council, as set out in the report.

39/2018 **The Cabinet approved Option 2 (publish a multi-agency, enhanced Offer co-produced with our Care Leavers), as set out in paragraphs 5.2 and 5.3 of the report, subject to suitable resources being identified.**

40/2018 **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 finalise Option 2 if it can be provided within budget. However, if additional resources beyond New Burdens**

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funding are required, a further report will be presented to Cabinet.

Reasons:

The decisions will enable the Council to fulfil its legislative duties for Care Leavers, ensure the services provided are both sustainable and fit for purpose, produce the outcomes required, and progress the Council to be inspection ready.

The Council Plan asks the Local Authority to “continue to play a major role in helping improve the lives of the people of Medway by getting them into work, improving education prospects, creating fantastic leisure and cultural opportunities and continuing to encourage healthy lifestyles and independent living.” This is even more relevant to the young people for whom Medway is the Corporate Parent.

Business Rate Relief

Background:

This report provided details of the government announcement set out in the 2017 Autumn Budget to extend the pub business rate relief scheme for a further year.

The report noted that on 5 September 2017 the Cabinet had agreed to adopt the scheme for pub relief for the 2017/2018 financial year and delegated the detailed application of that scheme to the Chief Finance Officer, in consultation with the Portfolio Holder for Business Management (decision no. 101/2017 refers). The Pub Rate Relief Policy was set out at Appendix 1 to the report.

The report stated that the expectation was that the Council would use their discretionary relief powers under section 47 of the Local Government Finance Act 1988 to award the relief for the 2018/2019 financial year. The report noted that there were 73 pubs that qualified for the relief which amounted to an estimated £73,000. It was added that the Government would fully compensate the Council for the cost of granting the relief through section 31 funding.

Decision number:

41/2018 The Cabinet agreed to extend the Pub Rate Relief Policy for the financial year 2018/19, as set out in section 3 of the report.

Reasons:

Pubs play an important role in urban and rural communities across the country. The £1,000 discount in business rate bills in 2017/18 was welcomed by pubs in meeting their business rates liability, particularly where there have been large increases due to the revaluation in 2017.

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The award of relief for a second year will continue to provide financial support to local pubs at no cost to the Council.

Medway Skills Partnership Board

Background:

This report provided details of the proposed establishment of the Medway Skills Partnership (MSP) Board as a Cabinet Advisory Group.

The report stated that the establishment of the MSP Board was required to inform and champion the development of a 'one Council' approach to the improvement of targeted skills partnership working. As such, it was proposed that the remit of the MSP Board, constituted as a Cabinet Advisory Group would be to:

- keep under review strategies to grow skills and employability;
- coordinate skills and employability initiatives, projects and funding streams related to the five skills priorities;
- make recommendations on external funding opportunities;
- ensure skills and employability opportunities were appraised and pursued as appropriate and;
- ensure a positive message regarding skills attainment and delivery was effectively communicated.

The report also stated that recommendations would either be implemented under existing officer delegations or referred for decision by the Council, Leader and Cabinet or other Committees as appropriate and in accordance with legal and constitutional provisions.

Decision number: ***Decision:***

42/2018 **The Cabinet approved the establishment of the Medway Skills Partnership Board as a Cabinet Advisory Group, with the Terms of Reference and proposed membership, as set out in Appendix 1 to the report.**

43/2018 **The Cabinet agreed to delegate authority to the Chief Executive to finalise the membership of the Medway Skills Partnership Board, in consultation with the Leader.**

Reasons:

A Medway Skills Partnership Board will provide improved coordination and oversee progress of skills and employability, ensuring that the Council's aspirations can be achieved.

Council Plan Performance Monitoring Report Quarter 3 2017/18

Background:

This report summarised the performance against the delivery of the three priorities set out in the Council Plan 2017/2018 for the third quarter of the year.

The report and accompanying Appendix 1 to the report provided details of performance against these priorities using 40 measures of success. However, this report only included information on 37 measures as for 3 measures data was not expected until after the report was published. In summary:

- 56.8% (21 out of 37) were on target;
- 13.5% (5 out of 37) were just below target;
- 29.7% (11 out of 37) were significantly below target; and
- 50% (18 out of 36) improved over long term (compared with the average of the previous 4 quarters).

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

Cabinet Members highlighted a number of key issues during discussion.

Decision number: ***Decision:***

The Cabinet noted the quarter 3 2017/18 performance of 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.

Recruitment Freeze

Background:

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

Details of the posts were set out within Appendix 1 to the report.

**Decision
number:**

Decision:

44/2018

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

Business Support Department

- a) Lawyer, Child, Adult and Education, People Team, Legal Services x 2
- b) Locum Childcare Lawyer, People Team, Legal Services x 2
- c) Locum Education/SEN Lawyer, People Team, Legal Services
- d) Locum Childcare Lawyer, People Team, Legal Services
- e) Locum SEN Lawyer, People Team, Legal Services
- f) Audit & Counter Fraud Manager
- g) Management Accountant – Social Care
- h) Trainee Accountant x 2

Children & Adults

- i) Assistant Director – Commissioning, Business & Intelligence
- j) Referral Information Officer x 2
- k) Young Persons' Wellbeing and Mental Health Transformation Lead
- l) Placement Officer (Children)
- m) Admin Support Assistant

Regeneration, Culture, Environment and Transformation

- n) Head of Festivals, Arts, Theatres and Events
- o) Command of the Heights Project Manager
- p) PA to Director and Deputy Chief Executive

Reasons:

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

Waste Collection and Cleansing Contract 2019

Background:

This report provided a review of the contract procurement options for the Waste Collection and Cleansing contract on expiry of the existing contract with Veolia on 30 September 2019. The report stated that the contract covered kerbside refuse, recycling and organic waste collection, street cleaning and the Materials Recycling Facility (MRF) treatment of kerbside collected recyclable materials. The report set out three options for the future delivery of the services which included extension of existing contract, retender via the Official Journal of the European Union (OJEU) or entering into a Joint Venture with Norse.

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An Exempt Appendix provided the business case which included a detailed analysis of the three options for the future delivery of the services.

**Decision
number:**

Decision:

45/2018

The Cabinet agreed to the transfer of the Waste Collection and Cleansing Contract to Medway Norse from October 2019, subject to completion of a contract in terms to be agreed by the Chief Legal Officer in consultation with the Leader and the Portfolio Holder for Resources.

Reasons:

Option 3, entering the contract into the Joint Venture with Medway Norse offers best value for money, opportunities for efficiencies between existing contracts already part of the Joint Venture and flexibility in future service provision.

Gateway 5: Waste Collection and Disposal and Household Waste Recycling Centres Contracts

Background:

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

The annual report from Veolia Environmental Services was set out at Appendix 1 to the report.

The report stated that the FCC contract ended on the 26 September 2017 following the Cabinet's decision to enter into a Teckal agreement with Medway Norse (decision no.122/2016 refers). As such, a review of the performance of FCC over the last 7 years (October 2010 to September 2017) was set out in the report. It was noted that this was the final annual service report from FCC.

The Procurement Board considered this report on 14 February 2018 and supported the recommendations set out in the report.

**Decision
number:**

Decision:

The Cabinet noted the content of this report including the annual service report set out at Appendix 1 to the report.

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Reasons:

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

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

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Leader of the Council

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Date

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